

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

**Appeal No. 71 of 2024**

**Mr. Raja Jebadoss,**

S/o. Mr. Jeyasundarapandiayan,

D.No. 3/442-4, Theni Road Kumaragiri village,

Pudukkottai post, Tuticorin District 628 103.

Ph. 94431 49699

Email: msklawoffice@yahoo.co.in

**...Appellant**

Vs

**1. State Level Environment Impact Assessment Authority (SEIAA),**

Rep. by its Member Secretary,

No. 327, 9<sup>th</sup> floor, CMRL MetroS,

Anna Salai, Nandanam,

Chennai 600 035

Email: [seiaamstn@gmail.com](mailto:seiaamstn@gmail.com)

Phone No. 044-24359973

**And Another**

**...Respondents**

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Dated at Chennai on this the day of 2025



COUNSEL FOR 1<sup>st</sup> and 2<sup>nd</sup> RESPONDENTS

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

**Appeal No. 71 of 2024**

Mr. Raja Jebadoss,  
S/o. Mr Jeyasundarapandiayan,  
D.No.3/442-4, Theni Road Kumaragiri Village,  
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Ph no: 94431 49699  
Email id: [msklawoffice@yahoo.co.in](mailto:msklawoffice@yahoo.co.in)

..... Applicant

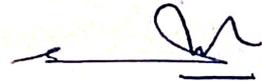
**Versus**

1. **THE MEMBER SECRETARY,  
STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY,  
TAMIL NADU (SEIAA),**  
Ninth Floor, Metros,  
CMRL Building, Nandanam, Chennai- 600035.  
Phone: 044- 24359973
2. **STATE LEVEL EXPERT APPRAISAL COMMITTEE (SEAC),**  
Ninth Floor, Metros,  
CMRL Building, Nandanam, Chennai- 600035.  
Phone: 044- 24359973

.....Respondent(s)

**COUNTERS AFFIDAVIT FILED ON BEHALF OF SEIAA – TAMILNADU,  
THE FIRST & SECOND RESPONDENTS**

I, A.R. Rahul Nadh, I.A.S., aged about 37 years, working as Member Secretary, State Level Environment Impact Assessment Authority, Tamil Nadu (SEIAA-TN) having office at Nineth Floor, CMRL MetroS, Anna Salai, Nandanam, Chennai – 600035 do hereby solemnly affirm and sincerely state as follows:



**Member Secretary  
STATE LEVEL ENVIRONMENT IMPACT  
ASSESSMENT AUTHORITY - TAMIL NADU  
No. 327, Metros, 9th Floor,  
Anna Salai, Nandanam, Chennai-600 035.**

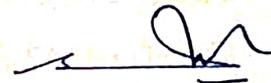
Member Secretary  
STATE LEVEL ENVIRONMENT IMPACT  
ASSESSMENT AUTHORITY - TAMIL NADU  
No. 327, Metros, 9th Floor,  
Anna Salai, Nandanam, Chennai-600 035

1. I am filing this counter affidavit on behalf of the First & Second Respondent/SEIAA-TN herein and as such I am well acquainted with the facts and the circumstances of the case from the records available in this office.
2. I deny all the averments and allegations stated in this Appeal No.71 of 2024 except those that are specifically admitted hereunder and put the applicant to strict proof of the same.
3. It is respectfully submitted that the Project Proponent/Petitioner had applied to the State Level Environment Impact Assessment Authority – Tamil Nadu (SEIAA-TN) seeking Environmental Clearance for the Rough Stone and Saral quarry over an extent of 1.84.0 Ha in S. F. Nos. 739/1 Padmanabamangalam Village, Srivaikundam Taluk, Thoothukudi District, Tamil Nadu vide application dated 13.10.2014 under the category 'B2' of item No.1 (a) "Mining of Minerals" of the Schedule to the EIA notification, 2006 as amended.
4. It is respectfully submitted that the above proposal was placed before the SEAC in its 64<sup>th</sup> meeting held on 20.03.2015 & 21.03.2015 & before the Authority in its 135<sup>th</sup> meeting held on 04.11.2015 and the Authority after careful consideration, decided to grant environmental clearance to the said project Mining of Rough Stone and Saral to terms and conditions stipulated under the provisions of Environment Impact Assessment Notification, 2006 as amended and subjected to specific condition that *"The Environmental clearance is subject to obtaining prior clearance from Forestry and wildlife angle including clearance from the standing committee of the National Board for Wildlife as applicable before issue of permit/ Consent to establish by the Competent Authority"/ before starting any activity at site"*.

