

Prasad.E.K vs the District Collector

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SooperKanoon Citation : sooperkanoon.com/1667839

Court : Kerala

Decided On : Mar-04-2021

Judge : Honourable Mr.Justice N.Nagaresh

Appeal No. : WP(C)/18819/2019

Appellant : Prasad.E.K

Respondent : The District Collector

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE N.NAGARESH
THURSDAY, THE 04TH DAY OF MARCH 2021/13TH PHALGUNA,
1942 WP(C).No.30938 OF 2016(N) PETITIONER: T.K. MANI, AGED 59,
S/O. KOCHAPPUTTY, THANTHIPARAMBIL HOUSE,
ELAMBAKAPPILLY P.O., ERNAKULAM DISTRICT, PIN-683544 BY
ADVS. SRI.P.VIJAYAKUMAR SRI. BABY KURIAKOSE
RESPONDENTS:

1 THE ENVIRONMENTAL ENGINEER, POLLUTION CONTROL
BOARD ERNAKULAM DIVISION II, PERUMBAVOOR P.O. 2 THE
DISTRICT GEOLOGIST, MINING & GEOLOGY DEPARTMENT, CIVIL

STATION, KAKKANADU P.O., ERNAKULAM 3 THE VILLAGE OFFICER, KOOVAPPADY VILLAGE, KOOVAPPADY P.O., ERNAKULAM DISTRICT. 4 JAISON VARGHESE, PARAPPURAM HOUSE MAVELIPPADY, KOOVAPPADY P.O., ERNAKULAM DIST., PIN-683544 R1 BY SRI. T.NAVEEN, SC, KERALA STATE POLLUTION CONTROL BOARD, R4 BY ADV. SRI.BINU PAUL R2-3 BY GOVERNMENT PLEADER SRI S.KANNAN THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD

ON 04.03.2021, ALONG WITH WP(C).19908/2018(K), WP(C).29607/2018(A), WP(C).5839/2019(D), WP(C).18819/ 2019(B), THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: :2 :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE N.NAGARESH THURSDAY, THE 04TH DAY OF MARCH 2021/13TH PHALGUNA, 1942 WP(C).No.19908 OF 2018 PETITIONERS: 1 BABY, KALABATTUKUDIYIL HOUSE, ELAMKAPPILLY P.O., PERUMBAVOOR, ERNAKULAM DISTRICT, PIN 683542. 2 MANI T.K., THABIPARAMBIL HOUSE, ELAMKAPPILLY P.O., PERUMBAVOOR, ERNAKULAM DISTRICT, PIN 683542. BY ADV. SRI.GEORGEKUTTY MATHEW RESPONDENTS: 1 THE DISTRICT ENVIRONMENTAL IMPACT ASSESSMENT AUTHORITY, (DEI AA) ERNAKULAM, REPRESENTED BY ITS CHAIRMAN, THE DISTRICT COLLECTOR, ERNAKULAM, CIVIL STATION, KAKKANAD, KOCHI-682030. 2 THE EXECUTIVE ENGINEER, IRRIGATION DEPARTMENT, ERNAKULAM, CIVIL STATION, KAKKANAD, KOCHI - 682030. 3 THE GEOLOGIST, DISTRICT OFFICE OF MINING & GEOLOGY, ERNAKULAM, CIVIL STATION, KAKKANAD, KOCHI-682030. :3 :

4 THE KOOVAPPADY GRAMA PANCHAYAT, REPRESENTED BY ITS SECRETARY, KOOVAPPADY P.O., ERNAKULAM DISTRICT, PIN-683544. 5 JAISON VARGHESE, PARAPPURAM HOUSE,

MAVALIPPADY, KOOVAPPADY P.O., ERNAKULAM DISTRICT, PIN-683544. BY GOVERNMENT PLEADER SRI.S.KANNAN R4 BY ADV. SRI.R.RANJITH,SC,KOOVAPPADY GRAMA PANCH R5 BY ADV. SRI.ANIL THOMAS(T),SC R5 BY ADV. SMT.K.V.RASHMI, SC R6 BY SRI.P.BENJAMIN PAUL, SC, KERALA WATER AUTHORITY THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD

ON 04.03.2021, ALONG WITH WP(C).30938/2016(N), WP(C).29607/2018(A), WP(C).5839/2019(D), WP(C).18819/ 2019(B), THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: :4 :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE N.NAGARESH THURSDAY, THE 04TH DAY OF MARCH 2021/13TH PHALGUNA, 1942 WP(C).No.29607 OF 2018(A) PETITIONERS: 1 BABY, KALABATTUKUDIYIL HOUSE, ELAMKAPPILLY P.O., PERUMBAVOOR, ERNAKULAM DISTRICT, PIN-683542 2 MANI.T.K, THABIPARAMBIL HOUSE, ELAMKAPPILLY.P.O., PERUMBAVOOR, ERNAKULAM DISTRICT, PIN-683542. BY ADV. GEORGEKUTTY MATHEW RESPONDENTS: 1 THE STATE OF KERALA, REP. BY ITS SECRETARY, INDUSTRIES DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM, PIN-685001 2 THE SECRETARY TO GOVERNMENT, IRRIGATION DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM, PIN-695001. 3 THE GEOLOGIST, DISTRICT OFFICE OF MINING AND GEOLOGY, CIVIL STATION, KAKKANAD, KOCHI-682030. :5 :

4 THE KERALA STATE POLLUTION CONTROL BOARD, REPRESENTED BY ITS ENVIRONMENTAL ENGINEER, PERUMBAVOOR.P.O, ERNAKULAM DISTRICT, PIN-683542. 5 THE EXECUTIVE ENGINEER, PERIYAR VALLEY IRRIGATION PROJECT (PVIP), DIVISION NO.1, PERUMBAVOOR.P.O., ERNAKULAM DISTRICT, PIN-683542. 6 THE EXECUTIVE ENGINEER, THE KERALA

WATER AUTHORITY, PROJECT DIVISION, PERUMBAVOOR P.O., ERNAKULAM DISTRICT, PIN 683542 7 JAISON VARGHESE, PARAPPURAM HOUSE, MAVALIPPADY, KOOVAPPADY P.O., ERNAKULAM DISTRICT, PIN 683544 R1-5 BY GOVERNMENT PLEADER SRI.S. KANNAN R4 BY ADV. NAVEEN.T, SC R5 BY ADV. SRI.P.BENJAMIN PAUL, SC R7 BY ADV. SRI.VINEETH KURIAKOSE R7 BY ADV. SRI.ANIL THOMAS(T) R7 BY ADV. SMT.K.V.RASHMI THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD

