

**BEFORE 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,

... Appellant

Versus

Ministry of Environment, Forest and Climate Change (MoEF & CC),
Rep. by its Secretary (EF & CC),
& 2 Others

... Respondents

**INDEX
COMPILATION VII**

Sl. No.	Date	Description of Documents	Annexure	Page No.
1	04.10.2024	503 rd SEAC Minutes of the Meeting	A136	1338 - 1152

Dated at Chennai on this 26th day of November, 2024



COUNSEL FOR APPELLANT

State Expert Appraisal Committee (SEAC)

Minutes of 503rd meeting of the State Expert Appraisal Committee (SEAC) held on 04.10.2024 (Friday) at SEIAA Conference Hall, 2nd Floor, Panagal Maligai, Saidapet, Chennai 600 015 for consideration of Building & Construction and Mining Projects.

Confirmation of Earlier Minutes

The minutes of the 502nd SEAC meeting held on 03.10.2024 were circulated to the Members in advance and as there were no remarks, the Committee decided to confirm the minutes.

Agenda No:503-01

(File No:10858/2024)


Proposed Rough Stone quarry over an extent of 1.50.00 Ha at S.F. Nos. 20 (Part-1) of Appanoothu Village, Oddenchatram Taluk, Dindigul District, Tamil Nadu by Thiru.K.S.Govindaraj - For Environmental Clearance. (SIA/TN/MIN/470308/2024, Dated:24.04.2024).

The proposal was earlier placed in the 472nd Meeting of SEAC held on 31.05.2024. During the meeting, the Project Proponent has requested for additional time to produce Certified Compliance Report for the earlier EC issued by the DEIAA. Hence, the subject was not taken up for discussion.

On receipt of the above, the proposal was again placed in the 503rd Meeting of SEAC held on 04.10.2024.

The SEAC noted the following:

1. Initially, the project proponent has obtained EC from DEIAA vide Lr.No/DEIAA-DGL/EC.No.069/2017 dated: 09.03.2018 for the quantity of 99,890 cu.m of rough stone up to the depth of 23m BGL for the period of 5 years from the date of execution of mining lease deed.
2. CCR has been obtained from IRO, MOEF&CC vide F.No. EP/12.1/2024-25/SEIAA/44/TN/1461 dated:16.09.2024 which states that
"...The current depth of the quarry has reached upto 40m below ground level against the approved depth of 23m below ground level."


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Based on the presentation and documents furnished by the project proponent, SEAC decided to recommend the proposal for the grant of Environmental Clearance for the production quantity of 30,000 m³ of Ordinary Earth & the ultimate depth of mining upto 0.90m below ground level subject to the following conditions and it shall be valid for the project life of 60 days from the date of lease execution as laid down in the mining plan approved, subject to the standard conditions as per the Annexure I of this minutes & normal conditions stipulated by MOEF &CC, in addition to the following specific conditions:

1. The PP shall ensure that the loaded trucks are covered with a tarpaulin cover to avoid the spillage & dust pollution while transportation.
2. The PP shall carry out the required number of plantations as committed in the EMP without deviation before obtaining the CTO from the TNPCB.
3. The PP shall not carry out drilling & blasting operations in the proposed quarry.
4. The PP shall install a 'Bio-toilet' and Rest shelter facility for the persons employed in the mine before obtaining the CTO from the TNPCB.
5. The PP shall carry out the operation only during the day-light hours with safety precautionary measures being adopted while excavating in the wet/saturated areas.
6. As accepted by the Project Proponent the CER cost of Rs. 2,00,000 and the amount shall be spent for the activities as committed towards P.P Govt Higher Secondary School, Ponvilaintha Kalathur, Chengalpattu District before obtaining CTO from TNPCB.

Agenda No: 503-TA-02

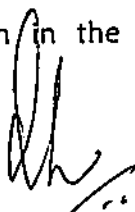
(File No: 9170/2024)

Existing Rough Stone and Gravel quarry over an extent of 1.38.6 Ha at S.F.Nos. 520/3A1 (Part) & 521/5 (Part) of Viralipatti Village, Nilakottai Taluk, Dindigul District, Tamil Nadu by Thiru. G. Vadivelu – For Environmental Clearance.