Member Secretary  
 STATE LEVEL ENVIRONMENT IMPACT  
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**Member Secretary**  
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5. It is respectfully submitted that in view of the above environmental clearance was granted to the Project Proponent/Petitioner vide Lr. No. SEIAA-TN/F.No.3032/EC/1(a)/2339/2015 dated:04.11.2015.
6. It is respectfully submitted that the Project Proponent/Petitioner had applied for amendment of environmental clearance dated 04.11.2015 vide Online Proposal No. SIA/TN/MIN/174990/2020 dated 24.09.2020.
7. It is respectfully submitted that the above proposal was placed before the Authority in its 403<sup>rd</sup> Meeting held on 13.10.2020. The Authority noted that
- i. The Environmental clearance was issued to the project Proponent Thiru. J. Raja Jebadoss for quarrying of Rough Stone and Saral Quarry over an extent of 1.84.0 Ha at S.F No. 739/1 of Padhmanapamangalam Village, Srivaikuntham Taluk, Thoothukudi District vide SEIAA-TN/F.No.3032/EC/1(a)/2339/2015 dated 04.11.2015 with a validity that the Environmental Clearance will be coterminous with the mine lease period or limited to a maximum period of 5 Years from the date of issue whichever is earlier and subject to specific condition that  
  
*"The Environmental clearance is subject to obtaining prior clearance from Forestry and wildlife angle including clearance from the standing committee of the National Board for Wildlife as applicable before issue of permit/Consent to establish by the Competent Authority"/before starting any activity at site"*
  - ii. No Objection certificate was issued by the Principal Chief Conservator of Forests and Chief Wildlife Warden, Chennai to



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operate Rough Stone over an extent of 1.84.0 Ha at S.F No. 739/1 of Padhmanapamangalam Village, Srivaikuntham Taluk, Thoothukudi District vide Ref.No.WL5 (A)/21085/2016 dated 03.01.2019.

- iii. Only after obtaining NOC from NBWL, mining lease was applied and granted vide District Collector Proceeding No.Rc.No.G.M.1/816/ 2013 dated 07.12.2018, under the provisions of Rule 19(1) & 20 of the Tamil Nadu Minor Mineral Concession Rules, 1959 with a validity for a period of five years subject to the condition that:

*"4. The grantee shall be allowed to continue the quarrying operation beyond 22.10.2020 only after the production of Environmental clearance amended by SEIAA as stated or obtaining of Environmental clearance required for the remaining period of lease."*

- iv. The Assistant Director, Department of Geology and Mining. Thoothukudi has reported that the lessee has quarried and transported 119550 cbm of rough stone and 7350 cbm of gravel on payment of required seignior age fee by obtaining transport permit and 68345 cbm of rough stone and 6438 cbm of gravel is remaining to be quarried. Further he requested the proponent to get amendment to validity of EC to a period of five years from the date of execution of mining lease vide Rc.No.G.M.1/816/2013 dated 19.08.2020.

8. It is respectfully submitted that in view of the above the Authority decided to issue amendment for the validity of Environmental Clearance already issued vide SEIAA-TN/F.No.3032/EC/1(a)/2339/2015 dated

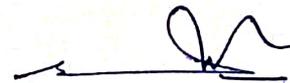
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04.11.2015 for a period of five years from the date of execution of mining lease (valid up to 06/12/2023) subject to the condition that the total quantity of rough stone shall not exceed 187895m<sup>3</sup> and gravel shall not exceed 13788m<sup>3</sup> in the period of 5 years from the date of execution of mining lease. All other conditions remain unaltered.

9. It is respectfully submitted that the Project Proponent/Petitioner had applied to the State Level Environment Impact Assessment Authority – Tamil Nadu (SEIAA-TN) seeking Terms for Reference for the **Rough Stone and Gravel quarry over an extent of 6.02.5 Ha in S. F. Nos. 756/1 and 756/2** Padmanabamangalam Village, Srivaikundam Taluk, Thoothukudi District, Tamil Nadu vide proposal No.SIA/TN/MIN/408810/2022 dated 01.12.2022 under the category 'B1' of item No.1 (a) "Mining of Minerals" of the Schedule to the EIA notification, 2006 as amended.
10. It is respectfully submitted that the proposal was earlier placed in the 273<sup>rd</sup> Meeting of SEAC held on 14.05.2022. The Committee noted that as per the mining plan, the lease period is 5 years. The production as per mining plan for 5 years is not to exceed - 1286775 m<sup>3</sup> of Rough Stone, 257232 m<sup>3</sup> of gravel & 191815 m<sup>3</sup> of weathered Rock. The Annual peak production as per mining plan is 259045 m<sup>3</sup> of Rough Stone (1 year), 58512 m<sup>3</sup> of gravel (1 year) and 39715 m<sup>3</sup> of weathered rock (1 year) with ultimate depth of 62 BGL. The PP has not turned up during the meeting, hence SEAC decided to defer the proposal and called for explanation for not attend the meeting.
11. It is respectfully submitted that the proposal was subsequently placed in the 345<sup>th</sup> Meeting of SEAC held on 10.01.2023. SEAC noted the report by Ex-member Mr. B. Sugirtharaj, Kovilpillai who is an expert in Forest and Wild life activities.



