

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, SOUTHERN
ZONE AT CHENNAI

APPEAL NO. 30 of 2025 (SZ)

BETWEEN

ARJUN GOPALARATNAM

S/o R. Gopalaratnam

No. 02, Nerkundram Village, Salavakkam post via Anambakkam

Pincode : 603107.

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.... Appellant

AND

1. State Environment Impact Assessment Authority

Rep by its Member Secretary,

3rd Floor, Panangal Maligai, No. 1,

Jeenis Maligai , Saidapet

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Ph - 044- 24359973.

2. Mr. R. Giridharan

S/o Rajendran

No. 12/113, 1st Main Road,

Moogambikai Nagar, Sikkarayapuram Extension

Gerugambakkam, Kancheepuram,

Chennai - 600 128

Email - giridharanrs2023@gmail.com



REPLY STATEMENT FILED BY THE 2nd RESPONDENT

I, R. Giridharan, Son of Mr. Rajendran, aged about 31 years, having address at No. 12/113, 1st Main Road, Moogambigai Nagar, Sikkarayapuram Extn, Gerugambakkam, Kancheepuram, Tamil Nadu - 600 128, do hereby solemnly affirm and sincerely state as follows:-

1. That I am the 2nd Respondent herein and as such I am well acquainted with the facts and circumstances of the case and I am authorized to swear this reply statement affidavit.

2. That the present Appeal has been filed by the appellant herein seeking for the following relief:-

"a. Quash the environmental clearance bearing identification no. EC23C0108TN5413025N, file No. 10372 dated 11.01.2025, issued by the 1st Respondent to the 2nd Respondent.

b. Issue such other orders as it deems fit in the interest of the case and render justice."

3. I humbly submit that that I have read the content of the above appeal and at the outset, I deny all the averments contained in this Appeal which are contrary to and/or inconsistent with what is stated and specifically admitted herein as if the same were specifically traversed.

4. That the instant Reply Statement is being filed in order to bring out the true and correct factual position and to specifically deal with the averments



and allegations made by the Appellant in the instant Appeal. The answering Respondent reserves his rights and liberty to file a further detailed Statement/Affidavit and additional documents if the situation so necessitates at large.

5. I humbly submit that the answering Respondent had proposed Rough Stone and Gravel quarry lease over an extent of 2.77.0 Ha in S.F. Nos. 367/1, 367/2, 368/1G, 368/1H, 368/1I, 376/1, 376/2, 376/3, 376/4 and 376/5 of Edamachi Village, Uthiramerur Taluk, Kancheepuram District, Tamil Nadu. I further submit that this answering Respondent had obtained a previous Environmental Clearance dated 20.09.2021 for the proposed quarry.

6. I humbly submit the Appellant herein in the year 2022 had challenged the Environmental Clearance dated 20.09.2021 given to the 2nd Respondent in Appeal No. 15 of 2022. I further submit that this Hon'ble Tribunal was pleased to allow the said Appeal by setting aside the EC and remanded the proposal back to the 1st Respondent for reconsideration, vide its order dated 20.07.2023.

7. I humbly submit that thereafter the Respondent herein after making the requisite modifications had made a fresh application for Environmental Clearance dated 02.09.2023 bearing File No. 10372, before the 1st Respondent.

8. I humbly submit that the proposal was considered in the 426th State Expert Appraisal Committee (SEAC), hereinafter referred to as the committee, meeting held on 24.11.2023 and the committee had sought for additional documents/information for further deliberation including scientific assessment of the hydrogeological conditions of the quarry. I further submit that the SEAC had directed such a scientific study be conducted by any of the



reputed Research and Academic Institution mentioned therein which included the University of Madras (Guindy Campus) – Dept of Geology.

9. I humbly submit that the Respondent herein had sent a detailed reply dated 24.06.2024 for the information sought by the committee including a copy of the detailed report of the Hydrogeological Study conducted by the Department of Geology, University of Madras. I further submit that the proposal was once again considered in the 487th SEAC meeting held on 01.08.2024 and decided to recommend the proposal to the State Environmental Impact Assessment Authority (SEIAA), the 1st Respondent herein, for grant of EC.