ON 04.03.2021, ALONG WITH WP(C).30938/2016(N), WP(C).19908/2018(K), WP(C).5839/2019(D), WP(C).18819/ 2019(B), THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: :6 :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE N.NAGARESH THURSDAY, THE 04TH DAY OF MARCH 2021/13TH PHALGUNA, 1942 WP(C).No.5839 OF 2019(D) PETITIONERS: 1 BABY, AGED 40 YEARS, KALABATTUKUDIYIL HOUSE, ELAMKAPPILLY P.O., PERUMBAVOOR, ERNAKULAM DISTRICT-683542. 2 MANI T.K., THABIPARAMBIL HOUSE, ELAMKAPPILLY P.O., PERUMBAVOOR, ERNAKULAM DISTRICT-683542. BY ADV. SRI.GEORGEKUTTY MATHEW RESPONDENTS: 1 DEPUTY CHIEF ENGINEER, KERALA WATER AUTHORITY, CENTRAL REGION ERNAKULAM, KOCHI-11. 2 THE EXECUTIVE ENGINEER, PUBLIC HEALTH DIVISION, KERALA WATER AUTHORITY, ALUVA, PIN-683101. 3 THE CENTRE FOR EARTH SCIENCE STUDIES, REP. BY ITS DIRECTOR, P.V. NO.7250, AKKULAM, THIRUVANANTHAPURAM, PIN-695031. 4 JAISON VARGHESE, PARAPPURAM HOUSE, MAVALIPPADY, KOOVAPPADY P.O., ERNAKULAM DISTRICT, PIN-683544. :7 : 5 DISTRICT COLLECTOR, COLLECTORATE, ERNAKULAM-682011. 6 THE TAHSILDAR, KUNNATHUNADU VILLAGE, PERUMBAVOOR P.O., PIN-683542. ADDL. 7 DEPUTY CHIEF CONTROLLER OF EXPLOSIVES, KENDRIYA BHAVAN, KAKKANAD - 682 030 IS IMPEADED AS

ADDL.R7 AS PER ORDER DATED R1-2 BY SRI.P.BENJAMIN PAUL, SC, KERALA WATER AUTHORITY R3 BY SRI.TULASI PANICKER, CGC R4 BY ADV. SRI.ANIL THOMAS(T) R4 BY ADV. SMT.K.V.RASHMI R5-6 BY GOVERNMENT PLEADER SRI.S.KANNAN THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 04.03.2021, ALONG WITH WP(C).30938/2016(N), WP(C).19908/2018(K), WP(C).29607/2018(A), WP(C).18819/ 2019(B), THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: :8 :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE N.NAGARESH THURSDAY, THE 04TH DAY OF MARCH 2021/13TH PHALGUNA, 1942 WP(C).No.18819 OF 2019(B) PETITIONER: PRASAD.E.K, AGED 54 YEARS, S/O. KURUVILA, RESIDING AT ELAVAMKUDY HOUSE, KOOVAPPADY P.O., PERUMBAVOOR, ERNAKULAM DISTRICT, PIN - 683 544. BY ADVS. SMT.DAISY A.PHILIPOSE SRI.JAI GEORGE SMT.P.ANITHA RESPONDENTS:

1 THE DISTRICT COLLECTOR, CHAIRMAN, THE DISTRICT ENVIRONMENTAL IMPACT ASSESSMENT AUTHORITY (DEIAA), ERNAKULAM, CIVIL STATION, KAKKANAD, KOCHI - 682 030. 2 THE GEOLOGIST, DISTRICT OFFICE, MINING AND GEOLOGY, ERNAKULAM, CIVIL STATION, KAKKANAD, KOCHI- 682 030. 3 THE DEPUTY CHIEF CONTROLLER OF EXPLOSIVE (PESO), A AND D WING, BLOCK 1-8, II FLOOR, SASTHRI BHAVAN, 26 HADDOUS ROAD, NUNGAMBAKKAM, CHENNAI - 600 006. :9 :

4 THE DIRECTOR OF MINE SAFETY, 100, BDA COMPLEX, KHB BLOCK, KORAMANGALA, PIN - 560 034, BENGALURU, KARNATAKA STATE. 5 REVENUE DIVISIONAL OFFICER, MUVATTUPUZHA, MINI CIVIL STATION, MUVATTUPUZHA P.O., PIN - 686 673. 6 JAISON VARGHESE, PARAPURATHU HOUSE, KOOVAPPADY P.O., PERUMBAVOOR, ERNAKULAM DISTRICT, PIN-683 544. 7 THE

EXECUTIVE ENGINEER, KERALA WATER AUTHORITY, DIVISIONAL OFFICE, ALUVA, PIN - 683 101. 8 THE EXECUTIVE ENGINEER, PERIYAR VALLEY IRRIGATION PROJECT, DIVISIONAL OFFICE, PATTAL, PERUMBAVOOR P.O., ERNAKULAM DISTRICT, PIN - 683 542. 9 SUB INSPECTOR OF POLICE, KODANAD POLICE STATION, KODANAD P.O., ERNAKULAM DISTRICT, PIN - 683 544. R1-2,R5,R8-9 BY GOVERNMENT PLEADER SRI.S.KANNAN R4 BY SRI.ROJO JOSEPH, CGC R6 BY ADV. SRI.ANIL THOMAS(T) R6 BY ADV. SMT.K.V.RASHMI R7 BY SRI.P.BENJAMIN PAUL, SC, KERALA WATER AUTHORITY SRI.P.VIJAYAKUMAR, ASGI THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD

ON 04.03.2021, ALONG WITH WP(C).30938/2016(N), WP(C).19908/2018(K), WP(C).29607/2018(A), WP(C).5839/ 2019(D), THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: : 10 :

N. NAGARESH, J.

..... W.P.(C) Nos.30938 of
2016, 19908 & 29607 of 2018, 5839 and 18819 of 2019
..... Dated this the 4th day of
March, 2021

JUDGMENT

These writ petitions are filed against quarrying operations in the land comprised in Survey Nos.397/4-1, Village of Kunnathunad Taluk. Hence, they are heard together and being disposed of by a common judgment.

