

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

SOUTHERN ZONE, CHENNAI

APPEAL NO: 47 of 2024 (SZ)

M/s Saravana Blue Metals Industry,
Rep. by its Managing Partner Mr. R. K. Selvakumar,
No.63/1-A2-B, Ramampalayam,
Jadayampalayam, Mettupalayam Taluk,
Coimbatore – 641 302.

Appellant

Versus

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.

2. State Level Expert Appraisal Committee (SEAC),
Rep. by its Chairman,
3rd Floor, Panagal Maaligai, No.1, Jeenis Road,
Saidapet, Chennai – 600 015.

Respondents

COUNTER AFFIDAVIT FILED BY 1st and 2nd RESPONDENTS

I, A.R. Rahul Nadh, I.A.S., aged 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, solemnly affirm and sincerely state as follows:

1. I am filing this counter affidavit on behalf of the 1st & 2nd 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.47 of 2024 except those that are specifically admitted hereunder and put the Appellant to prove strict proof of the same.



Member Secretary
STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY - TN
Panagal Maaligai, No.1, Jeenis Road,
Saidapet, Chennai - 15

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3. I respectfully submit that, the project proponent M/s Saravana Blue Metals Industry has applied for Environmental Clearance to State Level Environment Impact Assessment Authority – Tamil Nadu (SEIAA-TN) for the Proposed Rough Stone & Gravel quarry over an extent of 1.35.0 Ha at S.F.Nos. 33/1 & 40/1(Part) of Jadayampalayam Village, Mettupalayam Taluk, Coimbatore District, Tamilnadu for The project/activity is covered under Category “B2” of Item 1(a) “Mining of Minerals Projects” of the Schedule to the EIA Notification, 2006 vide online proposal No. SIA/TN/MIN/452061/2023, Dated: 11.11.2023.
4. It is respectfully submitted that the proposal was placed in the 447th meeting of SEAC held on 22.02.2024. Based on the presentation made and documents submitted by the project proponent and from the KML file uploaded in the PARIVESH Portal, SEAC noted the following:
- i. A dyeing industry is located at a distance of 190m i.e. within 200m radius from the project site. In that industry, 13 employees are working.
 - ii. Two existing operating quarries are abutting the boundary of the proposed quarry and hence the commencement of one more quarry (current proposal) operation in the same area will lead to excessive dust and noise pollution load disrupting the existing environmental settings.
 - iii. Structures such as House & Shed (60m), Cattle shed (160m), Farmhouse (190m), Dyeing factory (190m), Warehouse (210m), Mines office (250m), Shed (280m) and also a crusher is located at a distance of 210m which will be affected due to the quarrying activities in terms of dust and noise pollution.
 - iv. An odai is located at a distance of 15m from the boundary of the proposed quarry. The flow of water in the odai may be affected due to dumping of quarry waste / quarry operation.

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v. Nearest habitation (approximately 90 houses) is located at a distance of 400m from the project site.

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

5. It is respectfully submitted that, subsequently, the subject was placed before the Authority (SEIAA-TN) in its 705th Meeting held on 19.03.2024. The Authority, after discussions, accepted the decision of SEAC, and decided to request Member Secretary, SEIAA-TN to communicate the minutes of 447th SEAC meeting to the project proponent.
6. It is respectfully submitted that, as per EIA Notification, the State Level Expert Appraisal Committee is doing the detailed scrutiny of the Appellant. The Expert Appraisal Committee make the appraisal in a transparent manner in a proceeding to which the Appellant is invited for furnishing necessary clarification in person or through an authorized representative along with an EIA Co-Ordinator/Consultant. On conclusion of the proceeding, the Expert Appraisal Committee make categorical recommendations to the regulatory authority (SEIAA) either for grant of prior Environmental Clearance or rejection of the application for prior Environmental Clearance. The Expert Appraisal Committee consist of the professionals having experience of environmental quality, project management, environmental Impact Assessment process, risk assessment, life science expertise in floral and faunal management, forestry and wild life and Environmental economics expertise. At present, SEAC Tamil Nadu is comprising of a Chairman, a Member Secretary and 12 Expert members with various field experiences. The Chairman shall be a person with outstanding knowledge and experience in Environmental policy.



Member Secretary
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Panagal Milligai, No.1, Jeeris Road,
Sektipet, Chennai - 15

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7. It is submitted that, the SEIAA is comprising of three members including a Chairman, a Member and a Member Secretary. The Director, Department of Environment & Climate Change, Tamil Nadu is the present Member Secretary. The SEIAA shall base its decision on the recommendations of State Expert Appraisal Committee.
8. It is respectfully submitted that, the project proponent has furnished the approved 500-meter radius letter from the Department of Geology & Mining. According to this letter, there are two existing quarries adjacent to the proposed site.
9. It is submitted that, the project proponent was present during the appraisal of 447th SEAC meeting and he was given the opportunity.
10. It is respectfully submitted that, the proponent himself furnished the details of the existing quarries, distance of the structures from the proposed site during the deliberations of the 447th SEAC Meeting held on 22.02.2024.
11. It is respectfully submitted that, PARIVESH is a web based, role-based workflow application which has been developed for online submission and monitoring of the proposals submitted by the proponents for seeking Environment, Forest, Wildlife and CRZ Clearances from Central, State and district level authorities. It automates the entire tracking of proposals which includes online submission of a new proposal, editing/updating the details of proposals and displays status of the proposals at each stage of the workflow. It is informed that the project proponent is well aware of the existing online submission and monitoring system, since the project proponent has submitted his application vide online proposal No. SIA/TN/MIN/452061/2023, Dated: 11.11.2023. Thus, it is rightfully submitted that, the project proponent can track the status of the proposal online



any time through PARIVESH portal including the minutes of SEAC & SEIAA, grant of rejection order.

Therefore, it is humbly prayed that, this Hon'ble Tribunal may be pleased to dismiss the Appeal and pass orders 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 - TN
Panagal Maligai, No.1, Jeeris Road,
Saiciapet, Chennai - 15

Solemnly affirmed at Chennai on this the 4th day of July, 2024 and signed before my presence.

BEFORE ME

S. Al
MS - 220/2020
ADVOCATE/CHENNAI
No. 5, M.R.V. Complex
2nd Lane, Beach
Chennai - 600001

Counsel for R1
DC: 30.07.2024

BEFORE THE NATIONAL GREEN

TRIBUNAL (S Z)

Appeal No: 47 of 2024

**Saravana Blue Metals
Industry - Appellant**

Versus

- 1) S E I A A Rep by its
Member Secretary**
- 2) S E A C Rep by its
Chairman –
Respondents**

**COUNTER AFFIDAVIT
FILED BY 1ST & 2ND
RESPONDENTS**

**M/s Dr. C K Syed Shaffi,
Standing Counsel – S E I A A
M: 9444953883**