10. I humbly submit that the proposal was considered in the 748th SEIAA meeting held on 13.08.2024 and the authority sought for additional documents/information from the Respondent herein.

11. I humbly submit that the Respondent herein had submitted his reply for the details sought by the authority vide letter dated 18.11.2024 and the same was placed before the 775th SEIAA meeting held on 02.12.2024. I further submit that the authority after detailed discussions referred the proposal back to the SEAC for further action.

12. I humbly submit that the proposal was then considered in the 523rd SEAC meeting held on 27.12.2024 and the committee after examining decided to reiterate its earlier recommendation for the grant of EC, while summarily observing the following :



R. Chand

i. That No objection Certificate from Agricultural Department has been obtained dated 18.03.2024, which categorically state that there are no agricultural activities within 1km around the quarry site.

ii. That Letter has been obtained from the District Forest Officer, dated 18.10.2024, which state that the lake is located at a distance of 130m from the quarry and that the quarry is situated 60m from Reserved Forest and the Bird sanctuaries are located 5.6Km and 11.5Km from quarry.

iii. That the Hydrogeological Report by University of Madras, also observes that the Lake is situated beyond 110m from the site and that no ground water problem will occur in the lease area and no seepage. That there will be no adverse impact on the surrounding environment due to no. of equipment being less and that mitigative measures suggested by the report will be followed by the Proponent.

13. I humbly submit that thereafter when the proposal was placed before the 787th SEIAA meeting held on 08.01.2025, the authority after detailed discussions and considering the recommendation of the SEAC had decided to grant the EC.

14. I humbly submit that subsequently the Environmental Clearance for the project in question was granted on 11.01.2025 by the 1st Respondent only after due verification and perusal of available materials/records and compliance of all mandatory requirements as per Environment Impact Assessment (EIA) Notification 2006, which including public hearing/consultation.



15. The Respondent denies the baseless allegations of the Appellant that the EC was granted after suppression of facts and submission of misleading/false facts and the Appellant shall be put to strict proof of the same.

LAKE & RESERVE FOREST

16. The Respondent denies the averment of the Appellant that the project site is located in the immediate vicinity of the Edamachi lake and Reserve Forest. The Respondent humbly submits that the distance from the boundary of the quarry to the lake is 110m as per the Hydrogeological Report of the University of Madras and the same is observed and considered by the SEAC and SEIAA in its meeting prior to grant of approval. Further, they have also observed that since it is a sloping terrain, there will be no issue with respect to drainage water seeping to the lake and further mitigative measures as suggested by the Report will be strictly implemented to mitigate any damage to the lake as much as possible.

17. That the Appellant merely only states that the Lake and Reserve Forest are situated "closer" and "in the vicinity", but does not disclose the actual distance nor what is the violation being committed by the Appellant, which only shows that this is nothing but a vague concocted allegation to stop the operation with a vested interest. It is submitted that the 2nd Respondent has left a buffer distance of 60m from the Reserve Forest, as per the Approved Mining Plan and as such, there will be no impact on the same.

GROUND WATER TABLE



18. The Respondent denies the averment made by the Appellant that the mining will destroy the groundwater table and that this Respondent has suppressed the actual groundwater depth of 5 to 7 mbgl in the area.

19. That the Respondent through the Department of Geology, University of Madras had carried out a detailed Hydrogeological study with respect to the proposed project and the same was submitted to the 1st Respondent for its consideration and the 1st Respondent had considered the report, which categorically state that the water level in the existing bore wells near to the proposed quarry is around 53.6m which may rise up to 50m (during post monsoon). Therefore, the Respondent humbly submits that the mining will be carried out at the maximum depth of 24m bgl and there will be no impact on the groundwater level.

