

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

IN

ORIGINAL APPLICATION No. 304 of 2019

Applicant(s) : M. Haridasan & Ors.

Versus

Respondent(s) : The State of Kerala & Ors.

**REPORT SUBMITTED BY THE CHAIRPERSON IN HEAD
OFFICE ON BEHALF OF KERALA STATE POLLUTION
CONTROL BOARD**

Adv. Jogy Scaria

ADDITIONAL STANDING COUNSEL FOR THE RESPONDENT



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Dated this the 11th day of September 2025.

Adv. Jogy Scaria

ADDITIONAL STANDING COUNSEL FOR THE RESPONDENT



**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
IN
ORIGINAL APPLICATION No. 304/2019**

**REPORT FILED BY THE KERALA STATE POLLUTION CONTROL
BOARD IN COMPLIANCE OF ORDER DATED 07.08.2025**

I, Er.Sreekala S. aged 54 years working as Chairperson (Additional Charge of Member Secretary), Kerala State Pollution Control Board, Head Office, Thiruvananthapuram, do hereby solemnly affirm and state as follows:

1. I am the present Chairperson, Kerala State Pollution Control Board (hereinafter referred to as **Board**), Thiruvananthapuram. I am aware of the facts affirmed by me in this report. I am swearing that this is the report based on the best of my knowledge, information and belief and the facts revealed from the records.

2. It is respectfully submitted that, in pursuance of the Hon'ble NGT order dated 07.08.2025, the Board (KSPCB) has been impleaded as an additional respondent, namely the 31st respondent. Accordingly the Board is directed to file a reply in this regard.

3. It is respectfully submitted that, in compliance with the directions of the Hon'ble Tribunal, the Board had filed a report dated 17.12.2019, wherein in the absence of any scientific study regarding the safe distance criteria for stone quarries, the distance criterion of 50 meters for the operation of stone quarrying activities had been suggested as adequate with certain conditions. The extract of the conditions as submitted in the report is produced herewith:

"1. Scientific mining methods shall be carried out in the quarrying area.




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CHAIRPERSON**

2. *Department of Mining & Geology has to be strengthened with the induction of Mining Engineer having 10 years of field experience.*
3. *Quarrying permit for one year or lesser period shall not be issued; instead, it shall be given for a longer period of time.*
4. *Proper mine plan having proposal for mine closure shall be submitted with lease.*
5. *Quarrying shall be carried out in the presence of a Mine Manager, certified by Directorate General of Mines Safety.*
6. *Wet drilling method shall be promoted.*
7. *Owner should submit copy of the lease to Directorate General of Mines Safety.*
8. *for Dust control, Water sprinkling shall be done for blasting, breaking and transportation operations.*
9. *Maximum 2 kg explosive/ hole shall be allowed only with DGMS written permission.*
10. *Shock tube detonation system alone should be followed in the quarries*
11. *Stemming with wet material and water cartridge should be used in quarries with limited distance from sensitive locations*
12. *Ergonomically designed Pneumatic drills machines with dust collector attachment only to be used in case of small diameter holes.*
13. *Wire mesh with sand bag shall be used for avoiding fly rocks. The quarrying area shall be wetted before quarrying in soil overburden areas.*
14. *Compressor shall have noise enclosure.*

It is respectfully submitted that prevailing distance criteria of 50m can be maintained if above conditions are satisfied."

4. It is respectfully submitted vide order dated 09.12.2021 the Hon'ble Tribunal had constituted a seven-member Joint Committee to study the various



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CHAIRPERSON**

impacts of quarrying activities. The relevant portions of the Hon'ble NGT directions are reproduced herewith:

“Accordingly, we constitute a seven-member joint Committee comprising CPCB, Indian Institute of Mines/ IIT, Dhanbad, CSIR - Central Institute of Mining & Fuel Research (CIMFR), Dhanbad, CSIR-Central Building Research Institute (CBRI), Roorkee, IIT Roorkee, Wadia Institute of Himalayan Geology, Dehradun and Directorate General of Mines Safety, GoI. The nodal agency will be CPCB for coordination and compliance. The cost of the study will be initially borne by CPCB and thereafter as may be decided by this Tribunal. The Committee may undertake visit to the relevant sites and except for such visits, conduct proceedings online, if necessary. The Committee will be at liberty to take assistance from any other expert/institution. The Committee may inter-alia study the impact of blasting with Nonel Detonation technology at distances of 50m, 75m, 100m, 125m, 150m, 200m and 250m. The study will include the impact caused by vibrations on different soil strata /earth profile in the area and on noise and air levels, on building and human and wildlife. The study may be completed within three months and report furnished within four months. Any stakeholder will be at liberty to give their respective view point to the Committee. State of Kerala and Kerala State PCB will facilitate undertaking of above study. The report may be furnished to this Tribunal within four months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF and also upload the same on website of CPCB simultaneously so that the concerned parties/Departments can access the same for further course of action”.

