

**IN THE HON'BLE NATIONAL GREEN TRIBUNAL, SOUTHERN ZONE
BENCH, CHENNAI**

APPEAL NO. 32 of 2024

IN THE MATTER OF: -

Tvl. Vels Minerals

.... Applicant

Versus

The Member Secretary, SEIAA and Ors.

.... Respondent

**COUNTER AFFIDAVIT FILED ON BEHALF OF STATE LEVEL
ENVIRONMENT IMPACT ASSESSMENT AUTHORITY (SEIAA)**



Filed by:
G.M. SYED NURULLAH SHERIFF
Senior Standing Counsel
MoEF & Cc.
Mob. No. 9444015330
Counsel for Respondent no. 1

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

Appeal No.32 of 2024 (SZ)

Vels Minerals LLP

... Appellant

versus

1.State Level Environment Impact Assessment Authority (SEIAA)

2.State Level Expert Appraisal committee (SEAC)

...Respondents

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Dated at Chennai on this 04th day of July, 2024.

Counsel for the Respondents 1 & 2

**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

**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 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.



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

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

2. I state that the above appeal has been filed to set aside the impugned rejection letter dated 20.12.2023 by the 1st Respondent based on the recommendations of the 2nd Respondent. I have perused the appeal and deny all the averments and allegations stated therein except those that are specifically admitted hereunder and put the Appellant to strict proof of the same.
3. I respectfully submit that the project proponent, Tvl. Vels Minerals LLP submitted online application seeking Environmental Clearance for the Proposed Quartz and Feldspar Quarry lease area over an extent of 2.07.05 Ha at S.F.Nos. 326/1 of Vaigundam Village, Sankari Taluk, Salem District, Tamil Nadu. The project/activity is covered under Category "B2" of Item 1(a) "Mining Projects" of the Schedule to the EIA Notification, 2006, vide online proposal No. SIA/TN/MIN/278290/2022 dated 16.06.2022 (SEIAA File No. 9335).
4. I state that, the proposal was placed in **308th SEAC meeting held on 01.09.2022**. The details of the project furnished by the proponent are given in the website (parivesh.nic.in). Based on the presentation made by the proponent, SEAC had observed that
 - i. The Mettukadu village (habitation) is situated at a **distance of 57 m** from the boundary of Mining lease area where the drilling & blasting operation is proposed for the ground preparation.
 - ii. A Temple is located in adjacent to the lease boundary.
 - iii. Land is not registered in the name of the company.

Based on the presentation made by the proponent, SEAC sought for the below details from the proponent

1. The proponent is requested to carry out a survey and enumerate on the permanent/temporary structures such as houses, farm houses, temples, industrial sheds, public buildings, etc located within 50m, 100m, 200m and 300m from the boundary of the mine lease area.



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

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

2. The proponent must conduct a survey and furnish the details regarding the population in the Mettukadu village which is located at a distance of 57m from the proposed mine lease area.
3. The proponent is requested to submit the registered lease document.
5. I submit that, subsequently the subject was placed before the Authority (SEIAA-TN) in its **553rd meeting held on 21.09.2022**. Authority decided to call for details in addition to SEAC
 - i. It appears that there are too many habitations and vegetation near the proposed mine lease area. Further, the activity might impair the livelihood and the security of the people in the locality. Hence, the Project Proponent may explore the possibilities for alternative site.
6. I submit that, the Proponent vide letter dated 28.09.2022 submitted a reply to the queries sought.
7. I submit that, in this regard the proposal was placed again in the **327th meeting of State Expert Appraisal Committee (SEAC) held on 10.11.2022**. The data presented by the Proponent related to the query is follows,
 - i. One village temple within 50m radius.
 - ii. In 50 – 100m radius – 16 Houses and 1 Farm House.
 - iii. In 100 – 200m Radius – 28 Houses, 9 Farm Houses and 1 Temple.
 - iv. In 200 – 300m Radius – 5 Houses and 3 Farm Houses.
 - v. The Mettukadu hamlet is a part of Vaigundam village. It is located at a distance of 57m from the mine lease area. Further, there are 49 Household and 139 people are living in this village. Among 139 people 78 are male and 61 are female.

SEAC had observed the following legal provisions;

1. The Rule 36 (1-A) of Tamil Nadu Minor Mineral Concession Rules, 1959 as amended appropriately later states:

(a) "No lease shall be granted for quarrying stone within 300m from any inhabited site"

(iii) *“Inhabited site means a village site or town site or house site or layout approved by a local body or town or country or metropolitan planning authority where the said Body or Authority is located under state and empowered to approve such an area as a house site or layout area.....”*

2. Further, the Reg. 109 of Metalliferous Mines Regulations 1961 (MMR 1961) states that

“..... Workings under railways and roads, etc. – (1) No workings shall be made and no work of extraction or reduction of pillars shall be conducted at, or extended to, any point within 45 metres of any railway, or of any public works in respect of which this regulation is applicable by reason of any general or special order of the Central Government, or of any public road or building, or of other permanent structure not belonging to the owner of the mine, without the prior permission in writing of the Chief Inspector and subject to such conditions as he may specify therein.....”

From the presentation made and documents submitted by the PP, it has been observed that there are 49 dwellings, 13 farm houses and 2 temples situated within 300 meters from the boundary of the proposed quarry lease hold area violating the provisions of the Tamil Nadu Minor Mineral Concession Rules, 1959. Hence the SEAC after having the detailed discussions and in view of the additional information now made available, decided not to recommend the proposal for Environmental Clearance.

8. I submit that, the subject was placed before the **Authority (SEIAA-TN) in its 572nd meeting held on 26.11.2022**. SEIAA accepted the decision of SEAC and decided to request Member Secretary, SEIAA-TN to grant rejection letter to proponent as per the 327th SEAC minutes.



Member Secretary
STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY - TN
Panagal Maligai, No.1, Jeeris Road,
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9. I respectfully submit the project proponent, Tvl. Vels Minerals LLP re-submitted an application seeking Environmental Clearance in the same area vide SIA/TN/MIN/427807/2023 dated 03.05.2023(SEIAA File No – 10040).
10. I subject to state that, Further, the proponent filed a Writ Petition before the Hon'ble Madras High Court in W.P.No.22959 of 2023 on 28.07.2023, to consider the proposal and grant Clearance within stipulated period. The proponent, was informed by this office vide Lr.No. SEIAA-TN/F.No.10040/2023 dated.01.08.2023 that the rejected proposal will not be re-considered at SEIAA-TN. Considering the letter from SEIAA dated.01.08.2023, the Hon'ble Madras High Court closed the above Writ Petition.
11. I subject to state that, Subsequently, the proponent approached the Hon'ble NGT and the Hon'ble NGT(SZ) in Appeal No.17 of 2023 (SZ) set aside the SEIAA letter dated.01.08.2023 and directed as follows vide its order dated.29.08.2023:

“...We direct the SEIAA-Tamil Nadu to reconsider the appellant's application fresh without being influenced by any of the comments made in this order, within the statutory time prescribed...”

12. I subject to state that, the proposal was placed in **425th SEAC meeting held on 23.11.2023 based on the order of the Hon'ble National Green Tribunal**. The details of the project furnished by the proponent are given in the website (parivesh.nic.in). The Committee during detailed deliberations, noted the following points:

- i. The proponent has made only minor changes in the Mining Plan by leaving a safety distance of 100m from the temple and proposing manual mining method for a depth of 24 m in the medium hard formation for a small area of extent.
- ii. The village is situated very near to the project site and there were around 49 households with a population of 139 Nos.
- iii. The submitted proposal is devoid of: -
 - a) sustainable mining practices & plan, and



Member Secretary
STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY - TN
Panagal Maligai, No.1, Jeanis Road,
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Member Secretary
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Panagal Maligai, No.1, Jeanis Road,
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- b) assessment of mining operations vis-à-vis environmental impacts for the village located nearby.
- iv. Silicosis is a notified disease under Mines Act 1952 and the Factories Act 1948, commonly occurs from the mining operations of quartz and feldspar.
 - v. Dust pollution and subsequently adverse impact on health of workers and nearby population (habitations & dwellings) were not very far from the proposed mining area.
 - vi. Due to considerable number of transport vehicles, the roads situated in and around the village gets choked, traffic jams occur i.e. roads are not wide in the existing village road for such high traffic load vehicular emissions also add to air pollution.
 - vii. The dumps of the huge quarry (quartz) fines/fine chips may propagate the airborne silica particulates which pose dangerous health situation for the nearby population such as irreversible nature of diseases like silicosis.
 - viii. In the Modified Mining Plan, it is observed that drilling, breaking, haulage, crusher house which are considered to be the main high-risk zones of silicosis, are planned for the proposed quarry.