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"Dear Sir / Madam,

*The following report is placed before the SEAC for consideration.*

*Vallanadu Blackbuck Sanctuary is the southernmost abode of blackbucks in India. This sanctuary houses varieties of animals and plants. The fauna of Vallanadu Blackbuck Sanctuary includes blackbuck, spotted deer, sambar, scaly ant eater, monitor lizard, jungle cat, grey mongoose, black naped hare, vipers, peacock, heron, grey francolin, common quail, crested hawk eagle, black winged kite, red wattled lapwing, night jar, sparrows, homed owl etc. This is an isolated hillock with scrub jungle.*

*This sanctuary is dedicated for the conservation of blackbuck an endangered animal, found in the red data book of IUCN and included in schedule I of Wildlife Protection Act, 1972.*

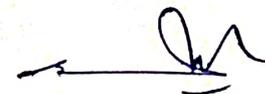
*Blackbucks require open grassland with intermittent bushes. They are sensitive to environmental pressures and adequate land is required for their survival. The limited space available in the sanctuary along with scarcity of food and water especially during summer poses a great threat for their survival.*

*The blackbucks have regular habit of coming out of the sanctuary and graze in the wastelands on the eastern and western sides outside the sanctuary.*

*Under these circumstances, I request the committee to consider the points mentioned in the research papers,*

1. *"Conservation of a fragmented population of blackbuck" published in Current Science, Vol. III, No. 3, 10<sup>th</sup> August 2016.*

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" In VBS blackbucks were seen spending the night in the grass fallow outside and move towards the forests only when disturbance levels increased in the outside areas. It therefore appears that the preferred habitat lies in the eastern fallow outside the VBS." (Pg.547)

"Moreover, the land use further away from the fallow is highly urbanized, and industrialized due to the presence of quarries." (Pg.547)

"There are increasing evidences to this, as blackbucks are frequently seen 5 km away from VBS along main roads and also in private farms and near irrigation tanks." (Pg.548)

2. "Distribution patterns and habitat requirements of blackbucks in Vallanadu Blackbuck Sanctuary implications for conservation and management." published in Indian Forester, 140 (10): 1005-1013, 2014.

"Most of the herds (blackbucks) were seen in the open fallow grasslands on the eastern side of the sanctuary." Pg. 1008

"A few perennial sources outside the reserve were mostly visited by domestic livestock, but also frequented by blackbuck." Pg.1008

"The open fallow (grassland) outside the eastern edge of VBS offers water and forage and good staging sites for the males but not adequate protection. This patch of open fallow land is an island of about 3 sq km surrounded by activities such as mining, real estate and proposed highway construction." Pg.1011



**Member Secretary**  
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*"The open fallow grasslands may serve as important breeding areas of the Buck and needs to be conserved alongside the sanctuary." Pg. 1012*

*"These areas are however, coming in conflict with quarrying activities, which are creating continuous disturbances to the blackbuck." Pg. 1012*

These research papers clearly mention that blackbucks move up to 5 km outside the sanctuary on the eastern side and mining activities will have a disastrous effect on blackbucks. After examining the documents & project proposals furnished by the project proponent, the SEAC noted that Blackbuck is the prominent species in Vallanadu blackbuck WLD sanctuary in Thoothukudi district and this is its southernmost habitat in the country. Blackbuck is an endangered species and included in IUCN red data book in the category in VUC (vulnerable status) and under Schedule 1 of the WP Act, 1972. The blackbucks often come out of sanctuary for foraging, hiding, water etc., Further, Blackbucks are very timid and shy animals and the proposed activity involves rock blasting noise, vibrations, dust, smoke and other anthropogenic disturbances and these will have adverse effect on this vulnerable species. Mining in this area will have devastating effect on the life of black buck which is an endangered animal (schedule 1). Article 51E says environmental protection and protecting animal wild life is the duty of every citizen.

If the proposed mine located at a distance of 1.7 km from the sensitive Vallanadu Blackbucks Sanctuary and hence there is a heavy danger that these bucks may get trapped into this mining area even with fencing and we are of opinion that the Eco services being rendered by these endangered needs to be protected. Hence in order to protect the

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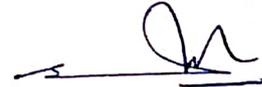


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endangered animals which otherwise will extinct from the area, the SEAC decided not to recommend the proposal.

12. It is respectfully submitted that the subject was placed in the 590<sup>th</sup> authority meeting held on 09.02.2023. In view of the SEAC Minutes, the authority decided to request the Member Secretary, SEIAA to communicate the SEAC minutes to the project proponent held on 10.01.2023 and rejection letter was granted to the project proponent vide Letter No. SEIAA-TN/F.No.9036/2022 dated: 11.04.2023.

Therefore, humbly prayed that this Hon'ble Tribunal may be pleased to dismiss the present appeal 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**  
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 Anna Salai, Nandanam, Chennai-600 035.

