

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

SOUTHERN ZONE, CHENNAI

Appeal No. 54 of 2024 (SZ)

K.A. Rajagopal,
S/O Arjuna Raja,
24E, Gundoomurthy Street,
Rajapalayam Town, Rajapalayam taluk,
Virudhunagar district - 626 127

...Appellant

Vs

- 1. State Level Environment Impact Assessment Authority (SEIAA),**
Rep. by its Member Secretary,
No. 327, 9th floor, CMRL MetroS,
Anna Salai, Nandanam,
Chennai 600 035
Email: 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 1st RESPONDENT

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI
Appeal No.54 of 2024 (SZ)**

K.A. Rajagopal,
S/o. Arjuna Raja,
24E, Gundoomurthy Street,
Rajapalayam Town, Rajapalayam Taluk,
Virudhunagar District - 626 127.

... Appellants

Vs

- 1. State Level Environment Impact Assessment Authority (SEIAA),**
Rep. by its Member Secretary,
3rd Floor, Panagal Maaligai, No.1, Jeenis Road,
Saidapet, Chennai - 600 015.
Email: seiaamstn@gmail.com
Phone No. 044-24359973

- 2. State Level Expert Appraisal Committee (SEAC),**
Rep. by its Chairman,
3rd Floor, Panagal Maaligai, No.1, Jeenis Road,
Saidapet, Chennai - 600 015.
Email: seacchairmantn@gmail.com
Phone No. 044-24359973.

... Respondents

COUNTER AFFIDAVIT FILED ON BEHALF OF SEIAA - TAMIL NADU,
THE 1st & 2nd RESPONDENTS

I, A.R. Rahul Nadh, I.A.S., aged about 36 years, working as Member Secretary, State Level Environment Impact Assessment Authority, Tamil Nadu (SEIAA-TN) having office at Third Floor, Panagal Maaligai, Saidapet, Chennai - 600015, do hereby solemnly affirm and sincerely state as follows:



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 1st& 2nd Respondents herein and as such I am well acquainted with the facts and the circumstances of the case from the records available in this office.
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.
3. It is respectfully submitted that ToR along with Public Hearing was issued vide Lr No. SEIAA-TN/F.No.8743/SEAC/ ToR-1052/2022 Dated: 31.01.2022 to the project proponent.
4. It is respectfully submitted that the project proponent, Thiru. K.A. Rajagopal has applied for Environmental Clearance for the Proposed Rough Stone and Gravel quarry lease area over an extent of 1.10.5 Ha at S.F.Nos. 293/1A(P) & 293/2B(P) of Mellur- Duraisampuram Village, Rajapalayam Taluk, Virudhunagar District, Tamil Nadu for the project/activity covered under category "B" of Item 1(a) "Mining of Minerals Projects" of the schedule to the EIA Notification, 2006 as amended vide online proposal number SIA/TN/MIN/438048/2023, Dated: 26.07.2023.
5. It is respectfully submitted that the proposal was placed for appraisal in the 410th meeting of SEAC held on 22.09.2023. Based on the presentation made and documents submitted and from the KML file uploaded in the PARIVESH Portal, SEAC noted the following.
 - i) Highly sensitive Nellai Wildlife Sanctuary is located close to the project site.
 - ii) Srivilliputhur - Megamalai Tiger Reserve is located close to the project site.



Member Secretary
STATE LEVEL ENVIRONMENT IMPACT
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 No. 327, Metros, 9th Floor,
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- iii) Two residential educational institutes, namely, (i) Stella Mary's B.Ed., College and (ii) Stella Mary's Teachers Training College are located within the blasting danger zone (500m from the lease) as prescribed by DGMS Circular: (SOMA)/(Tech) Cir No. 2 of 2003, Dt. 31/01/2003.
- iv) Two waterbodies, namely (i) Periyakulam Kanmai and (ii) Odai are located at a distance of 240 m from the quarry site.
- v) Brick chamber is located at a distance of 145m from the project site and Hollow blocks manufacturing unit is located at a distance of 60m from the project site.
- vi) A Government Hospital and a Government School are located close to the project site.
- vii) Residential Houses and other structures are also located nearby the project site.
- viii) Public village road is located at a distance of 60m from the project site and Devipattanam Road is located at a distance of 170m from the project site.
- ix) Tenkasi – Madurai Road is located on the eastern side of the project area at a distance of 500m.

In view of the above sensitivities, the Committee decided not to recommend the proposal for grant of Environmental Clearance.

- 6. It is respectfully submitted that subsequently the subject was placed in the 662nd authority meeting held on 16.10.2023. The Authority, after discussions, accepted the decision of SEAC, rejected the proposal and decided to request Member Secretary, SEIAA-TN to grant rejection letter to proponent as per 410 th SEAC minutes. Further, Authority decided to close and record this proposal.



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

7. It is respectfully submitted that in view of the above rejection letter was granted to the proponent vide Letter No. SEIAA-TN/F.No. 8743/2023 dated 20.12.2023.
8. It is submitted that the environmental factors as pointed above and discussed by the authority are serious factors which outweigh the need to grant the clearance. It is submitted that there is no vested right for the proponent to seek for clearance at a particular site and the grant of clearance is only subject to the expert appraisal and balancing of the project and the environmental factors at the site.
9. It is submitted that even when conditions are imposed, the site is situated close to a notified Wildlife sanctuary at a distance of 4.6 Km & its Eco Sensitive Zone boundary at a distance of 3.5 Km and Sirivilliputtur- Meghamalai Tiger Reserve (SMTR) at a distance of 6.3 Km & its Eco Sensitive Zone boundary at a distance of 1.8 Km as furnished by the project proponent. These are overwhelming environmental factors which prima facie are against the proponent. That apart, when seen in conjunction with the presence of educational institutions within the blasting danger zone brings the project site as a high risk one. Further, a disadvantage to the project site is also schools and colleges nearby, a water body presence and nearby roads.
10. It is submitted that the authority had seen all of the negative factors against the proponent together and in their expertise feel there is a need to apply the doctrine of precaution in such a case. It is submitted that even allowing the project with conditions and continued monitoring will not be preferable at all in a setting which has serious environmental risk and also human safety risk.
11. It is submitted that the Hon'ble Tribunal may kindly be pleased to visualise the site as one close to wildlife sanctuary and a tiger reserve



with a settled lifestyle surrounding the same. The presence of educational institution within the blasting area and other water bodies and nearby main roads are all going to make the project, a real and serious environmental problem to the people and the wildlife. It is only upon such understanding of the local impacts that the respondent in the better interest of the Environment decided to reject the proposal.

12. It is submitted that nearby to the proposed site, there are 5 existing quarry as per the 500m radius cluster letter issued by the Department of Geology and Mining dated 15.10.2019 furnished by the project proponent and the proposed site is a fresh area. Even the above factors do not merit a grant of clearance in favour of the proponent and thus considering the overall situation and the multiple factors against the unit in wholesome manner together, the respondent has rejected the proposal by applying the principles of precaution and on a eco centric approach.

It is therefore prayed that this Hon'ble Tribunal may be pleased to dismiss the above appeal as this Hon'ble Tribunal may deem 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.

Solemnly affirmed in Chennai
 On this the 2nd day of December 2024
 signed his name in my presence

Before me, *D. Arvind*
(No. 317/2003)
(No. 104, Law chambers
Highcourt, Madras)
 Advocate, Chennai

should be planted in and around the premise in consultation with the DFO, District / State Agriculture University. The plants species should have thick canopy cover, perennial green nature, native origin and large leaf areas. Medium size trees and small trees alternating with shrubs shall be planted. Miyawaki method of planting i.e. planting different types of trees at very close intervals may be tried which will give a good green cover. Greenbelt needs to be developed in the periphery of the mines area so that at the closure time the trees would have grown well.

