

Item No.7:

**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI**

(Through Video Conference)

Original Application No.80 of 2022 (SZ)

IN THE MATTER OF:

T. Karunapandi
Thoothukudi District.

...Applicant(s)

With

The District Collector
Thoothukudi District and Ors.

...Respondent(s)

Date of hearing: 19.04.2023.

CORAM:

HON'BLE Smt. JUSTICE PUSHPA SATHYANARAYANA, JUDICIAL MEMBER

HON'BLE Dr. SATYAGOPAL KORLAPATI, EXPERT MEMBER

For Applicant(s): Mr. V. Sakkarapani & R. Prabhakaran.

For Respondent(s): Dr. D. Shanmuganathan for R1 to R3.
 Mr. S. Sai Sathya Jith for R4.
 Mr. S. Kamalesh Kannan for R19 & R20.

ORDER

1. Respondents Nos.5 to 20 are the owners of various brick kiln chambers operating in the Alwar Thopu, Sriparangusanallur Village, Srivaikuntam Taluk, Thoothukudi District.
2. According to the applicant, these brick kilns are functioning illegally without any valid lease or license resulting in environmental impact.
3. Even, in our earlier order dated 20.02.2023, which was passed pursuant to the report filed by the Assistant Director, Department of Mines and Geology along with the Special Revenue Inspector (Mines) and the Village Administrative Officer - Sriparangusanallur who had identified the quarry pits and measured the area of brick earth quarried and removed from certain survey numbers and when the said action was unauthorized, we asked them to file a report regarding the action taken for the illegal mining by the brick kiln owners.
4. Today, there is a report filed by the District Collector - 1st Respondent who has furnished a tabular column regarding the Sriparangusanallur Village, Srivaikundam Taluk with survey

numbers and the area in hectares and the quantity of earth removed in cubic meters. Against a few of the brick kiln chambers, a penalty was fixed in the year 2021 itself.

5. However, unfortunately, their action had stopped only with levying penalty and they have not recovered the same and there is no valid reason furnished by the 1st respondent also for not recovering the said amount from the violators. The supporting document which is the report from the Tahsildar - Srivaikundam Taluk also has furnished the details of the brick earth excavated and the levy of penalty against the violators.
6. The proceedings of the Sub Collector - Thoothukudi District dated 01.02.2023 is also pursuant to the directions issued by this Tribunal in the above captioned Original Application. Even the Sub Collector has levied the penalty for a few of the brick kiln chambers.
7. It is also stated that there are several other brick kiln chambers who are indulging in such kind of illegal activity of excavating the brick earth without any lease/ license/ approval and they are not added as a party to this proceedings.

8. Hence, we direct the District Collector - Thoothukudi District to enumerate all the brick kiln owners in Srivaikundam Taluk and furnish the particulars of the lease in their favour (if any) and the violations committed by them and the action taken by the authorities till now. If the authorities have already levied the penalty from the year 2021 for the violations, whether they have taken any action after that by collecting the penalty or cancelling their license/permission/approval. If such action had not been taken, let the report also give valid reasons for their inaction.
9. Let the District Collector - Thoothukudi District take appropriate action against the violators having licenses and also those who are doing an unauthorized excavation of the brick earth.
10. Post the matter on 30.05.2023.

Sd/-
Smt. Justice Pushpa Sathyanarayana, JM

Sd/-
Dr. Satyagopal Korlapati, EM

O.A. No.80/2022 (SZ)
19th April, 2023. Mn.