Solemnly affirmed in Chennai  
 On this the 23<sup>rd</sup> day of June 2025  
 And signed his name in my presence

Before me,

*D. Arvind*  
 (Ms. No. 317/2003)  
 (No. 104, law chambers  
 Madras high court  
 Advocate, Chennai

- boundary of the project site with at least 3 meters wide and in between blocks in an organized manner
19. A Disaster management Plan shall be prepared and included in the EIA/EMP Report.
  20. A Risk Assessment and management Plan shall be prepared and included in the EIA/EMP Report.
  21. The specific flora & fauna studies shall be carry out with the help of local School/College students and the same shall be included in EIA Report.
  22. The Socio-economic studies should be carried out within a 5 km buffer zone from the mining activity. Measures of socio-economic significance and influence to the local community proposed to be provided by the Project Proponent should be indicated. As far as possible, quantitative dimensions may be given with time frames for implementation.
  23. If any quarrying operations were carried out in the proposed quarrying site for which now the EC is sought, the Project Proponent shall furnish the detailed compliance to EC conditions given in the previous EC with the site photographs which shall duly be certified by MoEF&CC, Regional Office, Chennai (or) the concerned DEE/TNPCB.
  24. Concealing any factual information or submission of false/fabricated data and failure to comply with any of the conditions mentioned above may result in withdrawal of this Terms of Reference besides attracting penal provisions in the Environment (Protection) Act, 1986.

**Agenda No: 273-16**

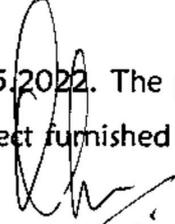
**(File No: 9036/2022)**

**Proposed Rough stone & gravel quarry lease over an extent of 6.02.5 Ha in, S. F. Nos. 756/1 and 756/2 Padmanabamangalam Village, Srivaikundam Taluk, Thoothukudi District, Tamil Nadu by Thiru J. Raja Jebadoss - For Terms of Reference. (SIA/TN/MIN/72589/2022 Dt: 24.02.2022)**

The proposal was placed in 273<sup>rd</sup> SEAC meeting held on 14.5.2022. The project proponent has given a detailed presentation. The details of the project furnished by the

  
MEMBER SECRETARY  
SEAC -TN

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CHAIRMAN  
SEAC- TN

proponent are given in the website (parivesh.nic.in).

The project proponent gave detailed presentation. SEAC noted the following:

1. The Project Proponent, Thiru J. Raja Jebadoss has applied for Terms for Reference for the proposed Rough stone quarry lease over an extent of 6.02.5 Ha in S. F. Nos. 756/1 and 756/2 Padmanabamangalam Village, Srivaikundam Taluk, Thoothukudi District, Tamil Nadu.
2. The project/activity is covered under Category "B1" of Item 1(a) "Mining Projects" of the Schedule to the EIA Notification, 2006.
3. As per the mining plan, the lease period is 5 year. The production as per mining plan for 5 years is not to exceed – 1286775 m<sup>3</sup> of Rough Stone, 257232 m<sup>3</sup> of gravel & 191815 m<sup>3</sup> of weathered Rock. The Annual peak production as per mining plan is 259045 m<sup>3</sup> of Rough Stone(1<sup>st</sup> year) , 58512 m<sup>3</sup> of gravel (1<sup>st</sup> year) and 39715 m<sup>3</sup> of weathered rock (1<sup>st</sup> year) with ultimate depth of 62 BGL

The Committee noted that the PP has not turned up during the meeting, hence SEAC decided to defer the proposal and called for explanation for not attend the meeting.

**Agenda No: 273-17**

**(File No: 9041/2022)**

**Proposed Grain based distilleries for Ehanol Blended Petrol S. F. Nos. 33/2A, Thervoy kandigai Village, Gummidipoondi ,Tiruvallur District, Tamil Nadu by M/s SLB Ethnol Pvt Limited - For Terms of Reference. (SIA/TN/IND2/72579/2022 Dt: 23.02.2022)**

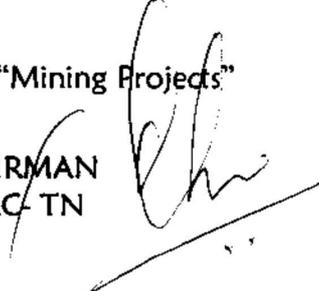
The proposal was placed in 273<sup>rd</sup> SEAC meeting held on 14.5.2022. The project proponent has given a detailed presentation. The details of the project furnished by the proponent are given in the website (parivesh.nic.in).

The project proponent gave detailed presentation. SEAC noted the following:

1. The Project Proponent, M/s SLB Ethanol Pvt Limited has applied for Terms for Reference for the proposed Grain based distilleries for Ethanol Blended Petrol S. F. Nos. 33/2A, Thervoy kandigai Village, Gummidipoondi ,Tiruvallur District, Tamil Nadu, Tamil Nadu.
2. The project/activity is covered under Category "B1" of Item 1(a) "Mining Projects"

  
MEMBER SECRETARY  
SEAC -TN

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CHAIRMAN  
SEAC -TN

Now, the proposal was again placed in the 345<sup>th</sup> SEAC Meeting held on 10.01.2023. SEAC noted that the proponent had given a request for withdrawal for this proposal vide online number SIA/TN/MIN/71240/2022 Dt.20.01.2022. Further, the proponent had obtained Environmental Clearance vide Lr.No.SEIAA-TN/F.No.9130/EC.No.5160/2022 Dated: 18.07.2022 for the same survey number vide Online Proposal No. SIA/TN/MIN/ 264129/2022 Dt: 28.03.2022 under B2 Category. Hence, the proponent shall submit a clarification regarding the change of category from B1 to B2 to O/o SEIAA and upon the receipt of clarification, SEIAA may decide upon the proponent's request to withdraw the current proposal (SIA/TN/MIN/71240/2022 DT.20.01.2022) based on merits.