2. W.P.(C) No.30938/2016 has been filed by a

resident of Koovappady Panchayat challenging Ext.P1 quarrying permit issued by the Department of Mining and Geology, Government of Kerala and Ext.P6 Consent to Operate issued by the Kerala State Pollution Control Board. The

validity of Ext.P1 expired on 25.11.2016 and that of : 11 : Ext.P6, on 31.03.2017. Hence, this writ petition has become infructuous.

3. W.P.(C) No.19908/2018 has been filed by two local

residents challenging Ext.P2 Environmental Clearance (EC) given by the District Environmental Impact Assessments Authority (DEIAA). Ext.P9 D&O Licence issued by the Grama Panchayat is also under challenge, but the validity of the D&O Licence stands expired on 03.05.2018.

4. W.P.(C) No.29607/2018 has been filed by the

petitioners challenging Ext.P1 NOC for quarrying, issued by the Executive Engineer, Periyar Valley Irrigation Project (PVIP). The validity of Ext.P1 stands expired on expiry of one year period from 11.07.2018. The validity of Ext.P3 Quarrying permit which is also under challenge, stands expired on 11.06.2019. Ext.P4 Consent to Operate issued by the Kerala Pollution Control Board, which is valid up to 31.03.2017, is also under challenge in this writ petition.

5. In W.P.(C) No.5839/2019, the petitioners seek to quash Ext.P3 NOC issued by the Executive Engineer, Public : 12 :

Health Division, KWA, Aluva and direct respondents 5 and 6 to ensure that registered rubber plantations exempted under the Kerala Land Reforms Act are not used for running granite quarry.

6. W.P.(C) No.18819/2019 has been filed challenging

Ext.P2 Environment Clearance and Ext.P6 Explosive Licence in view of the pendency of Ext.P4 Charge Sheet. The parties to the writ petitions are referred to in this judgment, as they are arrayed in W.P.(C) No.19908/2018 (unless otherwise specified), for convenience.

7. In W.P.(C) No.19908/2018, the petitioners would

state that they are residing near the proposed quarry in Koovappady Village, which is posing a threat to the residential houses of the petitioners and others. The 5 th

respondent- Project Proponent was conducting granite quarry for several years in the neighbourhood. Due to heavy blasting, houses including those of the petitioners were damaged. The 5th respondent applied for Environmental Clearance (EC) for continuing the operation of quarry suppressing relevant facts.

: 13 : Existence of irrigation canals, bridges, water reservoirs etc. were suppressed in the application for Environmental

Clearance (EC). Existence of pending litigation was suppressed in EC application. Though the petitioners and others raised valid objections against grant of environmental clearance, the 1st respondent District Environmental Impact Assessment Authority (DEIAA), Ernakulam issued Ext.P2 EC. The Panchayat authorities granted licence to the unit, on an incomplete application. Hence, Ext.P2 EC and Ext.P9 D&O licence are liable to be set aside.

8. The petitioners in W.P.(C) No.19908/2018 are the

petitioners in W.P.(C) No.29607/2018. In W.P.(C) No.29607/2018, the petitioners contended that an irrigation canal is passing within 190 m. of the quarrying site. There are six bridges over the canal within a radius of 1 km. There are two public water resources of Kerala Water Authority within a radius of 400 m. Ext.P1 NOC has been issued by the

Executive Engineer illegally, ignoring all these facts. No norms are laid down by the Government for grant of NOC for : 14 :

running quarries near canals, water tanks, bridges etc. Originally, the Second proviso to Rule 10 of the Kerala Minor Mineral Concession Rules, 2015 required a minimum distance of 100 metres from residential houses, public roads etc. for running granite quarry. The rules were illegally amended as per Ext.P2 specifying the distance as within the distance specified by the Kerala State Pollution Control Board from time to time. The amendment is illegal. Therefore, Ext.P3 quarrying permit is liable to be set aside.

9. In W.P.(C) No.5839/2019 filed by the very same

petitioners, it has been alleged that the Executive Engineer, PH Division, KWA has issued Ext.P3 NOC, without any authority. The Executive Engineer, KWA is incompetent to give recommendations or reports. Ext.P3 has been issued without ensuring the protection of water tanks from the probable damage that may result from the operation of quarry. Hence, Ext.P3 is liable to be quashed.

10. In W.P.(C) No.18819/2019 filed by another resident of Koovappady Grama Panchayat, the petitioner stated that : 15 :

the EC has been issued by the Chairman, DEIAA in violation of guidelines and statutory provisions. The DEIAA has failed to enquire into and satisfy whether data provided in the application for EC were correct. The DEIAA failed to obtain NOC from the Executive Engineer, KWA and Executive Engineer, PVIP before granting EC. The DEIAA failed to take note of the criminal case registered against the grantee of EC and his Blaster, which showed that serious physical injury was sustained by a student due to quarrying operation.

11. In the counter affidavit filed by the 3 rd respondent-

Geologist in W.P.(C) No.19908/2018, the 3rd respondent alleged that the petitioners have no bona fides and have not made out a case to warrant interference of this Court under Article 226 of the Constitution of India. Quarrying permit has been issued after an inspection conducted on 15.02.2017 and after due process of law. The quarrying area satisfied statutory distance criteria as contemplated under law. The 5 th respondent has obtained all statutory permissions and licences to hold a valid quarrying permit. The irrigation canal

: 16 :

is at a distance of 750 m. from the quarrying area. The nearest road is 107 m. far and the nearest residential building is at a distance of 109 m. Before issuing Ext.P2 EC, the 1 st petitioner was heard. The DEIAA also conducted a site inspection on 22.06.2018. There are no residential or other structures within the prohibitory distance. Though Ext.P6 stop memo was issued, the 5 th respondent obtained Ext.P2 EC. The petitioners have alternate statutory remedy.

