

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

Original Application No.242 of 2024

R.Parameshwari,
W/o. K.B.Radhakrishnan,
37/1, RamanujarThottam,
Nallur, Muthur PO,
Pollachi – 642 109 & ors.

...Applicants

Vs

The Member Secretary,
Tamil Nadu Pollution Control Board,
No.76, Mount Salai,
Guindy, Chennai-600032.

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**Filed by
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.....Applicants

Vs

1. The Member Secretary,
Tamil Nadu Pollution Control Board,
No.76, Mount Salai,
Guindy, Chennai-600032.
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2. The District Environmental Engineer (Coimbatore South),
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4. The Assistant Director,
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Government Arts College Men's Hostel Road, Race Course,
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5. The Sub-Collector, Pollachi
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Pollachi,
Coimbatore District – 642002

.....Respondents

Sivala P
26/03/2025
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
CHENNAI-600 032.

**REPORT FILED ON BEHALF OF THE FIRST AND SECOND
RESPONDENTS - TAMIL NADU POLLUTION CONTROL BOARD**

I, S. Malarvizhi, Daughter of Thiru. Subburam, aged about 59 58 years, having office at No.76, Mount Salai, Guindy, Chennai-32, do hereby solemnly affirm and sincerely state as follows:-

1. I submit that I am the Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai-600 032 and I am authorised to file this Report on behalf of the first and second respondents (TNPCB) and as such I am well acquainted with the facts of the case from the records available in our office records.
2. It is respectfully submitted that the application had been filed against the operation of the 6th respondent unit and prayed to pass orders on the following.
 - i. Direct the Respondent Nos. 1 to 5 to cease all quarrying operations at S.F. No.218 of Thalakkurai village due to the violation of the terms and conditions of the 4th respondent as stipulated in lease agreement dated 07.05.2021 bearing document No. 5446 of 2021 on the file of SRO, Pollachi and the consent orders dated 03.05.2021 bearing Nos. 2105138863884 issued by the 2nd respondent.
 - ii. Direct the Respondent Nos. 1 to 4 to conduct a thorough inspection of the quarrying site and take appropriate action against the Respondent 6 for violation the laws.
 - iii. Direct the Respondent Nos. 1 to 4 to take remedial measures to mitigate the environmental damage caused by the quarrying operations.
3. It is respectfully submitted as per the directions passed by the Hon'ble Tribunal on 21.10.2024, the report is submitted herein.
4. It is respectfully submitted that the 6th respondent unit M/s S. Reshma Quarry located at S.F. No.218 Part, Thalakkurai Village, Pollachi Taluk District had applied for Consent to Operate - Direct (CTO-Direct) of TNPCB to carry out mining of rough stone & gravel quarrying activity on 22.04.2021.


 26/10/2025
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 TAMIL NADU POLLUTION CONTROL BOARD
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5. It is respectfully submitted that the 6th respondent unit was inspected by the official of the O/o. DEE, TNPCB, Coimbatore South (2nd Respondent) on 30.04.2021 and the following were observed .
- i. The 6th respondent unit has obtained Environmental Clearance from State Level Environment Impact Assessment Authority - Tamil Nadu vide Lr. No. SEIAATN / F.No.8198 / 1(a) / E.C.No.4585 / 2020, dated 25.03.2021 for the mining activity of 2,83,312 cu.m of Rough Stone Mining & 19,012 cu.m of Gravel Mining over a period of 5 years in the mining lease area of about 4.00.0 Hectares.
 - ii. It is an existing quarry, the proponent has submitted the copy of fresh mining plan approved by the Assistant Director, Geology and Mining, Coimbatore dated 22.12.2020.
 - iii. The quarry has an extent area of 4.00.0 Ha only.
 - iv. No trade effluent is generated from the process.
 - v. The unit has proposed to carry out dust suppression system during mining operation to control the fugitive dust emission.
 - vi. The nearest habitation "Zamin Muthur" is at a distance of 0.5 km from the site.
6. It is respectfully submitted that in view of the above, the subject was placed in the District Level Consent Clearance Committee (DLCCC) meeting held on 30.04.2021 in the O/o. DEE, TNPCB, Coimbatore South vide Item No.222-12. The DLCCC decided to issue consent and vide proceeding dated 03.05.2021 CTO-Direct valid up to 31.03.2026 was issued to the unit M/s. S. Reshma Quarry, S.F. No.218 Part, Thalakkarai Village, Pollachi Taluk, Coimbatore District for quarrying Rough Stone (Quarrying Area 4.0 Hectares) (2,83,312 cubic meters per five years) and Gravel (Quarrying Area 4.0 Hectares) (19,012 cubic meters per five years) subject to the conditions mentioned therein.
7. It is respectfully submitted that the 6th respondent unit was inspected by the official of the O/o. DEE, TNPCB, Coimbatore South on 11.11.2022 and vide proceeding dated 16.11.2022 show cause notices were issued to the unit M/s. S. Reshma Quarry under Water and Air Acts for the reasons inter alia that the quarry was under operation and a stone crushing unit was installed and operated intermittently by the quarry without obtaining consent of the