(SIA/TN/MIN/469034/2024, Dated: 11.04.2024)

The proposal was placed in this 503rd meeting of SEAC held on 04.10.2024. The details of the project furnished by the proponent are given in the website (parivesh.nic.in).


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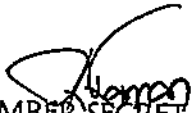

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The SEAC noted the following:

1. The Project Proponent, Thiru. G. Vadivelu has applied for Environmental Clearance for the Existing Rough Stone and Gravel quarry over an extent of 1.38.6 Ha at S.F.Nos. 520/3A1 (Part) & 521/5 (Part) of Viralipatti Village, Nilakottai Taluk, Dindigul 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. Thiru. G. Vadivelu earlier applied seeking Environment Clearance (File No. 9170/2022 and Online Proposal No. SIA/TN/MIN/263854/2022 dated: 07.04.2022) for the Proposed Rough Stone and Gravel quarry over an extent of 1.55.5 Ha at S.F.Nos. 520/3A1 & 521/5 of Viralipatti Village, Nilakottai Taluk, Dindigul District, Tamil Nadu. The proposal was placed in the 292nd Meeting of SEAC held on 07.07.2022. The committee observed that File.No. 9170 - SIA/TN/MIN/263854/2022 of PP, Thiru.G.Vadivelu, Viralipatti Village, Nilakottai Taluk, Dindigul District was included in the Agenda for 292nd SEAC meeting held on 07.07.2022. M/s.GEMS are the consultants for the PP. The proposal is for grant of EC for 'Rough Stone and Gravel' quarry in SF.Nos.520/3A1 & 521/5 of Viralipatti Village, Nilakottai Taluk, Dindigul District covering an extent of 1.55.5ha.

During the meeting the consultant M/s.GEMS made a presentation as if it is a fresh case. On examination, it is found that a proposal for the same survey numbers in favour of the same PP for the same purpose with File.No.7768 - SIA/TN/MIN/168200/2020 was already appraised in 181st SEAC meeting held on 10.10.2020. It is also seen from the record that in 181st SEAC meeting held on 10.10.2020, the following recommendation was made.

"Based on the presentation given by the project proponent and document furnished by the project proponent, the SEAC noted that Periyar Main Canal is located at 200 m in Southern side, Vaigai River is located at 500m in Southern side & Odai passing on the western side of the lease applied area. Further, the mining to an ultimate depth of 43 m will impact the agricultural activity nearby the mining lease area and further, it is ascertained that mining


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activity will have impact water bodies said above. Hence, it was unanimously decided that the above said proposal is rejected for the above said reasons". It is also seen from the record that it was the same consultant, namely, M/s GEMS who represented the PP and made presentation before 181st SEAC meeting held on 10.10.2020.

The consultant, namely M/s GEMS therefore, should submit an explanation for the above lapse/misconduct.

Subsequently, the proposal was placed in the 537th Authority meeting held on 29.07.2022. After detailed deliberations, Authority noted the recommendation of 292nd SEAC meeting held on 07.07.2022 and requested the Member Secretary – SEIAA to call for explanation from the consultant M/s. GEMS as suggested by SEAC.

4. The proposal was again placed in the 433rd meeting of SEAC held on 21.12.2023.

During the meeting, the committee noted the following

- 1) The EIA Coordinator has submitted an explanation as called for earlier vide letter dated: 21.12.2023.
- 2) Further, PP has requested for withdrawal of the proposal.

Hence, the Committee decided to accept the withdrawal request made by the PP and SEIAA may accordingly take necessary action in accordance with the procedures as laid in the law.

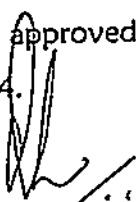
Subsequently, the subject was placed in the 690th Authority meeting held on 05.02.2024. The Authority noted that the subject was appraised in the 433rd SEAC meeting held on 21.12.2023.

In view of the above, the Authority decided to accept the withdrawal request of the PP after taking action based on the explanation from the PP and the EIA Coordinator.

5. Now, the project proponent has re-submitted the proposal after reducing the area from 1.55.5 Ha to 1.38.6 Ha and leaving effective safety distance.

