

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

**APPEAL NO. 45 OF 2024 (SZ)**

M/s.Stone Trust Enterprises,  
Rep. by its Partner Mr.K.P.Mithun Kumar,  
7/4, 8th Street, Nandanam Extension,  
Chennai - 600 035.

Email: stonetrust.semmedu@gmail.com & Phone No. 9962084848

**... Appellant**

**Versus**

1. Ministry of Environment, Forest and Climate Change  
(MoEF & CC), Rep. by its Secretary (EF & CC),  
Indira Paryavaran Bhawan,  
Jorbagh Road, New Delhi - 110 003  
Email: secy-moef@nic.in & Phone No. +91-11-20819308
  
  2. 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
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3. 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**

**AFFIDAVIT FILED BY THE APPELLANT**

I, Mr.K.P.Mithun Kumar, Son of Mr.K.Panneerchelvam, aged about 39 years, having Office at 7/4, 8th Street, Nandanam Extension, Chennai - 600 035, do hereby solemnly affirm and sincerely state as follows:

1. That I am the Partner of M/s. Stone Trust Enterprises, the Appellant herein, and as such I am well acquainted with the facts of the case.
  2. That the present Appeal has been filed before this Hon'ble Tribunal challenging the rejection order related to Proposal No. 9641 dated 10.04.2024, issued by the 2<sup>nd</sup> respondent and seeking for a direction to consider the appellant's proposal and grant Environmental Clearance based on the recommendations of the 3<sup>rd</sup> respondent (SEAC) made during its 281<sup>st</sup> meeting concerning application bearing File No. 9040.
  3. That contents in the above appeal and the documents filed, may be treated as part and parcel of the present Affidavit.
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4. That the overt malafide and discriminatory conduct of the committee members and the 2nd and 3rd Respondents toward the Appellant is further evidenced by the fact that other similarly placed quarry projects in Tamil Nadu, including those with water bodies alongside the mining area, have been granted Environmental Clearance with proper conditions, **EVEN WHEN THE SUBJECT MATTER WAS SUB JUDICE BEFORE THIS HON'BLE TRIBUNAL**. In contrast, the Appellant has been issued with an unfounded and unreasonable condition, among others, that the activity will affect the "**SAFETY AND SECURITY**" of the environment. This condition demonstrates the extent of malafide behind the rejection order.

5. That the 2nd Respondent (SEIAA) has granted environmental clearances to projects located near waterbodies with more sensitive environmental conditions than the Appellant's proposal, based on the 3rd Respondent's recommendations. In these cases, the SEAC conducted detailed appraisals and recommended approval with mitigation measures. However, in the Appellant's case, the SEAC's recommendation was overturned without valid reasoning, as evidenced by the minutes of the meetings. **THIS INCONSISTENCY RAISES CONCERNS ABOUT THE UNIFORMITY AND TRANSPARENCY OF THE PROCESS, ESPECIALLY IN LIGHT OF THE EIA GUIDELINES. IT UNDERSCORES A DEVIATION FROM ESTABLISHED NORMS AND SUGGESTS A NEED FOR GREATER CLARITY AND CONSISTENCY IN EVALUATING AND APPROVING ENVIRONMENTAL CLEARANCES.** Details of the similar quarries that have been granted Environmental Clearances are as follows:

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SL. NO	DATE	FILE NO.	E.C. GRANTED DETAILS
01	07.09.2024	10687	<p>To Thiru.V.Pavan Voora for mining rough stone and gravel over an extent of 4.25.5 ha of Patta lands in S.F. Nos. 272/1 and 279/10, etc., of Mahajanambakkam Village, Cheyyur Taluk, Tiruvennamalai District.</p> <p><b>There is a water tank (ERI) comprised in S.F. No. 283 measuring 42.45 Ha ABUTTING the proposed mining site on the eastern side, which is located downstream of the water tank. Further there is water catchment (ERI tank - submergible area) in Patta land in S.F No. 282/2 ABUTTING the proposed mining site on the South East side.</b></p>
02	21.09.2024	845/2023	<p>To Tvl. TAMIN for mining Black Granite Quarry over an extent of 40.13.04 ha of Government Land in Pothuvail Village (S.F. No. 58/1) and Pazhavalam Village (S.F. No. 135/1), Gingee Taluk, Villupuram District.</p> <p><b>There is a huge waterbody "Pothuvai Lake" is situated ADJAENT to the quarry site, while Pazhavalam Lake and Vettavalam lake are located</b></p>

			0.06km and 1.94km away, respectively. The said quarry is in a hilly terrain, with the hill rising 100 meters above ground level. A large waterbody is present at the base of the said hill.
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6. That the facts presented above make it evident that the authority is acting prejudicially against the Appellant. Documents related to this issue have been filed as Volume V to substantiate these claims.

