

Item No.4:-

**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: 23.08.2023.

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.
 Ms. Aarti represented
 Mr. S. Sai Sathya Jith for R4.
 Ms. Gayathri Devi represented
 Mr. S. Kamalesh Kannan for R19 & R20.

ORDER

1. The report of the Assistant Director – Department of Mines and Geology dated 26.07.2023 is filed, wherein the Taluk Level Task Force Committee had issued notices to the offenders to remit the penalty and show cause notice was issued by the Sub Collector – Thoothukudi to 11 of the brick chambers to submit their explanation and to show cause why their chambers should not be closed.
2. Of the 11 brick chambers, the Registration Certificate has already expired for 5 of the brick chambers and a penalty was imposed rising from Rupees One Lakh to One Crore for few of them.
3. It is also stated that they have not remitted the said penalty imposed by the Sub Collector so far. If the brick chambers, which were penalized, have not remitted the penalty amount, why did they not cancel the Registration Certificate and stop order issued to them from further mining by the authorities concerned.
4. Let the District Collector file a detailed report in this regard. **Till such time, the brick chambers (Sl. No.2, 3, 7, 8 and 10 as listed in the table below) are restrained from carrying on any further activity in terms of the mining for the purpose of brick chambers.**

Sl. No.	Name of Brick Chamber
2.	Agni Chamber Sriparasangunallur
3.	SKS Bricks Sriparasangunallur

7.	KPM Bricks Sriparasangunallur
8.	Aditya Bricks Sriparasangunallur
10.	Sun Bricks Alwarthoppu

5. The District Collector is also directed to seize any vehicle being used by the violators pursuant to the notice issued by them as stated in the report. Once the vehicle is seized, unless 50% of the value of the vehicle is remitted, the same should not be released as has been laid down by the Principal Bench of the National Green Tribunal, New Delhi in **O.A. No.110 of 2012 (THC)** (Threat to life arising out of coal mining in South Garo Hills District Vs. State of Meghalaya and Ors.) affirmed by the Hon'ble Supreme Court in **(2019) 8 SCC 177**. The fine amount for mining after the date of the show cause notice till date also should be arrived at. Let the particulars be furnished in the next report.
6. The learned counsel appearing for the applicant is directed to deposit the necessary requisites to take notice on the private brick chambers through the Tribunal today itself.
7. Post the matter on **12.09.2023**.

Sd/-
Smt. Justice Pushpa Sathyanarayana, JM

Sd/-
Dr. Satyagopal Korlapati, EM

O.A. No.80/2022 (SZ)
23rd August, 2023. Mn.