**Agenda No: 345-25**

(File No: 9036/2022)

**Proposed Rough stone & gravel quarry lease over an extent of 6.02.5 Ha in, S. F. Nos. 756/1 and 756/2 Padmansbamangalam Village, Srivaikundam Taluk, Thoothukudi District, Tamil Nadu by Thiru J. Raja Jebadoss - For Terms of Reference. (SIA/TN/MIN/72589/2022 Dt: 24.02.2022)**

The proposal was placed in 273<sup>rd</sup> SEAC meeting held on 14.5.2022. The details of the project furnished by the proponent are given in the website (partvesh.nic.in).

**The SEAC noted the following:**

1. The Project Proponent, Thiru J. Raja Jebadoss has applied for Terms for Reference for the proposed Rough stone quarry lease over an extent of 6.02.5 Ha in S. F. Nos. 756/1 and 756/2 Padmanabamangalam Village, Srivaikundam Taluk, Thoothukudi District, Tamil Nadu.
2. The project/activity is covered under Category "B1" of Item 1(a) "Mining Projects" of the Schedule to the EIA Notification, 2006.

The Committee noted that the PP has not turned up during the meeting, hence SEAC decided to defer the proposal and called for explanation for not attend the meeting.

Now the proposal was placed in 345<sup>th</sup> SEAC meeting held on 10.01.2023.

MEMBER SECRETARY  
SEAC -TN

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CHAIRMAN  
SEAC - TN

Report by Ex-member Mr.B.Sugirtharaj Kovilpillal who is an expert in Forest and Wild life activities.

"Dear Sir / Madam,

*The following report is placed before the SEAC for consideration.*

*Vallanadu Blackbuck Sanctuary is the southernmost abode of blackbucks in India. This sanctuary houses varieties of animals and plants. The fauna of Vallanadu Blackbuck Sanctuary includes blackbuck, spotted deer, sambar, scaly ant eater, monitor lizard, jungle cat, grey mongoose, black naped hare, vipers, peacock, heron, grey francolin, common quail, crested hawk eagle, black winged kite, red wattled lapwing, night jar, sparrows, horned owl etc. This is an isolated hillock with scrub jungle.*

*This sanctuary is dedicated for the conservation of blackbuck an endangered animal, found in the red data book of IUCN and included in schedule I of Wildlife Protection Act, 1972.*

*Blackbucks require open grassland with intermittent bushes. They are sensitive to environmental pressures and adequate land is required for their survival. The limited space*

*available in the sanctuary along with scarcity of food and water especially during summer poses a great threat for their survival.*

*The blackbucks have regular habit of coming out of the sanctuary and graze in the wastelands on the eastern and western sides outside the sanctuary.*

*Under these circumstances, I request the committee to consider the points mentioned in the research papers,*

- 1. "Conservation of a fragmented population of blackbuck" published in Current Science, Vol. III, No. 3, 10<sup>th</sup> August 2016.*

*\* In VBS blackbucks were seen spending the night in the grass fellow outside and*

  
MEMBER SECRETARY  
SEAC -TN

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*move towards the forests only when disturbance levels increased in the outside areas. It therefore appears that the preferred habitat lies in the eastern fallow outside the VBS." (Pg.547)*

*"Moreover, the land use further away from the fallow is highly urbanized, and industrialized due to the presence of quarries." (Pg.547)*

*"There are increasing evidences to this, as blackbucks are frequently seen 5 km away from VBS along main roads and also in private farms and near irrigation tanks." (Pg.548)*

2. *"Distribution patterns and habitat requirements of blackbucks in Vallanadu Blackbuck Sanctuary implications for conservation and management." published in Indian Forester, 140 (10) : 1005-1013, 2014.*

*"Most of the herds (blackbucks) were seen in the open fallow grasslands on the eastern side of the sanctuary." Pg.1008*

*"A few perennial sources outside the reserve were mostly visited by domestic livestock, but, also frequented by blackbuck." Pg.1008*

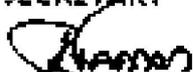
*"The open fallow (grassland) outside the eastern edge of VBS offers water and forage and good staging sites for the males but not adequate protection. This patch of open fallow land is an island of about 3 sq km surrounded by activities such as mining, real estate and proposed highway construction." Pg.1011*

*"The open fallow grasslands may serve as important breeding areas of the Buck and needs to be conserved alongside the sanctuary." Pg.1012*

*"These areas are however, coming in conflict with quarrying activities, which are creating continuous disturbances to the blackbuck." Pg.1012*

These research papers clearly mention that blackbucks move upto 5 km outside the sanctuary on the eastern side and mining activities will have a disastrous effect on blackbucks. After examining the documents & project proposals furnished by the project proponent, the SEAC noted that Blackbuck is the prominent species in Vallanadu blackbuck WLD sanctuary in Thoothukudi district and this is its southernmost habitat in the country. Blackbuck is an endangered species and included in IUCN red data book in the category in VUC (vulnerable status) and under Schedule 1 of the WP Act, 1972. The blackbucks often come out of sanctuary for foraging, hiding, water etc.. Further, Blackbucks are very timid and shy animals

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and the proposed activity involves rock blasting noise, vibrations, dust, smoke and other anthropogenic disturbances and these will have adverse effect on this vulnerable species. Mining in this area will have devastating effect on the life of black buck which is an endangered animal (schedule 1). Article 51E says environmental protection and protecting animal wild life is the duty of every citizen.

