



सत्यमेव जयते

File No: 10830
Government of India
Ministry of Environment, Forest and Climate Change
(Issued by the State Environment Impact Assessment Authority(SEIAA),
TAMIL NADU)



Dated 24/06/2024



To,

ANDIYAPPAN KANDASAMY
ANDIYAPPAN KANDASAMY
No. 3/68, Mettu Patti, Kotta Mettupatti, salem district, , SALEM, TAMIL NADU, 636455
vijikavish79@gmail.com

Sub: Rejection of Environmental Clearance (EC) to the proposed Project under the EIA Notification 2006-and as amended thereof -regarding.

Sir,

Place your code here.

This is in reference to your application submitted to SEIAA vide proposal number SIA/TN/MIN/431132/2023 dated 18/06/2024 for prior Environmental Clearance (EC) to the project under the provision of the EIA Notification 2006-and as amended thereof.

The particulars of the proposal are as below :

(i) EC Identification No.	EC23C0108TN5972448N
(ii) File No.	10830
(iii) Clearance Type	Fresh EC
(iv) Category	B2
(v) Project/Activity Included Schedule No.	1(a) Mining of minerals
(vi) Name of Project	Thiru A. Kandhasamy Rough Stone Quarry , Extent : 1.00.0 ha S.F. Nos 25/28 (P), Pukkampatti village, mettur taluk, Salem District
(vii) Name of Company/Organization	ANDIYAPPAN KANDASAMY
(viii) Location of Project (District, State)	SALEM, TAMIL NADU
(ix) Issuing Authority	SEIAA
(xi) Applicability of General Conditions	no

1. In view of the particulars given in the Para 1 above, the project proposal interalia including Form-2(Part A and B) were

submitted to the SEIAA for an appraisal by the SEAC in the SEIAA under the provision of EIA notification 2006 and its subsequent amendments.

2. The above-mentioned proposal has been considered by SEIAA in the meeting held on 11/06/2024. The minutes of the meeting and all the Application and documents submitted [(viz. Form-2 Part A, Part B)] are available on PARIVESH portal which can be accessed by scanning the QR Code above.

The SEAC noted the following:

i. The project proponent, **Thiru. A. Kandhasamy** has applied for Environmental Clearance for the Existing Rough Stone quarry lease over an extent 1.00.0 Ha at S.F.No. 25/28 (P) of Pukkampatti Village, Mettur Taluk, Salem District, Tamil Nadu.

ii. The project/activity is covered under Category “B2” of Item 1(a) “Mining of Minerals Projects” of the Schedule to the EIA Notification, 2006.

iii. Earlier, the proponent has obtained EC from DEIAA vide Lr.No.DEIAA-DIA/TN/MIN/18657/2018-SLM-EC.No.52/2018 dated.05.12.2018. The EC was accorded for the quantity of 1,09,500m³ of rough stone up to the depth of 16m above ground level.

iv. Now, based on MoEF&CC O.M dated.24.04.2023, the proponent has submitted the application at SEIAA-TN for **re-appraisal of EC granted by DEIAA.**

v. Further, the proponent has submitted the approved scheme of mining for the period 2024-2029.

Based on the presentation and details furnished by the proponent, the Committee noted the following:

i) The proponent has not furnished a Certified Compliance Report for the EC dated.05.12.2018 as per the MoEF&CC O.M dated.08.06.2022

ii) The proponent has carried out mining operations during the previous spell in an unscientific & unsafe manner by not leaving safety distance between the adjacent Patta lands and hence a penalty of Rs.25,000/- was imposed on the proponent by the Sub-Collector vide proceedings dated.15.03.2024.

iii) From the KML file uploaded by the proponent in the PARIVESH Portal, it is ascertained that a habitation/hamlet is situated within a distance of 290m from the project site on the eastern side.

iv) Besides, the partly dismantled Poultry farms and other structures are located within a radius of 500m from the project site.

v) Further, Kothapuliyanir Elementary School is located at a distance of 340m from the project site on the eastern side. The quarrying operation which includes the blasting activities may cause damage to the existing structure of the School.

vi) The SEAC have also noted that the structures located nearby may be disturbed due to the proposed quarrying activities in terms of ground/air vibrations, dust, noise and water pollutions apart from the traffic congestion.

Hence, this proposal attracts the following legal implications:

(i) Under the provisions of Tamil Nadu Minor Mineral Concession Rules, 1959, Rule 36 (1-A) (a) says

“.... No lease shall be granted for quarrying stone within 300 meters (three hundred meters) from any inhabited site: Provided that the existing quarries which are subsisting under current leases shall be entitled for continuance till the expiry of the lease period. The lessees whose quarries lie within a radius of 300 metres from the inhabited site shall undertake blasting operations only after getting permission of the Director of Mines Safety, Chennai”.

Similarly, Rule 36 (1-A) (c) also indicates

“.... No new layout, building plans falling within 300 metres from any quarry should be given approval by any agency unless prior clearance of the Director of Geology and Mining is obtained. On receipt of proposals for according clearance, the Director of Geology and Mining (DGM) shall decide upon the continuance or closure, as the case may be of any quarry which is situated within 300 metres from the now layout, building sought for such ,clearance....”.

Hence, the Committee, after the detailed deliberations, considering that

1. The earlier mining activities carried out by the proponent in an unscientific and unsafe manner.

2. The structures and environmental settings situated around the project site and

The location of the Kothapuliyanir School within the danger zone, **decided not to recommend the proposal** for grant of environmental clearance. **The EC dated.05.12.2018 obtained from DEIAA is invalidated, vide OM dated: 07.05.2024.**

The authority, during deliberations, noted that Ramaswamimalai RF is located at a distance of 552m from the project site. Further, taking into account the Ecological sensitivity of the site, safety of the habitations located near the project site and the earlier unsafe mining operations carried out by the project proponent, the authority **decided to accept the decision of SEAC to reject the proposal seeking Environmental Clearance. Further, The EC dated.05.12.2018 obtained from**

DEIAA is invalidated.

This issues with the approval of the Competent Authority. As Per section 16,sub-section(I) of NGT Act,2010, If any person aggrieved by this order of refusing to grant environmental clearance for carrying out any activity may prefer an appeal to the tribunal, within a period of thirty days from the date on which the order or decision or direction or determination is communicated to him.

Additional Terms of Reference

N/A

Annexure 1

Plant/equipment configuration and capacity

Plant / Equipment / Facility	Configuration	Remarks if any
NA	NA	NA

Send Approval Copy To (In case of multiple use comma as separator)