12. The 5th respondent, who is the grantee of EC, filed

his counter affidavit and additional counter affidavit. The 5 th respondent has obtained all valid licences/permissions/NOC from statutory authorities to conduct quarrying operations. In the additional counter affidavit, the 5 th respondent stated that the petitioners have absolutely no cause of action. The residence of petitioners is almost 250 m. far from the quarrying site. For challenging environmental clearance and the D&O licence, there are effective alternative statutory remedies. There is no reason to believe that the petitioners' house buildings are damaged due to quarrying operations.

: 17 :

The allegation that there are six bridges over the canal, is denied. The existence of human habitations were properly shown in the sketch submitted to the authorities. The 1 st respondent has considered the objections raised by local residents. A committee deputed by the DEIAA inspected the site before grant of EC. The writ petition is therefore liable to be dismissed.

13. The 4th respondent, who is Secretary to the Grama

Panchayat, stated in his counter affidavit that entire aspects were considered on merits before issuing license to conduct quarrying operations. Ext.P2 EC was taken into account by the Panchayat. As the expert body had considered all aspects of the case, the Panchayat Committee resolved to grant licence to the 5th respondent.

14. The counsel for the petitioner in W.P.(C) No.19908

of 2018 argued that Ext.P2 EC is obtained by deliberate concealment of relevant materials and submitting incorrect and misleading data before the DEIAA. The DEIAA insisted prior NOC from the Irrigation Department which owned a : 18 : canal and a number of bridges near the quarry. Prior NOC of Kerala Water Authority was also not obtained. And later NOC was issued in violation of Section 40(2) of the Kerala Irrigation and Water Conservation Act, 2003.

15. The learned counsel for the petitioner further argued that the DEIAA who granted Ext.P2 EC did not consist of competent persons for proper environmental impact assessment. There were no experts in the field of

groundwater, in the committee. Opinion of structural engineers were not obtained. The learned counsel for the petitioner further argued that DEIAA is not legally competent to issue Ext.P2 EC since EC for quarries below 5 Hectares is to be issued only by State Environmental Impact Assessment Authority. There are procedural lapses in the proceedings

leading to Ext.P2. The petitioners are entitled to live in a pollution free atmosphere. The commercial interest of the 5 th respondent cannot supersede the right guaranteed to the petitioners under Article 21 of the Constitution of India. : 19 :

16. Ext.P9 D&O licence ought to have been issued by the Secretary. In this case, it is seen that Ext.P9 D&O licence has been issued on the basis of the decision taken by the Committee of the Grama Panchayat.

17. Placing reliance on the judgment of this Court in

Sobin P.K. v. District Geologist, Ernakulam and others [2020 (1) KHC 1], the learned counsel for the petitioner argued that Section 40(2) of the Kerala Irrigation and Water Conservation Act, 2003 would take in Water Tanks maintained by the Kerala Water Authority and NOC of Kerala

Water Authority was also necessary. Relying on the judgment

of this Court in Joseph v. State of Kerala [2003 (3) KLT 296], the learned counsel argued that the petitioners have a superior right to life under Article 226 and no privilege can be given to any Project Proponent which would undermine the right to life of petitioners.

18. The learned counsel for the 5 th respondent, on the other hand, argued that the petitioners have no locus standi to file the writ petition as none of their fundamental rights are : 20 :

infringed. The 5th respondent had disclosed all facts and made available all relevant documents before the DEIAA for grant of EC. All the petitioners are residing beyond the statutory limits and they have no legal right to approach this court. The DEIAA has considered the issues raised by the petitioners.

19. The 5th respondent further stated that the petitioners had approached the Kerala State Human Rights Commission. They forwarded complaint to DEIAA also. Now,

by discarding the jurisdiction of the Human Rights Commission and DEIAA, the petitioners have filed these writ petitions. The writ petitions are abuse of the process of this Court. The petitioners have effective alternate remedy available. The writ petitions are therefore liable to be dismissed.

20. I have heard the learned counsel for the petitioners in the writ petitions and the learned Government Pleader and the learned counsel appearing for the respondents. : 21 :

21. The petitioners state that an irrigation canal is

passing at a distance of 750 m. from the quarrying site. There are six bridges over the canal within a radius of 1 Km. and a public water reservoir within a radius of 400 m. The Kerala Irrigation and Water Conservation Act mandates written permission from Irrigation Officer for conducting mining or quarrying operation. Ext.P2 is issued without obtaining permission from the 2nd respondent-Executive Engineer, Irrigation Department. An application for Environmental Clearance presupposes that the applicant has obtained a Consent to Operate from the Pollution Control Board, Explosive Licence issued by a competent authority, D&O licence from Local Self Government and approved mining plan. A pre-feasibility report and district survey report are to be uploaded along with the application for EC.

22. Ext.P2 EC would show that a Sub Committee of the

DEAC visited the quarry project site and submitted a report. The Committee opined that the eco-friendly plan presented by the 5th respondent is appreciative

to incorporate the scientific : 22 :

and modern methods of mining. The inspection team looked into the impacts of ecosystem, flora, fauna, soil, Landform and air quality which are likely to be altered on starting mining operations. The potential for natural hazards like landslides, surface shift, erosion, flooding or any adverse environmental conditions were ruled out.

23. The inspection also revealed that there are no

perennial watercourses or streams within the prohibited area. The proposed site did not possess any high-quality or valuable resources other than granite building stone. Therefore, the DEAC approved the mining project and recommended the DEIAA to grant EC.

24. The DEIAA considered the recommendations of the

DEAC. The DEIAA noticed that there are complaints about some cracks on nearby buildings. The DEIAA noted that the shortest distance of the proposed quarry and the residences in question is 100 m. The complainants did not submit any documents in support of their claims. Considering the recommendations of the DEAC, it was decided by the DEIAA

: 23 : to grant Environmental Clearance. Ext.P2 would disclose that the DEIAA had caused a site inspection before issuance of EC and found that there are no residences within the statutory distance. Accordingly, the DEIAA issued EC on certain conditions, one of which was that all statutory clearances should be obtained as applicable, by the Project Proponent from the respective competent authorities including that for blasting and storage of explosives.

