

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI
Appeal No. 73 of 2024 (SZ)**

Thiru. S. IYAPPAN,
S/o. SARAVANAN PERUMAL PILLAI,
No.2/50 A Vadakkutheru,
Kulasekarapuram, Agastheeswaram Taluk,
Kanniyakumari District

... Appellant

Vs

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

... Respondent

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Dated at Chennai on this 22nd day of August, 2025



COUNSEL FOR THE RESPONDENT

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI
Appeal No. 73 of 2024 (SZ)**

Thiru. S. IYAPPAN,
S/o. SARAVANAN PERUMAL PILLAI,
No.2/50 A Vadakkutheru,
Kulasekarapuram, Agastheeswaram Taluk,
Kanniyakumari District

... Appellant

Vs

State Level Environment Impact Assessment Authority (SEIAA),
Rep. by its Member Secretary,
No.327 Metros, 9th Floor,
Anna Salai, Nandanam, Chennai- 600 035
Email: seiaamstn@gmail.com
Phone No. 044-24359973

... Respondent

**COUNTER AFFIDAVIT FILED ON BEHALF OF SEIAA – TAMIL NADU,
THE RESPONDENT**

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 No.327 Metros, 9th Floor, Anna Salai, Nandanam, Chennai- 600 035 do hereby solemnly affirm and sincerely state as follows:

1. I am filing this counter affidavit on behalf of the Respondent 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 state that I have perused the appeal and deny the averments and allegations stated therein except those that are specifically admitted hereunder and put the Appellant to strict proof of the same.

Page 1 of 4



**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.**

3. It is respectfully submitted that the project proponent Thiru. S. Iyyappan, had applied to SEIAA-TN for Grant of Environmental Clearance for the Proposed Rough Stone Quarry over an extent of 1.10.50 Ha at SF No. 712/1B, 713/1C & 712/ 1D in Kulasekarapuram Village, Agastheeswaram Taluk, Kanniyakumari District vide online application no. SIA/TN/MIN/464192/2024 dt 02.03.2024. This project is covered under category "B2" of the Schedule to the EIA Notification, 2006 as amended.

4. It is respectfully submitted that the proposal was placed in the 462nd meeting of SEAC held on 26.04.2024 and the Project Proponent made a presentation through his consultant during the meeting. Based on the presentation and documents submitted, the SEAC decided to call for the following details from the project proponent:

- i. The PP shall enumerate the water bodies located around the quarry site at a distance within 500m and mention its name and distance from the boundary of the quarry site.
- ii. The proponent is requested to carry out a survey and enumerate on the structures located within the radius of (i) 50 m, (ii) 100 m, (iii) 200 m and (iv) 300 m (v) 500m shall be enumerated with details such as dwelling houses with number of occupants, whether it belongs to the owner (or) not, places of worship, industries, factories, sheds, etc with indicating the owner of the building, nature of construction, age of the building, number of residents, their profession and income, etc.
- iii. The PP shall furnish the details of brick chamber located in the eastern side of the quarry site (no. of workers, no. of workers staying inside the brick chamber premises, working hours, total no. of working days in a year, distance from the boundary of the quarry site).



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

- iv. The PP shall furnish the contour map.
5. It is respectfully submitted that on receipt of the above details, the proposal was again placed in the 480th meeting of SEAC held on 05.07.2024. The Project proponent has made a presentation along with clarification for the above shortcomings observed by the SEAC. SEAC after detailed discussion decided not to recommend the proposal for the following factors:
- (a) Puthanaaru Canal is located within a distance of 100m from the proposed project site.
 - (b) The following water bodies are located within 500m radius of the proposed quarry site.
 - Marutvamalai Kulam - 110 m, N
 - Tank 1 - 80 m, NE
 - Tank 2 - 170 m, W
 - Paalkulam Pond - 290 m, SW
 - Stream - 110 m. W
 - (c) As per the enumerations of structures, there are 15 Nos. of structures located within 300m radius of the proposed quarry site.
 - (d) The proposed quarry site is located in an ecologically sensitive area of Western Ghats and is surrounded by thick vegetation with rich biodiversity.
 - (e) The quarrying operation will cause depletion of fertile topsoil which will lead to environmental degradation to flora and fauna in and around the area.
6. It is respectfully submitted that the subject was placed in the 741st meeting of SEIAA on 23.07.2024 and the Authority decided not to recommend the proposal based on the SEAC recommendations and the following reasons;