Further, the SEAC observed the significant extracts of Special Report dated 23-08-2011 furnished to the Parliament through the GoI by the National Human Rights Commission (NHRC), which has been working on the problem of silicosis for quite some time:

"....2.4 "The silica particles inhaled are so small that they can only be seen with a microscope. At the same time, they are so light that they can remain airborne for a long time. As a result, silica can travel long distances in the air and affect populations not otherwise considered to be at risk. Research studies conducted by the World Health Organization, India Council of Medical Research and the National Institute of Occupational Health have time and again brought forth the fact that silicosis is not only a serious threat to the health of those who are engaged in occupations that are potentially exposed to crystalline silica dust but is



a constant health hazard for people living in the vicinity where these occupations are carried out...."

"....2.6 "Silicosis is both a health issue and a human rights issue. It has an impact not only on the right to life but also on the right to live with dignity of all those affected and their families. The Government agencies and employers under whose jurisdiction any such occupation is carried out in the absence of preventive measures and which causes silicosis, are responsible for serious violation of human rights of the affected workers and their families. Furthermore, there is an important issue of social security in terms of taking care of not only the medical expenses but also the basic day-to-day needs for survival of these workers and their immediate family members..."

Considering the health conditions of large population of 139 Nos. existing at a distance of just 100 m away from the mine lease boundary, the Committee noted that the elimination of blasting activity alone by the proponent as indicated in the modified mining plan will not nullify the impact of quartz & feldspar quarrying operation for a depth of 24 m, and even the manual mining operation induces propagation of airborne silica to the surrounding environmental settings includes a larger habitation located nearby leads to a disastrous impact on their health.

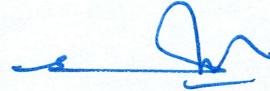
Hence, considering the health of the people residing in the village and the environmental degradation in a fresh & virgin land, the Committee after detailed deliberations decided not to recommend the proposal for grant of Environmental Clearance.

13. I submit that subsequently, the subject was placed before the **Authority (SEIAA-TN) in its 682nd meeting held on 20.12.2023**. After detailed discussions, the 1st Respondent accepted the decision of the 2nd Respondent and rejected the proposal and decided to request Member Secretary, SEIAA-TN to grant rejection letter to proponent as per the 425th SEAC minutes. Further, 1st Respondent decided to close and record this proposal.

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

14. It is submitted that based on the above, **the Rejection letter was sent to the Project proponent vide this office letter No. SEIAA-TN/F.No.10040/2023 dated 20.12.2023. Hence this file is closed and recorded.**

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 Maligai, No.1, Jeenis Road,
Saidapet, Chennai - 15

Solemnly affirmed in Chennai

Before me,

On this the 04th day of July 2024

And signed his name in my presence

Advocate, Chennai



THIRU.DEEPAK S. BILGI, I.F.S
MEMBER SECRETARY

STATE LEVEL ENVIRONMENT IMPACT
ASSESSMENT AUTHORITY-TAMILNADU

3rd Floor, Panagal Maaligai,

No.1, Jeenis Road, Saidapet

Chennai-600015

Phone No.044-24359973

Fax No. 044-24359975

Letter No. SEIAA-TN/F.No.10040/2023 dated: 20.12.2023.

To

M/s. Vels Minerals LLP,
No.79, Ambakam, Konavaikkal,
K.R.Palayam, Vasavi College Post,
Erode-638316,

Sir/Madam,

Sub: SEIAA-TN – An application seeking Environmental Clearance for the Proposed Quartz and Feldspar Quarry lease area over an extent of 2.07.5Ha at S.F No.326/1 of Vaigundam Village, Sankari Taluk, Salem District, Tamil Nadu by M/s. Vels Minerals LLP - under Schedule 1(a) 'Mining of mineral projects' of the EIA Notification, 2006 – proposal not recommended – application closed and recorded - Reg.

Ref: 1. Online Proposal No SIA/TN/MIN/427807/2023, dated: 03.05.2023.
2. The proponent submitted an application for Environmental Clearance at SEIAA-TN on 18.05.2023.
2. Minutes of the 425th SEAC meeting held on 23.11.2023.
3. Minutes of the 682nd SEIAA meeting held on 20.12.2023.

I invite your kind attention to the references cited above wherein in you have submitted an application seeking Environmental Clearance for the Proposed Quartz and Feldspar Quarry

lease area over an extent of 2.07.5Ha at S.F No.326/1 of Vaigundam Village, Sankari Taluk, Salem District, Tamil Nadu.

The proposal was placed in the 425th SEAC meeting held on 23.11.2023. The SEAC noted the following:

1. The project proponent, **M/s. Vels Minerals LLP** has applied for Environmental Clearance for the Proposed Quartz and Feldspar Quarry lease area over an extent of 2.07.5Ha at S.F No.326/1 of Vaigundam Village, Sankari Taluk, Salem District, Tamil Nadu.
2. The project/activity is covered under category “B2” of Item 1(a) “Mining of Minerals Projects” of the Schedule to the EIA Notification, 2006.
3. Earlier, the proponent, **M/s. Vels Minerals LLP** applied for Environmental Clearance for quarrying Quartz & Feldspar over an extent of 2.07.5Ha at S.F No.326/1 of Vaigundam Village, Sankari Taluk, Salem District (same area) vide the following proposal no.

Offline Proposal No.	Online Proposal No.
File No.9335/2022	SIA/TN/MIN/278290/2022 dated.16.06.2022.

The proposal was placed in the 327th SEAC meeting held on 10.11.2022. During deliberations, the Committee noted that the following were situated near the project site:

- i. One village temple within 50m radius.
- ii. In 50 – 100m radius – 16 Houses and 1 Farm House.
- iii. In 100 – 200m Radius – 28 Houses, 9 Farm Houses and 1 Temple.
- iv. In 200 – 300m Radius – 5 Houses and 3 Farm Houses.
- v. The Mettukkadu hamlet is a part of Vaigundham village. It is located at a distance of 57m from the mine lease area. Further, there are 49 Household and 139 people are living in this village. Among 139 people 78 are male and 61 are female.

Further, SEAC observed the following legal provisions:

1. The Rule 36 (1-A) of Tamil Nadu Minor Mineral Concession Rules, 1959 as amended appropriately later states:

(a) "No lease shall be granted for quarrying stone within 300m from any inhabited site"

(iii) "Inhabited site means a village site or town site or house site or layout approved by a local body or town or country or metropolitan planning authority where the said Body or Authority is located under a state and empowered to approve such an area as a house site or layout area...."

3. Further, the Reg. 109 of Metalliferrous Mines Regulations 1961 (MMR 1961) states that

"..... Workings under railways and roads, etc. – (1) **No workings shall be made and no work of extraction or reduction of pillars shall be conducted at, or extended to, any point within 45 metres of any railway, or of any public works in respect of which this regulation is applicable by reason of any general or special order of the Central Government, or of any public road or building, or of other permanent structure not belonging to the owner of the mine, without the prior permission in writing of the Chief Inspector and subject to such conditions as he may specify therein.....**"

From the presentation made and documents submitted by the PP, it has been observed that there are 49 dwellings, 13 farm houses and 2 temples situated within 300 meters from the boundary of the proposed quarry lease hold area violating the provisions of the Tamil Nadu Minor Mineral Concession Rules, 1959. Hence the SEAC after having the detailed discussions decided **not to recommend** the proposal for Environmental Clearance.

