

**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI**

**MA No. 09 of 2024(SZ)
In
Original Application No. 55 of 2023 (SZ)**

In the matter of:

S. Vijay

... Applicant(s)

Versus

The Additional Chief Secretary to Government,
Water Resources Department,
Chennai and Others.

...Respondent(s)

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Through
Dr. D. Shanmuganathan
Standing Counsel of Tamil Nadu
National Green Tribunal
Southern Zone, Chennai

DATE:28.08.2024

BEFORE THE NATIONAL GREEN TRIBUNAL, SOUTHERN ZONE AT CHENNAI**M.A No09of 2024****In****O.A. No. 55 of 2023****IN THE MATTER OF:**

S. Vijay

...Applicant(s)

Versus

The Additional Chief Secretary to Government,

Water Resources Department,

Chennai and Others

...Respondent(s)

STATUS REPORT FILED BY TANMAG

I, V.Ramesh, S/o V.Vamalai Murugan, aged 44, Indian, presently discharging my duties as the Manager (Mines), Tamil Nadu Magnesite Limited, Salem District, file this status report as.

1. I respectfully submit that this applicant Thiru. S.Vijay has requested to discharge of water from mines to the check dam which lies exactly 1.5 kms away from mines either by laying canal, channel or creation of any sorts of water structures.
2. I respectfully submit that on the above paper, M/s. TANMAG obtained Environmental Clearance vide letter. No. SEIAA-TN/F.No.6671/ALR/1(a)EC-4398/2019, dated 14.10.2020 in which a condition states that M/s. TANMAG has to construct check dams and rain water harvesting structures in the nearby villages for ground water recharge. In this context M/s. TANMAG constructed the check dam in Thekkampatty Panchayat water harvesting structure. The constructed check dam is meant for only ground water recharge through rain water and not for supplying water from mines to the check dam as per EC conditions. The above check dam is situated at a distance of 4.0 kms from mines.

3. I respectfully submit that, M/s.TANMAG has obtained a special permission temporarily for dewatering of stagnant rainwater from mines vide G.O.(D), No.322, dated.26.12.2022 (Water resource Department). As per the above order, the discharged water is let out/ or pumped out in two routes.
4. I respectfully submit that, there are two natural nallahs passing around our mines, one is located in the north-east directions and another one is located north-west direction.
5. I respectfully submit that, the discharged water from mines through nallah has a natural gradient from north-west to west direction and the discharged water reaches pudhu eri lake near Thekkampatty village at around 4 kms crossing two check dams, Kollapatti odai, Vellalapatty, Nallukaal palam, RC Chettipatty, Kamalapuram Lake, Omalur Lake and the final destination in Sarabanga river. This discharged water will recharge the ground water. By this 8 nos. of villages, 13 nos. of hamlets will be benefited and about 1000 nos. of open wells and bore wells located in this drainage system will be recharged (in and around villages of Thekkampatty, Vellalappatty, chettichavadi, sengaradu, Moongilpadi, Vinayagapatty and Kondappanaickenpatty and as a result the nearby hamlets will be benefited).
6. I respectfully submit that in continuation the above, the discharged water from mines to be diverted in to natural nallahs located in north-east direction and in turn joint with the rain water streams flowing down from Yercaud hills and reaching as a source for the lake abutting the Kurumbapatti Zoological Park at about 2 kms from mines (maintained by the Salem Forest Department) and further travels upto Thirumanimutharu river as the final destination.
7. I respectfully submit that, the discharged water reaches Pudhu eri lake located at northern west side and constructed new check dam at southern side, its distance around 2.5 kms. The constructed new check dam is situated at a distance of 4.0 kms from mines.

8. I respectfully submit that, the constructed check dam is for the purpose of rain water harvesting structure. It is also submitted that, the discharged water is let out in the nallah which takes its natural course and subsequently benefitting the villages passing through Thekkampatty, Vellalapatty, chettichavadi, Sengaradu, Moongilpadi, Vinayagapatty and Kondappanaickanpatty.

It is therefore prayed that this Hon'ble Tribunal may be pleased to accept this Status Report and pass such further other orders which it deems fit to the case and thus render justice.