- a) On review of the KML file, SEIAA observed that the proposed quarry site is located in an environmentally fragile area and an ecologically sensitive area.
- b) The proposed mining activity in the said area may lead to soil erosion and thereby affect the agricultural & horticultural activities in that area. It is submitted that the detailed reasoning as recorded by the SEAC are culminated in the above reasons for rejection by the SEIAA. The appraisal process as entailed in the EIA 2006 has been scrupulously followed which is well reflected in the detailed reasons given by the SEAC. As a further technical body, the decisions were found to be sound and proper and briefly agreed upon in the reasons for the rejection / impugned order. In view of the above, the Authority decided to request Member Secretary, SEIAA-TN to grant rejection letter to proponent as per 480th SEAC minutes. Further, Authority decided to close and record this proposal.

7. It is respectfully submitted that in view of the above the rejection letter was granted to the Proponent vide Identification No. EC24C0108TN5822068N dated 29.07.2024.

It is therefore 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 - TAMIL NADU
 No. 327, Metros, 9th Floor,
 Anna Salai, Nandanam, Chennai-600 035.

Before me,

D. Arvind
 (No. 317/2003)
 (No. 104, Law chambers
 Highcourt, Madras)

Advocate, Chennai

Solemnly affirmed in Chennai

On this the day of February 2025

signed his name in my presence

S.O, 1807(E) dated 12.04.2022.

- 1) 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.
- 2) 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.
- 3) 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 Panchayat Union Primary School, Keezhapavur Village, Tenkasi District, before obtaining CTO from TNPCB.
- 4) As accepted by the project proponent, Rs.5 Lakhs shall be spent for the conservation measures towards Nellai Wildlife Sanctuary in consultation with the concerned DFO.

Agenda No: 480-06

(File No: 10761/2024)

Proposed Rough Stone Quarry over an extent of 1.10.5 Ha at S.F.Nos. 712/1B, 712/1C & 712/1D of Kulasekarapuram Village, Agastheeswaram Taluk, Kanniyakumari District, Tamil Nadu by Thiru. S. Iyyappan – For Environmental Clearance.

(SIA/TN/MIN/464192/2024, Dated: 02.03.2024)

The proposal was placed in this 480th meeting of SEAC held on 05.07.2024. 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. Iyyappan has applied for Environmental Clearance for the Proposed Rough Stone Quarry over an extent of 1.10.5 Ha at S.F.Nos. 712/1B, 712/1C & 712/1D of Kulasekarapuram Village, Agastheeswaram Taluk, Kanniyakumari 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.


MEMBER SECRETARY
SEAC -TN


CHAIRMAN
SEAC- TN

3. Earlier, the proposal was placed for appraisal in the 462nd meeting of SEAC held on 26.04.2024. Based on the presentation and the documents furnished by the project proponent, the SEAC decided to call for the following details from the project proponent:

- (i) The PP shall enumerate the water bodies located around the quarry site at a distance within 500m and mention its name and distance from the boundary of the quarry site.
- (ii) The proponent is requested to carry out a survey and enumerate on the structures located within the radius of (i) 50 m, (ii) 100 m, (iii) 200 m and (iv) 300 m (v) 500m shall be enumerated with details such as dwelling houses with number of occupants, whether it belongs to the owner (or) not, places of worship, industries, factories, sheds, etc with indicating the owner of the building, nature of construction, age of the building, number of residents, their profession and income, etc.
- (iii) The PP shall furnish the details of brick chamber located in the eastern side of the quarry site (no. of workers, no. of workers staying inside the brick chamber premises, working hours, total no. of working days in a year, distance from the boundary of the quarry site).
- (iv) The PP shall furnish the contour map.

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

On receipt of the above details, the proposal was again placed in this 480th meeting of SEAC held on 05.07.2024. The Project proponent has made a presentation along with clarification for the above shortcomings observed by the SEAC.

