

BEFORE THE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE, CHENNAI

Original Application No. 104 of 2021 (SZ)

And

I.A. No. 87 of 2021 (SZ)

IN THE MATTER OF:

Thiru.K.Ramsingh,  
S/o.Mr.Kandasamy,  
No. 3/93, South Street,  
Theertharappapuram Post,  
Alangulam Taluk,  
Tenkasi District - 627 423.  
Phone No. 85310 66058  
E.mail: lingaram74@gmail.com

....Applicant

-Vs-

1. State Environment Impact Assessment Authority,  
Government of Tamil Nadu,  
3<sup>rd</sup> Floor, Panagal Maaligai,  
No. 1, Jeenis Road, Saidapet,  
Chennai - 600 015,  
Phone No. 044 - 24359974,  
E.Mail : [mstnseiaa@yahoo.com](mailto:mstnseiaa@yahoo.com)
2. The Chairman,  
Tamil Nadu Pollution Control Board,  
No. 76, Mount Road,  
Guindy, Chennai - 600 032,  
Phone No. 044 - 22353134,  
E.Mail : [tnpcb-chn@gov.in](mailto:tnpcb-chn@gov.in)
3. The Deputy Director,  
Dept of Geology and Mining,  
Government of Tamilnadu,  
Collectorate, Kokkirakulam,  
Tirunelveli - 627 009,  
Phone: 0462 - 2500309,  
E.Mail: [mineinv@gmail.com](mailto:mineinv@gmail.com)

4. The District Collector,  
Collectorate,  
No. 82, Railway Feeder Road,  
Tenkasi - 627 811,  
Tenkasi District.
5. The Superintending Engineer,  
O/o. The Superintending Engineer,  
TANGEDCO, Anna Building,  
Thiyagaraya Nagar,  
Tirunelveli - 627 011.
6. The Assistant Engineer,  
Distribution - TANGEDCO,  
Seraikkaranpatti, Kadayam,  
Tenkasi District - 627 415,  
Phone: 94458 54389,  
E.Mail: [cedtin@tnebnet.org](mailto:cedtin@tnebnet.org).
7. Mr.N.Mohamed Mahaboob,  
Proprietor - AP Nadanoor Rough Stone,  
Jelly and Gravel Quarry,  
No. 8/142, Main Road,  
Pottal Pudur, Ambasamudram Taluk,  
Tenkasi District - 627 423,  
(Previously Tirunelveli District),  
Phone : 9443932490  
E.Mail: [infoglobalmining@gmail.com](mailto:infoglobalmining@gmail.com)
8. Mr.K.Sasikumar,  
S/o.V.Kalangiam,  
Proprietor - AP Nadanoor Rough Stone,  
Jelly and Gravel Quarry,  
No.9/303, Nainar Koil Street,  
Velappanaiyeripatti, Thippanampatti Village,  
Tenkasi District - 627 423,  
(Previously Tirunelveli District),  
Phone : 9962688444  
E.Mail: [infoglobalmining@gmail.com](mailto:infoglobalmining@gmail.com)

## APPLICATION FILED BY THE 4<sup>TH</sup> RESPONDENT

I, S.Gopala Sundara Raj, I.A.S., District Collector, Tenkasi District do hereby solemnly affirm and sincerely as follows:

1. I am the 4<sup>th</sup> respondent herein and as such I am well acquainted with facts of the case from the available records, I am filing this application.

2. It is submitted that Thiru. K.Ramsingh, Theertharappapuram Village, Tenkasi District, has filed an Original Application No. 104 of 2021 (SZ) and I.A.No. 87 of 2021 (SZ) before the Hon'ble National Green Tribunal, Southern Zone, Chennai regarding functioning of roughstone quarries by 7<sup>th</sup> and 8<sup>th</sup> respondents and with a prayer to

- i. Direct the 1<sup>st</sup> to 4<sup>th</sup> respondents to take action against the 7<sup>th</sup> and 8<sup>th</sup> respondents for violation of conditions prescribed in the licence issued to respondent in Rc. No. M1/44736/2016, dated. 12.12.2017 and Rc.No. M1/34173/2016, dated. 17.08.2017 to the 7<sup>th</sup> and 8<sup>th</sup> respondents respectively.
- ii. Direct the respondents 7<sup>th</sup> and 8<sup>th</sup> to restore the wells and environment pollution free.