4. Subsequently, the proponent re-applied for Environmental Clearance in the same area by modifying mining plan with a safety distance of 100m from the Temple with manual method of Mining vide Proposal No. mentioned below:

Offline Proposal No.	Online Proposal No.
File No.10040/2022	SIA/TN/MIN/427807/2023 dated.03.05.2023.

5. Further, the proponent filed a Writ Petition before the Hon'ble Madras High Court in W.P.No.22959 of 2023 on 28.07.2023, to consider the proposal and grant Clearance within stipulated period.

6. The proponent, was informed by this office vide Lr.No.SEIAA-TN/F.No.10040/2023 dated.01.08.2023 that the rejected proposal will not be re-

considered at SEIAA-TN.

7. Considering the letter from SEIAA dated.01.08.2023, the Hon'ble Madras High Court closed the above Writ Petition.
8. Subsequently, the proponent approached the Hon'ble NGT and the Hon'ble NGT(SZ) in Appeal No.17 of 2023 (SZ) set aside the SEIAA letter dated.01.08.2023 and directed as follows vide its order dated.29.08.2023:

"... We direct the SEIAA-Tamil Nadu to reconsider the appellant's application fresh without being influenced by any of the comments made in this order, within the statutory time prescribed..."
9. In response to the Hon'ble NGT (SZ) order dated.29.08.2023, the proposal is placed for appraisal in this 425th SEAC meeting.
10. The Committee during detailed deliberations, noted the following points:
 - i) The proponent has made only minor changes in the Mining Plan by leaving a safety distance of 100m from the temple and proposing manual mining method for a depth of 24 m in the medium hard formation for a small area of extent.
 - ii) The village is situated very near to the project site and there were around 49 households with a population of 139 Nos.
 - iii) The submitted proposal is devoid of :- (1) sustainable mining practices & plan, and (2) assessment of mining operations vis-à-vis environmental impacts for the village located nearby.
 - iv) Silicosis is a notified disease under Mines Act 1952 and the Factories Act 1948, commonly occurs from the mining operations of quartz and feldspar.
 - v) Dust pollution and subsequently adverse impact on health of workers and nearby population (habitations & dwellings) were not very far from the proposed mining area.
 - vi) Due to considerable number of transport vehicles, the roads situated in and around the village gets chocked, traffic jams occurs i.e. roads are not wide in the existing village road for such high traffic load vehicular emissions also add to air pollution.
 - vii) The dumps of the huge quarry (quartz) fines/fine chips may propagate the airborne silica particulates which pose dangerous health situation for the nearby population such as irreversible nature of diseases like silicosis.

- viii) In the Modified Mining Plan, it is observed that drilling, breaking, haulage, crusher house which are considered to be the main high risk zones of silicosis, are planned for the proposed quarry.

Further, the SEAC observes the significant extracts of Special Report dated 23-08-2011 furnished to the Parliament through the GoI by the National Human Rights Commission (NHRC), which has been working on the problem of silicosis for quite some time:

“....2.4 “The silica particles inhaled are so small that they can only be seen with a microscope. At the same time, they are so light that they can remain airborne for a long time. As a result, silica can travel long distances in the air and affect populations not otherwise considered to be at risk. Research studies conducted by the World Health Organization, India Council of Medical Research and the National Institute of Occupational Health have time and again brought forth the fact that silicosis is not only a serious threat to the health of those who are engaged in occupations that are potentially exposed to crystalline silica dust but is a constant health hazard for people living in the vicinity where these occupations are carried out.....”

*“....2.6 “**Silicosis is both a health issue and a human rights issue.** It has an impact not only on the right to life but also on the right to live with dignity of all those affected and their families. The Government agencies and employers under whose jurisdiction any such occupation is carried out in the absence of preventive measures and which causes **silicosis, are responsible for serious violation of human rights of the affected workers and their families.** Furthermore, there is an important issue of social security in terms of taking care of not only the medical expenses but also the basic day-to-day needs for survival of these workers and their immediate family members...”*

Considering the health conditions of large population existing at a distance of just 100 m away from the mine lease boundary, the Committee noted that the elimination of blasting activity alone by the proponent as indicated in the modified mining plan will not nullify the impact of quartz & feldspar quarrying operation for a depth of 24 m, and even the manual mining operation induces propagation of airborne silica to the surrounding environmental settings includes a larger habitation located nearby leads to a disastrous impact on their health.

Hence, considering the health of the people residing in the village and the environmental degradation in a fresh & virgin land, the Committee after detailed deliberations decided **not to**

recommend the proposal for grant of Environmental Clearance.

The subject was placed in the 682nd authority meeting held on 20.12.2023. The Authority, after discussions, **accepted the decision of SEAC, rejected the proposal** and decided to request Member Secretary, SEIAA-TN to grant rejection letter to proponent as per the 425th SEAC minutes. Further, Authority decided to **close and record this proposal**.

In this regard, it is informed that the proposal was rejected and hence the file is **closed and recorded accordingly**.


MEMBER SECRETARY
SEIAA-TN


20/12/23

MINUTES

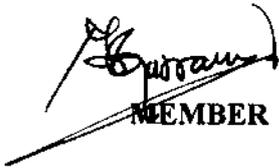
682nd MEETING

STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY-TAMIL NADU

Date: 20.12.2023

			<p>5. As per the OM vide F. No. IA3-22/1/2022-IA-III [E- 172624] Dated: 14.06.2022, the Project Proponents are directed to submit the six-monthly compliance on the environmental conditions prescribed in the prior environmental clearance letter(s) through newly developed compliance module in the PARIVESH Portal from the respective login.</p> <p>6. The amount allocated for EMP should be kept in a separate account and both the capital and recurring expenditures should be done year wise for the works identified, approved and as committed. The work & expenditure made under EMP should be elaborated in the bi-annual compliance report submitted and also should be brought to the notice of concerned authorities during inspections.</p>
10.	Proposed Quartz and Feldspar Quarry lease area over an extent of 2.07.5Ha at S.F No.326/1 of Vaigundam Village, Sankari Taluk, Salem District, Tamil Nadu by M/s. Vels Minerals LLP - For Environmental Clearance. (SIA/TN/MIN/427807/2023)	10040	<p>The authority noted that in response to the Hon'ble NGT (SZ) order dated.29.08.2023, the proposal was placed for appraisal in the 425th SEAC meeting held on 23.11.2023. The Committee during detailed deliberations, noted the following points:</p> <ul style="list-style-type: none"> i) The proponent has made only minor changes in the Mining Plan by leaving a safety distance of 100m from the temple and proposing manual mining method for a depth of 24 m in the medium hard formation for a small area of extent. ii) The village is situated very near to the project site and there were around 49 households with a population of 139 Nos.

