

Item No.17 (i) to (vi):

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

Friday, the 04th day of July.

[Through Physical Hearing (Hybrid Option)]

**Original Application No.113 of 2022 (SZ)
TO
Original Application No.118 of 2022 (SZ)**

IN THE MATTER OF:

O.A. No.113/2022 (SZ):

K. Mohan Kumar

S/o. Kandhasamy Gounder,
Sokkanur, Sokkanur (Post),
Kinnathukadavu,
Coimbatore – 642 109.



Versus

...Applicant(s)

1) The Member Secretary

State Environment Impact Assessment Authority,
3rd Floor, Panagal Maaligai,
No.1, Jeenis Road, Saidapet,
Chennai – 600 015.

2) The District Collector

Office of the District Collector
Coimbatore.

3) The Director

Department of Geology and Mining,
Industrial Estate, Guindy,
Chennai – 600 032.

4) Assistant Director

Department of Geology and Mining,
District Collector Office Building,
Coimbatore – 641 018.

5) V. Ranjith Kumar

S/o. S.A. Velusamy,
6/1, Jawarayan Thottam,
Sukunapuram, Kuniyamuthur,
Coimbatore District.

6) The Member Secretary

Tamil Nadu Pollution Control Board
No.76, Anna Salai,
Guindy, Chennai – 600 032.

...Respondent(s)

WITH

O.A. No.114/2022 (SZ):

P. Balasubramanian
S/o. Pazhanisamy
Karuparayar Kovil Thottam,
Veerapaabagoundanoor,
Sokkanur, Palarpathi Post,
Kinathukadavu,
Coimbatore – 642 109.

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Industrial Estate, Guindy,
Chennai – 600 032.

3) The Assistant Director

Department of Geology and Mining,
District Collector Office Building,
Coimbatore – 641 018.

4) The District Collector

Office of the District Collector
Coimbatore – 641 018.

5) V. Dileep

S/o. T.N. Vijayan Nair,
Vrindavan House,
Peramangalam Post,
Trissur District,
Kerala – 680 545.

6) The Member Secretary

Tamil Nadu Pollution Control Board
No.76, Anna Salai,
Guindy, Chennai – 600 032.

...Respondent(s)

WITH

O.A. No.115/2022 (SZ):

Selvakumar Nadaraj
S/o. Nadaraj
D. No. 109/1,
Sangarayapuram Thottahu Road,
10, Muthoor,
Coimbatore – 642 109.

...Applicant(s)

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Chennai – 600 032.

3) The Assistant Director

Department of Geology and Mining,
District Collector Office Building,
Coimbatore – 641 018.

4) K. Sivakami

No.2/3D, Sangarayapuram,
Kinathukadavu,
Coimbatore District – 642 109.

5) The Member Secretary

Tamil Nadu Pollution Control Board
No.76, Anna Salai,
Guindy, Chennai – 600 032.

...Respondent(s)

WITH

O.A. No.116/2022 (SZ):

A. Sundaram

S/o. Agatheeshwara Gounder
No.9/98, Veerappa Goundanur,
Palarpathi Post,
Kinnathukadavu,
Coimbatore – 642 109.

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Chennai – 600 032.

3) The Assistant Director

Department of Geology and Mining,
District Collector Office Building,
Coimbatore – 641 018.

4) V. Uthirakumar

No.5/13, Muthugoundanur,
Palarpathy Post,
Kinathukadavu,
Coimbatore District – 642 109.

5) The Member Secretary

Tamil Nadu Pollution Control Board
No.76, Anna Salai,
Guindy, Chennai – 600 032.

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WITH

O.A. No.117/2022 (SZ):

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3) The Assistant Director

Department of Geology and Mining,
District Collector Office Building,
Coimbatore – 641 018.

4) The District Collector

Office of the District Collector
Coimbatore – 641 018.

5) N. Gopal

S/o. K. Narayanasamy Gounder,
Singayunur, Marudhathal Thottam,
Sokkanur Village,
Kinathukadavu Taluk,
Coimbatore.

6) The Member Secretary

Tamil Nadu Pollution Control Board
No.76, Anna Salai,
Guindy, Chennai – 600 032.

...Respondent(s)

WITH

O.A. No.118/2022 (SZ):

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S/o. Agatheeshwara Gounder
No.9/98, Veerappa Goundanur,
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Coimbatore – 642 109.

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District Collector Office Building,
Coimbatore – 641 018.

4) The District Collector

Office of the District Collector
Coimbatore – 641 018.

5) R. Muralidharan

Perumbathi
Jameen Kaliyapuram Post,
Pollachi Taluk,
Coimbatore District – 642 001.

6) The Member Secretary

Tamil Nadu Pollution Control Board
No.76, Anna Salai,
Guindy, Chennai – 600 032.

...Respondent(s)

(i) O.A. No. 113 of 2022(SZ):

For Applicant(s):

M/s. Sarvabhauman Associates
Mr. K. Venkata Subban & Mr. S. Mukunth.

For Respondent(s):

Mr. S. Sai Sathya Jith for R1 & R6.
Dr. D. Shanmuganathan for R2 to R4.
M/s. M.N. Balakrishnan, R. Kannan &
Md. Yaqoobkafeel for R5.

(ii) O.A. No. 114 of 2022(SZ):

For Applicant(s):

M/s. Sarvabhauman Associates
Mr. K. Venkata Subban & Mr. S. Mukunth.

For Respondent(s):

Mr. S. Sai Sathya Jith for R1 & R6.
Dr. D. Shanmuganathan for R2 to R4.
Mr. S. Prasanna, Mr. C. Sankar and
Mr. P. Velumaniyan for R5.

(iii) O.A. No. 115 of 2022(SZ):

For Applicant(s):

M/s. Sarvabhauman Associates
Mr. K. Venkata Subban & Mr. S. Mukunth.

