

**BEFORE THE HONOURABLE NATIONAL GREEN TRIBUNAL,
SOUTH ZONE CHENNAI.**

ORIGINAL APPLICATION NO. 93 of Year 2024.

IN THE MATTER OF:

Sajimon Joseph **Applicant(S)**

Versus.

The Chief Secretary, Government of Kerala and Others. **Respondents(S)**

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| 2 | MoEF&CC Report to SEIAA and Project Proponent regarding the inspection dated 29/04/2025. | Affidavit-Annexure No. R2 & A, as submitted by the Project Proponent (Respondent No. 5) before this Hon'ble Tribunal on 11/07/2025, clearly shows that only the name of the Project Proponent and his associates were included in the site inspection. It is evident from the document that the SEIAA, the Applicant, and other relevant stakeholders were not included in the inspection process. (Page NO.9 and 10) | 6 to 7 |

SAJIMON JOSEPH (APPLICANT FOR PETITION NO. OA-93/2024, SZ)



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Place: Koombara
Date: 26/07/2025

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SOUTH ZONE CHENNAI.**

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IN THE MATTER OF:

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Affidavit filed by the Applicant in objection to the inspection report submitted by the 5th Respondent on 10.07.2025, the site inspection conducted on 29.04.2025 by the Ministry of Environment, Forest and Climate Change (MoEF&CC), without the participation of the Applicant.

I, Sajimon Joseph, the Applicant in the present application, do hereby respectfully submit this additional affidavit before this Hon'ble Tribunal in connection with the ongoing proceedings in Original Application No. 93/2024 (SZ) [Old No. OA 770/2024], concerning the illegal quarrying activities allegedly being carried out in Survey No. 2442 (Part), Koodaranhi Village, Koombara, Kozhikode District, Kerala – 673604. I am a permanent resident of Koombara, located in Koodaranhi Village, Kozhikode District, Kerala, where my parents and brother continue to reside in our joint family property. At present, I am residing temporarily in Mysuru due to professional commitments.

It is respectfully submitted that I became aware, through the interim order of this Hon'ble Tribunal dated 10/07/2025, that a site inspection was conducted on 29/04/2025 at the quarry site of the Project Proponent, Shri Thankachan Mathalikunnel, by official from the Ministry of Environment, Forest & Climate Change (MoEF&CC), Regional Office, Bangalore. However, no prior notice or intimation regarding this inspection was given to me, the Applicant, despite my being a directly affected party in the matter.

Till date, I have not received a copy of the inspection report, nor was I provided an opportunity to participate or make representations during the said inspection. This omission not only violates the principles of natural justice but also undermines the fairness and transparency expected in the proceedings before this Hon'ble Tribunal.

1. It is further understood from the affidavit (Pages 9 and 10) submitted by the Project Proponent on 10.07.2025 before the Honorable NGT that only the Project Proponent

and his associates were present during the site inspection conducted on 29.04.2025 along with officials from the Ministry of Environment, Forest and Climate Change (MoEF&CC). The exclusion of the Applicant from this inspection constitutes a clear violation of the principles of natural justice. The Applicant was not afforded an opportunity to be heard or to participate in the inspection process—an essential safeguard to ensure fairness, transparency, and impartiality in environmental adjudication. (*Annexure – 1*)

2. That the report submitted by the MoEF&CC on 18/06/2025 pursuant to the inspection is factually incorrect, biased, and incomplete. It fails to consider several critical documents and submissions on record, including:
 - i) The Interim Report submitted before this Hon'ble Tribunal (inspection date 25/03/2024).
 - ii) The Joint Committee Report constituted by the Tribunal (inspection date 11/10/2024).
 - iii) The SEIAA's Inspection Report, (inspection date 19/10/2025)
 - iv) The Statement of Facts and Affidavit filed by the Applicant.
3. That the Joint Committee Report, based on the inspection conducted on 11/10/2024, has, at Page No. 36, assessed environmental damage due to overburden (OB) dumping and calculated a penalty of ₹16,83,000/-. However, it is respectfully submitted that the report does not take into account the actual volume of overburden waste that has been dumped onto the high hilly areas, which constitutes a significant and alarming environmental violation. The exclusion of this critical aspect renders the assessment incomplete and underrepresents the true extent of damage caused.
4. It is an admitted fact that excess mining to the extent of 63,000 metric tons was carried out by the Project Proponent, for which a demand notice of ₹1,57,14,716/- was issued as penalty. This act of over-extraction constitutes a clear and serious violation of mining regulations and present legal system.
5. Further, the Project Proponent misused the e-Pass system by using a single e-Pass for multiple trips over a span of three days and also without E -pass and invoice, which is in direct contravention of the guidelines issued by the Director of Mining and Geology. Evidence of this misuse, including a copy of the three-day e-Pass along with the invoice, has been submitted before this Hon'ble Tribunal through an affidavit filed by the Applicant. The Department of Mining and Geology also conducted a site inspection and submitted a detailed report as part of the Joint Committee Report before this Hon'ble Tribunal.
6. That these environmental damages, environmental and legal violations have not been acknowledged or addressed in the inspection report submitted by MoEF&CC, thereby misleading the Hon'ble Tribunal.
7. That during the Interim Inspection conducted on 25/03/2024, water samples were collected by the concerned authorities. However, the analysis report of the said samples