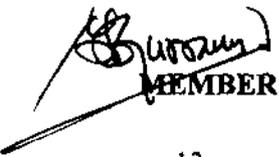

MEMBER SECRETARY


MEMBER


CHAIRMAN
SEIAA-TN

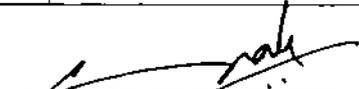
		<p>iii) The submitted proposal is devoid of:- (1) sustainable mining practices & plan, and (2) assessment of mining operations vis-à-vis environmental impacts for the village located nearby.</p> <p>iv) Silicosis is a notified disease under Mines Act 1952 and the Factories Act 1948, commonly occurs from the mining operations of quartz and feldspar.</p> <p>v) Dust pollution and subsequently adverse impact on health of workers and nearby population (habitations & dwellings) were not very far from the proposed mining area.</p> <p>vi) Due to considerable number of transport vehicles, the roads situated in and around the village gets chocked, traffic jams occurs i.e. roads are not wide in the existing village road for such high traffic load vehicular emissions also add to air pollution.</p> <p>vii) The dumps of the huge quarry (quartz) fines/fine chips may propagate the airborne silica particulates which pose dangerous health situation for the nearby population such as irreversible nature of diseases like silicosis.</p> <p>viii) In the Modified Mining Plan, it is observed that drilling, breaking, haulage, crusher house which are considered to be the main high risk zones of silicosis, are planned for the proposed quarry.</p> <p>Further, the SEAC observes the significant extracts of Special Report dated 23-08-2011 furnished to the Parliament through the GoI by the National Human</p>
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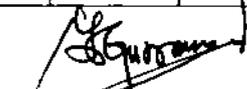

MEMBER SECRETARY


MEMBER


CHAIRMAN
SEIAA-TN

		<p>Rights Commission (NHRC), which has been working on the problem of silicosis for quite some time:</p> <p><i>"...2.4 "The silica particles inhaled are so small that they can only be seen with a microscope. At the same time, they are so light that they can remain airborne for a long time. As a result, silica can travel long distances in the air and affect populations not otherwise considered to be at risk. Research studies conducted by the World Health Organization, India Council of Medical Research and the National Institute of Occupational Health have time and again brought forth the fact that silicosis is not only a serious threat to the health of those who are engaged in occupations that are potentially exposed to crystalline silica dust but is a constant health hazard for people living in the vicinity where these occupations are carried out....."</i></p> <p><i>"...2.6 "Silicosis is both a health issue and a human rights issue. It has an impact not only on the right to life but also on the right to live with dignity of all those affected and their families. The Government agencies and employers under whose jurisdiction any such occupation is carried out in the absence of preventive measures and which causes silicosis, are responsible for serious violation of human rights of the affected workers and their families. Furthermore, there is an important issue of social security in terms of taking care of not only the medical expenses</i></p>
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MEMBER SECRETARY

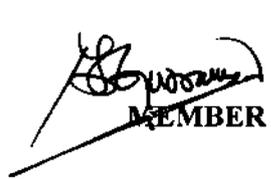

MEMBER


CHAIRMAN
SEIAA-TN

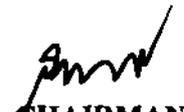
			<p><i>but also the basic day-to-day needs for survival of these workers and their immediate family members..."</i></p> <p>Considering the health conditions of large population existing at a distance of just 100 m away from the mine lease boundary, the Committee noted that the elimination of blasting activity alone by the proponent as indicated in the modified mining plan will not nullify the impact of quartz & feldspar quarrying operation for a depth of 24 m, and even the manual mining operation induces propagation of airborne silica to the surrounding environmental settings includes a larger habitation located nearby leads to a disastrous impact on their health.</p> <p>Hence, considering the health of the people residing in the village and the environmental degradation in a fresh & virgin land, the Committee after detailed deliberations decided not to recommend the proposal for grant of Environmental Clearance.</p> <p>The Authority, after discussions, accepted the decision of SEAC, rejected the proposal and decided to request Member Secretary, SEIAA-TN to grant rejection letter to proponent as per the 425th SEAC minutes. Further, Authority decided to close and record this proposal.</p>
11.	Proposed Rough Stone and Gravel Quarry lease area over an extent of 2.83.70 Ha at S.F Nos.365/1A and 365/1B1 of Kuchanur Village, Uthamapalayam Taluk, Theni District, Tamil Nadu by Thiru. S. Sivakumar - For Environmental	10341	The authority noted that the proposal was placed for appraisal in the 425 th SEAC meeting held on 23.11.2023. Based on the presentation made and documents submitted and from the KML file uploaded in the PARIVESH Portal, SEAC noted the following.



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MEMBER



CHAIRMAN
SEIAA-TN

after obtaining a prior permission from the Director of Mines Safety/Chennai Region, by involving any one of the reputed Research and Academic Institutions - CSIR-Central Institute of Mining & Fuel Research / Dhanbad, NIRM/Bangalore, Division of Geotechnical Engineering-IIT-Madras, NIT-Dept of Mining Engg, Surathkal, and Anna University Chennai-CEG Campus. A copy of such scientific study report shall be submitted to the SEIAA, MoEF, TNPCB, AD/Mines-DGM and DMS, Chennai as a part of Environmental Compliance without any deviation.

7. Since the waterbodies/tanks are situated nearby, the PP shall **annually** carry out the scientific studies to assess the hydrogeological condition of the quarry for determining the influence of mining operation on the extent of ground water and the impacts on the agricultural activities within 1 km radius from the mine, by involving any one of the reputed Research and Academic Institution - CSIR-Central Institute of Mining & Fuel Research / Dhanbad, NIRM/Bangalore, Dept of Civil Engg - Environmental Engineering (EE) Group/IIT-Madras, NIT-Dept of Mining Engg, Surathkal, University of Madras – Centre for Environmental Studies, and Anna University Chennai-Dept of Geology, CEG Campus. A copy of such scientific study report shall be submitted to the SEIAA, MoEF, TNPCB, AD/Mines-DGM and DMS, Chennai as a part of Environmental Compliance without any deviation
8. As accepted by the Project Proponent the CER cost of Rs. 8 Lakhs and the amount shall be spent for the activities as committed towards Government High School, Kasthambadi Village. before obtaining CTO from TNPCB.

Agenda No: 425 - 10

(File No.10040/2023)

Proposed Quartz and Feldspar Quarry lease area over an extent of 2.07.5Ha at S.F No.326/1 of Vaigundam Village, Sankari Taluk, Salem District, Tamil Nadu by M/s. Vels Minerals LLP - For Environmental Clearance.

(SIA/TN/MIN/427807/2023, dated: 03.05.2023).

The proposal was placed for appraisal in the 425th Meeting of SEAC held on


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23.11.2023. The details of the project furnished by the proponent are given in the website(parivesh.nic.in).

The SEAC noted the following:

1. The project proponent, **M/s. Vels Minerals LLP** has applied for Environmental Clearance for the Proposed Quartz and Feldspar Quarry lease area over an extent of 2.07.5Ha at S.F No.326/1 of Vaigundam Village, Sankari Taluk, Salem District, Tamil Nadu.
2. The project/activity is covered under category "B2" of Item 1(a) "Mining of Minerals Projects" of the Schedule to the EIA Notification, 2006.
3. Earlier, the proponent, **M/s. Vels Minerals LLP** applied for Environmental Clearance for quarrying Quartz & Feldspar over an extent of 2.07.5Ha at S.F No.326/1 of Vaigundam Village, Sankari Taluk, Salem District (same area) vide the following proposal no.

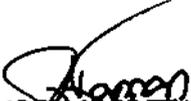
Offline Proposal No.	Online Proposal No.
File No.9335/2022	SIA/TN/MIN/278290/2022 dated.16.06.2022.

The proposal was placed in the 327th SEAC meeting held on 10.11.2022. During deliberations, the Committee noted that the following were situated near the project site:

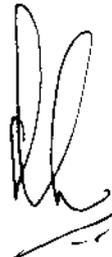
1. One village temple within 50m radius.
2. In 50 – 100m radius – 16 Houses and 1 Farm House.
3. In 100 – 200m Radius – 28 Houses, 9 Farm Houses and 1 Temple.
4. In 200 – 300m Radius – 5 Houses and 3 Farm Houses.
5. The Mettukkadu hamlet is a part of Vaigundham village. It is located at a distance of 57m from the mine lease area. Further, there are 49 Household and 139 people are living in this village. Among 139 people 78 are male and 61 are female.

