



सत्यमेव जयते

File No: 11044
Government of India
Ministry of Environment, Forest and Climate Change
(Issued by the State Environment Impact Assessment Authority(SEIAA),
TAMIL NADU)



Date 06/12/2024



To,

Thiru.K. Sasikumar
SASIKUMAR
timessasi@gmail.com

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

Sir/Madam,

This is in reference to your application submitted to Ministry/SEIAA-TN vide proposal number SIA/TN/MIN/481515/2024 for prior Environmental Clearance (EC) to the project under the provision of the EIA Notification 2006-and as amended thereof.

2. The particulars of the proposal are as below :

(i) EC Identification No.	EC24C0108TN5201662N
(ii) File No.	11044
(iii) Clearance Type	Fresh EC (Mining)
(iv) Category	B2
(v) Project/Activity Included Schedule No.	1(a)
(vii) Name of Project	K. Sasikumar Rough Stone Quarry Project Extent: 2.00.0ha S.F.No: 161 (P), Karumapuram Village, Valapadi Taluk, Salem District.
(viii) Name of Company/Organization	SASIKUMAR
(ix) Location of Project (District, State)	SALEM, , TAMIL NADU,
(x) Issuing Authority	SEIAA
(xi) Applicability of General Conditions as per EIA Notification, 2006	No

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SEAC REMARKS:

Existing Rough Stone Quarry lease over an extent of 2.00.0 Ha at S.F.NOS. 161 (P), of Karumapuram Village, Valapadi Taluk, Salem District, Tamil Nadu by Thiru.K. Sasikumar – For Environment Clearance. (SIA/TN/MIN/481515/2024 dt 20/06/2024)

The proposal was placed in the 511th meeting of SEAC held on 15.11.2024. The details of the project furnished by the proponent are available on the PARIVESH web portal (parivesh.nic.in).

The SEAC noted the following:

1. The project proponent, **Thiru.K. Sasikumar** has applied seeking Environmental Clearance for the Existing Rough Stone Quarry lease over an extent of 2.00.0 Ha at S.F.NOS. 161 (P), of Karumapuram Village, Valapadi Taluk, Salem District, Tamil Nadu.
2. The project/activity is covered under category “B2” of Item 1(a) “Mining of Minerals Projects” of the schedule to the EIA Notification, 2006, as amended.
3. DEIAA EC Lr. No. DEIAA-DIA/TN/MIN/18630/2018-SLM-EC.No.48/2018, Dated: 05.12.2018
4. CCR from IRO, MoEF&CC, Chennai vide Lr. No. EP/12.1/2024-25/SEIAA/13/TN/1106, Dated: 22.07.2024.
5. The proposal was earlier placed in this 489th meeting of SEAC held on 09.08.2024. On perusal of the KML file the SEAC noticed that there is an educational institution located at a distance of 415m from the lease boundary. Hence the Committee directed the PP to furnish the following details pertaining to the Institute:
 - (i) College Timing
 - (ii) Number of students studying in the Institute
 - (iii) Implication of quarrying on the College
 - (iv) Mitigation measures proposed.
6. Subsequently, the PP submitted a reply vide letter dated. 15.10.2024. Hence the proposal is placed in this 511th meeting held on 15.11.2024.
7. The reply submitted by the PP are as follows:

S. No	ADS QUERY	REPLY Furnished by PP
1.	College Timings	9.00 AM to 4.30 PM (Saturday and Sunday Holiday)

2.	Number of Students studying in the Institute	550 Nos of Students
3.	Implication of quarrying on the College	<p>The Study was carried out to analyze the implications due to the various quarrying activities on the college and below of the key findings from the study –</p> <p>a) Dust propagation is anticipated up to a distance of 200m - 250m in the down wind direction. The wind direction around the project area is from southeast to northwest and the slopes towards southeast side. Hence, based on the wind pattern and the contour topography of the region there is no dust propagation towards the college side which is located on North side. North Eastern side is anticipated from the quarrying activities. In the interest of health and safety of the surrounding environment the PP undertakes to erect sheet fencing all along the boundary pillar 2 to 5 on the North Eastern side and also carry out thick plantation along this boundary line with mostly bamboo trees.</p> <p>b) Noise and vibration around the environment is anticipated due to drilling and blasting activities proposed. As the PP has proposal for 12 Jackhammers and 20 kgs of explosives per blast round, this when calculated with the PPV is well below the permissible limit to the structure on the North Eastern side at 415m.</p> <p>In the interest of the health and safety of the surrounding environment the PP undertakes to implement control blasting techniques as per the provisions of regulation 164(1-b) of MMR 1961 and ensure the blasting activities is under the supervision of competent persons employed under Reg 34 of MMR 1961 apart from the earlier committed activities like sheet fencing and bamboo tree plantation on the North East boundary.</p>
4.	Mitigation Measures Proposed	<p>The below mentioned site specific additional mitigation measures are proposed apart from the measures already undertaken in the EMP – a) Sheet fencing along boundary pillar 2 to 5 for a distance</p>

		<p>of 180 m b) Thick Bamboo tree plantation along boundary pillar 2 to 5 for around 300 nos c) Carry out the quarrying operation only post receipt of approval from DGMS as per Reg 106(2)(b) along with 164 (1-b) and 34(6) under MMR 1961. Transportation will be done using the approach road connecting the crusher to the southern side further 300 m away by road. Therefore, dust pollution due to transportation will not arise towards towards the college side which is located on North side. We revised the EMP and enclosed in slide no. 10 to 14.</p>
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Based on the presentation and documents furnished by the project proponent, the Committee noted as follows:

- a. The proposed area lies in the hillocks.
- b. There is also an educational institution namely, Murugesan Institute of Technology, at a distance of 415m, within the danger zone of 500m.
- c. The SEAC have strongly taken a note on the following:

“....Article 368 of the Constitution of India confers the power to amend the constitution on the Parliament. The Hon'ble Supreme Court of India read implied limitations into the provision. It declared in ringing terms that the power cannot be so used as to destroy the very identity or framework of the Constitution. This basic structure doctrine is considered as the most important and valuable contribution to constitutional jurisprudence. It is time to implant this doctrine by way of analogy into the principle of sustainable development evolved in environmental law. While the administration can tap the hills and hillocks for mineral resources, the exploitation cannot lead to their complete destruction....”

“Mountains, forests, hills, hillocks and rivers are Nature's gifts and it is the duty of the Government and the administration to ensure that they are preserved for future generations....”

- d. **The CCR submitted by the IRO, MoEF&CC indicates that the PP has not followed conditions imposed in the previous EC.**

Hence, for all the above reasons, the Committee decided not to recommend the proposal for grant of Environmental Clearance.

SEIAA REMARKS:

The subject was placed in this **775th meeting of SEIAA held on 02.12.2024**. The SEIAA noted that the subject was placed in the 511th meeting of SEAC held on 15.11.2024. Based on the presentation and documents furnished by the project proponent, the Committee noted as follows:

- a. The proposed area lies in the hillocks.
- b. There is also an educational institution namely, Murugesan Institute of Technology, at a distance of 415m, within the danger zone of 500m.
- c. The SEAC have strongly taken a note on the following:

“....Article 368 of the Constitution of India confers the power to amend the constitution on the Parliament. The Hon'ble Supreme Court of India read implied limitations into the provision. It declared in ringing terms that the power cannot be so used as to destroy the very identity or framework of the Constitution. This basic structure doctrine is considered as the most important and valuable contribution to constitutional jurisprudence. It is time to implant this doctrine by way of analogy into the principle of sustainable development evolved in environmental law. While the administration can tap the hills and hillocks for mineral resources, the exploitation cannot lead to their complete destruction....”

“....Mountains, forests, hills, hillocks and rivers are Nature's gifts and it is the duty of the Government and the administration to ensure that they are preserved for future generations....”

Hence, for all the above reasons, the Committee decided not to recommend the proposal for grant of Environmental Clearance.

The Authority, after detailed discussions, upon perusal of kml file, noted that the proposed area features prominent agricultural patterns, forestry and tree cover. Owing to this, it reveals the fragility and sensitivity of the site and the SEIAA is of opinion that the sensitive site should not be worked out.

Accepting the decision of SEAC to not to recommend Environmental Clearance for the project for the reasons stated above, the **SEIAA decided to reject the project proposal and to close and record the file.**