14. The project proponent shall furnish the details of the existing/proposed Green belt area earmarked with GPS coordinates and list of trees that are proposed to be planted surrounding the mining area atleast to a width of 3m along with a copy of photos/documents, and the same shall be included in the EIA Report.

Agenda No: 237 -19

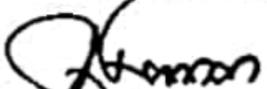
(File No: 8743/2021)

Proposed Rough stone and Gravel quarry lease over an extent of 1.10.5Ha in S.F.No's. 293/1A(P) & 293/2B(P) at Mellur Duraisamipuram Village, Rajapalayam Taluk, Virudhunagar District, Tamil Nadu by Thiru.K.A.Rajagopal - For Terms of Reference. SIA/TN/MIN/66578/2021/dated 18.08.2021)

The proposal was placed in 237th SEAC meeting held on 08.10.2021. 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, Thiru.K.A.Rajagopal has applied for Terms for Reference for the proposed Rough stone and Gravel quarry lease over an extent of 1.10.5Ha in S.F.No's. 293/1A(P) & 293/2B(P) at Mellur Duraisamipuram Village, Rajapalayam Taluk, Virudhunagar 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. The Production for the five years states that total quantity should not


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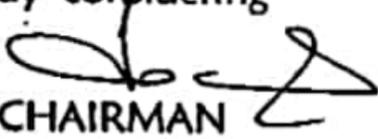
exceed 64,390m³ of Rough Stone & 45,468m³ of Gravel ultimate depth of mining is 26.0m below ground level.

Based on the presentation made by the proponent and the documents furnished, SEAC decided to recommend the proposal for the grant of Terms of Reference (TOR) with Public Hearing, Subject to the following TORs in addition to the standard terms of reference for EIA study for non-coal mining projects and details issued by the MOEF & CC to be included in EIA/EMP Report:

1. Restricting the depth of mining to 21m ultimate depth and quantity of 62390 cu.m of Rough stone & 45,468 cu.m of Gravel for five years with a bench height of 5m as per the approved mining plan considering the hydrogeological regime of the surrounding area as well as to ensure sustainable and safe mining.
2. If the proponent has already carried out the mining activity in the proposed mining lease area after 15.01.2016, then the proponent shall furnish the following details from AD/DD, mines,
 - a) What was the period of the operation and stoppage of the earlier mines with last work permit issued by the AD/DD mines?
 - b) Quantity of minerals mined out.
 - c) Detail of approved depth of mining.
 - d) Actual depth of the mining achieved earlier.
 - e) Name of the person already mined in that leases area.
 - f) If EC and CTO already obtained, the copy of the same shall be submitted.
 - g) whether the mining was carried out as per the approved mine plan (or EC if issued) with stipulated benches.
3. A detailed study of the lithology of the mining lease area shall be furnished.
4. The proponent shall furnish photographs of adequate fencing, green belt along the periphery including replantation of existing trees & safety distance between the adjacent quarries & water bodies nearby provided as per the approved mining plan.
5. The Project Proponent shall conduct the hydro-geological study considering


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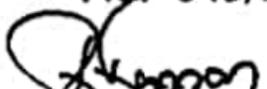
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Dr. S. MOHAN
Chairman
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the contour map of the water table detailing the number of ground water pumping & open wells, and surface water bodies such as rivers, tanks, canals, ponds etc. within 1 km (radius) along with the collected water level data for both monsoon and non-monsoon seasons from the PWD / TWAD so as to assess the impacts on the wells due to mining activity.

6. The proponent shall furnish the baseline data for the environmental and ecological parameters with regard to surface water/ground water quality, air quality, soil quality & flora/fauna including traffic/vehicular movement study.
7. The Proponent shall carry out the Cumulative impact study due to mining from all the mines on the environment in terms of air pollution, water pollution, & health impacts, accordingly the Environment Management plan should be prepared.
8. The Socio-economic studies should be carried out within a 5 km buffer zone from the mining activity.
9. A tree survey study shall be carried out (nos., name of the species, age, diameter etc.,) both within the mining lease applied area & 300m buffer zone and its management during mining activity.
10. A detailed mine closure plan for the proposed project shall be included in EIA/EMP report.
11. All the queries raised during public hearing by the local habitants need to be addressed and the protective measures or management plan may be revised accordingly and to be submitted to SEIAA/SEAC with regard to the Office Memorandum of MoEF& CC accordingly.
12. The project proponent shall submit revised CER activities for governments schools only.
13. The recommendation for the issue of "Terms of Reference" is subjected to the outcome of the Hon'ble NGT, Principal Bench, New Delhi in O.A No.186 of 2016 (M.A.No.350/2016) and O.A. No.200/2016 and O.A.No.580/2016 (M.A.No.1182/2016) and O.A.No.102/2017 and O.A.No.404/2016 (M.A.No. 758/2016, M.A.No.920/2016, M.A.No.1122/2016, M.A.No.12/2017 & M.A. No. 843/2017) and O.A.No.405/2016 and O.A.No.520 of 2016 (M.A.No.


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981/2016, M.A.No.982/2016 & M.A.No.384/2017).

14. The purpose of Green belt around the project is to capture the fugitive emissions and to attenuate the noise generated, in addition to the improvement in the aesthetics. A wide range of indigenous plants species should be planted in and around the premise in consultation with the DFO, District / State Agriculture University. The plants species should have thick canopy cover, perennial green nature, native origin and large leaf areas. Medium size trees and small trees alternating with shrubs shall be planted. Miyawaki method of planting i.e. planting different types of trees at very close intervals may be tried which will give a good green cover. Greenbelt needs to be developed in the periphery of the mines area so that at the closure time the trees would have grown well.
15. The project proponent shall furnish the details of the existing/proposed Green belt area earmarked with GPS coordinates and list of trees that are proposed to be planted surrounding the mining area atleast to a width of 3m along with a copy of photos/documents, and the same shall be included in the EIA Report.

Agenda No: 237 -20

(File No: 8755/2021)

Proposed Rough Stone and Gravel quarry lease over an extent of 7.00.0ha in S.F.Nos. 635/1A, 635/2A, 740, 800/2 (P) & 801 (P) at Marudur Village, Mettupalayam Taluk, Coimbatore District, Tamil Nadu by M/s. Venkateswara Blue Metals - For Terms of Reference.

SIA/TN/MIN/67094/2021/dated 30.08.2021)

The proposal was placed in 237th SEAC meeting held on 08.10.2021. 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. Venkateswara Blue Metals has applied for Terms for Reference for the proposed Rough Stone and Gravel quarry lease over an extent of 7.00.0ha in S.F.Nos. 635/1A, 635/2A, 740, 800/2 (P) & 801 (P) at


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- be submitted to the SEIAA, MoEF, TNPCB, AD/Mines-DGM and DMS, Chennai as a part of Environmental Compliance without any deviation.
7. The PP shall improve the haulroad passing through the habitation by laying tar / asphalt road of adequate thickness with adequate speed restricting mechanisms and maintain it during the period of quarrying operation and a half-yearly compliance report shall be furnished to the DEE/TNPCB.
8. 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 the Panchayat Union Middle School, Sivayam (West), Ayyarmalai, Kulithalai Taluk, Karur District, before obtaining CTO from TNPCB.