If the proposed mine located at a distance of 1.7 km from the sensitive Vallanadu Blackbucks Sanctuary and hence there is a heavy danger that these bucks may get trapped into this mining area even with fencing and we are of opinion that the Eco services being rendered by these endangered needs to be protected. Hence in order to protect the endangered animals which otherwise will extinct from the area, the SEAC decided not to recommend the proposal for the grant of Environmental Clearance.

**Agenda No: 345-26**

**(File No: 9054/2022)**

**Proposed Rough stone quarry lease over an extent of 4.84.40 Ha in S.F. Nos. 855/1, 855/2, 856/1, 858/1A, 858/2A, 858/3A, 859/1, 859/2, 860/1 and 860/2 Theruvai Village Palayamkottai Taluk, Tirunelveli District Tamil Nadu by Thiru A. Sankaranarayanan @ Sankaran - For Terms of Reference. (SIA/TN/MIN/69670/2021Dt: 02.03.2022)**

The proposal was earlier placed in 274<sup>th</sup> SEAC meeting held on 19.5.2022. SEAC noted that the proponent was absent. The Committee, therefore, decided to defer the proposal and called for the explanation for not attending the meeting. The

proposal was again taken for appraisal in the 345<sup>th</sup> meeting of SEAC held on 10.01.2023. The Committee noted that the project proponent was again absent for the meeting. SEAC decided to defer the subject to a later date directing the project proponent to furnish the reason for not attending the meeting.

**Agenda No: 345- 27**

**(File No: 9057/2022)**

**Proposed Rough stone & gravel quarry lease over an extent of 4.46.0 Ha in S.F. Nos. 856, 857 & 861/6A(P) Nathikudi Village, Vembakottai Taluk, Virudhunagar District Tamil Nadu by Thiru R. Vishnu Prasadh- For Terms of Reference. (SIA/TN/MIN/72321/2022Dt: 01.03.2022)**

The proposal was placed in 274<sup>th</sup> SEAC meeting held on 19.5.2022. The details of the project furnished by the proponent are given in the website (parivesh.nic.in).

  
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			submit a reply within the stipulated time, Environmental Clearance issued shall be revoked.
25.	Proposed Rough stone & gravel quarry lease over an extent of 6.02.5 Ha in, S. F. Nos. 756/1 and 756/2 Padmanabamangalam Village, Srivaikundam Taluk, Thoothukudi District, Tamil Nadu by Thiru J. Raja Jebadoss - For Terms of Reference.	9036	<p>The authority noted that this proposal was placed for appraisal in 345<sup>th</sup> meeting of SEAC held on 10.01.2023 and the Committee noted that,</p> <p>Report by Ex-member Mr.B.Sugirtharaj Kovilpillai who is an expert in Forest and Wild life activities.</p> <p>"Dear Sir / Madam,</p> <p><i>The following report is placed before the SEAC for consideration.</i></p> <p><i>Vallanadu Blackbuck Sanctuary is the southernmost abode of blackbucks in India. This sanctuary houses varieties of animals and plants. The fauna of Vallanadu Blackbuck Sanctuary includes blackbuck, spotted deer, sambar, scaly ant eater, monitor lizard, jungle cat, grey mongoose, black naped hare, vipers, peacock, heron, grey francolin, common quail, crested hawk eagle, black winged kite, red wattled lapwing, night jar, sparrows, homed owl etc. This is an isolated hillock with scrub jungle.</i></p> <p><i>This sanctuary is dedicated for the conservation of blackbuck an endangered animal, found in the red data book of IUCN and included in schedule I of Wildlife Protection Act, 1972.</i></p> <p><i>Blackbucks require open grassland with intermittent bushes. They are sensitive to environmental pressures and adequate land is required for their survival. The limited space available in the sanctuary</i></p>

  
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*along with scarcity of food and water especially during summer poses a great threat for their survival.*

*The blackbucks have regular habit of coming out of the sanctuary and graze in the wastelands on the eastern and western sides outside the sanctuary.*

*Under these circumstances, I request the committee to consider the points mentioned in the research papers,*

1. *"Conservation of a fragmented population of blackbuck" published in Current Science, Vol. III, No. 3, 10<sup>th</sup> August 2016.*

*" In VBS blackbucks were seen spending the night in the grass fallow outside and move towards the forests only when disturbance levels increased in the outside areas. It therefore appears that the preferred habitat lies in the eastern fallow outside the VBS." (Pg.547)*