5. It is respectfully submitted that, subsequent to the Order of the NGT, the CPCB, instructed KSPCB to facilitate the undertaking of the aforementioned study. As per the instruction, KSPCB facilitated the study and the entire expenditure was incurred by Kerala SPCB.



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CHAIRPERSON

6. It is respectfully submitted that the Joint Committee held a meeting on 20.10.2022 and had decided to accept the proposal submitted by the Central Institute of Mining and Fuel Research (CIMFR) for conducting a blasting-vibration study of the quarries. Pursuant thereto, the Board awarded the said work to CIMFR vide letter No. PCB/PLKD/TG-304/2019 dated 21.10.2022. The true copy of the letter dated 21.10.2022 is produced herewith and marked as **Annexure R-31(a)**.

7. It is respectfully informed that the Joint Committee had submitted its study report on 28.02.2023 before the Hon'ble Tribunal, the Tribunal permitted various respondents in the case and other stake holders to file objections/replies to the Joint Committee report. Pursuant thereto, several objections were filed before the Hon'ble NGT.

8. It is humbly submitted that the Joint committee constituted by the Hon'ble Tribunal submitted its report. A few respondents have raised various objections to these recommendations in the report with supporting technical arguments. It is further submitted that the technical objections raised may be subjected to verification and response of the joint committee itself, and, based on the response on appropriate decision can be arrived upon.

All the facts stated above are true to the best of my knowledge, information and belief.

Dated this the 11th day of September, 2025.


CHAIRPERSON
SREEKALA S.
CHAIRPERSON



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Dated this the 11th day of September 2025.

Adv. Jogy Scaria

ADDITIONAL STANDING COUNSEL FOR THE RESPONDENT





KERALA STATE POLLUTION CONTROL BOARD
 DISTRICT OFFICE, PALAKKAD
 NEAR DISTRICT PANCHAYATH OFFICE, PALAKKAD – 678 001
www.keralapcb.nic.in

Annexure R-31(a)

In reply please refer to: PCB/PLKD/TG-304/2019

Date: 21-10-2022

From

Environmental Engineer

To

Dr. C. Sawmliana,
 Chief Scientist & HoS,
 Rock Excavation Engineering Division,
 CSIR - Central Institute of Mining and Fuel Research (CIMFR),
 Barwa Road, Dhanbad, JHARKHAND- 826015, INDIA.
 E-mail: csawmliana@cimfr.nic.in, clsa_cimfr@yahoo.com

Sub: Letter of Intent- Award of Work- Study Ordered by National Green Tribunal in OA 304 of 2019- Blasting-Vibration Study in Granite Quarries of Kerala

Ref: i) This office letter of even no. dated 20-9-22
 ii) Your letter and proposal dated 27-9-22
 iii) Decision of the meeting of the Joint Committee held on 20-10-22

Sir,

In OA 304 of 2019 before the National Green Tribunal (NGT), the Tribunal had ordered a study to fix safe distance to habitations, etc. for granite quarrying. The Joint Committee constituted by the Tribunal vide its Order to conduct the study had instructed the Kerala State Pollution Control Board (KSPCB) to invite proposals from institutions of national repute, having capability to conduct the study. Proposals were invited seven institutions of national repute having expertise in the field of blasting-vibration studies vide letter (1). The proposal received from Central Institute of Mining and Fuel Research (CIMFR) vide letter (2) has been adjudged by the Joint

True copy



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CHAIRPERSON

Committee, in the meeting referred (3) held on 20-10-22, to be the only proposal which qualifies technically. The price bid sent by CIMFR along with proposal was opened and the Joint Committee instructed the KSPCB to accept the price bid as per which the basic cost of blasting-vibration study for one quarry site, as per the Scope of Work prescribed, is Rs.4,50,000 (Four lakhs and fifty thousand only) with 18 percent GST additionally. The financial proposal vide (2) is accepted by the KSPCB with its exclusions as such. The study have to be conducted in a minimum of nine quarries. Hence KSPCB is pleased to inform you by this letter of intent that the work will be awarded to CIMFR. Formal order of award of work will be issued by Chairman or Member Secretary of KSPCB after the terms of payment is fixed satisfying your requirement and the set practices of KSPCB, with formal approval of the Joint Committee as well.

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You are requested to accept the intent to award the work and give a letter of acceptance at the earliest. You may include the required terms of payment in detail in your reply.

Yours faithfully,
Krishnan M N
Digitally signed by Krishnan M N
Date: 2022.10.21 13:49:21 +05'30'
Environmental Engineer

True copy



**SREEKALA S.
CHAIRPERSON**