Agenda No: 410-08

(File No: 8743/2021)

Proposed Rough Stone and Gravel quarry lease area over an extent of 1.10.5 Ha at S.F.Nos. 293/1A(P) & 293/2B(P) of Mellur-Duraisampuram Village, Rajapalayam Taluk, Virudhunagar District, Tamil Nadu by Thiru. K.A. Rajagopal - For Environmental Clearance. (SIA/TN/MIN/438048/2023, Dated: 26.07.2023)

The proposal was placed for appraisal in this 410th meeting of SEAC held on 22.09.2023. The details of the project furnished by the proponent are given in the website (parivesh.nic.in). The SEAC noted the following:

1. The project proponent, Thiru. K.A. Rajagopal has applied for Environmental Clearance for the Proposed Rough Stone and Gravel quarry lease area over an extent of 1.10.5 Ha at S.F.Nos. 293/1A(P) & 293/2B(P) of Mellur-Duraisampuram Village, Rajapalayam Taluk, Virudhunagar District, Tamil Nadu.
2. The project/activity is covered under category "B" of Item 1(a) "Mining of Minerals Projects" of the schedule to the EIA Notification, 2006.
3. ToR along with Public Hearing Issued vide Lr No. SEIAA-TN/F.No.8743/SEAC/ToR-1052/2022 Dated: 31.01.2022
4. Public hearing conducted on 18.04.2023
5. EIA Report submitted on 27.07.2023


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Based on the presentation made and documents submitted and from the KML file uploaded in the PARIVESH Portal, SEAC noted the following.

- i) Highly sensitive Nellai Wildlife Sanctuary is located close to the project site.
- ii) Srivilliputhur – Megamalai Tiger Reserve is located close to the project site.
- iii) Two residential educational institutes, namely, (i) Stella Mary's B.Ed., College and (ii) Stella Mary's Teachers Training College are located within the blasting danger zone (500m from the lease) as prescribed by DGMS Circular: (SOMA)/(Tech) Cir No. 2 of 2003, Dt. 31/01/2003.
- iv) Two waterbodies, namely (i) Periyakulam Kanmai and (ii) Odai are located at a distance of 240 m from the quarry site.
- v) Brick chamber is located at a distance of 145m from the project site and Hollow blocks manufacturing unit is located at a distance of 60m from the project site.
- vi) A Government Hospital and a Government School are located close to the project site.
- vii) Residential Houses and other structures are also located nearby the project site.
- viii) Public village road is located at a distance of 60m from the project site and Devipattanam Road is located at a distance of 170m from the project site.
- ix) Tenkasi – Madurai Road is located on the eastern side of the project area at a distance of 500m.

In view of the above sensitivities, the Committee decided not to recommend the proposal for grant of Environmental Clearance.

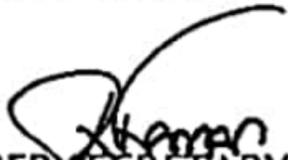
Agenda No: 410 - 09

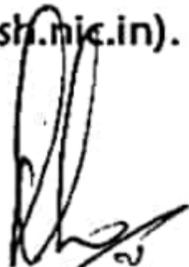
(File No: 8583/2023)

Proposed of Rough stone & Gravel Quarry lease over an extent of 1.42.0Ha by Thiru. P.A.Raja in S.F.Nos. 225/1B of Kokkalai Village, Tiruchengode Taluk, Namakkal District, Tamil Nadu by Thiru.P.A.Raja - For Environmental Clearance. (SIA/TN/MIN/437634/2023 Dt. 21.07.2023)

The details of the proposed project are given in the website (parivesh.nic.in).

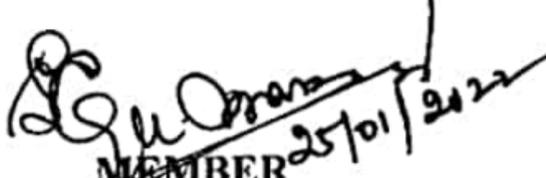
The SEAC noted the following:


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SEAC- TN

			<p>4. The Environmental Impact Assessment should study the biodiversity, the natural ecosystem, the soil micro flora, fauna and soil seed banks and suggest measures to maintain the natural Ecosystem.</p> <p>5. Action should be specifically suggested for sustainable management of the area and restoration of ecosystem for flow of goods and services.</p>
19.	To consider the proposal for the grant of Terms of Reference for the proposed Rough stone & Gravel Quarry Project at over an Extent of 1.10.5 Ha of Patta land in S.F.Nos.293/1A(P) & 293/2B(P) of Mellur-Duraisampuram Village, Rajapalayam Taluk, Virudhunagar District, Tamil Nadu by Thiru.K.A.Rajagopal	8743	<p>After detailed discussions, the Authority accepted the recommendation of SEAC and decided to grant Terms of Reference (ToR) with Public Hearing under cluster for undertaking the combined Environment Impact Assessment Study and preparation of separate Environment Management Plan subject to the conditions as recommended by SEAC & normal condition in addition to the following conditions:</p> <ol style="list-style-type: none"> 1. As per the recommendation of SEAC and as accepted by the proponent, restricting the depth of mining to 21m and quantity of 62390 cu.m of Rough stone & 45,468 cu.m of Gravel for five years with a bench height of 5m as per the approved mining plan considering the hydro geological regime of the surrounding area as well as to ensure sustainable and safe mining. 2. As per the MoEF& CC office memorandum F.No.22-65/2017-IA.III dated: 30.09.2020 and 20.10.2020 the proponent shall address the concerns raised during the public consultation and all the activities proposed shall be part of the Environment Management Plan.

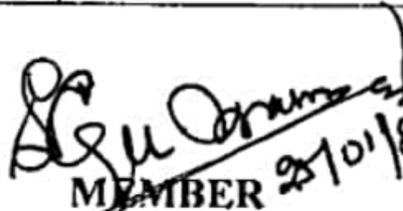

MEMBER SECRETARY


MEMBER 25/01/2022


CHAIRMAN
SEIAA-TN
27/01/22

			<p>3. The Environmental Impact Assessment shall study in detail the carbon emission and also suggest the measures to mitigate carbon emission including development of carbon sinks and temperature reduction including control of other emission and climate mitigation activities.</p> <p>4. The Environmental Impact Assessment should study the biodiversity, the natural ecosystem, the soil micro flora, fauna and soil seed banks and suggest measures to maintain the natural Ecosystem.</p> <p>5. Action should be specifically suggested for sustainable management of the area and restoration of ecosystem for flow of goods and services</p>
20.	To consider the proposal for the grant of Terms of Reference for the proposed rough stone and gravel Quarry Project at over an Extent of 7.00.0 Ha of Patta land in S.F.Nos. 635/1A, 635/2A, 740, 800/2 (P) & 801 (P) of Mellur- Marudur Village, Mettupalayam Taluk, Coimbatore District, Tamil Nadu by M/s. Venkateswara Blue Metals.	8755	<p>After detailed discussions, the Authority accepted the recommendation of SEAC and decided to grant Terms of Reference (ToR) with Public Hearing under cluster for undertaking the combined Environment Impact Assessment Study and preparation of separate Environment Management Plan subject to the conditions as recommended by SEAC & normal condition in addition to the following conditions:</p> <p>1. As per the recommendation of SEAC and as accepted by the proponent, the Restricting the depth of mining to 57m ultimate depth and quantity of 2136255cu.m of Rough stone & 110220 cu.m of gravel for five years with a bench height of 5m as per the approved mining plan considering the hydro-geological regime of the surrounding area as</p>


