

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

Original Application No.113 of 2022 (SZ)

To

Original Application No.118 of 2022 (SZ)

K.Mohan Kumar, Coimbatore

...Applicant in OA No.113/2022

P.Balasubramanian, Coimbatore

...Applicant in OA No.114/2022

Selvakumar Nadaraj, Coimbatore

...Applicant in OA No.115/2022

A.Sundaram, Coimbatore

...Applicant in OA No.116/2022

A.Sundaram, Coimbatore

...Applicant in OA No.117/2022

A.Sundaram, Coimbatore

...Applicant in OA No.118/2022

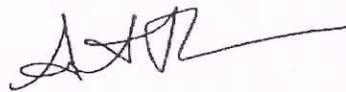
Vs

The Member Secretary
SEIAA, Chennai and ors.

.... Respondents in OA Nos.113-118/2022

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Filed by
Thiru.S. Sai Sathya Jith,
Advocate, Chennai.

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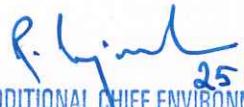
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COMMON REPORT FILED ON BEHALF OF THE 6TH
RESPONDENT-TAMIL NADU POLLUTION CONTROL BOARD.

I, R. Rajamanickam, son of P.M.Ramasamy, Hindu, aged about 58 years, having my office at 76, Mount Salai, Guindy, Chennai-600032, do hereby solemnly affirm and sincerely state as follows:-

1. I am the Additional Chief Environmental Engineer, Tamil Nadu Pollution Control Board (TNPCB), Chennai -600 032, and filing this Reply Affidavit on behalf of the Respondents Tamil Nadu Pollution


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Control Board (TNPCB) and as such I am well acquainted with the facts of the case from the records.

2. It is respectfully submitted that this Hon'ble Tribunal suo motu impleaded this Respondent as 6th Respondent in these Original Applications vide order dated 21.10.2022 and the same reads as under:

"1. In all these applications, the complaint of the applicant is that the project proponent though have obtained the Environmental Clearance (EC), had violated the EC conditions viz., (i) Have mined in excess than the quantity permitted, (ii) Blasting is done in the site when the same is also prohibited, (iii) Project Proponent had not raised proper barriers to reduce noise level, dust pollution and other materials like metal sheets etc. Therefore, there is no greenbelt provided in surrounding area.

.....
.....
3. The State Pollution Control Board is also a necessary party here, as one of the conditions in the Environmental Clearance (EC) is that the project proponent should have obtained the Consent to Operate from the Pollution Control Board.

4. In the interest of the justice, we Suo Motu implead the Tamil Nadu Pollution Control Board as party respondent No.6 in O.A. Nos.113/2022, 114/2022, 117/2022, 118/2022 and 5th respondent in O.A. Nos.115/2022 and 116/2022.

5. We also direct the Tamil Nadu Pollution Control Board to file an independent report after visiting the site adverting to the allegations made in the applications."

3. It is respectfully submitted that the unit of V.RANJITHKUMAR QUARRY is a Rough Stone & Gravel Quarry located at S.F No.179/A1B Part, Pottaiyandipuram Village, Kinathukadavu Taluk, Coimbatore District.
4. It is respectfully submitted that the unit submitted application for CTO - Direct under Water (P&CP) Act, 1974 and Air (P&CP) Act, 1981


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through OCMMS with No. 39622788 dated 23.06.2021 and resubmitted with necessary corrections on 13.07.2021 for Rough Stone and Gravel Quarrying activities over an extent of 1.03.5 Hectare in the Latitude 10°48'45.17"N to 10°48'48.19"N and Longitude 76°57'09.14"E to 76°57'13.49" E for the