25. It has to be noted that the DEIAA caused a site inspection and did not notice any suppression of facts or misleading information in the application for EC submitted by

the Project Proponent. As regards criminal proceedings against the 5th respondent, it has been stated that all accused in the said S.C. No.646/2016 were

acquitted. The allegation against Ext.P9 D&O licence is that the application submitted by the 5th respondent was incomplete. However, the Secretary to the Grama Panchayat has filed affidavit to the effect that the application submitted by the 5 th respondent was complete in all respects. : 24 :

26. The petitioners contend that the amendments made

to Rule 10 of the Kerala Minor Mineral Concession Rules, 2015, are illegal. There is no allegation that the Rules have been amended by an authority who is not competent to do so. The Rules do not infringe any provisions of Part III of the Constitution of India. I do not find any merit in the contention of the petitioners that the authorities under the Kerala Minor Mineral Concession Rules cannot adopt the distance criteria specified by the Kerala Pollution Control Board.

27. It is seen that the 4th respondent-Grama Panchayat

has issued D&O licence to the Project Proponent. The 4 th respondent considered the fact that Ext.P2 EC was granted by an expert body consisting of the District Collector, Sub Collector, DFO and Member of National Board for Wildlife. Elements including pollution and impact on wildlife were also considered. Though certain persons complained against grant of D&O licence to the 5th respondent, the objections were found not based on any materials. It was under such circumstances that the Panchayat granted D&O licence. : 25 :

28. Thus, it is evident that the DEIAA has granted EC,

after causing an inspection of the locality and considering the objections of the petitioners. The contention of the petitioners is that there are residences, bridges, canals and water reservoirs within prohibited distance. The argument of the petitioners is disputed by the official respondents as well as the 5th respondent. Though the petitioners relied on certain documents to establish their case in this regard, since the

facts involved are disputed, this court in exercise of the

jurisdiction under Article 226 cannot enter into a factual adjudication on those aspects.

29. The petitioners argue that under the Kerala

Irrigation and Water Conservation Act, it is mandatory to obtain written permission from Irrigation Officer for conducting mining or quarrying operations using explosives within a radius of 1 km. of any bridge, dam, check dam or any other work, structure or construction, owned controlled or maintained by the Government, a local authority or any other authority. The petitioners rely on Ext.P3 judgment of a : 26 : learned Single judge in W.P.(C) No.23565/2017, wherein it has been held that recommendations made by DEAC without considering the impact of quarrying operations within the prohibited distance would be illegal. Hence, Ext.P2 EC is to be declared as illegal.

30. In the case of the 5th respondent, the Executive

Engineer, PVIP No.1, Perumbavoor has issued Ext.R5(f) proceedings dated 11.07.2018 granting NOC for conducting quarrying operations. The Executive Engineer of the P.H. Division, KWA has also issued Ext.P3 NOC (in W.P.(C) No.5839/2019). It is true that Ext.P2 EC was issued prior to the issuance of Ext.R5(f) and Ext.P3 NOC. Since the competent authority under the Irrigation Department and KWA have issued NOC, this Court does not deem it necessary to interfere with Ext.P2 EC for the sole reason that the DEIAA has issued EC before the issuance of NOC by the Irrigation Engineer.

31. It is submitted at the Bar that WA No.2388/2017 is pending against Ext.P3 judgment in W.P.(C) No.23565/2017. : 27 :

32. It is to be noted that the petitioners have an

alternate remedy against Ext.P2 EC under Section 16 of the National Green Tribunal Act. When an alternate remedy is available, normally the petitioners cannot be permitted to bypass the said remedy. The petitioners have not made out a case warranting interference in Ext.P2 EC, in exercise of the powers of this court under Article 226 of the Constitution of India. It may also be noted that Clause 52

of Ext.P2 gives power to the authorities to withdraw the EC for concealment of any factual data. Clause 53 provides that the DEIAA may revoke or suspend the EC for non-implementation of any of the conditions in the interest of environmental protection.

33. The petitioners have challenged Ext.P9 D&O

licence issued by the Grama Panchayat. The 4 th respondent has specifically stated that the application submitted by the 5 th respondent for grant of D&O licence was complete in all respects and it is evident that the 4 th respondent has also considered the field report. In the circumstances, this Court does not find any reason to hold that Ext.P9 D&O licence was

: 28 : issued illegally.

34. In W.P.(C) No.29607/2018, the grievance of the petitioners is regarding issuance of Ext.P1 NOC by the

Executive Engineer, PVIP. According to the petitioner, Clause 4 of Ext.P1 provides that if due to the functioning of the quarry, the working of canal is put to danger, the quarry owner would be liable to restore the canal at own expense without any objection. The learned counsel for the petitioner would contend that the said condition would imply that canal will be ruined and water supply will be stopped due to quarrying operations. The condition mentioned in Ext.P1 is unenforceable as there is no agreement from the part of the Project Proponent for the reconstruction of the canal in case of damage.

35. The said argument is not acceptable. When NOC

has been granted on such condition, if the Project Proponent proceed with the quarrying operation on the strength of such NOC, it would constitute an enforceable condition under which the Project Proponent will be liable to restore the canal : 29 : in case of damage due to quarrying operations. Respondents 1 to 6 have statutory mechanism to recover any damage in case it happens due to the functioning of the quarry. The argument of the petitioners is therefore liable to be rejected.

36. The petitioners challenged Ext.P2 amendments to

Rules 10 and 40 of the Kerala Minor Mineral Concession Rules, 2015 in order to impugn Ext.P3 quarrying permit. The contention is that the 1st respondent has subdelegate its

rights of making rules. The amendment provides that the prohibited distance should be those specified by the Kerala State Pollution Control Board from time to time, which prescription is vague, contend the petitioners. It is the conditions laid down by the government which should be followed by the Pollution Control Board and not vice versa. Going through the amended provisions, this court finds no excessive delegation. Pollution Control Board is an expert statutory body which is competent to lay down criteria for permitting potentially polluting activities including quarries.

: 30 : There is no illegality in the action of the authorities in adopting the distance criteria laid down by the Pollution Control Board.

37. The challenge in W.P.(C) No.5839/2019 is against

Ext.P3 NOC in the writ petition issued to the Project Proponent, by the Executive Engineer, P.H. Division, KWA. It is alleged that said Executive Engineer is not the Authority competent to issue NOC for quarrying operations. Only SEIAA can give clearance. The said Ext.P3 is issued without regard to probability of damage. While issuing the said Ext.P3 NOC, the authority under the KWA noted that the site of the quarry is at a radial distance of 480 m. away from the 9 lakh capacity overhead tank and 281 m. away from the defunct OH tank of 65000 litres capacity.