For Respondent(s):

Mr. S. Sai Sathya Jith for R1 & R5.
Dr. D. Shanmuganathan for R2 & R3.
M/s. Mouli & A. Sriram for R4.

(iv) O.A. No. 116 of 2022(SZ):

For Applicant(s):

M/s. Sarvabhauman Associates
Mr. K. Venkata Subban & Mr. S. Mukunth.

For Respondent(s):

Mr. S. Sai Sathya Jith for R1 & R5.
Dr. D. Shanmuganathan for R2 & R3.

M/s. KNS Law Chambers,
Kaushik N Sharma, J. Jeya Sabare Eswaran,
E.M. Sachin & T. Kiran Rani for R4.

(v) O.A. No. 117 of 2022(SZ):

For Applicant(s): M/s. Sarvabhauman Associates
Mr. K. Venkata Subban & Mr. S. Mukunth.

For Respondent(s): Mr. S. Sai Sathya Jith for R1 & R6.
Dr. D. Shanmuganathan for R2 to R4.
M/s. M.N. Balakrishnan, R. Kannan &
Md. Yaqoobkafeel for R5.

(vi) O.A. No. 118 of 2022(SZ):

For Applicant(s): M/s. Sarvabhauman Associates
Mr. K. Venkata Subban & Mr. S. Mukunth.

For Respondent(s): Mr. S. Sai Sathya Jith for R1 & R6.
Dr. D. Shanmuganathan for R2 to R4.
M/s. N. Ponraj & C. Prabhu for R5.

Judgment Reserved on: 03rd June, 2025.

CORAM:

HON'BLE Smt. JUSTICE PUSHPA SATHYANARAYANA, JUDICIAL MEMBER

HON'BLE Dr. SATYAGOPAL KORLAPATI, EXPERT MEMBER

COMMON JUDGEMENT

Delivered by Smt. Justice Pushpa Sathyanarayana, Judicial Member

1. The above-captioned Original Applications [O.A. Nos.113 to 118 of 2022 (SZ)] are filed by separate individuals said to have been affected by quarrying and mining activities undertaken by private parties in violation of environmental regulations and the conditions imposed in the clearances/permissions/ approvals granted.

2. Since the quarry lands are situated in Coimbatore district and all cases were filed by the same counsel, the matters were heard together.

3. The key averments from each Original Application are summarized as follows:-

O.A. No.113 of 2022 (SZ)

The State Environmental Impact Assessment Authority (**SEIAA**) – Tamil Nadu granted Environmental Clearance (**EC**) to the **5th Respondent (V. Ranjith Kumar)** for rough stone and gravel quarry over an extent of **1.03.5 Hectares at S.F. No. 179/A1B (Part), Pottaiyandipurambu Village, Kinathukadavu Taluk, Coimbatore District** vide Letter dated 27.04.2021, following the lapse of the previous EC in 2013. Based on this, a quarry licence was issued on 28.07.2021 by the Assistant Director of Geology and Mining, upon the recommendation of the Sub Collector, Pollachi, and the Assistant Geologist, with certification from SEIAA and the Tamil Nadu Pollution Control Board. The Applicant alleges that the EC was obtained through suppression and misrepresentation of facts. High-voltage underground electric lines supplying 8 villages were misrepresented as low-voltage to secure TNEB approval dated 30.04.2020 for relocation. Quarrying was conducted in violation of safety norms—within 8 meters of a public road and 10 meters of electric lines—while concealing the presence of the Harijan Colony (382 meters) and the Karupian Temple (491 meters). The 5th Respondent exceeded the approved quantity of 48,607 Cu.M of rough stones and 5,124 Cu.M of other material, used explosives excessively, and operated the quarry for up to 23 hours daily. Blasting activities damaged nearby agricultural lands, houses, and borewells, as highlighted in a complaint by the Coimbatore Farmers Sangam dated 29.04.2022. No green belt or noise barriers were installed, and the required 5-meter bench height was not maintained.

O.A. No.114 of 2022 (SZ)

The Department of Geology and Mining granted a mining lease to the **5th Respondent (V. Dileep)** under the Tamil Nadu Minor Mineral Concession Rules, 1959, which authorized the extraction of 524,980 Cu.M of ordinary stones from 20.11.2020 to 19.11.2025 and 34,092 Cu.M of gravel from 20.11.2020 to 19.11.2023, at **S.F. Nos.728/2, 729/1, 729/2 and 729/3 of Sokkanur Village, Kinathukadavu Taluk, Coimbatore District** admeasuring **2.78.5 Hectares**, based on Environmental Clearance (EC) granted by SEIAA-TN dated 10.02.2020

and approval from the Pollution Control Board. However, the Applicant discovered that the EC and lease were obtained by suppressing material facts and misrepresentations. During a hearing on 20.02.2020, the Applicant objected, citing the proximity of his 4-hectare agricultural land in S.F.No.741 and potential harm from dust and chemical emissions, but authorities dismissed the concern citing procedural compliance. The 5th Respondent falsely claimed to have acquired No Objection Certificates from local residents. Quarrying activities impacted residences in S.F. Nos. 741/2B, 745/1B, 746/1A, and 726/1B—situated within 132 to 260 meters—as well as undisclosed wells and borewells in S.F. Nos. 747/1A and 746/1A, within 90 and 162 meters respectively. Additional borewells within 300 meters were also affected. The Respondent operated the quarry for 15 hours daily, violating the permissible 7 AM to 5 PM schedule, without implementing green belt buffers or dust and noise mitigation measures. The nearby Nattaru River and its check dams suffered ecological damage, and surrounding agricultural lands were adversely affected. Further violations included the absence of proper fencing or red-flagged demarcation, failure to maintain a 2-meter buffer above the groundwater table, and mining beyond depth limits. No wet drilling, delay detonators, or vibration-reduction methods were used, nor were vibration studies or monitoring records maintained. A mandatory 50-meter safety distance from the low-tension electricity line in S.F. No.741 was ignored, and a 7.5-meter buffer from quarry boundaries was not observed. Additionally, red soil was illicitly extracted beyond lease limits, camouflaged with sand.