S. No	SEAC Query	PP Reply
1	The PP shall enumerate the water bodies located around the quarry site at a distance within 500m and mention its	The following water bodies are located within 500 m radius of the Project Site. ✓ Marutvamalai Kulam – 110 m, N ✓ Tank I – 80 m, NE


MEMBER SECRETARY
SEAC -TN

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CHAIRMAN
SEAC -TN

	for road construction					
100 m – 150 m						
4	Non-operative Brick Chamber	100 m - S	Belongs to PP	Nil	Brick Chamber	More than 5 years
5	Non-operative Chamber empty land	130 m - NE	Not belongs to PP	Nil	-	-
150 m – 200 m						
6	Abandoned Chamber	190 m - NE	Not belongs to PP	NA	-	More than 5 years
150 m – 200 m						
7	Abandoned Chamber	190 m - NE	Not belongs to PP	NA	-	More than 5 years
8	Chamber Stock yard	160 m - NE	Not belongs to PP	NA	-	More than 10 years
200 m – 250 m						
9	Nearby Crusher Office cum labour shed	240 m - NE	Not belongs to PP	NIL	Concrete building	3 Years
250 m – 300 m						


MEMBER SECRETARY
SEAC -TN


CHAIRMAN
SEAC- TN

10	Non operative Crusher Office	290 m - NE	Not belongs to PP	NIL	Concrete building	3 years
11	Non operative Crusher	280m - NE	Not belongs to PP	NIL	Crusher Plant	3 years
12	Non operative Office cum labour Shed	270 m - SW	Not belongs to PP	NIL	Concrete building	2 years
13	Small Farmhouse	285 m -N	Not belongs to PP	1	Concrete wall with Asbestos Sheet	2 years
14	Small Farmhouse	280m - N	Not belongs to PP	1	Concrete building	2 years
15	Non operative Chamber Bricks	290 m - N	Not belongs to PP	NIL	Brick Chamber	More than 7 years
300 m – 400 m						
16	Animal Shed	302 m (NE)	Not belongs to PP	1	Asbestos sheet structure	2 years
17	House	340m (SW)	Not belongs to PP	3	Concrete Structure	More than 2 Years


MEMBER SECRETARY
SEAC -TN

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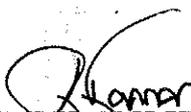

CHAIRMAN
SEAC- TN

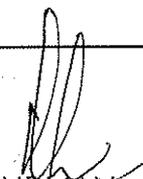
18	House	360m (SW)	Not belongs to PP	2	Concrete Structure	3 Years
19	Farm Shed	355m (SW)	Not belongs to PP	0	Concrete wall with asbestos sheet	More than 5 Years
20	Farm Shed / House	350m (SW)	Not belongs to PP	2	Concrete wall with asbestos sheet	3 Years
21	Unused House	335 m (SW)	Not belongs to PP	0	Concrete Structure	3 Years
22	House	320 m (S)	Not belongs to PP	2	Concrete Building	2 years
23	House	341 m (S)	Not belongs to PP	2	Concrete Building	2 years
24	House – under construction	370 m (S)	Not belongs to PP	0	Concrete Building	Under Construction
25	Unused House	354 (S)	Not belongs to PP	0	Brick building with tiled roof	More than 5 years
26	House	390 m (S)	Not belongs to PP	4	Concrete Building	1.5 years


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SEAC -TN

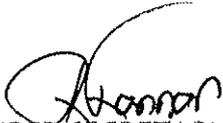

CHAIRMAN
SEAC-TN

27	Farmhouse	368 m (S)	Not belongs to PP	2	Concrete Structure	2 years
28	House	370 m (S)	Not belongs to PP	3	Concrete Structure	7 Years
29	House	390m (S)	Not belongs to PP	2	Brick building with tiled roof	1 Year
30	House	388 m (SE)	Not belongs to PP	3	Brick building with tiled roof	5 Years
31	House	384m (SE)	Not belongs to PP	0	Brick building	3 years
32	House	383 m (SE)	Not belongs to PP	4	Concrete Structure	2 years
33	House	394 m (E)	Not belongs to PP	4	Brick building with tiled roof	More than 5 Years
34	Farm House	374 m (N)	Not belongs to PP	2	Concrete Structure	More than 5 Years
35	House	330m (N)	Not belongs to PP	3	Concrete Structure	6 months