38. Before issuing notice NOC, the advise of the

Director, Centre for Earth Science Studies and National Centre for Earth Science Studies were obtained. In their studies, it was noted that leaks are occurring in the pipelines even when quarries are not functioning. The leak is due to heavy traffic on the road and for other technical reasons such : 31 :

as air blocks in the road. The old-age of pipes, pressure variation etc. are also contributing to the leaks. Therefore, leakages in pipelines are not as a result of quarrying operation. In fact, the Centre for Earth Science Studies has also ruled out the possibility of falling rock pieces beyond the buffer distance of hundred metres. Therefore, the structures do not face any danger. As the Executive Engineer, PH Division, Kerala Water Authority has issued the NOC after obtaining report of Centre for Earth Science Studies, this Court do not find any reason to interfere with the NOC.

39. In W.P.(C) No.18819/2019, the challenge is against

Ext.P2 EC and Ext.P6 Explosives Licence issued to the Project Proponent. The grounds on which the EC is challenged are similar to the grounds urged in W.P.(C) No.19908/2018, which are already dealt with herein above. The grievance against issuance of Ext.P6 Explosives Licence, is that the Blasters Certificate issued to the Blaster engaged by the Project Proponent, Ext.P7, has already expired and hence Ext.P6 Explosives Licence is not liable to be renewed.

: 32 :

40. From the pleadings and arguments, it has come out

that there was a criminal case against the Project Proponent, SC No.646/2016 and the court has acquitted all the accused. As regards the validity of Ext.P6 Explosives Licence, the validity of Ext.P6 licence stands expired on 31.03.2019. Therefore, this Court finds no reason to adjudicate on the validity of the said expired licence at this stage.

For the reasons stated hereinabove, the writ petitions are dismissed. Sd/- N. NAGARESH, JUDGE aks/01.03.2021 : 33 : APPENDIX OF WP(C) 30938/2016
PETITIONER'S EXHIBITS: EXHIBIT P1: TRUE COPY OF THE QUARRYING PERMIT ISSUED TO THE 4TH RESPONDENT BY THE 2ND RESPONDENT
EXHIBIT P2: TRUE COPY OF THE EXPLOSIVE LICENSE OBTAINED BY THE 4TH RESPONDENT
EXHIBIT P3: TRUE COPY OF THE NEWS ITEM PUBLISHED IN MATHRUBHUMI DAILY DATED 24.08.2016
EXHIBIT P4: TRUE

COPY OF THE COMPLAINT SUBMITTED BY THE LOCAL PEOPLE BEFORE THE DISTRICT COLLECTOR EXHIBIT P5: TRUE COPY OF THE SKETCH SHOWING THE DISTANCES, ISSUED BY THE 3RD RESPONDENT EXHIBIT P6: TRUE COPY OF THE CONSENT OT OPERATE ISSUED TO THE 5TH RESPONDENT BY THE 1ST RESPONDENT EXHIBIT P7: TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER BEFORE THE DISTRICT COLLECTOR EXHIBIT P8: PHOTOS SHOWING THE DAMAGES CAUSED TO THE PETITIONER'S HOUSE EXHIBIT P8(A): PHOTOS SHOWING THE DAMAGES CAUSED TO THE NEARBY RESIDENCE DUE TO THE QUARRY OPERATION OF 4TH RESPONDENT : 34 : APPENDIX OF WP(C) 19908/2018 PETITIONERS' EXHIBITS: EXHIBIT P1 TRUE COPY OF THE PHOTOGRAPH SHOWING THE DAMAGES CAUSED TO THE RESIDENTIAL BUILDING OF THE 1ST PETITIONER. EXHIBIT P1(A) TRUE COPY OF THE PHOTOGRAPH SHOWING THE DAMAGES CAUSED TO THE RESIDENTIAL BUILDING OF THE 2ND PETITIONER. EXHIBIT P2 TRUE COPY OF THE ENVIRONMENTAL CERTIFICATE DATED 19/3/2018.

EXHIBIT P3 TRUE COPY OF THE JUDGMENT DATED KERALA STATE HUMAN RIGHTS COMMISSION. EXHIBIT P5 TRUE COPY OF THE REPORT DATED RESPONDENT BEFORE THE KERALA STATE HUMAN RIGHTS COMMISSION.

EXHIBIT P6 TRUE COPY OF THE STOP MEM DATED 3/5/2018 EXHIBIT P10 TRUE COPY OF APPLICATION FOR LICENCE. EXHIBIT P11 TRUE COPY OF THE PROCEEDINGS FOR THE GRANT OF EXT. P9 LICENCE. : 35 : EXHIBIT P12 TRUE COPY FO THE PARTITION DEED DATED 30.9.1988. EXHIBIT P13 TRUE COPY OF THE SETTLEMENT DEED DATED 14.11.1988. EXHIBIT P14 TRUE COPY OF THE SALE DEED DATED 15.7.2004. EXHIBIT P15 TRUE COPY OF THE BLASTERS CERTIFICATE DATED 28.3.2018. EXHIBIT P16 TRUE COPY OF THE CHARGE SHEET DATED 13.9.2014. EXHIBIT P17 TRUE COPY OF THE LOCATION SKETCH SUBMITTED BY THE 7TH RESPONDENT FOR OBTAINING EXT.P2 E.C. EXHIBIT P18 TRUE COPY OF THE RELEVANT EXTRACT OF THE

METALLIFEROUS MINES REGULATIONS. EXHIBIT P19 PHOTOGRAPHS. RESPONDENTS' EXHIBITS:

EXHIBIT R3A

A TRUE COPY OF THE REPORT SUBMITTED BY

CARRIED OUT ON 22/6/2018 EXHIBIT R5(A) TRUE COPY OF THE ENVIRONMENTAL CLEARANCE CERTIFICATE DATED 19.3.2018 ISSUED BY THE DISTRICT ENVIRONMENTAL IMPACT ASSESSMENT AUTHORITY. EXHIBIT R5(B) TRUE COPY OF THE LICENSE DATED 30.9.2014 ISSUED BY THE DEPUTY CHIEF CONTROLLER OF EXPLOSIVES, CHENNAI. EXHIBIT R5(C) TRUE COPY OF THE LICENSE DATED 5.4.2018 ISSUED BY THE JOINT CHIEF CONTROLLER OF EXPLOSIVES, CHENNAI. : 36 : EXHIBIT R5(D) TRUE COPY OF THE CONSENT TO OPERATE DATED 28.3.2018 FILE NO.PCB/EKM/DO2/ICO-QR-R3/129/2015 ISSUED BY THE KERALA STATE POLLUTION CONTROL BOARD. EXHIBIT R5(E) TRUE COPY OF THE LICENSE NO.340/18-19 DATED 3.5.2018 ISSUED TO THE PETITIONER FROM THE KOOVAPPADY GRAMA PANCHAYATH. EXHIBIT R5(F) TRUE COPY OF THE NO OBJECTION CERTIFICATE ISSUED BY THE EXECUTIVE ENGINEER, P.V.I.P DIVISION NO.1 DATED 11.7.2018. EXHIBIT R5(G) TRUE COPY OF THE QUARRYING PERMIT FOR EXTRACTION OF GRANITE BUILDING STONE DATED 12.6.2018 ISSUED TO THE PETITIONER FROM THE DEPARTMENT OF MINING AND GEOLOGY.

EXHIBIT R5(H) TRUE COPY OF THE REPORT DATED 25.6.2018 SUBMITTED BY THE 4 MEMBER COMMITTEE DEPUTED BY THE DEIAA. EXHIBIT R5(I) TRUE COPY OF NOC DATED 16.2.2019 ISSUED BY THE EXECUTIVE ENGINEER, PH DIVISION, ALUVA. EXHIBIT R5(J) TRUE COPY OF THE RECEIPT DATED 16.2.2019 ISSUED BY THE EXECUTIVE ENGINEER, PH DIVISION, ALUVA SHOWING REMITTANCE OF RS.50,000/-. EXHIBIT R5(K) TRUE COPY OF APPLICATION DATED 16.4.2019 SUBMITTED BY THIS RESPONDENT BEFORE THE KWA. EXHIBIT R5(L) TRUE COPY OF REPLY ISSUED BY THE CONTROLLER OF EXPOLISVES, ERNAKULAM TO THE KWA. :37: APPENDIX OF WP(C) 29607/2018 PETITIONERS' EXHIBITS: EXHIBIT P1 TRUE COPY OF THE NO OBJECTION CERTIFICATE DATED 11/07/2018 ISSUED BY THE HEALTH RESPONDENT. EXHIBIT P2 TRUE COPY OF THE

NOTIFICATION DATED RESPONDENT. EXHIBIT P3 TRUE COPY OF THE GEOLOGICAL PERMIT DATED 12.06.2018 ISSUED BY THE 3RD RESPONDENT. EXHIBIT P4 TRUE COPY OF THE CONSENT TO OPERATE DATED 28/03/2018 ISSUED BY THE 4TH RESPONDENT. EXHIBIT P5 TRUE COPY OF THE RELEVANT EXTRACT OF THE METTALIFEROUS MINING REGULATIONS. EXHIBIT P6 TRUE COPY OF THE SCHEDULE OF THE NOISE POLLUTION (REGULATION AND CONTROL) RULES 2000. RESPONDENTS' EXHIBITS: EXHIBIT R7(A) THE TRUE COPY OF THE AGREEMENT EXECUTED WITH THE EXECUTIVE ENGINEER OF WATER IRRIGATION DEPARTMENT DATED EXHIBIT R7(B) TRUE COPY OF THE ENVIRONMENTAL

CLEARANCE CERTIFICATE DATED 19/03/2018 ISSUED BY THE DISTRICT ENVIRONMENTAL IMPACT ASSESSMENT AUTHORITY. EXHIBIT R7(C) TRUE COPY OF THE LICENSE DATED CONTROLLER OF EXPLOSIVES, CHENNAI. :38: EXHIBIT R7(D) TRUE COPY OF THE LICENSE DATED CONTROLLER OF EXPLOSIVES, CHENNAI. EXHIBIT R7(E) TRUE COPY OF THE CONSENT TO OPERATE DATED 28/03/2018 FILE NO. PCB/EKM/DO2/ICO-QR-R3/129/2015 ISSUED BY THE KERALA STATE POLLUTION CONTROL BOARD. EXHIBIT R7(F) TRUE COPY OF THE LICENSE NO.340/18-19 DATED 03/05/2018 ISSUED TO THE PETITIONER FROM THE KOOVAPPADY GRAMA PANCHAYATH. EXHIBIT R7(G) TRUE COPY OF THE NO OBJECTION CERTIFICATE ISSUED BY THE EXECUTIVE ENGINEER P.V.I.P. DIVISION NO.1 DATED EXHIBIT R7(H) TRUE COPY OF THE QUARRYING PERMIT FOR EXTRACTION OF GRANITE BUILDING STONE DATED 12/06/2018 ISSUED TO THE PETITIONER FROM THE DEPARTMENT OF MINING AND GEOLOGY.

EXHIBIT R7(I) TRUE COPY OF THE GAZETTE NO. GO NO.25/2017/ID DATED 22/06/2017. EXHIBIT R7(J) TRUE COPY OF THE ORDER IN WPC NO.19908/2018 DATED 14/08/2018. EXHIBIT R7(K) TRUE COPY OF THE REPORT DATED EXECUTIVE ENGINEER, KERALA WATER AUTHORITY. EXHIBIT R7(L) TRUE COPY OF NOC DATED 16/02/2019 ISSUED BY THE EXECUTIVE ENGINEER, PH DIVISION, ALUVA. EXHIBIT R7(M) TRUE COPY OF THE RECEIPT DATED ENGINEER, PH DIVISION, ALUVA SHOWING REMITTANCE OF RS. 50,000/-. :39: EXHIBIT R7(N) TRUE COPY OF

INFORMATION OBTAINED FROM THE OFFICE OF THE PVIP SUB DIVISION, PERUMBAVOOR REGARDING EXISTENCE OF CULVERTS AND FOOT BRIDGES.