O.A. No.115 of 2022 (SZ)

The **4th Respondent (K. Sivakami)** obtained a mining lease from the Department of Geology and Mining on 23.02.2021, based on Environmental Clearance granted by SEIAA – Tamil Nadu and in accordance with the guidelines issued by the Commissioner of Geology and Mining, Chennai dated 19.11.2012 for rough stone and gravel quarry over an extent of **1.06.5 Hectares at S.F. No.187/A2 (part) of Sangarayapuram Village, Kinathukadavu Taluk, Coimbatore District**. Subsequently, the villagers of Sankarayapuram submitted a joint representation to the Muthoor Panchayat Union raising serious concerns over the quarrying activities. Acting on a resolution dated 01.05.2022, the Block Development Officer forwarded the grievance to

the 3rd Respondent, recommending cancellation of the quarry licence in S.F. No.187/A2(P) to protect agricultural interests and public safety. It was later revealed that the lease was obtained by concealing critical facts, including the presence of residential houses, the Maduraiveeran Temple, wells, borewells, and agricultural lands within a 300-metre radius. The 4th Respondent violated several conditions by (i) Extracting beyond the approved limit of 98,960 Cu.M of rough stones and 10,212 Cu.M of gravel; (ii) Operating the quarry for up to 23 hours per day, far in excess of permitted hours; (iii) Failing to develop a green belt or install barriers (e.g., metal sheets), leading to the spread of fly-rock, dust, and damage to agricultural lands and water resources; (iv) Not demarcating the site with wire fencing or red-flagged pillars; (v) Violating hydro-geological norms by not maintaining a 2-metre buffer above the groundwater table and exceeding the approved mining depth; (vi) Omitting dust and vibration control measures such as wet drilling, delay detonators, or shock tube systems; and (vii) Failing to conduct blast parameter studies, maintain vibration monitoring, or keep inspection records.

O.A. No.116 of 2022 (SZ)

The **4th Respondent (V. Uthirakumar)** obtained Environmental Clearance (EC) from SEIAA – Tamil Nadu on 09.09.2020 for rough stone and gravel quarry over an extent of **1.00.0 Hectares at S.F. No.183/2 (part) of Sokkanur Village, Kinathukadavu Taluk, Coimbatore District**, and subsequently secured a mining lease from the Assistant Director of Geology and Mines on 29.01.2021. It is alleged that both the EC and lease were obtained by suppressing material facts and through misrepresentation. The 4th Respondent has been conducting mining operations in violation of the approved limits—143,920 Cu.M of rough stone and 8,428 Cu.M of gravel—thereby breaching the lease conditions. The Applicant and concerned villagers submitted multiple representations to the authorities, raising concerns that the quarry is located amidst agricultural land and near the Nattaru river, posing serious risks to both human life and agricultural activity. Blasting operations have resulted in damage to houses and check dams, and have contaminated vital water sources, including wells used for irrigation. Further violations include the failure to develop a green belt, lack of dust control mechanisms, absence of boundary demarcation with fencing or red flags, and non-compliance with safety norms such as maintaining a

2-metre buffer above the groundwater table. The Respondent has not implemented wet drilling, delay detonators, or shock tube systems to reduce dust and vibration. Additionally, no scientific study on blast parameters or regular vibration monitoring has been undertaken. It was also observed that the 4th Respondent, along with other quarry operators in Sokkanur, Muthugoundanur, and Puravipalayam, had altered natural water streams by constructing dams to expand quarry operations near rivers and water bodies, resulting in ecological degradation and illegal extraction of mineral resources.

O.A. No.117 of 2022 (SZ)

The Applicant states that a quarry lease was granted to the **5th Respondent (N. Gopal)** by the Assistant Director of Geology and Mines on 24.12.2018 under the Tamil Nadu Minor Mineral Concession Rules, 1959 for rough stone and gravel quarry over an extent of **1.16.5 Hectares at S.F. Nos.790/1B and 792/1 (Part) having an extent of 0.36.5 Hectares and 0.80.0 Hectares respectively in Sokkanur Village, Kinathukadavu Taluk, Coimbatore District.** The lease was allegedly obtained through suppression of material facts and misrepresentation. The 5th Respondent failed to disclose that the proposed quarry site lies within 300 metres of residential buildings, agricultural lands, wells, canals, streams, check dams, and roads. These omissions have resulted in substantial harm to agriculture—the primary livelihood of the region—and caused contamination of water bodies due to debris from blasting and dust pollution. Notably, the quarry is situated just 8 metres from a public road, contravening mandatory setback norms. The Respondent has violated lease and EC conditions by (i) Using explosives indiscriminately; (ii) Exceeding sanctioned mining quantities; (iii) Failing to develop a green belt or implement dust control measures; (iv) Operating without proper fencing or red-flag demarcation; (v) Breaching the required 2-metre buffer above the groundwater table and mining beyond the approved depth; (vi) Ignoring essential safety practices like wet drilling, delay detonators, and shock tube systems; (vii) Neglecting to conduct blasting studies or monitor vibrations; (viii) Failing to perform groundwater monitoring every six months or submit annual reports to TNPCB; and (ix) Violating the Environmental Management Plan and not restoring the mined area.