MEMBER SECRETARY


MEMBER 25/01/2022


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SEIAA-TN

			<p>local panchayat and furnish an action plan to meet its commitment, with reference to points raised in public hearing.</p> <p>9. The PP shall furnish RoA of STP/ETP.</p> <p>In view of the above, the authority decided to request the Member Secretary, SEIAA to communicate the SEAC minutes to the project proponent held on 22.09.2023.</p>
7.	Proposed Rough Stone and Gravel quarry lease area over an extent of 2.80.5 Ha at S.F.Nos. 15/1 & 15/2 of Sivayam (North) Village, Krishnarayapuram Taluk, Karur District, Tamil Nadu by Tvl. Navamani Mines Private Limited - For Environmental Clearance. (SIA/TN/MIN/439433/2023)	6993	<p>The authority noted that the subject was appraised in the 410th SEAC meeting held on 22.09.2023. SEAC has furnished its recommendations for granting Environmental Clearance subject to the conditions stated therein.</p> <p>The Authority further noted as follows:</p> <ol style="list-style-type: none"> 1. Original Application No. 148/2022 has been filed in the Hon'ble NGT, Southern Zone and the case is pending before the Hon'ble NGT, Southern Zone. 2. A complaint petition was received from Dr.R.Sushmitha against the quarry of M/s. Navamani Mines Private Limited at S.F. Nos. 15/1 & 15/2, Sivayam (North) Village, Krishnarayapuram Taluk, Karur District regarding illegal mining and crushing operations vide letter dated 12.10.2023. <p>In view of the above, the Authority decided to refer back the proposal to SEAC to furnish remarks.</p>
8.	Proposed Rough Stone and Gravel quarry lease area over an extent of 1.10.5 Ha at S.F.Nos. 293/1A(P) & 293/2B(P) of Mellur-Duraisampuram Village,	8743	<p>The authority noted that the subject was appraised in the 410th SEAC meeting held on 22.09.2023. Based on the presentation made and documents submitted and from the KML file uploaded in the PARIVESH Portal, SEAC noted the following.</p>


MEMBER SECRETARY


MEMBER


CHAIRMAN
SEIAA-TN

<p>Rajapalayam Taluk, Virudhunagar District, Tamil Nadu by Thiru. K.A. Rajagopal - For Environmental Clearance. (SIA/TN/MIN/438048/2023)</p>		<ul style="list-style-type: none"> i) Highly sensitive Nellai Wildlife Sanctuary is located close to the project site. ii) Srivilliputhur – Megamalai Tiger Reserve is located close to the project site. iii) Two residential educational institutes, namely, (i) Stella Mary's B.Ed., College and (ii) Stella Mary's Teachers Training College are located within the blasting danger zone (500m from the lease) as prescribed by DGMS Circular: (SOMA)/(Tech) Cir No. 2 of 2003, Dt. 31/01/2003. iv) Two waterbodies, namely (i) Periyakulam Kanmai and (ii) Odai are located at a distance of 240 m from the quarry site. v) Brick chamber is located at a distance of 145m from the project site and Hollow blocks manufacturing unit is located at a distance of 60m from the project site. vi) A Government Hospital and a Government School are located close to the project site. vii) Residential Houses and other structures are also located nearby the project site. viii) Public village road is located at a distance of 60m from the project site and Devipattanam Road is located at a distance of 170m from the project site. ix) Tenkasi – Madurai Road is located on the eastern side of the project area at a distance of 500m.
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			<p>In view of the above sensitivities, the Committee decided not to recommend the proposal for grant of Environmental Clearance.</p> <p>The Authority, after discussions, accepted the decision of SEAC, rejected the proposal and decided to request Member Secretary, SEIAA-TN to grant rejection letter to proponent as per 410th SEAC minutes. Further, Authority decided to close and record this proposal.</p>
9.	<p>Proposed of Rough stone & Gravel Quarry lease over an extent of 1.42.0Ha by Thiru. P.A.Raja in S.F.Nos. 225/1B of Kokkalai Village, Tiruchengode Taluk, Namakkal District, Tamil Nadu by Thiru.P.A.Raja - For Environmental Clearance. (SIA/TN/MIN/437634/2023)</p>	8583	<p>The authority noted that the subject was appraised in the 410th SEAC meeting held on 22.09.2023. SEAC has furnished its recommendations for granting Environmental Clearance subject to the conditions stated therein.</p> <p>After detailed discussions, the Authority taking into account the recommendations of SEAC and also the safety aspects and to ensure sustainable, scientific and systematic mining, decided to grant Environmental Clearance for the quantity of 1,59,680m³ of Rough Stone & 19,712m³ of Gravel and the annual peak production shall not exceed 19,440 m³ of Rough Stone & 7,168 m³ of Gravel by restricting the ultimate depth of mining up to 33m BGL. This is also subject to the conditions imposed by SEAC, normal conditions stipulated by MOEF&CC in addition to the following conditions and the conditions in Annexure 'A' of this minutes.</p> <p>1. Keeping in view of MoEF&CC's notification S.O.1533(E) dated.14.09.2006 and S.O. 1807(E) dated 12.04.2022, this Environmental Clearance is valid as per the approved mine plan period.</p>



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Image © 2025 Airbus

Google Earth

Imagery Date: 5/30/2024 9°21'52.08" N 77°26'28.64" E elev 195 m eye alt 902 m



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

**STATE LEVEL ENVIRONMENT IMPACT
ASSESSMENT AUTHORITY-TAMILNADU**

3rd Floor, Panagal Maaligai,

No.1, Jeenis Road, Saidapet

Chennai-600015

Phone No.044-24359973

Fax No. 044-24359975

Letter No. SEIAA-TN/F.No.8743/2023 dated: 20.12.2023

To

Thiru. K.A. Rajagopal,
24E, Gundoomurthy Street,
Rajapalayam Town, Rajapalayam Taluk,
Virudhunagar District - 626 117.

Sir,

Sub: SEIAA-TN – Proposal seeking Environmental Clearance for Proposed Rough Stone and Gravel quarry lease area over an extent of 1.10.5 Ha at S.F.Nos. 293/1A(P) & 293/2B(P) of Mellur-Duraisampuram Village, Rajapalayam Taluk, Virudhunagar District, Tamil Nadu by Thiru. K.A. Rajagopal – under 1(a) Mining projects of the schedule of the EIA Notification, 2006 – not recommended – Application Closed and Recorded – Regarding

- Ref: 1. ToR issued vide Lr No. SEIAA-TN/F.No.8743/SEAC/ ToR-1052/2022
Dated:31.01.2022
2. Public Hearing conducted on 18.04.2023
3. Online Proposal No. SIA/TN/MIN/438048/2023, Dated: 26.07.2023
4. Project proponent submitted EIA Report to SEIAA-TN on 27.07.2023
5. Minutes of the 410th SEAC meeting held on 22.09.2023
6. Minutes of the 662nd SEIAA meeting held on 16.10.2023

I invite your kind attention to the reference cited above, wherein the application received from Thiru. K.A. Rajagopal for Environmental Clearance for the Proposed Rough Stone and Gravel quarry lease area over an extent of 1.10.5 Ha at S.F.Nos. 293/1A(P) & 293/2B(P) of Mellur-Duraisampuram Village, Rajapalayam Taluk, Virudhunagar District, Tamil Nadu.

The proposal was placed for appraisal in this 410th meeting of SEAC held on 22.09.2023. Based on the presentation made and documents submitted and from the KML file uploaded in the PARIVESH Portal, SEAC noted the following.

- i) Highly sensitive Nellai Wildlife Sanctuary is located close to the project site.
- ii) Srivilliputhur – Megamalai Tiger Reserve is located close to the project site.
- iii) Two residential educational institutes, namely, (i) Stella Mary's B.Ed., College and (ii) Stella Mary's Teachers Training College are located within the blasting danger zone (500m from the lease) as prescribed by DGMS Circular: (SOMA)/(Tech) Cir No. 2 of 2003, Dt. 31/01/2003.
- iv) Two waterbodies, namely (i) Periyakulam Kanmai and (ii) Odai are located at a distance of 240 m from the quarry site.
- v) Brick chamber is located at a distance of 145m from the project site and Hollow blocks manufacturing unit is located at a distance of 60m from the project site.
- vi) A Government Hospital and a Government School are located close to the project site.
- vii) Residential Houses and other structures are also located nearby the project site.
- viii) Public village road is located at a distance of 60m from the project site and Devipattanam Road is located at a distance of 170m from the project site.
- ix) Tenkasi – Madurai Road is located on the eastern side of the project area at a distance of 500m.