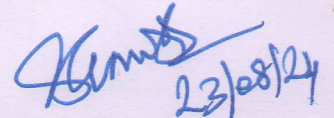


Signature
MINES MANAGER
Tamilnadu Magnesite Limited,
(A Govt. of Tamilnadu Undertaking)
SALEM.

Date: 23.08.2024

VERIFICATION

I, V.Ramesh, S/o V.Vamalai Murugan, aged 44, Indian, presently discharging my duties as the Manager (Mines), Tamil Nadu Magnesite Limited, Salem District, solemnly affirm that the contents of this report are true to the best of my knowledge based on the records and I have not suppressed any facts.



Signature
MINES MANAGER
Tamilnadu Magnesite Limited,
(A Govt. of Tamilnadu Undertaking)
SALEM.

Date: 23.08.2024



ABSTRACT

Water Resources Department – Issue of Special permission temporarily for dewatering of stagnant rainwater from the mines of Tamil Nadu Magnesite Limited, Salem as a special case –Orders - Issued.

Water Resources (R1) Department

G.O. (D) No.322

Dated. 26.12.2022

சுபகிருது, மார்சுழி 11,

திருவள்ளூர்ஆண்டு 2053

Read :

- 1) G.O.(Ms.) No.142, Public Works (R2) Department, Dated. 23.07.2014
- 2) G.O. (Ms.) No.155, Public Works (R1) Department, Dated. 28.10.2021
- 3) From the Managing Director, Tamil Nadu Magnesite Limited, Salem, Letter No. RC No. M(M)/GW/NOC/01-2017, dated. 15.03.2021, Ref: M(A)/ GW/ NOC/ 02-2021/2711, dated 22.12.2021, D.O. Letter No. 04/2021-22, dated 12.5.2022 and D.O. Letter No.11/ 2022-23/1289, dated. 05.09.2022.
- 4) From the Chief Engineer, Water Resources Department, State Ground and Surface Water Resources Data Centre, Tharamani, Chennai Letter No. OT9/AG3/NOC-Mining /2021 dated 19.01.2022
- 5) Minutes of the Joint meeting held by the Additional Chief Secretary, Industries, Investment Promotion & Commerce Department and the Additional Chief Secretary, Water Resources Department on 22.08.2022.
- 6) From the District Collector, Salem District Letter RoC. No.1497/ 2022/ Mines-B, Dated. 08.11.2022.
- 7) From the Chief Engineer, Water Resources Department, State Ground and Surface Water Resources Data Centre, Tharamani, Chennai Letter No.DD(G)/Dewatering/2022-10, dated. 10.11.2022.

ORDER:

In the letters third read above, the Managing Director, Tamil Nadu Magnesite Limited, Salem has stated that the Tamil Nadu Magnesite Limited, a Public Sector undertaking of Government of Tamil Nadu is operating the Arasu Magnesite Mine over an extent of 96.34 hectares in Kurumbapatti RF of Shervaroy's South Range, Omalur Taluk, Salem District. The mining operations were stopped, based on the directions of Ministry of Environment, Forest and Climate Change (MoEF&CC) from 14.04.2018 due to non availability Environmental Clearance. Now, Clearance was obtained from the State Level Environmental Impact Assessment Authority (SEIAA), Chennai on 14.10.2020 and mining operations have been resumed from 19.11.2020 onwards.

2. The Managing Director, Tamil Nadu Magnesite Limited has stated that as per the Environmental Clearance letter, "The Project Proponent shall not carry out mining below the Ground Water table without No Objection Certificate". Accordingly, the Tamil Nadu Magnesite Limited has submitted an application to the Chief Engineer, Water Resources Department, State Ground and Surface Water

Resources Data Centre, Chennai seeking No Objection Certificate for dewatering in mining projects.

3. In the letter fourth read above, the Chief Engineer, Water Resources Department, State Ground and Surface Water Resources Data Centre has informed the Tamil Nadu Magnesite Limited, Salem that the Draft Ground Water Bill of the State for management and development of Ground Water including issuance of No Objection Certificate for dewatering in mining project is under active consideration of the Government and hence, the application will be considered based on the Government directions in future.

4. In the Joint meeting held by the Additional Chief Secretary, Industries, Investment Promotion & Commerce Department and the Additional Chief Secretary, Water Resources Department on 22.08.2022 at Secretariat, it was decided that the Managing Director, Tamil Nadu Magnesite Limited to initiate proposal in consultation with the District Collector, Salem District and send to the Government.