O.A. No.118 of 2022 (SZ)

The SEIAA – Tamil Nadu granted Environmental Clearance (EC) to the **5th Respondent (R. Muralidharan)** on 14.06.2017 for rough stone and gravel quarry over an extent of **2.63.0 Hectares at S.F. No.311/1A (Part) of Puravipalayam Village, Pollachi Taluk, Coimbatore District**. The 5th Respondent later obtained the lease by suppressing material facts and misrepresenting details. Between 29.10.2021 and 29.11.2021, the Applicant, representing the village panchayat and local farmers' associations, submitted five representations raising concerns about quarrying in Sokkanur, Muthugoundanur, and Puravipalayam. Further, it is alleged by the applicant that the quarries are located near agricultural lands and the Nattaru River. Cause groundwater pollution, damage to wells, check dams, and agricultural fields through blasting. Have endangered livestock and native species (e.g., peacocks) in S.F.No.311/4B, Puravipalayam, due to intense vibrations. The 5th Respondent violated EC conditions by (i) Mining beyond permitted limits: 19,250 Cu.M of rough stones and 3,955 Cu.M of gravel; (ii) Operating up to 23 hours/day, exceeding the allowed 7 a.m. to 5 p.m. schedule; (iii) Failing to install barriers (fencing, green belts, metal sheets); (iv) Overusing explosives, lacking proper boundary demarcation; (v) Ignoring depth restrictions (2 m above groundwater) and approved mining depth; (vi) Not using wet drilling or delay detonators to mitigate impacts; (vii) Failing to conduct scientific blasting studies or monitor vibrations; (viii) Not submitting biannual groundwater data or annual environmental reports to the TNPCB; and (ix) Disregarding the Environmental Management Plan, and not restoring the mined area. The Applicant further alleges that similar illegal quarrying and damming of streams is occurring in nearby villages, exacerbating ecological threats.

4. Despite multiple representations made by the applicant, the authorities have failed to take any substantive action, and the quarry operations persist without interruption. In the absence of any alternative remedy, the Applicant, in the respective case, is compelled to approach this Tribunal, seeking appropriate relief and necessary action against the illegal quarrying activities carried out by the concerned private respondent.

5. Upon notice, all official and private respondents in these matters have entered appearance through their respective counsels and submitted their pleadings.

6. The private respondent in each case has submitted a counter/reply affidavit, the contents of which are set out below in a concise summary.

O.A. No.113 of 2022 (SZ)

The 5th Respondent categorically denies all allegations and averments in the application except those expressly admitted herein. The application is self-serving, baseless, and liable to be dismissed. The 5th Respondent obtained Environmental Clearance from the SEIAA – Tamil Nadu on 27.04.2021, following due legal procedures, for mining rough stone and gravel. Subsequently, the Assistant Director of Geology and Mining, Coimbatore, granted the quarry lease vide Order dated 28.07.2021. A valid lease agreement was executed, and all statutory conditions were duly complied with. Upon commencement of operations, the applicant and others began obstructive activities, including filing repetitive representations against the clearance and lease for undisclosed reasons. To prevent obstruction of quarry operations, this Respondent filed police complaints on 15.12.2021 (C.S.R. No. 266/2021) and 27.04.2022 (C.S.R. No. 62/2022), the latter alleging extortion. The Sub-Collector, after inquiry, found no approved layouts or residences within 300 meters and declared the Odai defunct. The Respondent took multiple legal and administrative steps, including filing police complaints and writ petitions, to address and prevent ongoing illegal obstruction of quarry operations. Despite the Sub-Collector's inquiry confirming no legal hindrances, and High Court directions in support of the Respondent, obstructions continued, leading to preventive action under Section 107 Cr.P.C. and execution of bonds against the applicant and associates. Allegations in the preliminary report about inadequate fencing are denied; however, this Respondent undertakes to make minor repairs. The application for shifting the EB line was submitted as early as 23.09.2021, with Rs.37,600 deposited, though objections were raised by the applicant to prevent the shifting. Yet another police complaint was filed following an assault on quarry workers. The police advised approaching courts for redressal. Till date, quarrying has only

reached a depth of 5 meters, though 17 meters is sanctioned, as acknowledged in the preliminary report. Allegations of extended working hours, damage to property, violation of safety norms, and quarrying near prohibited zones are false and baseless. Continuous obstruction by the applicant, who is allegedly a competitor in the same business, is causing serious financial loss and personal hardship to this Respondent. The allegations are aimed at stalling operations and extorting money, thereby aiding competitors. Hence, the 5th Respondent prayed this Tribunal to dismiss the application as devoid of merit and impose exemplary costs.

O.A. No.114 of 2022 (SZ)

The 5th Respondent denies all allegations raised by the applicant, asserting that the quarrying operations have been conducted strictly in compliance with environmental laws, conditions imposed by regulatory authorities, and standard operating procedures. The 5th Respondent states that the consent was obtained from nearby villagers before operations began. The lease was granted after due inspection by competent authorities, and no material facts were suppressed. Quarry operations follow pollution control norms. Controlled blasting and wet drilling techniques are employed to minimize dust, noise, and vibrations. Coconut plantations around the quarry act as natural green belts. Proper fencing has been erected. Regular tests are conducted to monitor environmental impact. No fly rocks or unauthorized extraction beyond the approved depth have occurred. Claims regarding harm to check dams, unauthorized red soil extraction, 23-hour operations, and property damage are termed baseless, vexatious, and motivated by malice. The respondent holds valid quarrying lease and Environmental Clearance (EC) for extraction. All operations remain within the approved quantity and depth. The application is alleged to be filed with malicious intent, lacking credible evidence, and is a misuse of judicial process. Hence, the 5th Respondent prayed this Tribunal to dismiss the application with exemplary costs.