6. The project proponent has furnished the revised precise area communication letter vide Rc.No. 671/2019 (G&M), dated: 31.01.2024 and approved revised mining plan vide Rc.No.671/2019 (Mines), dated: 27.02.2024.


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The precise area communication was issued for the period of 5 Years. The approved mining plan is for 5 Years. As per the approved mine plan, the annual peak production shall not exceed 38,910 m³ of Rough Stone (4th year) and 6600 m³ of Gravel (2nd year) for an ultimate depth of 42m (2m Gravel + 40m Rough Stone) below ground level.

7. The proposal was placed for appraisal in the 469th meeting of SEAC held on 23.05.2024. Based on the presentation and documents furnished by the project proponent, SEAC decided to make an on-spot inspection to assess the present status of the site by the sub-committee constituted by the SEAC. On receipt of sub-committee inspection report, SEAC would further deliberate on this project and decide the further course of action.

8. The salient features of the proposal are as follows:


File No.	9170 / 2024	Category	B2
	469034 / 2024		1(a)
Sl. No	Salient Features of the Proposal		
1.	Name of the Owner/Firm	:	Thiru. G. Vadivelu, S/o. Gurunathan, Karuppamooppampatti, Viralipatti Post, Nilakottai Taluk, Dindigul District - 624 202.
2.	Type of quarrying (Ordinary Stone/Sand/Granite/Limestone)	:	Rough Stone and Gravel (Existing Quarry)
3.	S.F Nos. of the quarry site	:	520/3A1 (Part) & 521/5 (Part)
4.	Village in which situated	:	Viralipatti
5.	Taluk in which situated	:	Nilakottai
6.	District in which situated	:	Dindigul
7.	Extent of quarry (in ha.)	:	1.38.6 Ha
8.	Latitude & Longitude of all corners of the quarry site	:	10°05'19.07"N to 10°05'23.38"N 77°42'18.01"E to 77°42'22.31"E

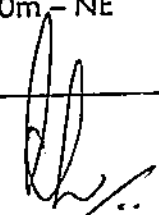

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9.	Topo Sheet No.	:	58 - F/12
10.	Type of mining	:	Opencast Mechanized Mining
11.	Details of Environmental Setting.	:	<p><u>Reserve Forest:</u> Rajadani R.F - 2.95 km - SE Andipatti Northern black R.F - 3.0km - SW Valaiyapatti R.F - 4.5km - SE</p> <p><u>Wildlife Sanctuary:</u> Kodaikanal Wildlife Sanctuary - 10.03 km - NW</p> <p><u>Nearest Habitation:</u> 330m - SW</p> <p><u>Water bodies:</u> There is an Odai passing on the western side, a safety distance of 10m has been provided for the Odai. Odai - 180m - East Periyar main Canal - 210m - South Vaigai River - 500m - South</p> <p><u>Dams:</u> Vaigai Dam - 13.25 Km - South West</p> <p><u>Structures:</u> Temporary Shed - 60m - West Motor Room - 140m - SE Farmhouse - 210m - SW Mines Shed - 230m - NW Shed - 240m - SE House - 270m - SW Temporary Shed - 280m - NE</p> <p><u>EB-LT line:</u></p>


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		There is an EB-LT line passing on the Southern side, a safety distance of 50m has been provided for the power line.
12.	NBWL Clearance/Conservation Measures	Nil
13.	Details of Previous History	<ul style="list-style-type: none"> • File No. 7768/2020 & Online Proposal No. SIA/TN/MIN/168200/2020 placed in the 181st meeting of SEAC held on 10.10.2020 and 410th meeting of SEIAA held on 11.11.2020 – Rejected. • File No. 9170/2022 & Online Proposal No. SIA/TN/MIN/263854/2022 placed in the 292nd meeting of SEAC held on 07.07.2022 and 537th meeting of SEIAA held on 29.07.2022 – Explanation letter submitted by the EIA Coordinator, M/s. Geo Exploration and Mining Solutions vide letter dated: 21.12.2023. PP's withdrawal request of the proposal placed in 433rd meeting of SEAC held on 21.12.2023 and 690th meeting of SEIAA held on 05.02.2024 – Withdrawal accepted. • PP re-submitted application (File No. 9170/2024 & Online Proposal No. SIA/TN/MIN/469034/2024) after reducing the area from 1.55.5 Ha to