has not been submitted to date. Moreover, the undersigned Applicant was not included in the inspection.

8. That several critical environmental and legal violations have not been mentioned in the MoEF&CC report, including:
 - i) Irreversible and irrevocable environmental damages have been documented and submitted before this Hon'ble Tribunal by the State Environmental Impact Assessment Authority (SEIAA), the 6th Respondent in the matter.
 - ii) The destruction of official survey stones and encroachment into private property were deliberately carried out to falsely show the road width as 8 meters, with the intention of facilitating the grant of a license for the Project Proponent's stone crusher unit, the structure for which is already constructed. This manipulation, also aimed at protecting the illegal compound of the Project Proponent, has been verified and confirmed by the Kerala Survey Vigilance, which has since initiated action against the offenders.
9. The exclusion of the Applicant and other expert stakeholders from the inspection process undermines the legitimacy and impartiality of the proceedings, causing grave prejudice to the rights of the Applicant and the public to a fair, transparent, and equitable inquiry. Such exclusion is detrimental to the protection of the environment, as well as the life and property of the public, which are essential for ensuring peaceful and sustainable coexistence.
10. Moreover, it is submitted that five quarries and one crusher unit are currently **operating within a 500-metre radius of the area, effectively forming a quarrying cluster**. It is also noted that the 5th Respondent has already prepared the structure for an additional stone crusher unit. The cumulative environmental impact of these activities poses a significant threat to the region's fragile ecosystem, which is already vulnerable and prone to landslides and other natural disasters. This situation strongly reinforces the urgent need to reassess the environmental clearance process and to seriously consider declaring the area as an **Ecologically Sensitive Zone**.
11. It is also pertinent to highlight several serious environmental and regulatory violations observed at the project site. The Project Proponent has failed to maintain the mandatory buffer zone between the quarry site and the adjacent public road, and has also encroached upon forest land. Two major natural streams in the area have been completely obstructed, and the site is discharging polluted and contaminated water and waste directly into the surrounding environment. Quarrying activities have involved deep extraction by pumping groundwater, and large volumes of quarry waste have been stored directly on the stream bed, creating a dangerously unstable waste heap exceeding 50 feet in height. Furthermore, quarrying is being carried out on extremely steep terrain, with slopes exceeding 80 degrees. These activities have reportedly led to the formation of structural cracks in nearby areas, as observed and recorded by the State Environmental Impact Assessment Authority (SEIAA).

It is most respectfully submitted before this Hon'ble Tribunal that the report submitted by the 5th Respondent (Project Proponent), which includes the site inspection report of the Ministry of Environment, Forest & Climate Change (MoEF&CC) dated 29/04/2025, conducted jointly by MoEF&CC official and the Project Proponent, cannot be relied upon as a fair, impartial, or complete representation of the ground realities. In view of the procedural lapses and exclusion of key stakeholders, including the Applicant, the report lacks credibility and transparency. Therefore, the Applicant humbly request that this Hon'ble Tribunal may be pleased to take such appropriate decisions as it may deem fit and proper in the interest of justice and environmental protection.

I, Sajimon Joseph, do hereby verify that the contents of this Affidavit are true and correct to my knowledge and belief, and nothing material has been concealed therefrom.

