

BEFORE THE NATIONAL GREEN TRIBUNAL

SOUTHERN ZONE, CHENNAI

Original Application No. 80 of 2022(SZ)

IN THE MATTER OF:

T. Karunapandi

Thothukudi District

...Applicant(s)

Versus

The District Collector

Thoothukudi and others

...Respondent(s)

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Through

Dr. D. Shanmuganathan

Standing Counsel

National Green Tribunal

Southern Zone

IN THE HON'BLE NATIONAL GREEN TRIBUNAL

APPLICATION NO 80 OF 2022 (SZ)

T.Karunapandi
S/o. Thangaraj Nada,
No.5/105, South Street,
Mela Alwar thoppu
Sri parasangunallur panchayat
Srivaikundam Taluk
Thoothukudi District.

Applicant

Vs

1. The District Collector,
Thoothukudi District,
Thoothukudi.
2. Assistant Director of Geology and Mining,,
Thoothukudi District. & others

Respondents

REPORT FILED BY THE SECOND RESPONDENT

I, Dr. S.Suhatharahima, Muslim, aged about 34 years working as Assistant Geologist / Assistant Director (i/c) Department of Geology and Mining, Thoothukudi district do hereby solemnly affirm and sincerely state as follows:

1. I am the 2nd Respondent herein, as such I am well acquainted with the facts and circumstances of the case from the available records. I have perused the contents of the Affidavit filed by the petitioner in support of the Original application. I am submitting the report before the in the Hon'ble National Green Tribunal in Application no 80 of 2022 (SZ).

2. I respectfully submit that, the prior report have been submitted to the Hon'ble National Green Tribunal (SZ) on the details of investigation done and penalty imposed on the brick chambers in Sriparasangunallur village and Alwarthoppu village of Srivaikundam taluk, Thoothukudi district.

3. I respectfully submit that, as per the Proceedings of the Sub collector, Thoothukudi Revenue Division, a sum of Rs. 17,54,550/- has been imposed as penalty from the offenders vide Rc. No. ஆ2/4929/2022 dated 01.02.2023. And also I submit that, in the year 2021, Revenue Divisional Officer has been imposed penalty on 5 brick chambers vide Rc. No. ஆ2/706/2021-1, Rc. No. ஆ2/706/2021-2, Rc. No. ஆ2/706/2021-3, Rc. No. ஆ2/706/2021-4 & Rc. No. ஆ2/706/2021-5 dated 10.08.2021.

4. I respectfully submitted that, the Hon'ble National Green Tribunal (SZ), has instructed Department of Geology and Mining to file a detailed report on whether the penalty has been collected or not and whether the respondent has valid license / approval / consent form the appropriate Authorities.

5. I respectfully submit that, the notice has been issued to the offenders to remit the penalty through Taluk level Task Force Committee since 2021. The Show cause Notice has been issued by the Sub Collector, Thoothukudi to 11 Brick Chambers to submit their explanation that why shouldn't close their chamber until the remittance of penalty imposed on them. The details are as follows.

| Sl. No. | Name of Brick Chamber | Chamber Registration Certificate Validity | Concern to Operate from TNPCB | Enquiry attended or not | Penalty Imposed |
|---------|----------------------------------|-------------------------------------------|-------------------------------|-------------------------|-----------------------|
| 1 | VNC Bricks, Sriparasangunallur | Expired | 31.03.2024 | attended on 18.04.2023 | No Violation detected |
| 2 | Agni Chamber Sriparasangunallur | Expired | 31.03.2032 | attended on 18.04.2023 | Rs. 1,65,68,774/- |
| 3 | SKS Bricks Sriparasangunallur | Expired | Nil | attended on 18.04.2023 | Rs.18,90,716/- |
| 4 | SJ Bricks Sriparasangunallur | 27.12.2024 | Applied in TNPCB | attended on 18.04.2023 | No Violation detected |
| 5 | VNB Bricks Sriparasangunallur | 15.03.2025 | 31.03.2032 | attended on 18.04.2023 | No Violation detected |
| 6 | Sri Bricks Sriparasangunallur | 05.01.2026 | Nil | attended on 05.05.2023 | No Violation detected |
| 7 | KPM Bricks Sriparasangunallur | 05.01.2026 | Nil | attended on 05.05.2023 | Rs. 3,90,600/- |
| 8 | Aditya Bricks Sriparasangunallur | 05.01.2026 | Nil | attended on 05.05.2023 | Rs. 6,14,250/- |
| 9 | Sara Bricks Alwarthoppu | 12.01.2025 | 31.03.2032 | - | Not yet Fixed |
| 10 | Sun Bricks Alwarthoppu | Expired | Nil | Not attended | Rs. 1,01,430/- |
| 11 | AA Bricks Alwarthoppu | Expired | Nil | Not attended | No Violation detected |

6. I respectfully submit that, from the above table Sl. No. 1, 2, 3, 10 & 11 have not obtained Registration Certificate from the Department of Geology and Mining and Sl. No. 2, 3, 7, 8 & 10 have not remitted the penalty imposed by the Sub Collector so far. Hence, Sub Collector, Thoothukudi has recommended to

seal the Brick Chambers who have not obtained Registration certificate from Department of Geology and Mining and remit the penalty.

7. I respectfully submit that, the report of Sub Collector, Thoothukudi has been submitted to the District Collector, Thoothukudi for getting orders to close and seal the following brick chambers until they remit the penalty and obtain registration certificate of the Department of Geology and Mining ie.VNC Bricks, Sriparasangunallur village, Agni Chamber, Sriparasangunallur village, SKS Bricks Sriparasangunallur village, KPM Bricks Sriparasangunallur village, Aditya Bricks Sriparasangunallur village, Sara Bricks Sriparasangunallur village , Sun Bricks Alwarthoppu village and AA Bricks of Alwarthoppu village.

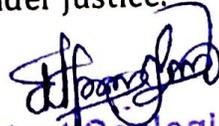
8. The Tahsildar, Srivaikundam, The Village Administrative Officer, Sriparasangunallur village and other members of Taluk Level Task Force Committee were also suitably instructed to constantly vigil over the identified areas.

9. I respectfully submit that, All the enforcing authorities designated under G.O (Ms) No.170 /Ind (MMC1) Department dated 05.08.2020, Revenue Divisional Officer, Tahsildars and Police officials are alerted for keeping constant vigil over the subject area. The Revenue and are engaged in continuous patrolling in vulnerable areas.

10. It is also respectfully submitted that, all efforts are being accelerated to curb unauthorized quarrying and removal of brick earth and their transportation / storage in the brick kilns by the District Level and Taluk Level

Task Force assisted by the flying squad and other enforcement offices round the clock. The public of the river banks of Tamirabharani are also frequently consulted to identify the brick earth quarrying area. The government also liberalized the licensing procedure through rule 44 of the Tamilnadu Minor Mineral Concession Rules 1959 for the reclamation of agricultural lands and removal of earth from such lands to brick kilns and units.

Therefore, in view of the above, the Hon'ble National Green Tribunal (sz) Chennai may accept this reply and may be pleased to order or further direct in the interest of public and mineral development and this render justice.


Assistant Geologist /
Assistant Director I/C
Geology and Mining
Thoothukudi

VERIFICATION

I, Dr. S.Suhatharahima, D/o. A.Siraj Deen, aged 34 years discharging my duties as Assistant Geologist / Assistant Director (i/c) Department of Geology and Mining, Thoothukudi 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

Seal

Date


Assistant Geologist /
Assistant Director I/C
Geology and Mining
Thoothukudi

26.07.23