In view of the above sensitivities, the Committee decided not to recommend the proposal for grant of Environmental Clearance.

Subsequently, the proposal was placed in the 662nd authority meeting held on 16.10.2023. The Authority, after discussions, accepted the decision of SEAC, rejected the proposal and decided to request Member Secretary, SEIAA-TN to grant rejection letter to proponent as per 410th SEAC minutes. Further, Authority decided to close and record this proposal.

Hence, the above mentioned file is **closed and recorded accordingly.**


MEMBER SECRETARY
SEIAA-TN
20/11/2023



**TMT.P.RAJESWARI, I.F.S.,
MEMBER SECRETARY**

**STATE LEVEL ENVIRONMENT IMPACT
ASSESSMENT AUTHORITY – TAMIL NADU**

3rd Floor, Panagal Maaligai,
No.1 Jeenis Road, Saidapet,
Chennai-15.
Phone No.044-24359973

TERMS OF REFERENCE (ToR)

Lr No.SEIAA-TN/F.No.8743/SEAC/ToR- 1052/2022 Dated: 31.01.2022

To

Thiru.K.A.Rajagopal
24E, Gundoomurthy Street,
Rajapalayam Town Rajapalayam Taluk.
Virudhunagar District.
Pin Code: 626 117

Sir / Madam,

Sub: SEIAA, Tamil Nadu – Terms of Reference with Public Hearing (ToR) for the proposed Rough Stone and Gravel Quarry Project at over an Extent of 1.10.5 Ha of Patta land in S.F.Nos.293/1A(P) & 293/2B(P) of Mellur- Duraisampuram Village, Rajapalayam Taluk, Virudhunagar District, Tamil Nadu by Thiru.K.A.Rajagopal - under project category – “B1” and Schedule S.No. 1(a) – ToR issued along with Public Hearing- preparation of EIA report – Regarding.

Ref: 1. Online proposal No.SIA/TN/MIN/ 66578/2021, dated: 18.08.2021
2. Your application submitted for Terms of Reference dated: 26.08.2021
3. Minutes of the 237th meeting of SEAC held on 08.10.2021
4. Minutes of the 481st Authority meeting held on 24.01.2022 & 25.01.2022.

Kindly refer to your proposal submitted to the State Level Impact Assessment Authority for Terms of Reference.

The proponent, Thiru.K.A.Rajagopal has submitted application for ToR with public Hearing on 18.08.2021, in Form-I, Pre- Feasibility report for the proposed rough stone and gravel Quarry

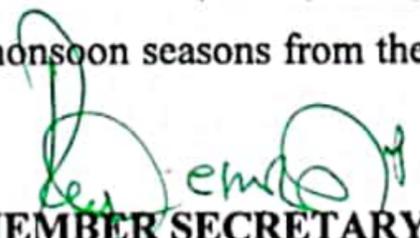

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Project at over an Extent of 1.10.5 Ha of Patta land in S.F.Nos.293/1A(P) & 293/2B(P) of Mellur-Duraisampuram Village, Rajapalayam Taluk, Virudhunagar District, Tamil Nadu, Tamil Nadu.

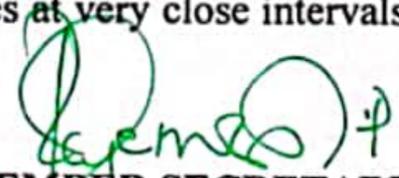
Discussion by SEAC and the Remarks:-

The proposal was placed for appraisal in the 237th meeting of SEAC held on 08.10.2021. Based on the presentation and documents furnished by the project proponent, SEAC decided to recommend the proposal for the **grant of Terms of Reference (ToR) with Public Hearing**, subject to the following ToR in addition to the standard terms of reference for EIA study for non-coal mining projects and details issued by the MoEF&CC to be included in EIA/EMP report.

1. Restricting the depth of mining to 21m ultimate depth and quantity of 62390 cu.m of Rough stone & 45,468 cu.m of Gravel for five years with a bench height of 5m as per the approved mining plan considering the hydrogeological regime of the surrounding area as well as to ensure sustainable and safe mining.
2. If the proponent has already carried out the mining activity in the proposed mining lease area after 15.01.2016, then the proponent shall furnish the following details from AD/DD, mines,
 - a) What was the period of the operation and stoppage of the earlier mines with last work permit issued by the AD/DD mines?
 - b) Quantity of minerals mined out.
 - c) Detail of approved depth of mining.
 - d) Actual depth of the mining achieved earlier.
 - e) Name of the person already mined in that leases area.
 - f) If EC and CTO already obtained, the copy of the same shall be submitted.
 - g) whether the mining was carried out as per the approved mine plan (or EC if issued) with stipulated benches.
3. A detailed study of the lithology of the mining lease area shall be furnished.
4. The proponent shall furnish photographs of adequate fencing, green belt along the periphery including replantation of existing trees & safety distance between the adjacent quarries & water bodies nearby provided as per the approved mining plan.
5. The Project Proponent shall conduct the hydro-geological study considering the contour map of the water table detailing the number of ground water pumping & open wells, and surface water bodies such as rivers, tanks, canals, ponds etc. within 1 km (radius) along with the collected water level data for both monsoon and non-monsoon seasons from the


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- PWD / TWAD so as to assess the impacts on the wells due to mining activity.
6. The proponent shall furnish the baseline data for the environmental and ecological parameters with regard to surface water/ground water quality, air quality, soil quality & flora/fauna including traffic/vehicular movement study.
 7. The Proponent shall carry out the Cumulative impact study due to mining from all the mines on the environment in terms of air pollution, water pollution, & health impacts, accordingly the Environment Management plan should be prepared.
 8. The Socio-economic studies should be carried out within a 5 km buffer zone from the mining activity.
 9. A tree survey study shall be carried out (nos., name of the species, age, diameter etc.,) both within the mining lease applied area & 300m buffer zone and its management during mining activity.
 10. A detailed mine closure plan for the proposed project shall be included in EIA/EMP report.
 11. All the queries raised during public hearing by the local habitants need to be addressed and the protective measures or management plan may be revised accordingly and to be submitted to SEIAA/SEAC with regard to the Office Memorandum of MoEF& CC accordingly.
 12. The project proponent shall submit revised CER activities for governments schools only.
 13. The recommendation for the issue of "Terms of Reference" is subjected to the outcome of the Hon'ble NGT, Principal Bench, New Delhi in O.A No.186 of 2016 (M.A.No.350/2016) and O.A. No.200/2016 and O.A.No.580/2016 (M.A.No.1182/2016) and O.A.No.102/2017 and O.A.No.404/2016 (M.A.No. 758/2016, M.A.No.920/2016, M.A.No.1122/2016, M.A.No.12/2017 & M.A. No. 843/2017) and O.A.No.405/2016 and O.A.No.520 of 2016 (M.A.No. 981/2016, M.A.No.982/2016 & M.A.No.384/2017).
 14. The purpose of Green belt around the project is to capture the fugitive emissions and to attenuate the noise generated, in addition to the improvement in the aesthetics. A wide range of indigenous plants species should be planted in and around the premise in consultation with the DFO, District / State Agriculture University. The plants species should have thick canopy cover, perennial green nature, native origin and large leaf areas. Medium size trees and small trees alternating with shrubs shall be planted. Miyawaki method of planting i.e. planting different types of trees at very close intervals


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may be tried which will give a good green cover. Greenbelt needs to be developed in the periphery of the mines area so that at the closure time the trees would have grown well.