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			<p>1.38.6 Ha and providing effective safety.</p> <ul style="list-style-type: none"> • Placed in the 469th meeting of SEAC held on 23.05.2024 – SEAC decided to make an on-spot inspection to assess the present status of the site by the sub-committee constituted by the SEAC. • Site inspection by the sub-committee on 02.07.2024 • Sub-committee inspection report submitted on 25.07.2024 			
14.	CCR If Applicable	:	NA			
15.	Life of Project	:	5 Years			
	Lease Period	:	5 Years			
	Mining Plan Period	:	5 Years			
16.	Mining Plan Details	:	As per approved Mining Plan		As modified by SEAC	
	Geological Resources m ³ (RoM)	:	Rough Stone	Gravel	Rough Stone	Gravel
		:	5,16,58 8 m ³	10,488 m ³	-	-
	Minaable Resources m ³ (RoM)	:	Rough Stone	Gravel	Rough Stone	Gravel
		:	1,41,752 m ³	6656 m ³	-	-
	Annual Peak Production in m ³	:	Rough Stone	Gravel	Rough Stone	Gravel


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		38,910 m ³	6600 m ³	-	-
	Maximum Depth in meters	:	42m (2m Gravel + 40m Rough Stone) below ground level		-
17.	Depth of water table	:	58m-62m below ground level		
18.	Man Power requirement per day:	:	23 Nos.		
19.	Water requirement: 1. Drinking & Domestic 2. Dust Suppression 3. Green belt	:	1.5 KLD 0.4 KLD 0.6 KLD 0.5 KLD		
20.	Power requirement	:	TNEB 1,14,518 Liters of HSD		
21.	Precise area communication approved by the Assistant Director, Dept. of Geology & Mining.	:	Rc.No. 671/2019 (G&M), dated: 31.01.2023		
22.	Mining Plan approved by the Assistant Director, Dept. of Geology & Mining.	:	Rc.No.671/2019 (Mines), dated: 27.02.2024		
23.	500m cluster letter issued by the Assistant Director, Dept. of Geology and Mining.	:	Roc.No. 671/2019 (Mines), dated: 27.02.2024		
24.	VAO Certificate Regarding Structures within 300m Radius	:	Letter dated 08.03.2024		
25.	Project Cost (excluding EMP cost)	:	Rs. 55,65,000/-		
26.	EMP cost (in Rs. Lakhs).	:	Capital Cost - Rs. 22,36,220/- Recurring Cost - Rs. 14,75,157/-		


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27.	CER cost (in Rs. Lakhs).	:	Rs. 5,00,000/-		
28.	SEAC Recommendation.	:	Recommended		
29.	Recommended Quantities	:		Rough Stone	Gravel
		:	Annual Max RoM in m ³	38,910 m ³	6600 m ³
		:	Depth in mtrs	42m (2m Gravel + 40m Rough Stone) below ground level	
30.	Standard Conditions	:	Annexure I		
31.	Is the depth recommended more than 40m.	:	YES		
32.	If 30 above is YES	:	Special Conditions II		
33.	Is the proposed area located near Reserve Forest	:	NO		
34.	If 32 above is YES	:	Special Conditions III		
35.	Other Special Conditions	:	As below		


Report of the SEAC Sub-Committee On-spot Inspection

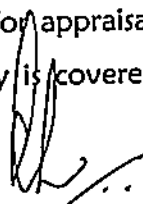
Introduction:

Thiru.G.Vadivelu has applied for Environmental Clearance for the Existing Rough Stone and Gravel quarry over an extent of 1.38.6 Ha at S.F.Nos. 520/3A1 (Part) & 521/5 (Part) of Viralipatti Village, Nilakottai Taluk, Dindigul District, Tamil Nadu. The project site is , his own , Punjai Patta Land with Lat-Long 10°05'19.07"N to 10°05'23.38"N and 77°42'18.01"E to 77°42'22.31"E. The environmental settings have the Rajadani R.F – 2.95 km – SE and the Kodaikanal Wildlife Sanctuary – 10.03 km – NW.