MEMBER SECRETARY
SEAC -TN

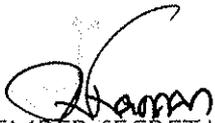

CHAIRMAN
SEAC -TN

36	Farm House	359 m (NW)	Not belongs to PP	3	Concrete Structure	1 year
37	House	445m (N)	Not belongs to PP	3	Concrete Structure	1 Year
38	House	490m (N)	Not belongs to PP	2	Concrete building	1 Year
39	Shop with house	454m (N)	Not belongs to PP	2	Concrete building	2 Years
40	House	455m (N)	Not belongs to PP	3	Concrete building	2 Years
41	Unused Farm Shed	448m (N)	Not belongs to PP	Nil	Brick Building with sheet roof	2 years
42	Farm House	445 m (N)	Not belongs to PP	2	Concrete building	1 Year
43	House	460m (N)	Not belongs to PP	4	Concrete building	1 Year
44	House	475 m (N)	Not belongs to PP	3	Concrete building	5 years


MEMBER SECRETARY
SEAC -TN

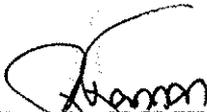

CHAIRMAN
SEAC- TN

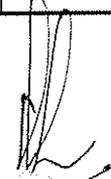
45	House	495 m (N)	Not belongs to PP	3	Concrete building	1 year
46	Overhead Tank	448 m (N)	Not belongs to PP	0	Concrete	5 years
47	House	412 m (SW)	Not belongs to PP	3	Concrete building	1 Year
48	Farm House	431 m (SW)	Not belongs to PP	2	Concrete building	1 year
49	House	490m (SW)	Not belongs to PP	1	Brick building with tiled roof	5 Years
51	House with Hotel	476 m (S)	Not belongs to PP	7	Concrete building	1 year
52	Shop	491 m (S)	Not belongs to PP	5	Concrete building	2 years
53	Shop	448 m (S)	Not belongs to PP	5	Concrete building	1 Year
54	Farm House	454 m (S)	Not belongs to PP	2	Concrete building	1 Year


MEMBER SECRETARY
SEAC -TN


CHAIRMAN
SEAC- TN

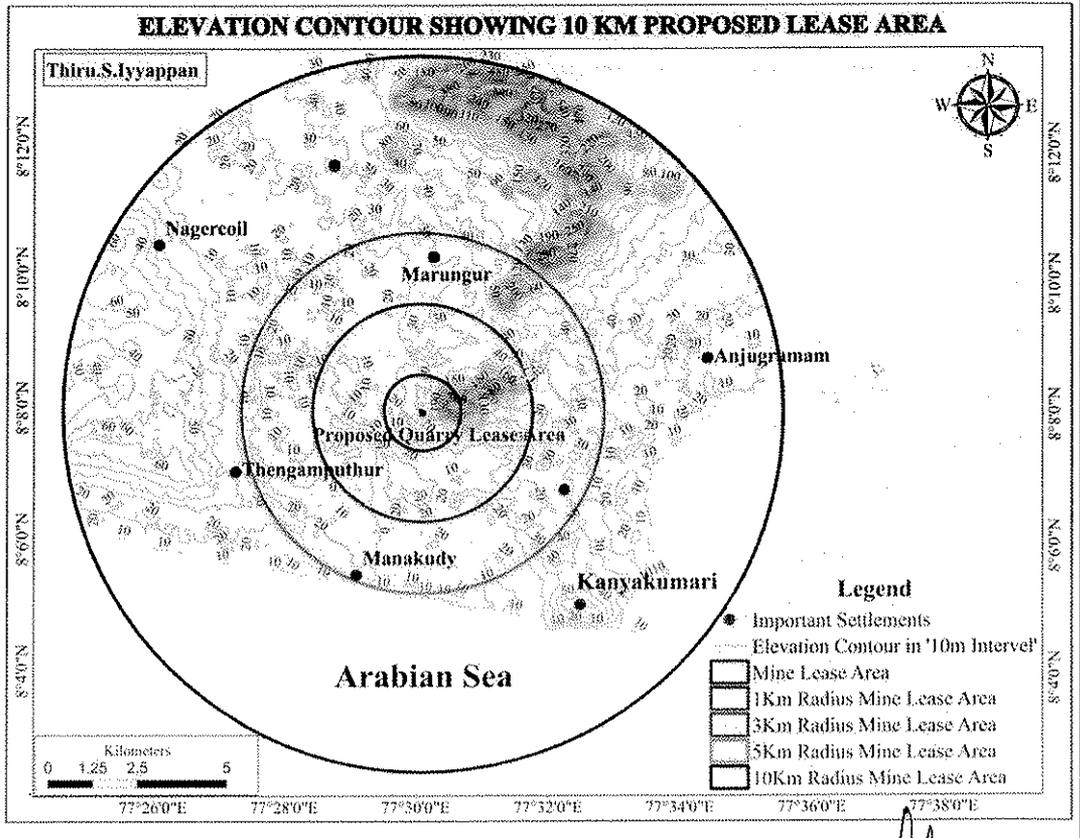
55	Unused House	446 m (S)	Not belongs to PP	0	Brick building with tiled roof	5 Years
56	House	429 m (S)	Not belongs to PP	4	Concrete building	2 Years
57	House	434 m (S)	Not belongs to PP	10	Concrete building	1 year
58	House	468 m (S)	Not belongs to PP	4	Concrete building	2 Years
59	House	490 m (S)	Not belongs to PP	3	Concrete building	1 Year
60	Farm Shed	495 m (S)	Not belongs to PP	1	Brick Building with sheet roof	3 Years
61	Farm House	431 m (S)	Not belongs to PP	1	Concrete building	1 Year
62	Farm House	410 m (S)	Not belongs to PP	2	Concrete building	3 Years
63	Unused House	472 (NW)	Not belongs to PP	0	Concrete building	5 Years