15. The project proponent shall furnish the details of the existing/proposed Green belt area earmarked with GPS coordinates and list of trees that are proposed to be planted surrounding the mining area atleast to a width of 3m along with a copy of photos/documents, and the same shall be included in the EIA Report.

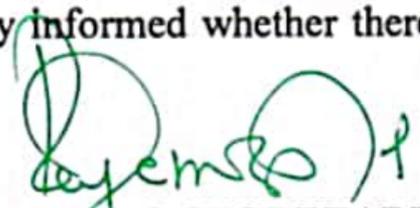
Discussion by SEIAA and the Remarks:-

The subject was placed in the 481st Authority meeting held on 24.01.2022 & 25.01.2022. After detailed discussions, the Authority accepted the recommendation of SEAC and decided to grant Terms of Reference (ToR) with Public Hearing under cluster for undertaking the combined Environment Impact Assessment Study and preparation of separate Environment Management Plan subject to the conditions as recommended by SEAC & normal condition in addition to the following conditions:

1. As per the recommendation of SEAC and as accepted by the proponent, restricting the depth of mining to 21m and quantity of 62390 cu.m of Rough stone & 45,468 cu.m of Gravel for five years with a bench height of 5m as per the approved mining plan considering the hydro geological regime of the surrounding area as well as to ensure sustainable and safe mining.
2. As per the MoEF& CC office memorandum F.No.22-65/2017-IA.III dated: 30.09.2020 and 20.10.2020 the proponent shall address the concerns raised during the public consultation and all the activities proposed shall be part of the Environment Management Plan.
3. The Environmental Impact Assessment shall study in detail the carbon emission and also suggest the measures to mitigate carbon emission including development of carbon sinks and temperature reduction including control of other emission and climate mitigation activities.
4. The Environmental Impact Assessment should study the biodiversity, the natural ecosystem, the soil micro flora, fauna and soil seed banks and suggest measures to maintain the natural Ecosystem.
5. Action should be specifically suggested for sustainable management of the area and restoration of ecosystem for flow of goods and services.

A. STANDARD TERMS OF REFERENCE

- 1) Year-wise production details since 1994 should be given, clearly stating the highest production achieved in any one year prior to 1994. It may also be categorically informed whether there

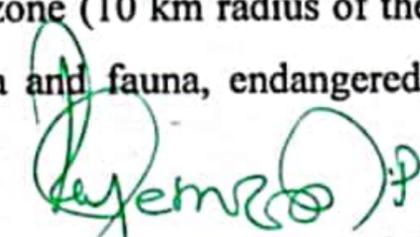

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had been any increase in production after the EIA Notification 1994 came into force, w.r.t. the highest production achieved prior to 1994.

- 2) A copy of the document in support of the fact that the Proponent is the rightful lessee of the mine should be given.
- 3) All documents including approved mine plan, EIA and Public Hearing should be compatible with one another in terms of the mine lease area, production levels, waste generation and its management, mining technology etc. and should be in the name of the lessee.
- 4) All corner coordinates of the mine lease area, superimposed on a High Resolution Imagery/ topo sheet, topographic sheet, geomorphology and geology of the area should be provided. Such an Imagery of the proposed area should clearly show the land use and other ecological features of the study area (core and buffer zone).
- 5) Information should be provided in Survey of India Topo sheet in 1:50,000 scale indicating geological map of the area, geomorphology of land forms of the area, existing minerals and mining history of the area, important water bodies, streams and rivers and soil characteristics.
- 6) Details about the land proposed for mining activities should be given with information as to whether mining conforms to the land use policy of the State; land diversion for mining should have approval from State land use board or the concerned authority.
- 7) It should be clearly stated whether the proponent Company has a well laid down Environment Policy approved by its Board of Directors? If so, it may be spelt out in the EIA Report with description of the prescribed operating process/procedures to bring into focus any infringement/deviation/ violation of the environmental or forest norms/ conditions? The hierarchical system or administrative order of the Company to deal with the environmental issues and for ensuring compliance with the EC conditions may also be given. The system of reporting of non-compliances / violations of environmental norms to the Board of Directors of the Company and/or shareholders or stakeholders at large, may also be detailed in the EIA Report.
- 8) Issues relating to Mine Safety, including subsidence study in case of underground mining and slope study in case of open cast mining, blasting study etc. should be detailed. The proposed safeguard measures in each case should also be provided.
- 9) The study area will comprise of 10 km zone around the mine lease from lease periphery and the data contained in the EIA such as waste generation etc. should be for the life of the mine / lease period.

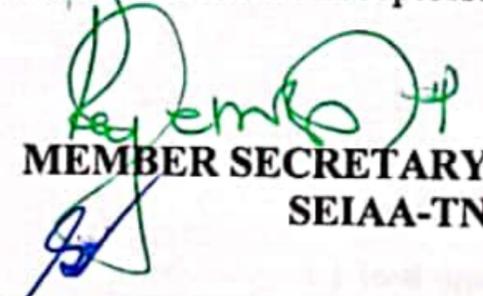

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- 10) Land use of the study area delineating forest area, agricultural land, grazing land, wildlife sanctuary, national park, migratory routes of fauna, water bodies, human settlements and other ecological features should be indicated. Land use plan of the mine lease area should be prepared to encompass preoperational, operational and post operational phases and submitted. Impact, if any, of change of land use should be given.
- 11) Details of the land for any Over Burden Dumps outside the mine lease, such as extent of land area, distance from mine lease, its land use, R&R issues, if any, should be given.
- 12) Certificate from the Competent Authority in the State Forest Department should be provided, confirming the involvement of forest land, if any, in the project area. In the event of any contrary claim by the Project Proponent regarding the status of forests, the site may be inspected by the State Forest Department along with the Regional Office of the Ministry to ascertain the status of forests, based on which, the Certificate in this regard as mentioned above be issued. In all such cases, it would be desirable for representative of the State Forest Department to assist the Expert Appraisal Committees.
- 13) Status of forestry clearance for the broken up area and virgin forestland involved in the Project including deposition of Net Present Value (NPV) and Compensatory Afforestation (CA) should be indicated. A copy of the forestry clearance should also be furnished.
- 14) Implementation status of recognition of forest rights under the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 should be indicated.
- 15) The vegetation in the RF / PF areas in the study area, with necessary details, should be given.
- 16) A study shall be got done to ascertain the impact of the Mining Project on wildlife of the study area and details furnished. Impact of the project on the wildlife in the surrounding and any other protected area and accordingly, detailed mitigative measures required, should be worked out with cost implications and submitted.
- 17) Location of National Parks, Sanctuaries, Biosphere Reserves, Wildlife Corridors, Ramsar site Tiger/ Elephant Reserves/(existing as well as proposed), if any, within 10 km of the mine lease should be clearly indicated, supported by a location map duly authenticated by Chief Wildlife Warden. Necessary clearance, as may be applicable to such projects due to proximity of the ecologically sensitive areas as mentioned above, should be obtained from the Standing Committee of National Board of Wildlife and copy furnished.
- 18) A detailed biological study of the study area [core zone and buffer zone (10 km radius of the periphery of the mine lease)] shall be carried out. Details of flora and fauna, endangered,


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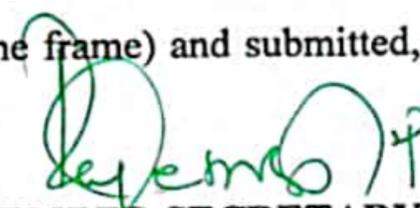
endemic and RET Species duly authenticated, separately for core and buffer zone should be furnished based on such primary field survey, clearly indicating the Schedule of the fauna present. In case of any scheduled-I fauna found in the study area, the necessary plan along with budgetary provisions for their conservation should be prepared in consultation with State Forest and Wildlife Department and details furnished. Necessary allocation of funds for implementing the same should be made as part of the project cost.