- i) Rough Stone (Quarrying Area 1.03.5 Hectares) – 48607 Cu.Meter/Five Years, ii) Gravel (Quarrying Area 1.03.5 Hectares) – 5124 Cu.Meter/Five Years and
 - iii) for the generation of Sewage – 0.8 KLD,
 - iv) no trade effluent generation
 - v) fugitive emission from Drilling and Blasting area.
5. It is respectfully submitted that the unit has already obtained Environmental Clearance from SEIAA, TN, Chennai vide Letter No. SEIAA-TN/F.No.8298/1(a)/EC.No:4640/2021 dated 27.04.2021 valid for 5 years and furnished the same along with the application.
6. It is respectfully submitted that the unit has also furnished approved mining plan for quarrying rough stone and gravel from the Assistant Director (Mines), Coimbatore District vide letter dated 20.01.2021.
7. It is respectfully submitted that the unit has furnished the preliminary inspection reports furnished from various authorities regarding the approved layouts, approved habitations and other criteria:
- a. The Sub Collector, Pollachi letter dated 24.07.2020,
 - b. Tahsildhar, Kinathukadavu letter dated 09.07.2020,
 - c. Land Revenue Inspector, Kinathukadavu dated 06.07.2020
 - d. VAO, Pottayandipurambu Village dated nil
8. It is respectfully submitted that during inspection of the unit on 09.07.2021, the following observations were made.
- i) The unit has obtained Environmental Clearance from SEIAA, Tamilnadu vide Lr. No. SEIAATN/F.No.8298/1(a)/E.C.No.4640/2021 dated 27.04.2021 for the mining activity of 48,607 Cu.m of Rough Stone Mining & 5,124 Cu.m of Gravel Mining over a period of 5 years in the mining lease area of about 1.03.5 Hectares.


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- ii) The proponent has submitted the copy of fresh mining plan approved by the Assistant Director, Geology and Mining, Coimbatore dated 20.01.2021.
 - iii) The quarry has an extent area of 1.03.5 Ha only.
 - iv) No trade effluent will be 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 "Sokkanur" is at a distance of 0.4 kms from the site.
 - vii) Advertisement was issued in the newspaper "Trinity Mirror" & "Makkal Kural" dated 15.05.2021 regarding the Environmental Clearance issued by SEIAA for the proposed quarrying activity.
 - viii) No complaints against the proposed quarrying activity.
9. It is respectfully submitted that based on the above, the subject was recommended for considering the issue of Consent to Operate (CTO) to the unit of M/s V.RANJITHKUMAR QUARRY and placed before the 255th DLCCC meeting dated 16.07.2021 and CTO was issued vide Proc. No. F.3480CBS/RS/DEE/TNPCB/CBS/A&W/2021 dated 17.07.2021 with validity up to 31.03.2026.
10. It is respectfully submitted that in the meanwhile as per the direction of this Hon'ble Tribunal vide order dated 21.04.2023 the quarry was inspected by this Respondent and the following were observed:
1. The unit was not in operation. It was reported by the 5th respondent (Thiru. Ranjith Kumar) the operations were stopped from May 2022 onwards
 2. The part of the top soil/ gravel in the quarry area was found excavated and used to provide bunds along the quarry boundary.
 3. The unit authorities have informed that quarrying activities were stopped as per the orders of Department of Geology and Mining, Coimbatore.


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4. The unit has not provided proper fencing for the quarrying area.

5. The unit authority vide letter dated 24.07.2023 informed that his quarry was not in operation for the last one year and he assured to develop the green belt and fencing work whenever the quarry operation is resumed.

Under the above circumstances, it is humbly prayed that this Hon'ble National Green Tribunal may be pleased to pass such further or other orders as this Hon'ble Tribunal may deem fit and proper in the facts and circumstance of this case and thus render justice.


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BEFORE ME

VERIFICATION

I, R. Rajamanickam, son of P.M.Ramasamy, working as Additional Chief Environmental Engineer, having office at No. 76, Mount Salai, Guindy, Chennai – 32, do hereby submit that the above contents are true to the best of my knowledge and belief through records.


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POLLUTION CONTROL BOARD .

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

Date:26.07.2023

Hearing date on:27.07.2023.