MEMBER SECRETARY
SEAC -TN


CHAIRMAN
SEAC- TN

	64	Farm House	486 m (NW)	Not belongs to PP	2	Concrete building	1 year
3	The PP shall furnish the details of brick chamber located in the eastern side of the quarry site (no. of workers, no. of workers staying inside the brick chamber premises, working hours, total no. of working days in a year, distance from the boundary of the quarry site).			The Brick Chamber located at 100 m in the Southern direction belongs to Project Proponent and it has not been in operation for the past 2 years. PP assure you that he will not operate it in the future, either by PP or through other. Three Abandoned chambers are in the northeast direction at the distance of 170 m from the Proposed project. All the brick chambers are not in operation for about a year.			

4 The PP shall furnish the contour map.
The Contour map of the project area is shown below.



[Signature]
MEMBER SECRETARY
SEAC -TN

[Signature]
CHAIRMAN
SEAC- TN

During the presentation, the SEAC had observed the following:

1. Puthanaaru Canal is located within a distance of 100m from the proposed project site.
2. The following water bodies are located within 500m radius of the proposed quarry site.
 - Marutvamalai Kulam – 110 m, N
 - Tank 1 – 80 m, NE
 - Tank 2 – 170 m, W
 - Paalkulam Pond – 290 m, SW
 - Stream – 110 m, W
2. As per the enumerations of structures, there are 15 Nos. of structures located within 300m radius of the proposed quarry site.
3. The proposed quarry site is located in an ecologically sensitive area of Western Ghats and is surrounded by thick vegetation with rich biodiversity.
4. The quarrying operation will cause depletion of fertile topsoil which will lead to environmental degradation to flora and fauna in and around the area.

Based on the documents and presentation made by the proponent, SEAC after detailed discussions decided not to recommend the proposal for the grant of Environmental Clearance considering all the above factors.

Agenda No: 480-07

(File No: 10351 /2023)

Proposed Rough stone quarry lease over an extent of 1.00.0Ha in S.F.No.12(Part-1), Jagadevampatti Village, Omalur Taluk, Salem District, Tamil Nadu by Thiru.C.Selladurai - For Environmental Clearance. (SIA/TN/MIN/431267/2023 Dt. 28/05/2023).

Earlier, the proposal was placed in the 426th meeting of SEAC held on 24.11.2023. Then details of the project furnished by the proponent are available in the website (parivesh.nic.in).

The SEAC noted the following:

1. Earlier, the PP has obtained EC issued by DEIAA vide Lr. No. DEIAA-DIA/TN/MIN/19163/2018-SLM-EC.No.72/2018 Dated:07.12.2018.