- 19) Proximity to Areas declared as 'Critically Polluted' or the Project areas likely to come under the 'Aravali Range', (attracting court restrictions for mining operations), should also be indicated and where so required, clearance certifications from the prescribed Authorities; such as the SPCB or State Mining Department should be secured and furnished to the effect that the proposed mining activities could be considered.
- 20) Similarly, for Coastal Projects, a CRZ map duly authenticated by one of the authorized agencies demarcating LTL, HTL, CRZ area, location of the mine lease with respect to CRZ, coastal features such as mangroves, if any, should be furnished. (Note: The Mining Projects falling under CRZ would also need to obtain approval of the concerned Coastal Zone Management Authority).
- 21) R&R Plan/compensation details for the Project Affected People (PAP) should be furnished. While preparing the R&R Plan, the relevant State/National Rehabilitation & Resettlement Policy should be kept in view. In respect of SCs /STs and other weaker sections of the society in the study area, a need based sample survey, family-wise, should be undertaken to assess their requirements, and action programmes prepared and submitted accordingly, integrating the sectoral programmes of line departments of the State Government. It may be clearly brought out whether the village(s) located in the mine lease area will be shifted or not. The issues relating to shifting of village(s) including their R&R and socio-economic aspects should be discussed in the Report.
- 22) One season (non-monsoon) [i.e. March-May (Summer Season); October-December (post monsoon season) ; December-February (winter season)] primary baseline data on ambient air quality as per CPCB Notification of 2009, water quality, noise level, soil and flora and fauna shall be collected and the AAQ and other data so compiled presented date-wise in the EIA and EMP Report. Site-specific meteorological data should also be collected. The location of the monitoring stations should be such as to represent whole of the study area and justified keeping in view the pre-dominant downwind direction and location of sensitive receptors.


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There should be at least one monitoring station within 500 m of the mine lease in the predominant downwind direction. The mineralogical composition of PM10, particularly for free silica, should be given.

- 23) Air quality modeling should be carried out for prediction of impact of the project on the air quality of the area. It should also take into account the impact of movement of Vehicles for transportation of mineral. The details of the model used and input parameters used for modeling should be provided. The air quality contours may be shown on a location map clearly indicating the location of the site, location of sensitive receptors, if any, and the habitation. The wind roses showing pre-dominant wind direction may also be indicated on the map.
- 24) The water requirement for the Project, its availability and source should be furnished. A detailed water balance should also be provided. Fresh water requirement for the Project should be indicated.
- 25) Necessary clearance from the Competent Authority for drawl of requisite quantity of water for the Project should be provided.
- 26) Description of water conservation measures proposed to be adopted in the Project should be given. Details of rainwater harvesting proposed in the Project, if any, should be provided.
- 27) Impact of the Project on the water quality, both surface and groundwater, should be assessed and necessary safeguard measures, if any required, should be provided.
- 28) Based on actual monitored data, it may clearly be shown whether working will intersect groundwater. Necessary data and documentation in this regard may be provided. In case the working will intersect groundwater table, a detailed Hydro Geological Study should be undertaken and Report furnished. The Report inter-alia, shall include details of the aquifers present and impact of mining activities on these aquifers. Necessary permission from Central Ground Water Authority for working below ground water and for pumping of ground water should also be obtained and copy furnished.
- 29) Details of any stream, seasonal or otherwise, passing through the lease area and modification / diversion proposed, if any, and the impact of the same on the hydrology should be brought out.
- 30) Information on site elevation, working depth, groundwater table etc. Should be provided both in AMSL and bgl. A schematic diagram may also be provided for the same.
- 31) A time bound Progressive Greenbelt Development Plan shall be prepared in a tabular form (indicating the linear and quantitative coverage, plant species and time frame) and submitted,

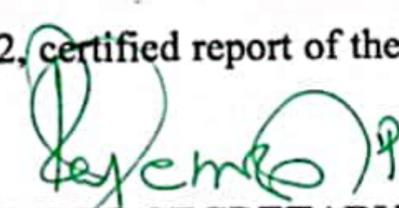

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SEIAA-TN

keeping in mind, the same will have to be executed up front on commencement of the Project. Phase-wise plan of plantation and compensatory afforestation should be charted clearly indicating the area to be covered under plantation and the species to be planted. The details of plantation already done should be given. The plant species selected for green belt should have greater ecological value and should be of good utility value to the local population with emphasis on local and native species and the species which are tolerant to pollution.

- 32) Impact on local transport infrastructure due to the Project should be indicated. Projected increase in truck traffic as a result of the Project in the present road network (including those outside the Project area) should be worked out, indicating whether it is capable of handling the incremental load. Arrangement for improving the infrastructure, if contemplated (including action to be taken by other agencies such as State Government) should be covered. Project Proponent shall conduct Impact of Transportation study as per Indian Road Congress Guidelines.
- 33) Details of the onsite shelter and facilities to be provided to the mine workers should be included in the EIA Report.
- 34) Conceptual post mining land use and Reclamation and Restoration of mined out areas (with plans and with adequate number of sections) should be given in the EIA report.
- 35) Occupational Health impacts of the Project should be anticipated and the proposed preventive measures spelt out in detail. Details of pre-placement medical examination and periodical medical examination schedules should be incorporated in the EMP. The project specific occupational health mitigation measures with required facilities proposed in the mining area may be detailed.
- 36) Public health implications of the Project and related activities for the population in the impact zone should be systematically evaluated and the proposed remedial measures should be detailed along with budgetary allocations.
- 37) 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.
- 38) Detailed Environmental Management Plan (EMP) to mitigate the environmental impacts which, should inter-alia include the impacts of change of land use, loss of agricultural and grazing land, if any, occupational health impacts besides other impacts specific to the proposed Project.


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- 39) Public Hearing points raised and commitment of the Project Proponent on the same along with time bound Action Plan with budgetary provisions to implement the same should be provided and also incorporated in the final EIA/EMP Report of the Project.
- 40) Details of litigation pending against the project, if any, with direction /order passed by any Court of Law against the Project should be given.
- 41) The cost of the Project (capital cost and recurring cost) as well as the cost towards implementation of EMP should be clearly spelt out.
- 42) A Disaster management Plan shall be prepared and included in the EIA/EMP Report.
- 43) Benefits of the Project if the Project is implemented should be spelt out. The benefits of the Project shall clearly indicate environmental, social, economic, employment potential, etc.
- 44) Besides the above, the below mentioned general points are also to be followed:-
- Executive Summary of the EIA/EMP Report
 - All documents to be properly referenced with index and continuous page numbering.
 - Where data are presented in the Report especially in Tables, the period in which the data were collected and the sources should be indicated.
 - Project Proponent shall enclose all the analysis/testing reports of water, air, soil, noise etc. using the MoEF&CC/NABL accredited laboratories. All the original analysis/testing reports should be available during appraisal of the Project.
 - Where the documents provided are in a language other than English, an English translation should be provided.
 - The Questionnaire for environmental appraisal of mining projects as devised earlier by the Ministry shall also be filled and submitted.
 - While preparing the EIA report, the instructions for the Proponents and instructions for the Consultants issued by MoEF&CC vide O.M. No. J-11013/41/2006-IA.II(I) dated 4th August, 2009, which are available on the website of this Ministry, should be followed.
 - Changes, if any made in the basic scope and project parameters (as submitted in Form-I and the PFR for securing the TOR) should be brought to the attention of MoEF&CC with reasons for such changes and permission should be sought, as the ToR may also have to be altered. Post Public Hearing changes in structure and content of the draft EIA/EMP (other than modifications arising out of the P.H. process) will entail conducting the PH again with the revised documentation.
 - As per the circular no. J-11011/618/2010-IA.II(I) dated 30.5.2012, certified report of the


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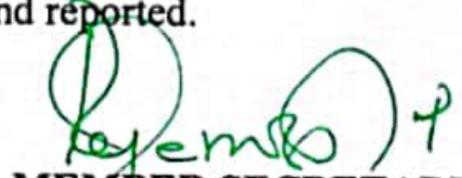
status of compliance of the conditions stipulated in the Environment Clearance for the existing operations of the project, should be obtained from the Regional Office of Ministry of Environment, Forest and Climate Change, as may be applicable.