EXHIBIT R3(A)

A TRUE COPY OF THE REPORT SUBMITTED BY

CARRIED OUT ON 22/06/2018. EXHIBIT R3(B) A TRUE COPY OF THE LOCATION SKETCH SUBMITTED BY THE 7TH RESPONDENT. EXHIBIT R5(A) A TRUE COPY OF THE AGREEMENT DATED 11.07.2018 ENTERED INTO BETWEEN THE 7TH RESPONDENT AND THE DEPARTMENT. :40: APPENDIX OF WP(C) 5839/2019 PETITIONERS' EXHIBITS: EXHIBIT P1 TRUE COPY OF THE CHARGE SHEET DATED 13.9.2014 EXHIBIT P2 TRUE COPY OF THE COUNTER AFFIDAVIT DATED 3.10.2018 FILED BY THE 1ST RESPONDENT IN WPC.29607/2018 EXHIBIT P3 TRUE COPY OF THE NOC DATED 16.2.2019 ISSUED BY THE 2ND RESPONDENT EXHIBIT P4 TRUE COPY OF THE LETTER DATED 16.11.2012 ISSUED BY THE 3RD RESPONDENT EXHIBIT P5 TRUE COPY OF THE SALE DEED DATED 15.7.2004 EXHIBIT P6 TRUE COPY OF THE SETTLEMENT DEED DATED 14.11.1988 EXHIBIT P7 TRUE COPY OF THE PARTITION DEED DATED 30.9.1988 EXHIBIT P8 TRUE COPY OF THE REPORT DATED MOOVATTUPUZHA BEFORE THE STATE HUMAN RIGHTS COMMISSION. EXHIBIT P9 TRUE COPY OF THE RELEVANT EXTRACT OF THE PUBLIC LIABILITY (INSURANCE) ACT, 1991. EXHIBIT P10 TRUE COPY OF THE ORDER DATED CONNECTED CASES BY NGT. EXHIBIT P11 TRUE COPY OF THE ORDER DATED CONNECTED CASES BY NGT. :41: EXHIBIT P12 TRUE COPY OF THE SCHEDULE III UNDER THE NOISE POLLUTION (REGULATION AND CONTROL) RULES 2000. EXHIBIT P13 TRUE COPY OF THE SCHEDULE IV UNDER RULE 99 OF THE EXPLOSIVE RULES. RESPONDENTS' EXHIBITS: EXHIBIT R1(A) TRUE COPY OF THE REPORT ISSUED BY NOC. EXHIBIT R4(A) TRUE COPY OF ENVIRONMENTAL CLEARANCE ISSUED BY THE DEIAA, ERNAKULAM DATED EXHIBIT R4(B) TRUE COPY OF LICENSE TO POSSESS AND USE EXPLOSIVE TO THIS RESPONDENT DATED EXHIBIT R4(C) TRUE COPY OF INTEGRATED CONSENT TO OPERATE RENEWED BY THE KERALA STATE POLLUTION CONTROL BOARD, DATED EXHIBIT R4(D) TRUE COPY OF LICENSE ISSUED

TO THIS RESPONDENT BY THE KOOVAPPADI GRAMA PANCHAYAT FOR THE PERIOD 2018-2019.

EXHIBIT R4(E) TRUE COPY OF NOC NO.A2-1541/2018,
DEPARTMENT.

EXHIBIT R4(F) TRUE COPY OF THE QUARRYING PERMIT
VILLAGE OFFICE, SHOWING REMITTANCE OF TAX IN RESPECT OF THE
PROPERTY OF THIS RESPONDENT. EXHIBIT R4(H) TRUE COPY OF
RECEIPT ISSUED BY THE KOOVAPPADY VILLAGE, ACKNOWLEDGING THE
REMITTANCE OF LAND TAX IN RESPECT OF THE PROPERTY OF SRI. ANIL
VARGHESE. :42: EXHIBIT R4(I) TRUE COPY OF CONSENT ISSUED BY SRI.
ANIL VARGHESE IN FAVOUR OF THIS RESPONDENT. EXHIBIT R4(J) TRUE
COPY OF CERTIFICATE ISSUED BY THE VILLAGE OFFICER CERTIFYING
THAT THIS RESPONDENT DO NOT HAVE ANY LAND IN EXCESS OF CEILING
LIMIT. EXHIBIT R4(K) TRUE COPY OF CERTIFICATE ISSUED BY THE
VILLAGE OFFICER CERTIFYING THAT MR. ANIL VARGHESE DO NOT HAVE
ANY LAND IN EXCESS OF CEILING LIMIT. :43:

APPENDIX OF WP(C) 18819/2019 PETITIONER'S EXHIBITS: EXHIBIT P1 TRUE
COPY OF THE QUARRYING PERMIT ISSUED BY 2ND RESPONDENT DATED
12.06.2018. EXHIBIT P2 TRUE COPY OF THE ENVIRONMENTAL CLEARANCE
NO.22/2018 ISSUED BY DEIAA DATED 19.03.2018. EXHIBIT P3 THE TRUE
COPY OF REPORT SUBMITTED BY 5TH RESPONDENT DATED 06.01.2018.
EXHIBIT P4 TRUE COPY OF THE FINAL REPORT FILED BEFORE THE JFCM
COURT,KURUPPAMPADY BY 9TH RESPONDENT IN CRIME NO. 1312 DATED
13.09.2014. EXHIBIT P5 THE TRUE COPY OF THE REPORT SUBMITTED BY
ASSISTANT EXECUTIVE ENGINEER, PVIP TO THE 8TH RESPONDENT
DATED 09.07.2018. EXHIBIT P6 TRUE COPY OF THE EXPLOSIVES LICENSE
ISSUED BY 3RD RESPONDENT DATED 30.09.2014. EXHIBIT P7 TRUE COPY
OF BLASTERS CERTIFICATE OF COMPETENCY DATED 05.04.2019.
RESPONDENTS' EXHIBITS: EXHIBIT R6 A TRUE COPY OF SITE PLAN
APPROVED BY THE VILLAGE OFFICER. EXHIBIT R6 B TRUE COPY OF THE

PROCEEDINGS OF THE COMMITTEE DEPUTED BY THE DEIAA.

EXHIBIT R2(A) A TRUE COPY OF THE REPORT SUBMITTED BY

CARRIED OUT ON 22.6.2018 :44: EXHIBIT R4(1) TRUE COPY OF THE SAID
LETTER DATED 28.6.2019 DIRECTING THE 6TH RESPONDENT TO SUBMITE
DATA FOR GENERATION OF MINE CODE SR

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