O.A. No.115 of 2022 (SZ)

The 5th Respondent denies all allegations made by the Applicant in the Original Application, terming them false, frivolous, and baseless. The respondent clarifies that the Sankarayapuram is a small village

with fewer than 60 houses and is located 2 km from the quarry site. The quarry is situated in S.F. No.187/A2(P), measuring 1.06.5 hectares, and is operated with a license issued on 23.02.2021 by the competent authority, following environmental clearance. The license was granted after site inspection and satisfaction of all statutory conditions. The Respondent denies suppressing any vital information and claims no residential houses, temples, wells, borewells, or agricultural lands exist within 300 metres of the quarry site. It is further stated that the quarrying is done within approved limits (98,960 Cu.M. of rough stone and 10,212 Cu.M. of gravel). Operations are conducted within the prescribed hours (7 a.m. to 5 p.m.). Green belt was provided but damaged during monsoon and has been restored. Proper fencing and demarcation with red flags have been implemented. Bench height and depth are maintained as per regulations. Wet drilling methods are used to control dust. Delay detonators and shock tube systems are used to reduce vibrations. Periodic monitoring of quarry operations, including vibrations and blast parameters, is undertaken by authorities. The respondent provides specific rebuttals to each ground raised by the Applicant, asserting full compliance with environmental, safety, and operational norms. There are no violations of Articles 21 or 51A(g) of the Constitution, nor are there any public roads, canals, or other prohibited structures nearby. The respondent alleges the Applicant's intentions are mala fide, driven by personal animosity and jealousy. Hence, the 5th Respondent prays for the dismissal of the application with costs, citing full compliance with all statutory requirements and lack of merit in the Applicant's claims.

O.A. No.116 of 2022 (SZ)

The 4th Respondent denies all allegations and submits that the quarry is legal, duly permitted by the competent authority, and operates in compliance with all applicable Acts and Rules. The quarry lease was granted lawfully and is functioning as per statutory provisions. Prior to grant of lease, both the Revenue Divisional Officer, Pollachi and the Assistant Director, Geology & Mining conducted thorough inspections and confirmed the absence of prohibited structures or conditions. No facts were suppressed. There are no habitations, water bodies, or protected structures within the safety limits. Nearby agricultural shed owners provided written no-objection, and public hearing responses

were favourable. There has been no violation of lease terms or Environmental Clearance (EC). Low-intensity explosives and wet-drilling methods are used to control dust and vibrations. No excess extraction occurred. Proper noise and pollution control measures, including barriers and green belt development, have been implemented. No complaints have been received from residents or local bodies apart from the applicant. All aspects of the approved mining plan have been strictly followed. Fencing and entry/exit gates are properly installed, and the lease area is demarcated with red-flagged wire fencing. Mining operations do not exceed the permitted depth; groundwater levels remain unaffected. Dust emissions are controlled through wet drilling. Only mild explosives are used to minimize impact. The site is regularly inspected by the licensing and revenue authorities, and records are properly maintained. A government cart track lies 10m from the lease area. A safety buffer of 7.5m is maintained along the boundary as per lease conditions, verified by inspection and supported by photographs. No water canals exist within 50m, a fact confirmed in the EC and inspection reports. The lease periods for rough stone (5 years) and gravel (3 years) are valid, and operations remain within the permissible quantity limits. Hence, the 4th Respondent prayed for dismissal of the application, as it is not maintainable, and also to impose exemplary costs on the applicant for filing a frivolous petition.

O.A. No.117 of 2022 (SZ)

The 5th Respondent states that the Environmental Clearance was granted by the SEIAA-Tamil Nadu for rough stone quarrying for a period of five years, following all legal formalities. The lease was issued by the Assistant Director of Geology and Mining on 24.12.2018, and a valid agreement was executed. Following the grant of EC and lease, the Applicant and his associates began opposing the project through repeated objections and obstructive conduct. Due to threats and extortion attempts by the Applicant and his relatives, the respondent filed W.P. No.12923 of 2022 before the Hon'ble High Court, seeking police protection. By order dated 18.05.2022, the Court confirmed the validity of his license and directed the police to ensure protection, restraining others from interfering unlawfully. A complaint (CSR No. 101/2022) was also lodged on 21.05.2022 against the Applicant's relatives for issuing

threats and demanding Rs.30 lakhs. The Applicant's brother, A. Subramaniam, operates a competing quarry just 3 km away, indicating a clear commercial rivalry and ulterior motive. Allegations concerning over-extraction, structural damage, and inadequate fencing are denied. However, the Respondent undertakes to carry out minor fence repairs, if necessary. The respondent contends that the quarrying activities have been suspended since August 2022 and no operations have taken place for the last six months. The lease was granted only after due site inspection by the Sub-Collector. Claims regarding nearby buildings, agricultural lands, or water sources within 300 meters are unsubstantiated. All statutory requirements were duly complied with prior to the grant of clearance. The respondent further contends that the application is driven by personal enmity and aimed at disrupting his lawful operations for the benefit of his commercial competitors. Thus, the application is self-serving, baseless, and liable to be dismissed.

O.A. No.118 of 2022 (SZ)