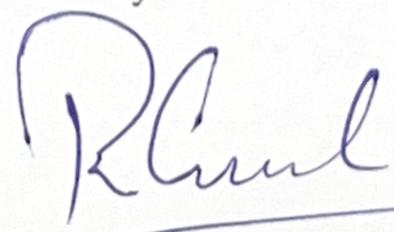
20. That the allegations of suppressing facts regarding the groundwater table are emphatically denied. The contentions are contrary to scientific evidence.

i. This Respondent submitted a detailed Hydro-geological study conducted by the Department of Geology, University of Madras, a premier and independent institution.

ii. The study conclusively found that water level in the area is at a depth of 53.6m below ground level (bgl), It also concluded that there would be "no impact on the groundwater regime due to the proposed quarrying".

iii. The approved mining plan restricts the ultimate depth of the quarry to 24 metres from the surface.

iv. The impugned EC has a specific condition (Part A, No. xx) mandating that "The Project Proponent shall not carry out mining



operations below the ground water table". The Appellant's claims are based on anecdotal evidence from his own well, which cannot refute a scientific site-specific study.

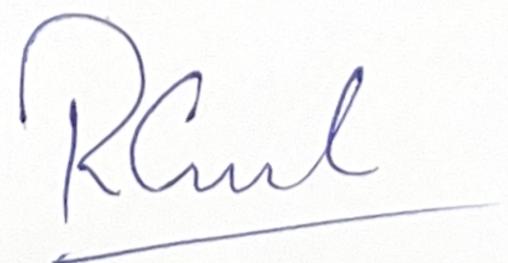
21. It is further submitted that the Appellant has relied on a private report by a third party agency, Thrust Geoconsultants Private Limited, which is not a Government agency and therefore, any report allegedly prepared will only cater to the needs of the Appellant and would not accurately demonstrate the actual data in the region and therefore the Appellant's reliance on the same is liable to be dismissed.

ACCESS ROAD

22. That the allegation and averments made by the Appellant that the quarry site is not connected to any road and the absence of the same disqualifies the site from being considered for mining, is all false and denied. It is submitted that the quarry site is well connected with an existing approach road that has been in use by the villagers nearby and the same has been approved to be used after redevelopment, by the Local Panchayat as seen from its minutes dated 12.08.2022.

23. **It is submitted that** the contention that the quarry site is landlocked is factually incorrect and deliberately misleading.

i. The project site is connected by an existing Panchayat union road. A detailed sketch map confirms the presence of this pathway leading to the quarry site.



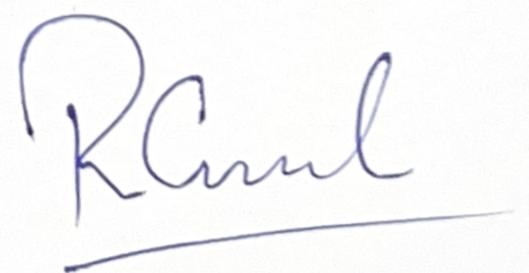
ii. The Edamachi Village Panchayat has passed a resolution providing its No Objection for using this pathway for the transport of minerals from the proposed quarry.

iii. The approved Mining Plan contains specific provisions for the proper maintenance of the existing village road to ensure it remains suitable for transportation without causing inconvenience to the public. The allegation that this aspect was overlooked is therefore false.

24. The Respondent denies the averments of the Appellant that 1st Respondent had failed to consider the impact of the proposed mining on the people in Edamachi, Nerkundram Villages, the roads, the reserve forest and its wildlife, the lake and hydrological regime of the area. Further, the approved Mining Plan and the Impugned EC contain a comprehensive Environmental Management Plan (EMP) with robust mitigation measures, including:

- i. Development of a 7.5-meter-wide greenbelt around the quarry boundary.
- ii. Installation of water sprinklers on haul roads to suppress dust.
- iii. Construction of garland drains and settling tanks to prevent silt runoff.
- iv. The project is located at a safe distance from the Edamachi Reserve Forest, and the EC has specific conditions to protect biodiversity.