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- ii. Wire fencing was not found on the quarry boundary area.
- iii. Tree saplings were not maintained along the periphery of the quarrying area.

13. It is respectfully submitted that in respect of the stone crusher unit, the following were observed.

- i. The unit has obtained consent order in the name & style of M/s. Utharakaliyamman Blue Metals Unit-III vide Proceeding dated 13.12.2006 and the same was renewed vide Proceeding dated 09.12.2014 valid up to 30.06.2015 subject to the conditions mentioned therein.
- ii. The unit has not obtained renewal consent order from the Board after the expiry of consent order on 30.06.2015.
- iii. The unit has not provided adequate air pollution control measures to the jaw crusher, vibrator screen, conveyors and dust collection section.

14. It is respectfully submitted that, a personal hearing was hence conducted by the 2nd Respondent DEE, TNPCB, Coimbatore South with the 6th respondent unit on 02.12.2024, during which the unit authority furnished a reply stating that it would complete the said shortfalls as per the government rules and regulations regarding quarry and crusher and will obtain renewal of consent for the existing crusher unit (M/s. Utharakaliyamman Blue Metals Unit-III) immediately and would remove/dismantle the non-operative crusher unit as well.

15. It is respectfully submitted that subsequently, the unit has removed the excess machineries installed in its premise & started installation of Air Pollution Control measure to the existing stone crusher unit (M/s. Utharakaliyamman Blue Metals Unit-III) and the same was confirmed during inspection of the unit by the official of the O/o. DEE, TNPCB, Coimbatore South (2nd Respondent) on 11.12.2024.

16. It is respectfully submitted that, the DEE, Coimbatore South has reported vide letter dated 27.12.2024 that the unit M/s. Reshma Quarry has not rectified the violations mentioned in the Show Cause Notices and has not complied with the consent order conditions.

17. It is respectfully submitted that, furthermore, the DEE, Coimbatore South has assessed environmental compensation based on "Polluter Pays

Principle” for the damages caused to the environment by the unit M/s. Reshma Quarry S.F. No.218 Part, Thalakkurai Village, Pollachi Taluk, Coimbatore District and submitted to the Board vide letter dated 16.12.2024 and revised calculation vide letter dated 27.12.2024.

18. It is respectfully submitted that, subsequently, vide proceeding dated 07.01.2025, Board has issued Show Cause Notice to the unit M/s. S. Reshma Quarry, S.F. No.218 Part, Thalakkurai Village, Pollachi Taluk, Coimbatore District to show cause on the levy of Environmental Compensation of Rs.4,70,000/- (Rupees Four Lakhs Seventy Thousand only) from it. However, reply for the Show Cause Notice is not received from the unit.

19. It is respectfully submitted that, vide proceeding dated 13.01.2025, Direction for closure and disconnection of power supply was issued to the unit M/s. Reshma Crusher (previously M/s. Utharakaliyamman Blue Metal Unit III) for the reasons inter alia that the unit has not obtained valid renewal consent order of the TNPCB. Accordingly, power supply of the unit was disconnected by the TANGEDCO on 13.01.2025.

Therefore, it is humbly prayed that this Hon’ble National Green Tribunal (Southern Zone) may be pleased to pass such order or further or other orders, as this Hon’ble Tribunal may deem fit and proper in the facts and circumstances of this case and thus render justice.

S. Malarvizhi
26/03/2025

JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
CHENNAI-600 032.

VERIFICATION

I, S. Malarvizhi, Daughter of Thiru. Subburam, working as Joint Chief Environmental Engineer, TNPCB, having office at No.76, Mount Salai, Guindy, Chennai, do hereby verify that the contents of above report are true to the best of my knowledge through records.

S. Malarvizhi
26/03/2025

JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
CHENNAI-600 032.

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POLLUTION CONTROL BOARD**

**Advocate for Respondent: TNPCB
Thiru.Sai Sathya Jith,
Advocate, Chennai.**

Date:27.03.2025.

Date of hearing on:27.03.2025