Further, SEAC observed the following legal provisions:

1. The Rule 36 (1-A) of Tamil Nadu Minor Mineral Concession Rules, 1959 as amended appropriately later states:


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(a) "No lease shall be granted for quarrying stone within 300m from any inhabited site"

(iii) "Inhabited site means a village site or town site or house site or layout approved by a local body or town or country or metropolitan planning authority where the said Body or Authority is located under a state and empowered to approve such an area as a house site or layout area....."

2. Further, the Reg. 109 of Metalliferrous Mines Regulations 1961 (MMR 1961) states that

"..... Workings under railways and roads, etc. – (1) **No workings shall be made and no work of extraction or reduction of pillars shall be conducted at, or extended to, any point within 45 metres of any railway, or of any public works in respect of which this regulation is applicable by reason of any general or special order of the Central Government, or of any public road or building, or of other permanent structure not belonging to the owner of the mine, without the prior permission in writing of the Chief Inspector and subject to such conditions as he may specify therein.....**"

From the presentation made and documents submitted by the PP, it has been observed that there are 49 dwellings, 13 farm houses and 2 temples situated within 300 meters from the boundary of the proposed quarry lease hold area violating the provisions of the Tamil Nadu Minor Mineral Concession Rules, 1959. Hence the SEAC after having the detailed discussions decided **not to recommend** the proposal for Environmental Clearance.

4. Subsequently, the proponent re-applied for Environmental Clearance in the same area by modifying mining plan with a safety distance of 100m from the Temple with manual method of Mining vide Proposal No. mentioned below:

Offline Proposal No.	Online Proposal No.
File No.10040/2022	SIA/TN/MIN/427807/2023 dated.03.05.2023.


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5. Further, the proponent filed a Writ Petition before the Hon'ble Madras High Court in W.P.No.22959 of 2023 on 28.07.2023, to consider the proposal and grant Clearance within stipulated period.
6. The proponent, was informed by this office vide Lr.No.SEIAA-TN/F.No.10040/2023 dated.01.08.2023 that the rejected proposal will not be re-considered at SEIAA-TN.
7. Considering the letter from SEIAA dated.01.08.2023, the Hon'ble Madras High Court closed the above Writ Petition.
8. Subsequently, the proponent approached the Hon'ble NGT and the Hon'ble NGT(SZ) in Appeal No.17 of 2023 (SZ) set aside the SEIAA letter dated.01.08.2023 and directed as follows vide its order dated.29.08.2023: *"...We direct the SEIAA-Tamil Nadu to reconsider the appellant's application fresh without being influenced by any of the comments made in this order, within the statutory time prescribed..."*
9. In response to the Hon'ble NGT (SZ) order dated.29.08.2023, the proposal is placed for appraisal in this 425th SEAC meeting.
10. The Committee during detailed deliberations, noted the following points:
 - i) The proponent has made only minor changes in the Mining Plan by leaving a safety distance of 100m from the temple and proposing manual mining method for a depth of 24 m in the medium hard formation for a small area of extent.
 - ii) The village is situated very near to the project site and there were around 49 households with a population of 139 Nos.
 - iii) The submitted proposal is devoid of :- (1) sustainable mining practices & plan, and (2) assessment of mining operations vis-à-vis environmental impacts for the village located nearby.
 - iv) Silicosis is a notified disease under Mines Act 1952 and the Factories Act 1948, commonly occurs from the mining operations of quartz and feldspar.
 - v) Dust pollution and subsequently adverse impact on health of

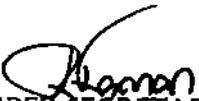
workers and nearby population (habitations & dwellings) were not very far from the proposed mining area.

- vi) Due to considerable number of transport vehicles, the roads situated in and around the village gets chocked, traffic jams occurs i.e. roads are not wide in the existing village road for such high traffic load vehicular emissions also add to air pollution.
- vii) The dumps of the huge quarry (quartz) fines/fine chips may propagate the airborne silica particulates which pose dangerous health situation for the nearby population such as irreversible nature of diseases like silicosis.
- viii) In the Modified Mining Plan, it is observed that drilling, breaking, haulage, crusher house which are considered to be the main high risk zones of silicosis, are planned for the proposed quarry.

Further, the SEAC observes the significant extracts of Special Report dated 23-08-2011 furnished to the Parliament through the Col by the National Human Rights Commission (NHRC), which has been working on the problem of silicosis for quite some time:

"....2.4 "The silica particles inhaled are so small that they can only be seen with a microscope. At the same time, they are so light that they can remain airborne for a long time. As a result, silica can travel long distances in the air and affect populations not otherwise considered to be at risk. Research studies conducted by the World Health Organization, India Council of Medical Research and the National Institute of Occupational Health have time and again brought forth the fact that silicosis is not only a serious threat to the health of those who are engaged in occupations that are potentially exposed to crystalline silica dust but is a constant health hazard for people living in the vicinity where these occupations are carried out....."

"....2.6 "Silicosis is both a health issue and a human rights issue. It has an impact not only on the right to life but also on the right to live with


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*dignity of all those affected and their families. The Government agencies and employers under whose jurisdiction any such occupation is carried out in the absence of preventive measures and which causes **silicosis**, are responsible for serious violation of human rights of the affected workers and their families. Furthermore, there is an important issue of social security in terms of taking care of not only the medical expenses but also the basic day-to-day needs for survival of these workers and their immediate family members..."*

Considering the health conditions of large population existing at a distance of just 100 m away from the mine lease boundary, the Committee noted that the elimination of blasting activity alone by the proponent as indicated in the modified mining plan will not nullify the impact of quartz & feldspar quarrying operation for a depth of 24 m, and even the manual mining operation induces propagation of airborne silica to the surrounding environmental settings includes a larger habitation located nearby leads to a disastrous impact on their health.

Hence, considering the health of the people residing in the village and the environmental degradation in a fresh & virgin land, the Committee after detailed deliberations decided **not to recommend the proposal** for grant of Environmental Clearance.

Agenda No: 425 - 11

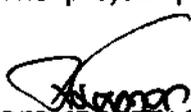
(File No.10341/2023)

Proposed Rough Stone and Gravel Quarry lease area over an extent of 2.83.70 Ha at S.F Nos.365/1A and 365/1B1 of Kuchanur Village, Uthamapalayam Taluk, Theni District, Tamil Nadu by Thiru. S. Sivakumar - For Environmental Clearance. (SIA/TN/MIN/438908/2023 dated: 10.08.2023).

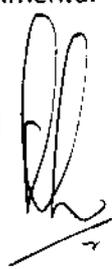
The proposal was placed for appraisal in the 425th Meeting of SEAC held on 23.11.2023. The details of the project furnished by the proponent are given in the website(parivesh.nic.in).

The SEAC noted the following:

1. The project proponent, **Thiru. S. Sivakumar** has applied for Environmental


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Item No.4:-**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI***Tuesday, the 29th day of August 2023.**(Through Video Conference)***Appeal No.17 of 2023 (SZ)****IN THE MATTER OF:**

Tvl. Vels Minerals LLP
Rep. by its Designated Partner
Mr. Kumaravadivelu
79, Ambakam, Konavaikal,
K.R. Palayam, Vasavi College Post,
Erode - 638 316.

...Appellant(s)

*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.

2) State Level Expert Appraisal Committee (SEAC)

Rep. by its Chairman
3rd Floor, Panagal Maaligai,
No.1, Jeenis Road,
Saidapet, Chennai - 600 015.

...Respondent(s)

For Appellant (s): M/s. S. Saravanan, P. Kokila,
R. Suresh, B. Girija & K. Mokshavathy.

For Respondent(s): Mr. G.M. Syed Nurullah Sheriff for R1 & R2.

