

Item No.06:-

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

(Through Video Conference)

Original Application No. 148 of 2022 (SZ)

IN THE MATTER OF:

Dr. Sushmitha, Chennai.

...Applicant(s)

Versus

The Member Secretary,
SEIAA, Chennai and Ors.

...Respondent(s)

Date of hearing: 09.02.2023.

CORAM:

HON'BLE Smt. JUSTICE PUSHPA SATHYANARAYANA, JUDICIAL MEMBER

HON'BLE Dr. SATYAGOPAL KORLAPATI, EXPERT MEMBER

For Applicant(s): Mr. S. Saravanan represented
 Mr. S. Senthil & N. Zahid Ahmed.

For Respondent(s): Mr. G.M. Syed Nurullah Sheriff for R1.
 Dr. D. Shanmuganathan for R2, R4 & R6.
 Mr. Nishanth represented
 Mrs. Shanmugavalli Sekar for R3 & R5.
 Mr. V. Anandhamurthy for R8 & R10.

ORDER

1. There is a serious allegation from the applicant that mining activity is being conducted by the private respondents without proper Environmental Clearance, Lease or Consent to Operate from the Pollution Control Board.
2. In this regard, even on the last occasion, we had directed the District Collector to file an affidavit along with the inspection report regarding any action that has been taken. Unfortunately, even today the District Collector has not filed any report.
3. The Tamil Nadu Pollution Control Board has filed a report dated 08.02.2023 wherein, it is stated that no consent order has been issued by the Tamil Nadu Pollution Control Board in the name of Mr. Palaniyandi/SRBM for mining operations.
4. The Tamil Nadu Pollution Control Board also specifically states that the application made by M/s. Sri Rathinagiriswarar Blue Metals for Consent to Establish for expansion on 06.06.2020 was returned and the unit was instructed not to carry out any expansion activities. But the applicant alleges that the unit is carrying on its activity with the machinery installed for expansion. He also relies upon the letter dated 17.08.2021 from the project proponent addressed to the District Environmental Engineer in this regard wherein, it is admitted that the unit had installed Primary Crusher - 1 No., Secondary Crusher - 1 No., Cone Crusher - 1 No. (replaced one number of secondary crusher) and to be installed one number of VSI Crusher with sand washer.

5. When it is stated that the crusher unit is in operation, we understand that the crusher unit is being operated with the machinery established for expanded capacity without 'Consent to Establish' from the Tamil Nadu Pollution Control Board. If that is so, we would like the Tamil Nadu Pollution Control Board to file an additional report after inspection for the violations (if any). If there are violations, the Tamil Nadu Pollution Control Board is also directed to file a report quantifying the environmental compensation.

6. As a last chance for the District Collector to file a report in this regard, let the matter be listed on 01.03.2023.

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

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

**O.A. No.148/2022(SZ)
09th February 2023. AD.**