The Applicant lacks *locus standi*, as he is not a resident of Puravipalayam Village where the quarry operations are situated, but resides in Kinathukadavu Taluk, which falls outside Pollachi Taluk. The Applicant is merely a name lender for one Mr. Thangam David, who had previously operated a quarry on the respondent's land under a lease until 2015. Upon expiry of the lease, the respondent commenced lawful quarry operations, which Mr. Thangam David attempted to obstruct by initiating frivolous litigations, including W.P. No.13637 of 2018 and W.P. No.25414 of 2019, filed by another name lender, Mr. Ramkumar. Both petitions were filed through the same counsel, indicating a coordinated effort to harass this respondent. The present application is another such attempt to stall the respondent's lawful operations and has been filed by suppressing material facts. The respondent has duly applied for the renewal of his EC and quarry license, and operations have been halted pending renewal. The application, filed beyond the period of limitation, is claimed to be a strategic move to derail the renewal process. The Applicant's own brother, Mr. Subramaniam, is engaged in quarrying activities in S.F. No.894, Veerappagoundanur, Kinathukadavu Taluk — near the area mentioned in the application — yet this material fact has been deliberately omitted, indicating mala fide intent and

selective targeting. The quarrying operations in S.F. No.311/1A(P), Puravipalayam Village, Pollachi Taluk were carried out with all requisite approvals. The EC was granted on 16.12.2018 and was valid until 05.12.2022, after full compliance with statutory procedures. The allegations of ongoing quarrying and environmental harm are categorically denied. The respondent asserts that all operations have ceased following the expiry of the license, and the allegations made in the application are false, irrelevant, and factually incorrect. Hence, the application is devoid of merit, filed with ulterior motives, and is liable to be dismissed with exemplary costs.

7. The State Environmental Impact Assessment Authority (SEIAA) – Tamil Nadu has filed a counter affidavit outlining the process followed during the appraisal of the proposal submitted by the respective Project Proponent for Environmental Clearance for rough stone and gravel quarrying. It also details the conditions imposed by the State Expert Appraisal Committee (SEAC) – Tamil Nadu, SEAC's recommendation to grant Environmental Clearance, and the subsequent issuance of the Environmental Clearance based on that recommendation.

8. The Tamil Nadu Pollution Control Board and the Department of Geology and Mining, in all these matters, have filed their respective reports following site inspections.

9. For clarity and better understanding, the significant observations, instances of non-compliance recorded by both authorities, and the particulars of approvals/ clearances/ consents granted to the respective private respondents have been comprehensively summarized in the table below:-

O.A. No. & Project Proponent	Consolidated Observations (Dept. of Geology & Mining + TNPCB)	Details of approval/clearance/ consent and its validity
113 of 2022 (Ranjith Kumar)	<ul style="list-style-type: none"> ➤ Operations ceased in May 2022. ➤ Violated 50m safety distance from EB line. 	❖ EC issued by the SEIAA-TN dated 27.04.2021 (valid for 5 years i.e. from the

	<ul style="list-style-type: none"> ➤ No proper fencing. ➤ Quarrying was done only up to a depth of 5m though the permitted level is 17m. ➤ Transported 3,258 Cu.M. rough stone and 3,066 Cu.M. gravel. ➤ Bunds formed using topsoil/gravel. ➤ No proper green belt is provided around the quarry area. 	<p>date of execution of the mining lease)</p> <ul style="list-style-type: none"> ❖ Mining lease dated 28.07.2021. ❖ CTO issued by the TNPCB dated 17.07.2021 (Valid up to 31.03.2026)
114 of 2022 (V. Dileep)	<ul style="list-style-type: none"> ➤ The unit was in operation as on 12.09.2023. ➤ Extracted 54,069 Cu.M. rough stone without a permit. ➤ 35,950 Cu.M. of rough stone and 1691 Cu.M. of gravel were found dumped within the lease area. ➤ Lacked fencing, green belt, and water sprinkling. ➤ A penalty of Rs.4.48 crore was imposed; against which an appeal is pending. 	<ul style="list-style-type: none"> ❖ EC issued by the SEIAA-TN dated 10.02.2020 (valid for 5 years i.e. from the date of execution of the mining lease). ❖ Mining lease dated 20.11.2020 (For rough stone - valid from 20.11.2020 to 19.11.2025 and gravel - valid from 20.11.2020 to 19.11.2023) ❖ CTO issued by the TNPCB dated 19.06.2020 (Valid up to 31.03.2025)
115 of 2022 (K. Sivakami)	<ul style="list-style-type: none"> ➤ The unit was in operation as on 12.09.2023. ➤ Excavated 7m (permitted level: 37m). ➤ Permits obtained for 7,200 Cu.M. of rough stone; 	<ul style="list-style-type: none"> ❖ EC issued by the SEIAA-TN dated 08.02.2022 (valid for 5 years i.e. from the date of execution of the mining lease).

	<p>remitting seigniorage fee of Rs.4.24 lakh.</p> <ul style="list-style-type: none"> ➤ Safety distances from the adjacent patta land and the EB line are maintained. ➤ Lacked fencing, green belt, and water sprinkling. ➤ No groundwater report. 	<ul style="list-style-type: none"> ❖ Mining lease dated 05.02.2021 (valid for 5 years). ❖ CTO issued by the TNPCB dated 11.03.2022 (Valid up to 31.03.2026)
116 of 2022 (V. Uthirakumar)	<p>The unit was in operation as on 12.09.2023.</p> <ul style="list-style-type: none"> ➤ Excavated up to a maximum depth of 15m (permitted level: 42m). ➤ Transport permits were obtained for 34,680 Cu.M. rough stone and 8100 Cu.M. of gravel, remitting ₹23.13 lakh seigniorage fee. ➤ The nearby Odai is 150m away. ➤ Safety distance violations noted. ➤ Lacked green belt, water sprinkling, fencing. ➤ No groundwater report. ➤ For excess mining in violation the mining lease condition, a sum of Rs.10,31,300/- was imposed as fine by the Sub Collector, Pollachi, which the unit has paid in three instalments. 	<ul style="list-style-type: none"> ❖ EC issued by the SEIAA-TN dated 09.09.2020 (valid for 5 years i.e. from the date of execution of the mining lease). ❖ Mining lease dated 29.01.2021 (For rough stone - valid from 29.01.2021 to 28.01.2026 and gravel - valid from 29.01.2021 to 28.01.2024) ❖ CTO issued by the TNPCB dated 28.10.2020 (Valid up to 31.03.2025)
117 of 2022 (N. Gopal)	<p>The unit was in operation as on 12.09.2023.</p> <ul style="list-style-type: none"> ➤ Lacked fencing, greenbelt and water sprinkling. 	<ul style="list-style-type: none"> ❖ EC issued by the DEIAA-TN dated 04.10.2018 (valid for 5 years i.e. from the