CORAM:**HON'BLE Smt. JUSTICE PUSHPA SATHYANARAYANA, JUDICIAL MEMBER****HON'BLE Dr. SATYAGOPAL KORLAPATI, EXPERT MEMBER**

ORDER

1. This is an appeal against the rejection order of the appellant's application/proposal bearing File No.10040 of 2023 dated 18.05.2023 by the State Environmental Impact Assessment Authority - Tamil Nadu (Respondent No.1).
2. Earlier, the very same appellant had applied an application for Environmental Clearance (EC) vide File No.9335 of 2022 dated 22.06.2022 for the proposed quarrying over an extent of 2.07.5 Hectares in Sy. No.326/1 of Vaigundam Village, Sankari Taluk, Salem District. It was appraised by the SEAC - Tamil Nadu which had not recommended the project for grant of Environmental Clearance. Accepting the said recommendation, the 1st Respondent rejected the proposal of the appellant dated 22.06.2022.
3. Though the appellant does not prefer an appeal against the same, accepted the reasons and rectified the same and subsequently, got a fresh mining lease for the same land and applied a fresh proposal vide File No.10040 of 2023. The said proposal was rejected by the SEIAA - Tamil Nadu considering it as a re-presentation of the same project without realizing that it is an independent second proposal seeking the Environmental Clearance applied by the appellant. Even otherwise, all these proposals should be placed before the SEAC - Tamil Nadu who would consider and recommend accordingly to the SEIAA - Tamil Nadu, based on which, the SEIAA - Tamil Nadu has to pass orders.
4. Admittedly, the SEIAA - Tamil Nadu has got no independent powers to reject the application without consideration and recommendation of the SEAC - Tamil Nadu.
5. Be that as it may, the rejection of the proposal (File No.10040 of 2023) by the SEIAA - Tamil Nadu is not correct.

6. Accordingly, the appeal is disposed of and the rejection order passed by the SEIAA - Tamil Nadu is hereby set aside and the matter is remitted to the SEIAA - Tamil Nadu for fresh consideration. We direct the SEIAA - Tamil Nadu to reconsider the appellant's application fresh without being influenced by any of the comments made in this order, within the statutory time prescribed.

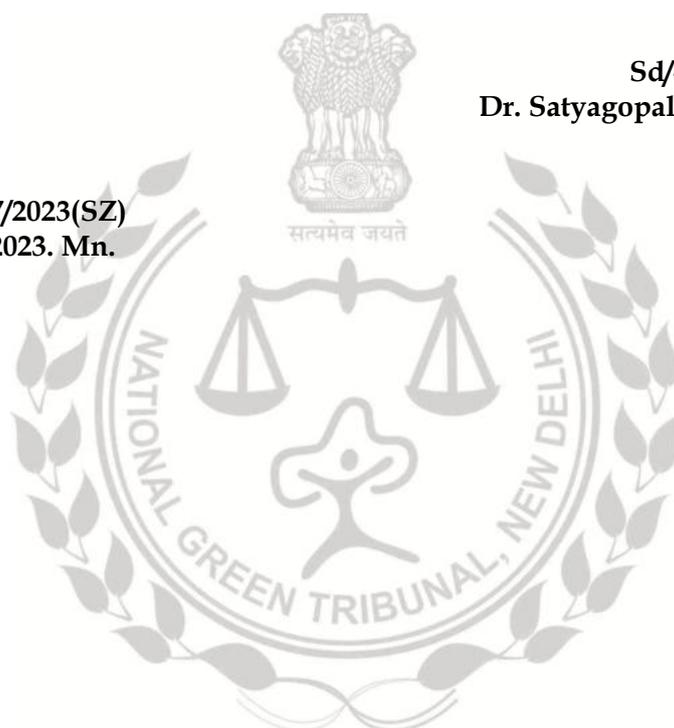
Sd/-

Smt. Justice Pushpa Sathyanarayana, JM

Sd/-

Dr. Satyagopal Korlapati, EM

Appeal No.17/2023(SZ)
29th August, 2023. Mn.



NGT



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W.P.No.22959 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.08.2023

CORAM :

THE HONOURABLE MRS. JUSTICE J.NISHA BANU

AND

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

W.P.No.22959 of 2023

Tvl.Vels Minerals LLP,
Rep. By its Designated
Partner Mr.Kumaravadivelu,
79, Ambakam, Konavaikal, K.R.Palayam
Vasavi College Post,
Erode 638 316

... Petitioner

.Vs.

1. State Level Environmental Impact
Assessment Authority (SEIAA),
Rep by its Member Secretary,
3rd floor, Panagal Maligai,
No.1, Jeenis Road, Saidapet, Chennai 600 015

2. State Level Expert Appraisal Committee (SEAC),
Rep. By its Chairman,
3rd Floor, Panagal Maaligai,
No.1, Jeenis Road, Saidapet, Chennai 600 015

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to consider the petitioner's proposal bearing Online EC Proposal

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W.P.No.22959 of 2023

No.SIA/TN/MIN/427807/2023 dated 03.05.2023 and Lr.No.SEIAA/TU/E and File No.10040 of 2023, dated 18.05.2023 process the same, and grant Environmental Clearance to the petitioner to quarry Quartz and Feldspar over an extent of 2.07.5 Hectares of patta land comprised in S.F.No.326/1, Vaikundam Village, Sankari Taluk, Salem District in accordance with law and on merits within a time stipulated by this Court.

For Petitioner : Mr.S.Saravanan

For RR 1 & 2 : Mr.V.Chandrasekaran,
Standing Counsel

ORDER

This writ petition is filed praying for issuance of Writ of Mandamus, to direct the respondents to consider the petitioner's proposal bearing Online EC Proposal No.SIA/TN/MIN/427807/2023 dated 03.05.2023 and Lr.No.SEIAA/TU/E and File No.10040 of 2023, dated 18.05.2023 and to process the same, and grant Environmental Clearance to the petitioner to quarry Quartz and Feldspar over an extent of 2.07.5 Hectares of patta land comprised in S.F.No.326/1, Vaikundam Village, Sankari Taluk, Salem District in accordance with law and on merits within a time stipulated by this Court.

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W.P.No.22959 of 2023

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2. It is represented that subsequent to the filing of this writ petition, the Member Secretary of the 1st respondent-State Level Environment Impact Assessment Authority, vide Letter No.SEIAA-TN/F.No.10040/2023 dated 01.08.2023, rejected the online proposal of the petitioner dated 16.06.2022. In the said letter, it has been pointed out that EC application for grant of environmental clearance resubmitted on 03.05.2023 and on 18.05.2023 will not be re-considered at SEIAA-TN. A copy of the said letter dated 01.08.2023 has been produced before this court.

3. In view of the above rejection order dated 01.08.2023, the writ petition stands dismissed as infructuous with liberty to the petitioner to challenge the same in the manner known to law. No costs.

(J.N.B., J.) (K.B., J.)
11.08.2023

Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No
nvsri

Page No.3 of 4



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W.P.No.22959 of 2023

J.NISHA BANU, J.,
and
K.KUMARESH BABU, J.,

nvsri

To:

1. The Member Secretary,
State Level Environmental Impact
Assessment Authority (SEIAA),
3rd floor, Panagal Maligai,
No.1, Jeenis Road, Saidapet, Chennai 600 015.
2. The Chairman,
State Level Expert Appraisal Committee (SEAC),
3rd Floor, Panagal Maaligai,
No.1, Jeenis Road, Saidapet, Chennai 600 015

W.P.No.22959 of 2023

11.08.2023

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On receipt of the above details, SEAC would further deliberate on this project and decide the further course of action.

Agenda No: 308-07

(File No: 9349/2022)

Proposed Rough Stone Quarry lease over an extent of 1.42.0 Ha at S.F.Nos. 76, 140 (part-2) of Nathathahalli Village, Dharmapuri Taluk, Dharmapuri District, Tamil Nadu by Thiru. S.Rathinavel - For Environmental Clearance. (SIA/TN/MIN/268005/2022 Dt. 05.05.2022)

The proposal was placed in 308th SEAC meeting held on 01.09.2022. The details of the project furnished by the proponent are given in the website (parivesh.nic.in).