3. It is submitted that the Hon'ble National Green Tribunal, Southern Zone, Chennai(SZ) in its order dated 15.06.2021 in Original Application No. 104 of 2021(SZ) & I.A. No. 87 of 2021(SZ) received by this

office on 26.06.2021 by email, in **para 13** of the order directed to "appoint a joint committee comprising of (1) The District Collector, Tenkasi District or a Senior Officer not below the rank of Assistant Collector or Sub Divisional Magistrate as deputed by the District Collector, (2) a Senior Geologist from the office of the Deputy Director of Geology and Mining Department, Tirunelveli District (3) a Senior Officer from the Tamil Nadu State Environment Impact Assessment Authority (TNSEIAA), and (4) a Senior Officer from the Tamil Nadu Pollution Control Board (TNPCB) as deputed by its Chairman to inspect the area in question and submit a factual as well as action report if there is any violation found.

4. It is further submitted that the Hon'ble National Green Tribunal, Chennai (SZ) in para 14 of the order directed the committee to ascertain following points

- i Whether the quarry and other alleged units run by respondents 7<sup>th</sup> and 8<sup>th</sup> in the disputed area are having all necessary clearances and permission?
- ii Whether there was any violation committed by the respondents 7 and 8 in operating the quarry against the conditions imposed.
- iii. Whether the unit of respondents 7 and 8 are having all necessary pollution control mechanisms which are sufficient to abate the nuisance due to pollution likely to be caused.
- iv. Whether respondents 7 and 8 have committed any excess mining, and if so what is the extent of excess mining done and its impact on environment and assess the damage

caused to the environment as well as the environmental compensation apart from the penalty and royalty to be realised from them under the respective mining laws.

- v. Whether on account of the excess mining any depletion to the groundwater has been caused in that area?
- vi. Whether any high density explosives were used by the 7<sup>th</sup> and 8<sup>th</sup> respondent for blasting against the permission granted and is there any damage caused to any of the neighbouring houses on account of the same apart from any sound pollution being caused.
- vii. The committee is also directed to assess the damage caused to the neighbouring property owners on account of the unauthorised explosion and vibration caused on account of operating the units of the respondents 7 and 8.

5. It is further submitted that the Hon'ble National Green Tribunal, Chennai (SZ) in para 15 of the order nominated the Geology and Mining Department as the nodal agency for co-ordination and for providing necessary logistics for this purpose.

6. It is further submitted that the Hon'ble National Green Tribunal, Chennai (SZ) in para 17 of the order directed the committee to submit the report to this Tribunal on or before 28.07.2021, by e-filing in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF along with necessary hard copies to be produced as per rules.

7. It is further submitted that, a joint committee with the following officers was formed as cited by the Coram, vide Tenkasi District Collector Proceeding No. M1/19934/2021, dated. 16.07.2021.

- i. The Revenue Divisional Officer/Sub Divisional Magistrate, Tenkasi.
- ii. The Deputy Director, Geology and Mining, Tirunelveli.
- iii. The Assistant Geologist, Office of the Assistant Director, Geology and Mining, Tirunelveli.
- iv. The Assistant Engineer, Tamil Nadu State Environment Impact Assessment Authority (TNSEIAA), Chennai.
- v. The District Environmental Engineer, Tamil Nadu Pollution Control Board, Tirunelveli.