SAJIMON JOSEPH (APPLICANT FOR PETITION NO. OA-93/2024, SZ)



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Phone-9964605575 Email- sajimon2808@hotmail.com

Place: Koombara
Date: 26/07/2025

ANNEXURE-1

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Annexure R2



भारत सरकार / GOVERNMENT OF INDIA
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय / MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE
क्षेत्रीय कार्यालय, बेंगलुरु / REGIONAL OFFICE, BENGALURU

4th Floor, E & F- Wings, Kendriya Sadan, 17th Main Road,
B Block, Koramangala, Bengaluru-560 094

File No. EP/12.1/2019-20/9/SEIAA/KER/249

18.06.2025

To

The Member Secretary
STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY (SEIAA) KERALA
Thampanoor, Thiruvananthapuram - 696 001

Sub:

1. Quarry Project at Koodaranji Village, Koodaranhi Grama Panchayat, Kozhikode Taluk & District, Kerala by Sri. Thankachan M.S. -Extension of period of Validity of EC granted
2. Environmental Clearance for Quarry Project of M/s. Mathalikkunel Quarry located at Koodaranhi Village, Kozhikode Taluk & District, Kerala

Ref:

1. The I.A. Compliance & Monitoring Division letter dated 12.03.2025
2. The SEIAA Kerala EC letter no. 212/SEIAA/KL/251/2014 dated, Thiruvananthapuram 04.11.2019
3. The SEIAA Kerala EC letter no. 212/SEIAA/KL/251/2014 dated 05.12.2014

Sir,

This has reference to subject matter. The IA Compliance Monitoring Division vide letter dated 12.03.2025 forwarded the complaint received from Shri. Shri. Sajimone Joseph against the Quarry Project at Koodaranji Village, Koodaranhi Grama Panchayat, Kozhikode Taluk & District, Kerala. Accordingly, this office conducted inspection of the project on 29.04.2025. The site inspection report is enclosed herewith.

This issues with the approval of competent authority.

Yours faithfully

A. Suresh Kumar
18/06/25
Suresh Kumar Adapa

Scientist 'E'

Copy to:

1. The Director, IA Compliance and Monitoring Division, MoEF&CC New Delhi
2. Sri. Thankachan M.S, Koodaranhi Grama Panchayat, Kozhikode Taluk & District, Kerala

A. Suresh Kumar
18/06/25
Suresh Kumar Adapa
Scientist 'E'

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Annexure-A

The I.A. Compliance & Monitoring Division vide letter dated 11.03.2025 forwarded the complaint of Shri. Sajimone Joseph made against the Illegal Quarrying Activities at Koombara-Punnakadve, Koodaranji Village, Calicut District Kerala and requested this office to submit the inspection report. Upon perusal of the documents received with letter dated 11.03.2025, it is observed that the complainant raised following allegations:

1. Violation of EC conditions outlines in EC No. 212/SEIAA/KL/252/2014
2. Unauthorised extraction of 63,000 MT of material, as reported in the Mining and Geology Report, valued at Rs.1.1574 crore
3. Pollution of water, air and noise, as indicated by the Panchayat Health Department
4. Excessive quarrying near Vested Forest (VFC No. 133) and within 4 meters of the VFC in Survey No. 154. There are 6 quarries are operating within 500 meter radius and 1 crusher unit in the ecologically sensitive zone altogether comes more than 5 ha. forms a cluster system
5. Quarrying on agricultural land having Pattaya and serious cracks on the quarry walls reported by SEIAA, impacting local infrastructure, using explosives other than NONEL technologies for blasting reported by SEIAA
6. Violation of the High Court Order (WP(C) 5292/2023) restricting heavy vehicle movement on the 4-meter Koombara-Punnakadve road

Accordingly, site inspection of the project was carried out on 29.04.2025, during the site inspection it was observed that the project is in operation. Following representatives of the project and consultants were present during the site inspection:

1. Shri. Thankachan, Owner of the quarry
2. Shri. Senthil, Mines Manager
3. Shri. Abdul Khader, Consultant
4. Shri. Nikhil, Consultant

Brief background of the Project:

The SEIAA, Kerala vide letter no. 212/SEIAA/KL/252/2014 dated 05.12.2014 issued environmental clearance for the quarry project of M/s. Mathalikunnel Quarry located at Koodaranji Village, Kozhikode Taluk & District, Kerala. The area of the project is 4.6963 ha.

The EC was valid for 5 years from the date of issue. The SEIAA, Kerala revalidated the environmental clearance vide letter dated 04.11.2019 and the EC is valid upto 04.12.2025 (including one year extension due to COVID period). The project area is divided in 2 parts, one with lease quarry over an area of 3.38 ha. and the other with permit quarry over an area of 0.8710 ha.

PP obtained following permissions/licenses apart from EC:

A. J. Joseph