MEMBER SECRETARY
SEAC -TN

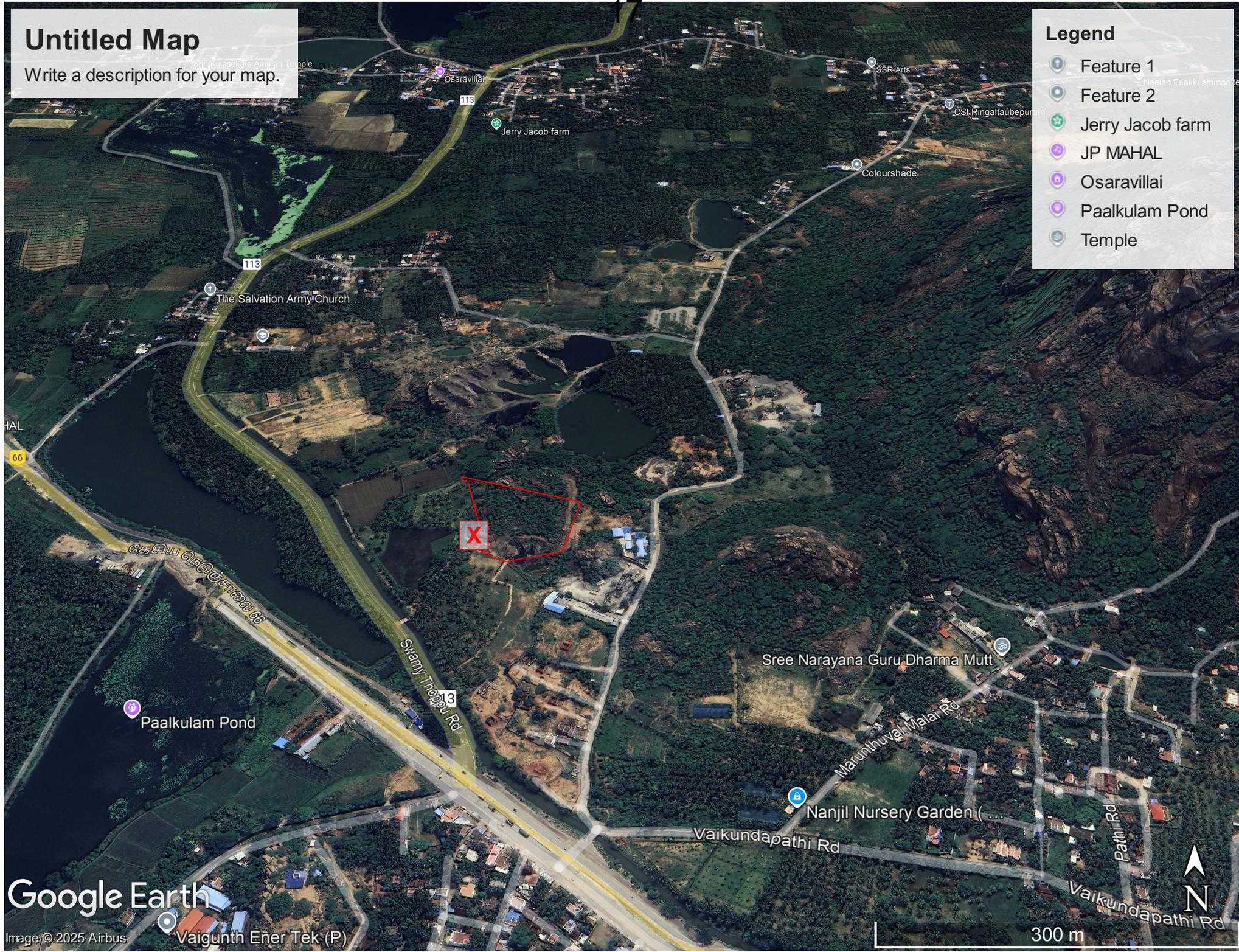

CHAIRMAN
SEAC -TN

Untitled Map

Write a description for your map.

Legend

- Feature 1
- Feature 2
- Jerry Jacob farm
- JP MAHAL
- Osaravillai
- Paalkulam Pond
- Temple



Google Earth

Image © 2025 Airbus

Vaigunth Eher Tek (P)

300 m

**BEFORE THE HON'BLE NATIONAL
GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI
Appeal No. 73 of 2024 (SZ)**

Thiru. S. IYAPPAN,
S/o. SARAVANAN PERUMAL PILLAI,
... Appellant

Vs

State Level Environment Impact
Assessment Authority (SEIAA),

... Respondent

Counter Affidavit Filed on
Behalf of Seiaa – Tamil Nadu, The
Respondent

COUNSEL FOR THE RESPONDENT

S. SAI SATHYAJITH