The SEAC noted the following:

1. The Project Proponent, Thiru. S.Rathinavel has applied for Environmental Clearance for the proposed Rough Stone Quarry lease over an extent of 1.42.0 Ha at S.F.Nos. 76, 140 (part-2) of Nathathahalli Village, Dharmapuri Taluk, Dharmapuri District, Tamil Nadu.
2. The project/activity is covered under Category "B2" of Item 1(a) "Mining Projects" of the Schedule to the EIA Notification, 2006.

Based on the presentation made by the proponent, SEAC had observed that (i) few structures exist within the radius of 500 m (ii) the Plans and Sections of the proposed mining operation was prepared wrongly with diagonal sections and hence the SEAC decided to call for additional details as given below:

1. The proponent is requested to furnish the DFO letter.
2. The proponent is requested to carry out a survey and enumerate on the structures located within 50m, 100m, 200m, and 300m from the boundary of the mine lease area.
3. Revised mining plan incorporating the proper 'Plans and Sections' approved by the competent authority shall be submitted by the PP.

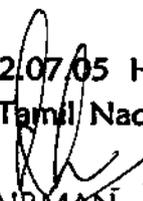
On receipt of the above details, SEAC would further deliberate on this project and decide the further course of action.

Agenda No: 308-08

(File No: 9335/2022)

Proposed Quartz and Feldspar Quarry lease over an extent of 2.07.05 Ha at S.F.Nos. 326/1 of Vaigundam Village, Sankari Taluk, Salem District, Tamil Nadu by


MEMBER SECRETARY
SEAC -TN


CHAIRMAN
SEAC - TN

Tvl. Vels Minerals LLP - For Environmental Clearance. (SIA/TN/MIN/278290/2022 Dt. 16.06.2022)

The proposal was placed in 308th SEAC meeting held on 01.09.2022. The details of the project furnished by the proponent are given in the website (parivesh.nic.in).

The SEAC noted the following:

1. The Project Proponent, Tvl. Vels Minerals LLP has applied for Environmental Clearance for the proposed Quartz and Feldspar Quarry lease over an extent of 2.07.05 Ha at S.F.Nos. 326/1 of Vaigundam Village, Sankari Taluk, Salem District, Tamil Nadu.
2. The project/activity is covered under Category "B2" of Item 1(a) "Mining Projects" of the Schedule to the EIA Notification, 2006.

Based on the presentation made by the proponent, SEAC had observed that (i) the Mettukadu village (habitation) is situated at a distance of 57 m from the boundary of Mining lease area where the drilling & blasting operation is proposed for the ground preparation (ii) a Temple is located in adjacent to the lease boundary decided to call for additional details (iii) Land is not registered in the name of the company.

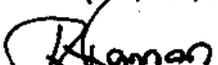
1. The proponent is requested to carry out a survey and enumerate on the permanent/temporary structures such as houses, farm houses, temples, industrial sheds, public buildings, etc located within 50m, 100m, 200m and 300m from the boundary of the mine lease area.
2. The proponent must conduct a survey and furnish the details regarding the population in the Mettukadu village which is located at a distance of 57m from the proposed mine lease area.
3. The proponent is requested to submit the registered lease document.

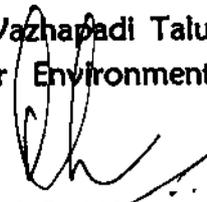
On receipt of the above details, SEAC would further deliberate on this project and decide the further course of action.

Agenda No: 308-09

(File No: 9286/2022)

Proposed Black Granite Quarry lease over an extent of 2.11.0 Ha at S.F.Nos. 203/1B (Part), 204/2B (Part) and 206/1B of Periyagoundapuram Village, Vazhapadi Taluk, Salem District, Tamil Nadu by Thiru. M. Ponnambalam - For Environmental Clearance. (SIA/TN/MIN/274479/2022 Dt. 24.05.2022)


MEMBER SECRETARY
SEAC -TN


CHAIRMAN
SEAC- TN

MINUTES

572nd MEETING

STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY-TAMIL NADU

Date: 26.11.2022

			<p>SEAC in addition to the following conditions and the conditions in Annexure 'A' of this minutes.</p> <ol style="list-style-type: none"> 1. The project proponent shall store/dump the 12,449m³ of Granite Reject generated within the earmarked area of the project site and utilize the same for mine closure as per the approved mining plan. 2. As per the MoEF& CC office memorandum F.No.22-65/2017-IA.III dated: 30.09.2020 and 20.10.2020 accepted by the Project proponent, the revised CER cost is Rs. 5 Lakhs and the amount shall be spent for the committed activities before obtaining CTO from TNPCB.
2.	<p>Proposed Quartz and Feldspar Quarry lease over an extent of 2.07.05 Ha at S.F.Nos. 326/1 of Vaigundam Village, Sankari Taluk, Salem District, Tamil Nadu by Tvl. Vels Minerals LLP - For Environmental Clearance.</p>	9335	<p>The authority noted that the subject was appraised in 327th SEAC meeting held on 10.11.2022.</p> <p>From the presentation made and documents submitted by the PP, it has been observed that there are 49 dwellings, 13 farm houses and 2 temples situated within 300 meters from the boundary of the proposed quarry lease hold area violating the provisions of the Tamil Nadu Minor Mineral Concession Rules, 1959. Hence the SEAC after having the detailed discussions and in view of the additional information now made available, decided</p>


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SEIAA-TN

			<p>not to recommend the proposal for Environmental Clearance.</p> <p>In the view of the above, SEIAA accepts the decision of SEAC and decided to request Member Secretary, SEIAA-TN to grant rejection letter to proponent as per the 327th SEAC minutes.</p>
3.	Proposed Rough Stone and Gravel quarry lease over an extent of 2.37.5 Ha at S.F. No. 90/3 (Part) & 94/1D of Solapalayam Village, Pollachi Taluk, Coimbatore District, Tamil Nadu by Thiru.T. Gowri Shankar - for Environmental Clearance.	9167	<p>The authority noted that the subject was appraised in 327th SEAC meeting held on 10.11.2022. SEAC has furnished its recommendations to the Authority for granting Environmental Clearance to the Project subject to the conditions stated therein. After detailed discussion, the Authority with reference to specific condition (I) of SEAC, SEIAA decided to grant Environmental Clearance for a quantity of 75,570 m³ of Rough Stone and 3,160 m³ of Gravel up to a depth of 2m BGL in Section XY- AB and 27m BGL in section X1Y1-AB as per the mine plan, for a period of 5 years approved by the Department of Geology & Mining subject to the conditions as recommended by SEAC and conditions stated therein vide Annexure 'A'</p>
4.	Proposed Rough Stone and Gravel quarry lease over an extent of 1.82.0 Ha at S.F.No. 396/2A of Morattupalayam Village, Uthukuli Taluk, Tiruppur District, Tamil Nadu by	7722	<p>The Authority after detailed discussion with reference to specific condition (1) of SEAC, SEIAA decided to grant Environmental Clearance for a period of 5 years confining to the ultimate depth of mining upto 40m BGL & the total production quantity of 172983</p>


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SEIAA-TN

reported to the MoEF & CC Ministry and its Integrated Regional Office (IRO) located in Chennai.

32. Prior clearance from Forestry & Wild Life including clearance from committee of the National Board for Wildlife as applicable shall be obtained before starting the quarrying operation, if the project site attracts the NBWL clearance, as per the existing law from time to time.
33. All the conditions imposed by the concerned Assistant/Deputy Director, Geology & Mining, in the mining plan approval letter and the Precise area communication letter issued by the concerned District Collector should be strictly followed.
34. The Project Proponent shall send a copy of the clearance letter marked to concerned Panchayat / local representatives, if any, from whom any suggestion/representation has been received while processing the proposal.
35. That the grant of this E.C. is issued from the environmental angle only, and does not absolve the project proponent from the other statutory obligations prescribed under any other law or any other instrument in force. The sole and complete responsibility, to comply with the conditions laid down in all other laws for the time-being in force, rests with the project proponent.
36. All the commitments made by the proponent during the Public Hearing (if applicable), as per the minutes of Public Hearing should be implemented in total.