	<ul style="list-style-type: none"> ➤ Quarrying in the southern area and outside lease (S.F. No. 790/1A). ➤ Quarried up to a depth of 14m (permitted level is 26m). ➤ Permits were obtained for 29,405 Cu.M. rough stone and 8730 Cu.M. of gravel. ➤ The penalty of Rs.10.98 crore was imposed for transporting 187,055.26 Cu.M. of rough stone and 21,811.72 Cu.M. of gravel without a valid permit; against which an appeal is pending. 	<p>date of execution of the mining lease).</p> <ul style="list-style-type: none"> ❖ Mining lease dated 24.12.2018 (valid till 23.12.2023) ❖ CTO issued by the TNPCB dated 29.11.2018 (Valid up to 31.03.2023)
118 of 2022 (R. Muralidharan)	<p>❖ The unit found non-operational.</p> <ul style="list-style-type: none"> ❖ Quarrying up to 40m (permitted: 41m). ❖ Quarrying outside lease area and lacked proper fencing. ❖ Transport permits issued for 2,61,312 Cu.M. rough stone and 7560 Cu.M. of gravel, remitting Rs.1.66 crore of seigniorage fee. ❖ Penalty of Rs.33.63 crore was imposed for quarrying and transporting 2,46,043 Cu.M. of rough stone and 15,341 Cu.M. of gravel without a valid permit; against which an appeal is pending. 	<ul style="list-style-type: none"> ❖ EC issued by the SEIAA-TN dated 14.06.2017 (valid for 5 years i.e. from the date of execution of the mining lease). ❖ Mining lease dated 06.12.2017 (valid till 05.12.2022) ❖ CTO issued by the TNPCB dated 19.10.2017 (Valid up to 31.03.2022)

10. Based on the inspection reports submitted by the authorities, it is evident that, among the six private respondents listed in the table above, the *Consent to Operate* issued by the TNPCB had expired in the case of four units. The remaining two

consents are set to expire in March 2026. Additionally, the *Environmental Clearance* and *Mining Lease* granted to certain private respondents have also lapsed.

11. With respect to the quarrying and transportation of rough stone and gravel by the private respondents in O.A. Nos.114, 117, and 118 of 2022 (SZ), it was found that such activities were undertaken without valid permits. A detailed survey was conducted, and fines were imposed for the violations identified. The aggrieved respondents have preferred appeals, which are presently pending final adjudication.

12. It is clarified that the penalties imposed for the aforementioned violations shall remain recoverable, subject to the outcome of the pending appeals.

13. Furthermore, during the site inspection, the authorities observed non-compliance with several conditions stipulated in the *Environmental Clearance* and *Consent to Operate*, including:

- a. Absence of fencing, inadequate greenbelt development;
- b. Failure to maintain safety distances;
- c. Lack of water sprinkling; and
- d. Non-submission of groundwater reports.

However, it remains unclear whether any consequential action has been initiated in response to these violations.

14. While renewing the consent, the TNPCB shall ensure that any penalties imposed for past violations are duly recovered from the project proponent. Continuation of operations shall not be permitted unless such penalties are fully paid.

15. Dust emissions from quarrying operations primarily arise from activities such as drilling, blasting, excavation, crushing, loading, and the transportation of materials, particularly on unpaved roads. These emissions pose significant environmental and health hazards, including deterioration of air quality, respiratory conditions such as asthma and silicosis, damage to

surrounding vegetation, and potential contamination of nearby water bodies. To mitigate these impacts, it is essential to implement control measures such as,

- (i) Regular water sprinkling
- (ii) Development of greenbelts
- (iii) Laying of tarred or concrete roads
- (iv) Enclosure of dust-generating equipment
- (v) Installation of windbreaks.

16. Quarry operators must also be required to conduct regular ambient air quality monitoring and adopt best practices, including controlled blasting and proper maintenance of vehicles and machinery. Adoption of these measures not only ensures compliance with environmental regulations but also significantly reduces the adverse environmental and public health effects of quarrying activities.

17. Keeping this in mind, the TNPCB is advised to impose specific pre-conditions on project proponents prior to granting *Consent to Operate* for quarrying and mining activities. These may include the mandatory laying of tarred or concrete roads for transportation of mined materials, as a means to effectively control dust emissions. Furthermore, at the time of filing applications for *Environmental Clearance* or *Consent to Operate*, project proponents should be required to initiate greenbelt development by planting saplings around the quarry area. This approach would ensure that by the time approvals are granted, the saplings have matured sufficiently to serve as an effective dust barrier during operational phases. These precautionary conditions are recommended in light of the frequent concerns raised in litigation regarding dust pollution. The TNPCB may accordingly explore incorporating these conditions into its regulatory framework.

18. In view of the above, the following directions are issued:

18.1 In respect of **O.A. No.113 of 2022 (SZ)**, though the quarry operations have remained suspended since May 2022, it is noted that the CTO issued by the TNPCB

remains valid until 31.03.2026, and the mining lease is valid for a period of five years from 2021. However, considering the violations—namely, the failure to maintain the mandated 50-meter safety distance from the EB line and the lack of a proper greenbelt around the quarry area—the unit is hereby directed to report a compliance to the TNPCB addressing the said deficiencies prior to recommencement of operations. The TNPCB shall verify the compliance status on site. Though the validity of the CTO is until 31.03.2026, the unit shall not resume quarrying activities unless and until explicit written permission is granted by the TNPCB.

