

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI
Appeal No.32 of 2024 (SZ)

Tvl. Vels Minerals LLP,
Rep. by its Partner Mr. kumaravadivelu
79, Ambakam, konavaikal, K.R. Palayam,
Vasavi College Post, Erode – 638 316
Email: velsminerals@gmail.com
Phone: 98437 88489a

... APPELLANT

Versus

- 1. State Level Environment Impact Assessment Authority (SEIAA),
Rep. by its Member Secretary,
3rd Floor, Panagal Maaligai, No.1, Jeenis Road,
Saidapet, Chennai – 600 015.
Email: seiaamstn@gmail.com
Phone No. 044-24359973**
- 2. State Level Expert Appraisal Committee (SEAC),
Rep. by its Chairman,
3rd Floor, Panagal Maaligai, No.1, Jeenis Road,
Saidapet, Chennai – 600 015.
Email: seacchairmantn@gmail.com
Phone No. 044-24359973.**

... RESPONDENTS

ADDITIONAL COUNTER AFFIDAVIT FILED ON BEHALF OF SEIAA -
TAMIL NADU, THE 1st & 2nd RESPONDENTS

I, A.R. Rahul Nadh, I.A.S., aged about 36 years, working as Member Secretary, State Level Environment Impact Assessment Authority, Tamil Nadu (SEIAA-TN) having office at Third Floor, Panagal Maaligai, Saidapet, Chennai – 600015, do hereby solemnly affirm and sincerely state as follows:

1. I am filing this additional counter affidavit on behalf of the 1st & 2nd Respondents herein and as such I am well acquainted with the facts and the circumstances of the case from the records available in this office.

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Member Secretary
STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY - TN
Panagal Maaligai, No.1, Jeenis Road,
Saidapet, Chennai - 15

2. I respectfully submit that Hon'ble NGT (SZ) directed SEIAA - Tamil Nadu to file an additional report furnishing the particulars of Environmental Clearances issued for quarrying quartz and feldspar from the year 2022 up to till date and the distance criteria and additional conditions imposed on those Environmental Clearances may also be furnished.
3. I respectfully submit that 18 proposals were Environmental Clearance granted by SEIAA-TN for quarrying quartz and feldspar from the year 2022 which are mentioned below;

Sl. No.	File No.	EC Identification Number	Date of EC issued	Distance of Nearest habitation as per the documents submitted by PP
1.	8977	EC22B001TN189237	19.07.2022	Pachapalayam - 2.0 km - NW
2.	6877	Lr.No. SEIAA-TN/F.No.6877/EC. No:5173/2020	26.07.2022	i. There are no Approved habitations within the radius of 300m from the proposed quarrying site. ii. Nearest village is Thindamangalam (1.0km-SE) having Population density is about 700.
3.	8868	EC22B001TN148832	02.09.2022	Thidumal Village - 1.5 km West Side
4.	8822	EC22B001TN142958	02.09.2022	No habitations within 300 metres as per VAO letter
5.	8976	EC22B001TN113664	29.09.2022	1km -Pachapalayam village as per AMP
6.	8796	EC22B001TN187787	21.09.2022	There are no Habitations within the radius of 300m from the proposed quarrying site.
7.	7664	EC22B001TN110108	02.11.2022	Nearest habitation -

				630m - Northeast
8.	8772	EC22B001TN190423	26.12.2022	Lakkumanaickenpatti - 2.0km-SE
9.	9454	EC22B001TN124560	29.11.2022	There are no Habitations within the radius of 300m from the proposed quarrying site.
10.	9336	EC23B001TN146991	20.04.2023	Kurumbapatti - 1.7km
11.	9958	EC23B001TN114270	31.07.2023	Udayampalayam - 0.78km, South
12.	10448	EC24B001TN126480	23.01.2024	Gumulapuram - 1.25km, NW
13.	10287	EC24B001TN192396	27.02.2024	Kosanam - 2km, NE
14.	10610	EC23C0108TN5669970N	06.04.2024	There is no habitation within the radius of 300m
15.	10644	EC24C0108TN5812844N	27.04.2024	Punjaikalakurichi - 1.80km, North
16.	10722	EC23C0107TN5161952N	23.05.2024	Kattupalayam- 1.0km-W
17.	10391	EC24B001TN132039	30.05.2024	Nearest habitation - 450m-SE Nearest habitation - 440m-SW
18.	10390	EC24B001TN110782	12.06.2024	620m - NW

4. It is respectfully submitted that, the additional conditions imposed on Quartz and Feldspar quarries by the SEAC committee is as follows;

- a. The project proponent shall operate the mines by appointing the qualified Mine Manager possessing the First Class (or) Second class mines manager's certificate of competency issued by DGMS under MMR 1961.
- b. The PP shall carry out the Initial and Periodical Medical Examinations to all the persons employed in the mine including the contractual labours, as per the provisions of Mines Rules, 1955.

- c. The PP shall conduct the Occupational health survey for all the persons employed in the mine including contractual labours and maintain the record indicating the status of their health condition.
 - d. The PP shall carry out the required measures to ensure that the persons employed in the mine are comprehensively aware of the consequences of health impacts arise from working with quartz and feldspar deposits.
 - e. The PP shall make necessary arrangements for all the persons working in the mine are adequately trained on Prevention of Silicosis in the programme conducted by the DGMS approved Vocational Training Centre located in Trichy/Salem.
 - f. The PP shall carryout the Occupational Health Survey of the persons living within 1 km radius annually and maintain the record indicating the status of their health condition.
5. It is submitted that the facts of the present appeal are distinct and independent on its own and that the distance of residences itself would show the varied approach to be adopted by this Respondent. It is further submitted that the appellant is not vested with any right on the basis of any of the other projects and the Hon'ble Supreme Court has time and again held that each project must be appraised and processed for Environmental Clearance on its own merits and proposal. Therefore, the appellant contention of other projects of the same mineral being comparable is baseless and unsustainable in the eye of law.
6. It is further submitted that only taking into account the overall situation and appraisal and in the better interest of the environment, this Respondent had to reject the proposal of the Appellant. It is submitted that the Appellant has no vested right over any particular part or piece of land to conduct his trade and business and it is always subject to the discretionary exercise on science and facts by this Respondent.



Therefore, the case of the Appellant is absolutely devoid of any merit and liable to be dismissed.

Therefore, it is humbly prayed that this Hon'ble Tribunal may be pleased to record and pass orders as this Hon'ble Tribunal may deem to fit and proper in light of the facts and circumstances of this case and thus render justice.



Member Secretary
STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY - TN
Panagal Malignai, No.1, Jeeris Road,
Saidapet, Chennai - 15

Solemnly affirmed in Chennai

On this the 05th day of December 2024

And signed his name in my presence

Before me,

Kavita Tamilmozhi
CM/6 4437/2024
No 4, Madras High Court -
Advocate, Chennai