Agenda No: 327-02

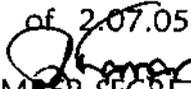
(File No: 9335/2022)

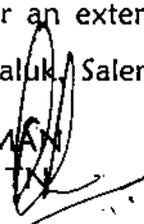
Proposed Quartz and Feldspar Quarry lease over an extent of 2.07.05 Ha at S.F.Nos. 326/1 of Vaigundam Village, Sankari Taluk, Salem District, Tamil Nadu by Tvl. Vels Minerals LLP - For Environmental Clearance. (SIA/TN/MIN/278290/2022 Dt.16.06.2022)

The proposal was placed in 327th SEAC meeting held on 10.11.2022. The details of the project furnished by the proponent are given in the website (parivesh.nic.in).

The SEAC noted the following:

1. The Project Proponent, Tvl. Vels Minerals LLP has applied for Environmental Clearance for the proposed Quartz and Feldspar Quarry lease over an extent of 2.07.05 Ha at S.F.Nos. 326/1 of Vaigundam Village, Sankari Taluk, Salem


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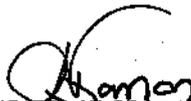
District, Tamil Nadu.

2. The project/activity is covered under Category "B2" of Item 1(a) "Mining Projects" of the Schedule to the EIA Notification, 2006.
3. Earlier the proposal was placed in 308th SEAC meeting held on 01.09.2022. Based on the presentation made by the proponent, SEAC decided to call for additional details
 - i) The proponent is requested to carry out a survey and enumerate on the structures located within 50m, 100m, 150m, 200m, 250m, 300m from the boundary of the mine lease area.
 - ii) The proponent must conduct a survey and furnish the details regarding the population in the Mettukadu village which is located at a distance of 57m from the proposed mine lease area.
 - iii) The proponent is requested to submit the registered lease document.
4. Subsequently, the proposal was placed in 553rd SEIAA meeting held on 21.09.2022. Authority decided to call for details in addition to SEAC
 - i) It appears that there are too many habitations and vegetation near the proposed mine lease area. Further, the activity might impair the livelihood and the security of the people in the locality. Hence, the PP may explore the possibilities for alternative site.

Based on the reply furnished by the PP, the proposal was placed in the 327th SEAC meeting held on 10.11.2022. Based on the presentation made by the PP and data presented related to the query as follows,

1. One village temple within 50m radius.
2. In 50 – 100m radius – 16 Houses and 1 Farm House.
3. In 100 – 200m Radius – 28 Houses, 9 Farm Houses and 1 Temple.
4. In 200 – 300m Radius – 5 Houses and 3 Farm Houses.
5. The Mettukadu hamlet is a part of Vaigundham village. It is located at a distance of 57m from the mine lease area. Further, there are 49 Household and 139 people are living in this village. Among 139 people 78 are male and 61 are female.

SEAC had observed the following legal provisions;


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1. The Rule 36 (1-A) of Tamil Nadu Minor Mineral Concession Rules, 1959 as amended appropriately later states:

(a) "No lease shall be granted for quarrying stone within 300m from any inhabited site"

(iii) "Inhabited site means a village site or town site or house site or layout approved by a local body or town or country or metropolitan planning authority where the said Body or Authority is located under a state and empowered to approve such an area as a house site or layout area....."

2. Further, the Reg. 109 of Metalliferrous Mines Regulations 1961 (MMR 1961) states that

"..... Workings under railways and roads, etc. – (1) No workings shall be made and no work of extraction or reduction of pillars shall be conducted at, or extended to, any point within 45 metres of any railway, or of any public works in respect of which this regulation is applicable by reason of any general or special order of the Central Government, or of any public road or building, or of other permanent structure not belonging to the owner of the mine, without the prior permission in writing of the Chief Inspector and subject to such conditions as he may specify therein....."

From the presentation made and documents submitted by the PP, it has been observed that there are 49 dwellings, 13 farm houses and 2 temples situated within 300 meters from the boundary of the proposed quarry lease hold area violating the provisions of the Tamil Nadu Minor Mineral Concession Rules, 1959. Hence the SEAC after having the detailed discussions and in view of the additional information now made available, decided not to recommend the proposal for Environmental Clearance.

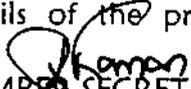
Agenda No: 327-03

(File No: 9167/2022)

Proposed Rough Stone and Gravel quarry lease over an extent of 2.37.5 Ha at S.F. No. 90/3 (Part) & 94/1D of Solapalayam Village, Pollachi Taluk, Coimbatore District, Tamil Nadu by Thiru.T. Gowri Shankar - for Environmental Clearance.

(SIA/TN/MIN/265576/2022 dated 08.04.2022)

The proposal was placed in this 327th Meeting of SEAC held on 10.11.2022. The details of the project furnished by the proponent are available in the website


MEMBER SECRETARY
SEAC -TN

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CHAIRMAN
SEAC - TN

MINUTES

553rd MEETING

STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY-TAMIL NADU

Date: 21.09.2022

			<p>3. Will the mining activity cause soil erosion</p> <p>4. Detailed report regarding the impact of mining on the loss of livelihood and security of the people nearby the proposed site.</p> <p>In view of this, the Authority decided to accept the decision made by SEAC and decided to request the Member Secretary, SEIAA to communicate the minutes of 308th SEAC meeting to the project proponent.</p>
8.	Proposed Quartz and Feldspar Quarry lease over an extent of 2.07.05 Ha at S.F.Nos. 326/1 of Vaigundam Village, Sankari Taluk, Salem District, Tamil Nadu by Tvl. Vels Minerals LLP - For Environmental Clearance	9335	<p>Authority noted that the subject was placed in the 308th meeting of SEAC held on 01.09.2022.</p> <p>Based on the presentation made by the proponent, SEAC had observed that (i) the Mettukadu village (habitation) is situated at a distance of 57 m from the boundary of Mining lease area where the drilling & blasting operation is proposed for the ground preparation (ii) a Temple is located in adjacent to the lease boundary decided to call for additional details (iii) Land is not registered in the name of the company.</p> <p>1. The proponent is requested to carry out a survey and enumerate on the permanent/temporary structures such as houses, farm houses, temples, industrial sheds, public buildings, etc located within 50m, 100m, 200m and 300m from the boundary of the mine</p>


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			<p>lease area.</p> <ol style="list-style-type: none"> The proponent must conduct a survey and furnish the details regarding the population in the Mettukadu village which is located at a distance of 57m from the proposed mine lease area. The proponent is requested to submit the registered lease document. <p>On receipt of the above details, SEAC would further deliberate on this project and decide the further course of action.</p> <p>Further, Authority decided to call for details in addition to SEAC</p> <ol style="list-style-type: none"> It appears that there are too many habitations and vegetation near the proposed mine lease area. Further, the activity might impair the livelihood and the security of the people in the locality. Hence, the PP may explore the possibilities for alternative site.
9.	Proposed Black Granite Quarry lease over an extent of 2.11.0 Ha at S.F.Nos. 203/1B (Part), 204/2B (Part) and 206/1B of Periyagoundapuram Village, Vazhapadi Taluk, Salem District, Tamil Nadu by Thiru. M. Ponnambalam - For Environmental Clearance	9286	<p>Authority noted that the subject was placed in the 308th meeting of SEAC held on 01.09.2022.</p> <p>Based on the presentation made by the proponent, SEAC decided to call for additional details</p> <ol style="list-style-type: none"> The proponent is requested to furnish the DFO letter stating the proximity distance from nearest RF, WLS etc., within 25 KM radius distance The proponent must submit the


MEMBER SECRETARY


MEMBER


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SRI SARAVANA MOELLS

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Sri Maha Mariamman Temple

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