History of the Project:

The proposal for Environmental Clearance for the Existing Rough Stone and Gravel quarry over an extent of 1.38.6 Ha at S.F.Nos. 520/3A1 (Part) & 521/5 (Part) of Viralipatti Village, Nilakottai Taluk, Dindigul District, was placed for appraisal in this 469th meeting of SEAC held on 23.05.2024. The project/activity is covered under



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Category "B2" of Item 1(a) "Mining Projects" of the Schedule to the EIA Notification, 2006.

During the meeting, the SEAC noted the following:

1. The Project Proponent Thiru.G.Vadivelu has applied for Environmental Clearance for the Existing Rough Stone and Gravel quarry over an extent of 1.38.6 Ha at S.F.Nos. 520/3A1 (Part) & 521/5 (Part) of Viralipatti Village, Nilakottai Taluk, Dindigul District, Tamil Nadu.
2. Thiru.G.Vadivelu earlier applied seeking Environment Clearance (File No. 9170/2022 and Online Proposal No. SIA/TN/MIN/263854/2022 dated: 07.04.2022) for the Proposed Rough Stone and Gravel quarry over an extent of 1.55.5 Ha at S.F.Nos. 520/3A1 & 521/5 of Viralipatti Village, Nilakottai Taluk, Dindigul District Tamil Nadu. The proposal was placed in the 292nd Meeting of SEAC held on 07.07.2022. The committee observed that File.No. 9170 - SIA/TN/MIN/263854/2022 of Project Proponent Thiru.G.Vadivelu, Viralipatti Village, Nilakottai Taluk, Dindigul District was included in the Agenda for 292nd SEAC meeting held on 07.07.2022. M/s.GEMS are the consultants for the PP. The proposal is for grant of EC for 'Rough Stone and Gravel quarry in SF.Nos.520/3A1 & 521/5 of Viralipatti Village, Nilakottal Taluk, Dindigul District covering an extent of 1.55.ha.
3. During the meeting the consultant M/s GEMS made a presentation as if it is a fresh case. On examination, it is found that a proposal for the same survey numbers in favour of the same PP for the same purpose with File. No.7768-SIA/TN/MIN/168200/2020 was already appraised in 181st SEAC meeting held on 10.10.2020. It is also seen from the record that in 181 SEAC meeting held on 10.10.2020, the following recommendation was made.
"Based on the presentation given by the project proponent and document furnished by the project proponent, the SEAC noted that Periyar Main Canal is located at 200 m in Southern side. Valgal River is located at 500m in Southern side & Odal passing on the western side of the lease applied area. Further, the mining to an ultimate depth of 43 m will impact the agricultural activity nearby the mining lease area and further, it is ascertained that mining activity will have


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impact water bodies said above. Hence, it was unanimously decided that the above said proposal is rejected for the above said reasons".

It was also seen from the record that it was the same consultant, namely, M/s GEMS who represented the PP and made presentation before 181st SEAC meeting held on 10.10.2020.

The consultant, namely M/s GEMS therefore was asked to submit an explanation for the above lapse/misconduct.

Subsequently, the proposal was placed in the 537th Authority meeting held on 29.07.2022. After detailed deliberations, Authority noted the recommendation of 292nd SEAC meeting held on 07.07.2022 and requested the Member Secretary - SEIAA to call for explanation from the consultant M/s. GEMS as suggested by SEAC.

4. The proposal was again placed in the 433rd meeting of SEAC held on 21.12.2023.

During the meeting, the committee noted the following

- i.) The EIA Coordinator has submitted an explanation as called for earlier vide letter dated: 21.12.2023.
- ii.) Further, PP has requested for withdrawal of the proposal.

Hence, the Committee decided to accept the withdrawal request made by the PP. Subsequently, the subject was placed in the 690th Authority meeting held on 05.02.2024. The Authority noted that the subject was appraised in the 433rd SEAC meeting held on 21.12.2023. In view of the above, the Authority decided to accept the withdrawal request of the PP after taking action based on the explanation from the PP and the EIA Coordinator.