25. The Respondent humbly submits that the Appellant has shown no evidence as to how the project would have adverse effects, whereas this Respondent has obtained and submitted various NOCs, Reports and Letters from the concerned authorities, the details of which are as follows, and the



same were duly considered by the 1st Respondent and the SEAC before the grant of EC:

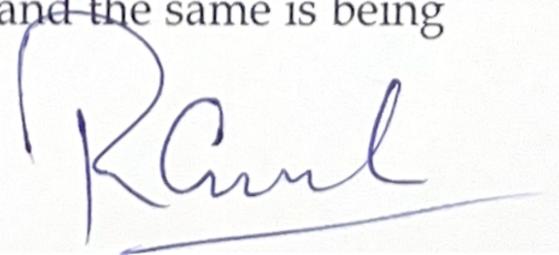
- a. Detailed Hydrogeological Report carried out by the Department of Geology, University of Madras.
- b. NOC obtained from the Agricultural Department dated 18.03.2024
- c. Letter from the District Forest officer dated 18.10.2024
- d. Consents from the TNPCB dated 26.04.2025.

26. That the appellant is relying upon some report from private consultant named Thrust Geoconsultants Private Limited which is temporarily closed and the report from such agency cannot be relied upon.

27. That it is clear from the above that the present appeal is a speculative and misleading attempt to obstruct a lawful project that has been granted all necessary clearances after a diligent and scientific appraisal by statutory authorities.

28. The Respondent humbly submits that the above Appeal is fled with vested interest and devoid of merits. I state that the Appellant with ulterior motives wants to unsettle proceedings which have been issued in accordance with law. I state that the very fact that despite being aware of the entire proceedings, the Appellant has approached this Hon'ble Tribunal after the period of limitation would reflect that he is abusing the process of law for his own vested interests.

29. I further submit that the Appellant has absolutely failed to establish what is the exact violation committed by the Appellant with relevant proof or documents and has merely only made vague statements and the same is being



done for the second time, which only shows that the Appellant will stop at nothing to prevent the 2nd Respondent from operating the quarry, which is a practice that must be condoned, especially so when there is total lack of evidence for the allegations.

30. It is submitted that this Respondent has acted in full compliance with the law. The previous EC being set aside prompted this Respondent to file a fresh application and cure all deficiencies pointed out previously. The grant of the impugned EC after a thorough re-examination by the authorities vindicates the project's compliance with environmental norms. The present appeal is a frivolous attempt to re-agitate issues that have already been considered and settled by the competent authorities.

31. That the 2nd Respondent has spent considerable amount and huge investments for the establishment of the quarry and such false appeals, only directly affect the livelihood of the 2nd Respondent. Further, this appeal is a collateral attack on the detailed findings of expert bodies like the SEAC, SEIAA, and the Department of Geology, University of Madras. The Appellant seeks to substitute his unsubstantiated opinions for the scientific and technical evaluation conducted by these competent authorities. Hence, the Appellant has approached this Hon'ble Tribunal with vested and a malafide interest and there is no public or environment interest is involved in the present issue, hence the present appeal is liable to be dismissed with huge cost.

Under these circumstances, it is prayed that this Hon'ble Tribunal may be pleased to dismiss the above appeal with costs and pass such further or other order as this Hon'ble Tribunal may deem fit and proper in the circumstances of the case and thus render justice.



Dated at Chennai on this the 13th day of June 2025



2ND RESPONDENT

VERIFICATION

I, R. Giridharan, son of Mr. Rajendran, aged about 31 years, residing at No. 12/113, 1st Main Road, Moogambikai Nagar, Sikkarayapuram Extension, Gerugambakkam, Kancheepuram, Chennai - 600 128, do hereby verify that the contents of paras 1 to 31 are true to the best of my knowledge and paras 1 to 31 are believed to be true on legal advice and that I have not suppressed any material fact.

Verified at Chennai on this the 13th day of June, 2025

2ND RESPONDENT