8. The above officers have inspected the quarry sites in question as per the guidelines issued by Coram on 20.07.2021 and offered their interim remarks as stated below;

i. It is submitted that a quarrying lease has been granted to 7<sup>th</sup> Respondent Thiru.N.Mohamed Mahaboob for quarrying rough stone over an extent of 3.74.50 hectares of patta lands in SF. Nos. 434/4C, 434/4E, 434/4F, 434/4G, 434/4H, 434/4I, 434/4J, 470/1, 471/2, 471/3, 472/1B, 472/1C of A.P. Nadanoor village , Alangulam Taluk, Tenkasi district for a period of 5 years vide District Collector Proceedings No. M1/44736/2016 dated 20.03.2018. The lease period is valid from 16.04.2018 to 15.04.2023 and Environmental Clearance was obtained from District Environment Impact Assessment Authority, Collectorate, Tirunelveli vide Lr. No. DEIAA-TNV/TN/49133/2017, dated 22.02.2018

ii. It is submitted that a quarrying lease has been granted to 8<sup>th</sup> Respondent Thiru.K.Sasikumar for quarrying rough stone over an extent of 1.99.0 hectares of patta lands in SF. Nos. 433/1 & 433/2 of A.P. Nadanoor village , Alangulam Taluk, Tenkasi district for a period of 5 years vide District Collector Proceedings No. M1/34173/2016 dated 20.03.2018. The lease period is valid from 17.04.2018 to 16.04.2023 and Environmental Clearance was obtained from District Environment Impact Assessment Authority, Collectorate, Tirunelveli vide Lr. No. DEIAA-TNV/TN/34960/2017, dated 22.02.2018

- iii. The unit shall conduct ground water study in respective quality and ground water table due to the mining operation in the surrounding area through competent authorities to access the ground water depletion if any deterioration of quality of ground water with respect to baseline studies report.
- iv. The unit shall furnish the study report on the optimum blast parameter and blast design to ensure the level of vibration to the prescribed standard through competent agency.
- v. The level of damage to adjacent property/agricultural activities shall be carried out through Anna University, Chennai or NIT, Trichy so as to assess the damage if any caused during the course of mining operations.

- vi. The unit shall conduct Ambient Air quality/Ambient noise level survey through NABL aggregating lab once in six months to assess the air quality in the vicinity of the mining area.
- vii. No sign board is maintained in quarry site.
- viii. In quarry site of inspection, there is no mining competent person appointed.
- ix. Mining surface plan is not kept in mine office and no surface plan is maintained and updated.
- x. Bench height is not maintained.
- xi. As per Director General of Mines Safety norm, no activities are carried out in quarry.
- xii. Blasting is carried out by outsource only, no blaster of magazine is maintained in quarry.
- xiii. Recently water sprinkler and dust suppression is maintained.
- xiv. Mine office is not maintained in site.
- xv. During quarry visit, all mining activities were stopped by the owner, hence the committee is unable to cross check with worker.
- xvi. As per Director General of Mines Safety,106(2)(6) certificate was not obtained for use of Heavy Machineries in quarry operation.
- xvii. No initial medical examination and periodic medical examination done for any workers.

- xviii. Ground vibration during blasting Peak Particle Velocity (PPV) test to be carried out by standard institution.
- xix. No sign board displaced for blasting timing in quarry surrounding.
- xx. Now only plantation is carried out (green belt).
- xxi. As per quarry operation they use Jack Hammer drilling and using special gelatin stick of 125 mm X 25 mm.

9. It is further submitted that Ground Water Resistivity Test to assess the Ground water level and quality of Ground water, blasting Seismograph test to measure the vibration due to blasting in the quarries, ambient air quality / Ambient noise level survey through NABL accredited lab will have to be conducted. Further the quarry sites in question will have to be measured with total station survey to assess the volume of pit measurements which require further more time. However, the mining operation of quarries belonging to 7<sup>th</sup> and 8<sup>th</sup> respondents has been stopped from 16.07.2021.

10. In the view of above reasons, it is humbly prayed that the Hon'ble National Green Tribunal, Southern Zone may be pleased to grant 4 weeks time extension to file the joint committee report before the National Green Tribunal, Chennai (SZ).

  
DISTRICT COLLECTOR,  
TENKASI.

  
27/7/2021