*"Moreover, the land use further away from the fallow is highly urbanized, and industrialized due to the presence of quarries." (Pg.547)*

*"There are increasing evidences to this, as blackbucks are frequently seen 5 km away from VBS along main roads and also in private farms and near irrigation tanks." (Pg.548)*

2. *"Distribution patterns and habitat*

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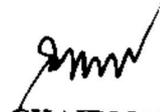
  
**MEMBER**

  
**CHAIRMAN**  
**SEIAA-TN**

		<p><i>requirements of blackbucks in Vallanadu Blackbuck Sanctuary implications for conservation and management." published in Indian Forester, 140 (10) : 1005-1013, 2014.</i></p> <p><i>"Most of the herds (blackbucks) were seen in the open fallow grasslands on the eastern side of the sanctuary." Pg.1008</i></p> <p><i>"A few perennial sources outside the reserve were mostly visited by domestic livestock, but, also frequented by blackbuck." Pg.1008</i></p> <p><i>"The open fallow (grassland) outside the eastern edge of VBS offers water and forage and good staging sites for the males but not adequate protection. This patch of open fallow land is an island of about 3 sq km surrounded by activities such as mining, real estate and proposed highway construction." Pg.1011</i></p> <p><i>"The open fallow grasslands may serve as important breeding areas of the Buck and needs to be conserved alongside the sanctuary." Pg.1012</i></p> <p><i>"These areas are however, coming in conflict with quarrying activities, which are creating continuous disturbances to the blackbuck." Pg.1012</i></p>
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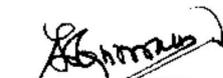
  
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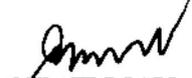
These research papers clearly mention that blackbucks move upto 5 km outside the sanctuary on the eastern side and mining activities will have a disastrous effect on blackbucks. After examining the documents & project proposals furnished by the project proponent, the SEAC noted that Blackbuck is the prominent species in Vallanadu blackbuck WLD sanctuary in Thoothukudi district and this is its southernmost habitat in the country. Blackbuck is an endangered species and included in IUCN red data book in the category in VUC (vulnerable status) and under Schedule 1 of the WP Act, 1972. The blackbucks often come out of sanctuary for foraging, hiding, water etc., Further, Blackbucks are very timid and shy animals and the proposed activity involves rock blasting noise, vibrations, dust, smoke and other anthropogenic disturbances and these will have adverse effect on this vulnerable species. Mining in this area will have devastating effect on the life of black buck which is an endangered animal (schedule 1). Article 51E says environmental protection and protecting animal wild life is the duty of every citizen.

If the proposed mine located at a distance of 1.7 km from the sensitive Vallanadu Blackbucks Sanctuary and hence there is a heavy danger that these bucks may get trapped into this mining area even with fencing and we are of opinion that the Eco services being rendered by these endangered needs to be protected. Hence in order to protect the endangered animals which otherwise will extinct from the area, the SEAC decided not to recommend the proposal for the grant of Environmental Clearance.

In view of the above, the authority decided to request the Member Secretary, SEIAA to communicate the SEAC