5. The Managing Director, Tamil Nadu Magnesite Limited, Salem has accordingly requested the Government to issue special permission for dewatering of rainwater from the mines of Tamil Nadu Magnesite Limited, as a special case.

6. In the letter Sixth read above, the District Collector, Salem District has stated that due to stoppage of mining operation in Tamil Nadu Magnesite Limited for about 30 months for want of Environmental Clearance, the rainwater of about 3000 million litres are stagnant in mine pits raising upto 30 meters height and submerged about 90% of the working area. As directed in the Minutes of the meeting held on 22.08.2022 at Secretariat, a Joint meeting was convened on 25.08.2022 at Collectorate and a committee was formulated to inspect the mines. The Committee inspected the mines on 30.08.2022 and submitted its recommendations to the Managing Director, Tamil Nadu Magnesite Limited as stated below:-

- (i) An extent of 46 hectares are stagnant with rainwater up to 348 meters above Mean Sea Level as seen from the pit boundaries. The average depth of water was ranging from 10 to 25 meters and total estimated quantity is around 3000 million litres which is increasing gradually due to intermittent rains as the mine falls in the catchment area of the foothills of Yercaud Hills.
- (ii) The Committee has identified and recommended two peakpoints for delivery of water, one at 363m MSL height at Pillar No.4 of mine boundary in North West part of the mine and another at 378m MSL' height at Pillar No.7 of mine boundary in South East direction which are further connecting to the Natural nallahs leading to Sarabanga River and Thirumanimutharu River in the North West and South East directions respectively after crossing check dams & percolation ponds.

7. The District Collector, Salem District has provided his recommendations to the Government as follows:-

- a. In order to continue mining operations in the lease area the stagnant water in the mine pit has to be discharged. While pump out the stagnant water from the mine pits, it will facilitate continuous mining operation and water runoff from the mine pits will be useful for the fauna/flora of the

- Kurumbapatti Zoological Park located at a distance of 2 Kms from mines. The water flow from the mine pits to reach the final destination to Sarabanga river and Thirumanimutharu river will improve the Groundwater precipitation of the surrounding areas.
- b. Hence, the proposal for dewatering of rainwater from Tvl.Tamil Nadu Magnesite Limited (TANMAG) mines pit is recommended and forwarded to the Government to grant special permission to Tvl.Tamil Nadu Magnesite Limited (TANMAG), Salem.

8. In the letter Seventh read above, the Chief Engineer, Water Resources Department, State Ground and Surface Water Resources Data Centre, Tharamani, Chennai has requested the Government to take a decision regarding issue of temporary special permission for the dewatering of rainwater / groundwater from mine pits of Tamil Nadu Magnesite Limited, Salem.

9. The Government after careful examination, have decided to accept the proposal of the Managing Director, Tamil Nadu Magnesite Limited, Salem at para 5 above. Accordingly, the Government issue special permission temporarily, for dewatering the stagnant rainwater from the mines of Tamil Nadu Magnesite Limited, Salem, as a special case.

10. The above permission is subject to fulfilling the recommendations / technical requirements proposed by the Chief Engineer, Water Resources Department, State Ground and Surface Water Resources Data Centre, Tharamani, Chennai and the recommendations of the committee formed by the District Collector, Salem District, in this regard.

(By Order of the Governor)

**Sandeep Saxena,
Additional Chief Secretary to Government**

To

The Additional Chief Secretary to Government,
Industries Investment Promotion and Commerce Department, Secretariat, Chennai-9.
The Engineer-in-Chief and Chief Engineer (General),
Water Resources Department, Chennai-5
The Chief Engineer, Water Resources Department,
State Ground and Surface Water Resources Data Centre, Tharamani, Chennai-5.
The District Collector, Salem District, Salem-636 001.
The Managing Director,
Tamil Nadu Magnesite Limited,
5/53, Omalur Main Road, Jagir Ammapalayam, Salem- 636 302.

Copy to

O/o. the Hon'ble Minister for Water Resources, Secretariat, Chennai-9
The Chief Engineer, Water Resources Department, Trichy Region, Trichy- 20
Stock File / Spare Copy.

// Forwarded / By Order //

S. Sandeep
26.12.2022
Section Officer