5. Now, the project proponent has re-submitted the proposal after reducing the area from 1.55.5 Ha to 1.38.6 Ha and leaving effective safety distance.

6. The project proponent has furnished the revised precise area communication letter vide Rc.No. 671/2019 (G&M), dated: 31.01.2024 and approved revised mining plan vide Rc.No.671/2019 (Mines), dated: 27.02.2024.

The precise area communication was issued for the period of 5 Years. The approved mining plan is for 5 Years. As per the approved mine plan, the annual peak production shall not exceed 38,910 m³ of Rough Stone (4th year) and 6600

m³ of Gravel (2nd year) for an ultimate depth of 42m (2m Gravel + 40m Rough Stone) below ground level.

Based on the presentation and documents furnished by the project proponent in the 469th SEAC meeting held on 23.05.2024 decided to make an on-spot inspection to assess the present status of the site by the sub-committee constituted by the SEAC. On receipt of sub-committee inspection report, SEAC would further deliberate on this project and decide the further course of action. Accordingly, the sub-committee comprising of Thiru.R.ThangaPrakasam and Dr. G. Anne Josephine was formed for a site visit and report vide Lr.No.SEAC-TN/9170/Site Inspection/2024, dated.23.05.2024.

Accordingly, the subcommittee made an on-spot inspection on 02.07.2024 and the following observation assessment were made.

Observations of the Sub-Committee:


1. The existing pit is about 8.m depth and no mining activities were undertaken.
2. Rock out crops are visible in the boundary of the quarry.
3. The existing project site is not suitable for cultivation.
4. Periyar Main Canal is located at about 200 m in the southern side.
5. Vaigai river is located at about 500 m in the southern side.

Recommendation of the Sub-Committee:

As the Periyar main canal and Vaigai river are located more than 50m away from the proposed quarry, as per Tamil Nadu Minor Mineral Concession (TNMMC) rules 1959 section 15 article 36(1) it is recommended to the committee for consideration and approval of EC.

Further the Project proponent shall strictly be adhered to:


1. NonEL explosive blasting method with controlled blasting practices under the supervision of competitive personnel employed and obtain necessary permission from concerned DGMs.
2. Providing Protective GI Sheets around the quarry to block the flying stones.
3. Providing Green belt around the quarry as per norms.


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The above sub-committee report was placed in this 503rd meeting of SEAC held on 04.10.2024. Based on the report of the sub-committee and documents furnished by the project proponent, SEAC decided to recommend the proposal for the grant of Environmental Clearance for the annual peak production capacity not exceeding 38,910 m³ of Rough Stone and 6600 m³ of Gravel by maintaining the depth of mining up to 42m (2m Gravel + 40m Rough Stone) below ground level subject to the following specific conditions and it shall be valid for the project life including production value as laid down in the mining plan approved and renewed by competent authority, from time to time, subject to a maximum of thirty years, whichever is earlier, vide MoEF&CC Notification S.O. 1807(E) dated 12.04.2022:


- 1) The prior Environmental Clearance granted for this mining project shall be valid subject to the standard conditions as per the Annexure I of this minutes & normal conditions stipulated by MOEF&CC.
- 2) The PP shall mark the DGPS reference pillars painted with blue & white colour indicating the safety barrier of 7.5 m to be left under the Rule 13 (1) of MCDR, 1988 within the lease boundary and protective bunds, before obtaining the CTO from the TNPCB.
- 3) The PP shall register promptly through online in the Shram Suvidha Portal which is the official portal of Ministry of Labour & Employment, Govt of India to obtain Labour Identification Number (LIN) before obtaining the CTO from the TNPCB.
- 4) For the safety of the persons employed in the quarry, the PP shall carry out the scientific studies to assess the slope stability of the working benches and existing quarry wall during the 3rd year or when the depth exceeds 30 m whichever is earlier, 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.


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5) As accepted by the Project Proponent the CER cost of Rs. 5 Lakhs and the amount shall be spent for the activities as committed towards Panchayat Union Primary School, Poovampatti Village, Dindigul District before obtaining CTO from TNPCB.


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**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
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Volume VII

**M/s. P. KOKILA
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