  
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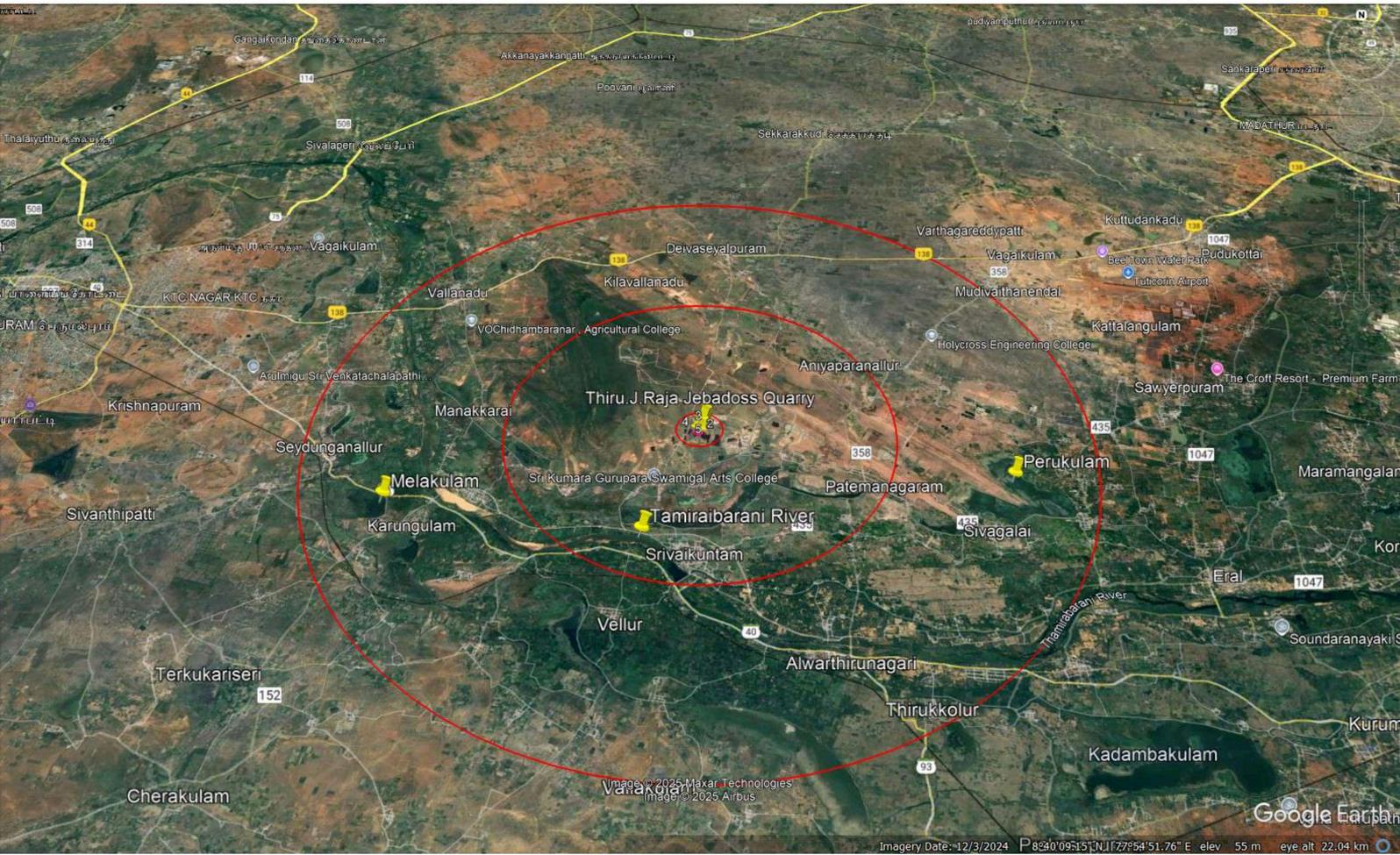
  
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			minutes to the project proponent held on 10.01.2023.
26.	Proposed Rough stone quarry lease over an extent of 4.84.40Ha in S.F. Nos. 855/1, 855/2, 856/1, 858/1A, 858/2A, 858/3A, 859/1, 859/2, 860/1 and 860/2 Tharuvai Village Palayamkottai Taluk, Tirunelveli District Tamil Nadu by Thiru A. Sankaranarayanan @ Sankaran - For Terms of Reference.	9054	<p>The Authority noted that the proposal was placed in the 345<sup>th</sup> meeting of SEAC held on 10.01.2023. The Committee noted that the project proponent was gain absent for the meeting. SEAC decided to defer the subject to a later date directing the project proponent to furnish the reason for not attending the meeting.</p> <p>The Authority decided to request the Member Secretary, SEIAA TN to communicate the aforesaid SEAC minutes to the Proponent.</p>
27.	Proposed Rough stone & gravel quarry lease over an extent of 4.46.0Ha in S.F. Nos. 856, 857 & 861/6A(P) Nathikudi Village, Vembakottai Taluk, Virudhunagar District Tamil Nadu by Thiru R. Vishnu Prasad- For Terms of Reference.	9057	<p>The authority noted that this proposal was placed for appraisal in 345<sup>th</sup> meeting of SEAC held on 10.01.2023 and the SEAC noted that,</p> <p>As per G.O Ms No. 14 E&amp;F (FR.5) Dt. 8.2.2021 Tamil Nadu, the Government has, by merging Srivilliputhur Grizzled Squirrel Wild Life Sanctuary &amp; Megamalai Wild Life Sanctuary and adding some additional areas, formed "Srivilliputhu Megamalai Tiger Reserve" under Wild Life (P) Act 1972. The SEAC decided that the PP shall furnish a letter from DFO/Deputy Director/WLW concerned indicating the shortest distance from the proposed site to "Srivilliputhu Megamalai Tiger Reserve.</p> <p>Further, SEAC noted that a fire cracker unit is located at a distance of 65m from the project site, hence the PP shall obtain and submit a NOC from the Joint Chief Controller of Explosives, Petroleum and Explosives Safety Organisation (PESO), FRDC Complex, Sivakasi, Virudhunagar District.</p>

  
MEMBER SECRETARY

  
MEMBER

  
CHAIRMAN  
SEIAA-TN



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

**Appeal No. 71 of 2024**

**Mr. Raja Jebadoss,**

S/o. Mr. Jeyasundarapandiayan,

D.No. 3/442-4, Theni Road Kumaragiri village,

Pudukkottai post, Tuticorin District 628 103.

Ph. 94431 49699

Email: msklawoffice@yahoo.co.in

**...Appellant**

Vs

**1. State Level Environment Impact Assessment  
Authority (SEIAA),**

Rep. by its Member Secretary,

**And Another**

**...Respondents**

COUNTER AFFIDAVIT OF 1<sup>st</sup> and 2<sup>nd</sup> RESPONDENTS

COUNSEL FOR 1<sup>st</sup> and 2<sup>nd</sup> RESPONDENTS