7. That to further substantiate the evidence concerning the issuance of Environmental Clearances by the 2nd and 3rd Respondents to projects adjacent to or abutting waterbodies, it is necessary to mark the documents listed below as annexures in this Appeal, in addition to the documents already submitted. The details of the documents are as follows:

Sl. No.	Date	Description of Documents	Annexure
<b>FILE NO. 10687 (Rough Stone &amp; Gravel) (Thiru.V.PAVAN VOORA)</b>			
1	-	Abstract	A113
2	08.11.2023	Precise Area Communication	A114
3	-	Extract of Village A Register	A115
4	-	Village Map with topo sketch	A116
5	-	Map - Drainage Pattern	A117
6	-	Google Map	A118

	-	Map showing watershed	<b>A119</b>
<b>7</b>	<b>27.03.2024</b>	Minutes of 455th SEAC Meeting	<b>A120</b>
<b>8</b>	<b>21.06.2024</b>	Minutes of 478th SEAC Meeting	<b>A121</b>
	<b>11.07.2024</b>	Minutes of 738th SEIAA Meeting	<b>A122</b>
	<b>03.09.2024</b>	Minutes of 750th SEIAA Meeting	<b>A123</b>
<b>9</b>	<b>07.09.2024</b>	Environmental Clearance	<b>A124</b>
<b>FILE NO. 845/2023 (Black Granite)</b> <b>(Tvl. TAMIN)</b>			
<b>10</b>	-	Abstract	<b>A125</b>
	<b>02.11.2011</b>	Precise Area Communication	<b>A126</b>
<b>11</b>	-	Village Map	<b>A127</b>
<b>12</b>	-	Map - Drainage Pattern	<b>A128</b>
	-	Google Map	<b>A129</b>
<b>13</b>	-	Map showing watershed	<b>A130</b>
<b>15</b>	<b>02.11.2023</b>	Minutes of 420th SEAC Meeting	<b>A131</b>
<b>16</b>	<b>20.11.2023</b>	Minutes of 674th SEIAA Meeting	<b>A132</b>
	<b>03.09.2024</b>	Minutes of 752nd SEIAA Meeting	<b>A133</b>
<b>17</b>	<b>21.09.2024</b>	Environmental Clearance	<b>A134</b>

8. That this Hon'ble Tribunal may consider the above-mentioned conduct of the Respondents, which violates the EIA Notification and amounts to a pure abuse of legal process, evidencing an intention to retaliate against the Appellant. Hence, it is respectfully prayed that suitable orders be passed against their highhanded conduct.

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9. That the above ECs were issued by the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents, only during the pendency of the present Appeal, hence the Appellant is filing those documents before this Hon'ble Tribunal for its consideration and to establish the attitude of the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents, besides they are dealing with the cases on biased manner.

In view of the above circumstances, it is humbly prayed that this Hon'ble Tribunal may be pleased to record the above statements and accept the above documents as **Annexures A113 to A134 (Compilation V)** in the above Appeal, and thus render justice.

Solemnly affirmed at Chennai	*	
On this the 28 <sup>th</sup> day of September, 2024	*	
And put his signature in my presence	*	<b>DEPONENT</b>

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

**Appeal No.            of 2024 (SZ)**

M/s. Stone Trust Enterprises  
... Appellant

-Versus-

Ministry of Environment Forest and  
Climate Change (MoEF & CC),  
& 2 Others

... Respondents

**AFFIDAVIT FILED BY THE  
APPELLANT**

**M/s. P. KOKILA  
KPRIYANKA  
B. GIRIJA  
K. MOKSHAVATHY  
COUNSEL FOR APPELLANT**

**(Mobile No.96001 37731)**