- j) The EIA report should also include (i) surface plan of the area indicating contours of main topographic features, drainage and mining area, (ii) geological maps and sections and (iii) sections of the mine pit and external dumps, if any, clearly showing the land features of the adjoining area.

In addition to the above, the following shall be furnished:-

The Executive summary of the EIA/EMP report in about 8-10 pages should be prepared incorporating the information on following points:

1. Project name and location (Village, District, State, Industrial Estate (if applicable)).
2. Process description in brief, specifically indicating the gaseous emission, liquid effluent and solid and hazardous wastes.
3. Measures for mitigating the impact on the environment and mode of discharge or disposal.
4. Capital cost of the project, estimated time of completion.
5. The proponent shall furnish the contour map of the water table detailing the number of wells located around the site and impacts on the wells due to mining activity.
6. A detailed study of the lithology of the mining lease area shall be furnished.
7. Details of village map, "A" register and FMB sketch shall be furnished.
8. Detailed mining closure plan for the proposed project approved by the Geology of Mining department shall be submitted along with EIA report.
9. Obtain a letter /certificate from the Assistant Director of Geology and Mining standing that there is no other Minerals/resources like sand in the quarrying area within the approved depth of mining and below depth of mining and the same shall be furnished in the EIA report.
10. EIA report should strictly follow the Environmental Impact Assessment Guidance Manual for Mining of Minerals published February 2010.
11. Detail plan on rehabilitation and reclamation carried out for the stabilization and restoration of the mined areas.
12. The EIA study report shall include the surrounding mining activity, if any.
13. Modeling study for Air, Water and noise shall be carried out in this field and incremental increase in the above study shall be substantiated with mitigation measures.
14. A study on the geological resources available shall be carried out and reported.


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15. A specific study on agriculture & livelihood shall be carried out and reported.
16. Impact of soil erosion, soil physical chemical and biological property changes may be assumed.
17. Site selected for the project - Nature of land - Agricultural (single/double crop), barren, Govt./ private land, status of its acquisition, nearby (in 2-3 km.) water body, population, within 10km other industries, forest, eco-sensitive zones, accessibility, (note - in case of industrial estate this information may not be necessary)
18. Baseline environmental data - air quality, surface and ground water quality, soil characteristic, flora and fauna, socio-economic condition of the nearby population
19. Identification of hazards in handling, processing and storage of hazardous material and safety system provided to mitigate the risk.
20. Likely impact of the project on air, water, land, flora-fauna and nearby population
21. Emergency preparedness plan in case of natural or in plant emergencies
22. Issues raised during public hearing (if applicable) and response given
23. CER plan with proposed expenditure.
24. Occupational Health Measures
25. Post project monitoring plan
26. The project proponent shall carry out detailed hydro geological study through intuitions/NABET Accredited agencies.
27. A detailed report on the green belt development already undertaken is to be furnished and also submit the proposal for green belt activities.
28. The proponent shall propose the suitable control measure to control the fugitive emissions during the operations of the mines.
29. A specific study should include impact on flora & fauna, disturbance to migratory pattern of animals.
30. Reserve funds should be earmarked for proper closure plan.
31. A detailed plan on plastic waste management shall be furnished. Further, the proponent should strictly comply with, Tamil Nadu Government Order (Ms) No.84 Environment and forests (EC.2) Department dated 25.06.2018 regarding ban on one time use and throw away plastics irrespective of thickness with effect from 01.01.2019 under Environment (Protection) Act, 1986. In this connection, the project proponent has to furnish the action plan.


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Besides the above, the below mentioned general points should also be followed:-

- a. A note confirming compliance of the TOR, with cross referencing of the relevant sections / pages of the EIA report should be provided.
- b. All documents may be properly referenced with index, page numbers and continuous page numbering.
- c. Where data are presented in the report especially in tables, the period in which the data were collected and the sources should be indicated.
- d. While preparing the EIA report, the instructions for the proponents and instructions for the consultants issued by MoEF & CC vide O.M. No. J-11013/41/2006-IA.II (I) dated 4th August, 2009, which are available on the website of this Ministry should also be followed.
- e. The consultants involved in the preparation of EIA/EMP report after accreditation with Quality Council of India (QCI)/National Accreditation Board of Education and Training (NABET) would need to include a certificate in this regard in the EIA/EMP reports prepared by them and data provided by other organization/Laboratories including their status of approvals etc. In this regard circular no F. No.J -11013/77/2004-IA-II(I) dated 2nd December, 2009, 18th March 2010, 28th May 2010, 28th June 2010, 31st December 2010 & 30th September 2011 posted on the Ministry's website <http://www.moef.nic.in/> may be referred.
 - After preparing the EIA (as per the generic structure prescribed in Appendix-III of the EIA Notification, 2006) covering the above mentioned points, the proponent will take further necessary action for obtaining environmental clearance in accordance with the procedure prescribed under the EIA Notification, 2006.
 - The final EIA report shall be submitted to the SEIAA, Tamil Nadu for obtaining Environmental Clearance.
 - The TORs with public hearing prescribed shall be **valid for a period of three years** from the date of issue, for submission of the EIA/EMP report as per OMNo.J-11013/41/2006-IA-II(I)(part) dated 29th August, 2017.


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Copy to:

1. The Additional Secretary to Government, Environment & Forests Department, Govt. of Tamil Nadu, Fort St. George, Chennai - 9
2. The Chairman, Central Pollution Control Board, Parivesh Bhavan, CBD Cum-Office Complex, East Arjun Nagar, New Delhi 110032.
3. The Member Secretary, Tamil Nadu Pollution Control Board, 76, Mount Salai, Guindy, Chennai-600 032.
4. The APCCF (C), Regional Office, MoEF & CC (SZ), 34, HEPC Building, 1st& 2nd Floor, Cathedral Garden Road, Nungambakkam, Chennai -34.
5. Monitoring Cell, IA Division, Ministry of Environment, Forests & CC, Paryavaran Bhavan, CGO Complex, New Delhi 110003
6. The District Collector, Virudhunagar District.
7. The EO/BDO, Melur-Duraisampuram Village, Rajapalayam Taluk, Virudhunagar District
8. Stock File.



MEMBER SECRETARY
SEIAA-TN

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

Appeal No. 54 of 2024 (SZ)

K.A. Rajagopal,

S/O Arjuna Raja,

24E, Gundoomurthy Street,

Rajapalayam town, Rajapalayam taluk,

Virudhunagar district 626 127

...Appellant

Vs

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

Rep. by its Member Secretary,

And Another

...Respondents

COUNTER AFFIDAVIT OF 1st RESPONDENT

COUNSEL FOR 1st RESPONDENTS