

Item No. 2

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI  
(Through Video Conferencing)**

Original Application No. 13/2019

R. Radhakrishnan

Applicant(s)

Versus

The District collector, Ariyalur District

Respondent(s)

Date of hearing: 26.08.2019

**CORAM : HON'BLE. MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER  
HON'BLE DR. SATYAWAN SINGH GARBYAL, EXPERT MEMBER**

For Applicant(s):

Mr. U. Sriram, Advocate

For Respondent (s):

Mr. Kamlesh Kannan, Advocate for R-1

Mr. C. Kasirajan, Advocate for TNPCB

**ORDER**

1. As per order dated 10.04.2019, this Tribunal appointed a Joint Committee comprising of Senior officer/scientist of Tamil Nadu Pollution Control Board and District Collector of Ariyalur District to inspect the queries in question and submit an factual and action taken report.
2. Last hearing date though they have said to have submitted a report, factual report was not sent but only some photographs alone were sent. As per order dated 22.07.2019, they have been directed to submit a report as well and posted the case to today.
3. Today the District Collector forwarded the report. It is quite unfortunate that the District Collector has delegated the work to the Revenue Divisional Officer, Ariyalur which he was not expected to do when Tribunal wanted the District Collector along with the Pollution Board to conduct the inspection and submit the report. Further, it was mentioned that no huge air emission was found near the mining activity is going on. It was not mentioned as to whether any air pollution controlling mechanism has been installed and whether the

conditions of EC/Consent to Operate/Consent to Establish and mining lease have been complied with.

4. It is also mentioned that Limestone to the depth of 7 meters from Limestone Mine 1 and for the depth of 5 meters from Limestone Mine 2 have been extracted. But it is not known as to whether it is within the permissible limit. Nothing has been mentioned about the same as well. It is also mentioned in the report that 12,000 ltrs of water per day is being used for domestic purpose and for the purpose of green belt development and water sprinkling activity. It is not known regarding the status of the area whether this critical semi-critical, or other category and whether any permission has been obtained from the concerned authority for installing the bore well. If consent has not been obtained, then drawing of ground water will amount to illegal drawing for which the unit is liable to pay compensation. This aspect has not been considered by the Committee. So we direct the Committee consist of the District Collector himself and the TNPCB as mentioned above to ascertain those aspects as well and submit a factual report and if there is any violation than the Pollution Control Board is directed to take necessary action in accordance with law and assess the compensation for damage caused to environment for violation if any found and submit an action taken report as well within a period of two months to this Tribunal by email.

5. Post on 25<sup>th</sup> November, 2019.

K. Ramakrishnan, JM

S.S. Garbyal, EM

August 26, 2019  
O.A No. 13/2019