18.2 In respect of **O.A. No.114 of 2022 (SZ)**, it is observed that the unit was in operation as on the date of inspection conducted by the TNPCB on 12.09.2023. The mining lease remains valid up to 19.11.2025, and the CTO issued by the TNPCB is valid till 31.03.2025. A penalty of Rs.4.48 Crores has been imposed by the Department of Geology and Mining for excess quarrying, which is currently under challenge in an appeal pending before the District Collector. The TNPCB shall assess the environmental damages only after disposal of the said appeal. Upon disposal of the appeal, the TNPCB is directed to levy and recover the appropriate environmental compensation. The unit shall not be permitted to resume or continue operations unless and until the penalties imposed by both the Department of Geology and Mining and the TNPCB are fully paid. In addition, the unit must ensure full compliance with all conditions stipulated in the Consent, including provision of fencing, development of greenbelt, water sprinkling, and other environmental safeguards.

18.3 In respect of **O.A. No.115 of 2022 (SZ)**, it is noted that the unit was in operation as on the date of inspection carried out by the TNPCB on 12.09.2023. Though the mining lease is valid up to 04.02.2026 and the CTO issued by the TNPCB remains valid till 31.03.2026, the unit has failed to comply with key conditions, including provision of proper fencing around the quarry area, development of a greenbelt, and implementation of water sprinkling measures. Accordingly, before resuming any quarrying operations, the

unit is directed to report a compliance to the TNPCB detailing the rectification of the previously noted shortcomings. The TNPCB shall verify such compliance through inspection. Notwithstanding the continued validity of the lease and consent, the unit shall not recommence operations unless and until written permission is specifically granted by the TNPCB.

18.4 In respect of **O.A. No.116 of 2022 (SZ)**, it is observed that the unit was in operation as on the date of inspection conducted by the TNPCB on 12.09.2023. While the mining lease and Environmental Clearance remain valid up to 2026, the CTO issued by the TNPCB expired on 31.03.2025, and it is not clear whether the same has been renewed. Further, in view of the violation of mining lease conditions through excess extraction, a penalty of Rs.10,31,300/- was imposed by the Sub Collector, Pollachi, which the unit has remitted in three instalments, as corroborated by the Department of Geology and Mining. Additionally, the unit has not complied with certain environmental safeguards, particularly the development of a proper greenbelt and implementation of water sprinkling measures. Accordingly, the unit must obtain renewal of the CTO from the TNPCB prior to recommencement of operations. The unit shall also report compliance addressing the previously noted deficiencies, which the TNPCB shall verify during the consent renewal process. Notwithstanding the validity of other approvals, the unit shall not resume operations unless and until the TNPCB grants written permission to recommence.

18.5 In respect of **O.A. No.117 of 2022 (SZ)**, it is noted that the unit was operational as on the date of inspection conducted by the TNPCB on 12.09.2023. As per the records of the TNPCB and the Department of Geology and Mining, the Environmental Clearance was granted by the DEIAA on 04.10.2018 for a period of five years, the mining lease was valid till 23.12.2023, and the CTO was valid till 31.03.2025. However, the unit claims that the SEIAA granted an EC on 09.10.2021 valid up to 08.10.2026 and that the mining lease granted on 23.01.2019 is valid till 24.01.2024. Further, it is observed that the mining lease has expired, and the application

for renewal is pending due to an appeal before the District Collector. Though the EC is claimed to be valid till 2026, both the CTO and mining lease expired as on date, and the renewal status of the CTO is not known. For excess mining in violation of lease conditions, a penalty of Rs.10.98 Crores has been imposed, which is under challenge in appeal before the District Collector. Additionally, the unit has failed to comply with environmental safeguards, including proper fencing, greenbelt development, and water sprinkling. Accordingly, the unit must obtain renewal of both the mining lease and the CTO before resuming any quarry operations. The unit shall report compliance to the TNPCB addressing the previously identified deficiencies, which shall be verified by the TNPCB during the consent renewal process, if any. Notwithstanding the validity of the EC, the unit shall not recommence operations unless and until written permission is granted by the TNPCB.

18.6 In **O.A. No.118 of 2022 (SZ)**, the unit was found non-operational during the TNPCB inspection on 12.09.2023, and the Environmental Clearance, mining lease, and CTO had all expired. A penalty of Rs.33.63 Crores was imposed by the Department of Geology and Mining for quarrying outside the lease area, which is currently under appeal before the District Collector. The TNPCB shall assess and impose environmental compensation after disposal of the appeal. The unit shall not be permitted to operate unless the penalties imposed by both the Department and the TNPCB are fully recovered. This must be ensured by the authorities prior to considering any application for renewal.

19. The concerned authorities viz., the Department of Geology and Mining and the Tamil Nadu Pollution Control Board are directed to ensure that, at the time of considering applications for the grant or renewal of mining lease, Environmental Clearance, or Consent to Operate, the project proponents have fully complied with all earlier directions, including payment of penalties and environmental compensation, as per the dictum laid down by the Hon'ble Supreme Court of India in **Common Cause Vs. Union of India & Ors. (2017) 9 SCC 499**, wherever applicable. In the

absence of such compliance, including full settlement of dues, the project proponents shall not be entitled to any fresh/renewal of lease or permit. It is further directed that, upon final quantification of environmental compensation, appropriate recovery proceedings shall be initiated against the project proponents in accordance with law, including under the provisions of the Revenue Recovery Act.

20. In view of the above directions, all these Original Applications [O.A. Nos.113 to 118 of 2022 (SZ)] stand disposed of.

**Sd/-
Smt. Justice Pushpa Sathyanarayana, JM**

**Sd/-
Dr. Satyagopal Korlapati, EM**

Internet – Yes/No

All India NGT Reporter – Yes/No

**O.A. No.113 of 2022 (SZ) to
O.A. No.118 of 2022 (SZ)
04th July, 2025. Mn.**



NGT