

# Dalmia Bharat Sugar and Industries Limited

[ Formerly : Dalmia cement (Bharat) Limited ]  
SALEM - 636 012 TAMILNADU

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To,  
The Director, IA Division (Non-Coal Mining)  
Ministry of Environment, Forest & Climate Change,  
Indira Paryavaran Bhawan,  
Jor Bagh Road, New Delhi- 110003

Date:01.09.2023.

**Sub:** Chettichavadi Jaghir Magnesite and Dunite Mine of M/s. Dalmia Bharat Sugar and Industries Limited for Total Excavation of 1.4 million Tonne per annum (MTPA)/ [Including 0.061 million tons of Magnesite, 0.14 million tonnes of Dunite, Waste, O.B, Inter Burden, Top Soil etc.] in the mine lease area of 449.364 ha, located at Chettichavadi Village, Salem Taluk, Salem District, Tamil Nadu - [File No: 23-227/2018-IA.III(V), Proposal No: IA/TN/MIN/241375/2018,- **submission of reply of Additional Details Sought reg.**

**Ref:**

1. EC Proposal No: IA/TN/MIN/241375/2018; File No. 23-227/2018-IA.III(V).
2. Minutes of 9<sup>th</sup> EAC Meeting (Non-Coal Mining), Meeting ID - IA/MIN/13425/17/01/2023 held on 17.01.2023, Agenda Item No. 1.3.

Dear Sir,

Our subject Proposal cited under **Ref.No-1** was appraised for grant of Environmental Clearance (Violation category) in the EAC (Non-Coal Mining) Meeting cited under **Ref.No-2**. Hon'ble EAC deliberated on our proposal and it was deferred for want of additional information. With reference to the same we are hereunder submitting the Pointwise information desired by Hon'ble Committee for further consideration.

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REGD. OFFICE : DALMIAPURAM(TAMILNADU) - 621 651.  
HEAD OFFICE : HANSALAYA (11<sup>TH</sup>&12<sup>TH</sup> FLOORS)  
15, BARAKHAMBA ROAD, POST BOX 364  
NEW DELHI - 110 001.

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Sn	Additional Details Sought(ADS)	Our Submissions
i.	<p>The project to be considered after deposit of demand raised by State authorities w.r.t Hon'ble Supreme Court common cause Judgement dated 2.08.2017. PP shall submit the proof of payment.</p>	<p>In this regard, as per MoEF&amp;CC OM issued vide F. No. 3-50/2017-IA.III (Pt.) dated 30<sup>th</sup> May 2018, we are herewith submitting <b>an undertaking by way of affidavit dated 22<sup>nd</sup> April 2023</b> to comply with all the statutory requirements <b>including payments of Demand raised by State Authorities</b> and judgments of the Hon'ble Supreme Court dated 02.08.2017 in W.P. No. (Civil) 114 of 2014. Copy of Affidavit in line with MoEF&amp;CC above referred OM is attached herewith as <b>Annexure-1</b>.for kind consideration.</p> <p>Further, State Mining Dept., Department of Geology and Mining, Guindy, Chennai while confirming validity of mining lease vide <b>Letter Ref. no. Rc. No. 1355 /MM9/2006</b> dated 09.12.2022 has directed Project Proponent to remit EC violation amount of INR 18.69 Crore and surface compensation amount of INR 79 Crores upon disposal of writ petition /writ appeal pending before Hon'ble High Court of Madras. Copy of the letter is enclosed as <b>Annexure-2</b>.</p> <p>The said demands are being contested by PP on the grounds amongst others that it has been imposed without opportunity of hearing.</p> <p>However, in case of similar demands to remit EC violation amount, Madurai Bench of Madras High Court by orders dated 18<sup>th</sup> Aug 2020 in W.P. (MD) No. 24463/2018 etc. batch has taken opposite view and held that such demands cannot be enforced without opportunity of hearing. Therefore, the matter has now been referred to larger bench to decide the said issue.</p> <p>The Writ Appeal before Madras High Court regarding demand of EC violation amount INR 11.44 Crore along with entire batch appeals from other ML holder on the same issue is posted for hearing on 12<sup>th</sup> Sep 2023.</p> <p>Further, a Writ Petition W.P 22888/2023 has been filed on 27.07.2023 before Madras High Court praying amongst others that MOEF&amp;CC should not</p>



		<p>Insist for pre-payment of INR 11.24 Crore and 7.44 Crore for grant of EC (compensation demanded by State Mining Dept. for mining without EC in light of Supreme Court Order In Common Cause, dated 22<sup>nd</sup> August 2017 In Writ Petition (Civil) No. 114 of 2014). The matter is pending and posted for hearing on 20<sup>th</sup> September 2023.</p> <p>Wereliterate herein that we will pay the demands upon final disposal of the matter.</p>
ii.	<p>The Project Proponent needs to submit the details of all the court cases/show cause notices/litigations In a chronological manner and its present status with the supporting court orders/documents.</p>	<p>The details of all pending Court cases/ Show Cause Notices/ litigations as on date and their present status with its supporting Court Order/ Documents are submitted herewith as <b>Annexure-3</b>.</p> <p>Same is also included separately in <b>Annexure-LVI</b> in <b>Vol II of Final EIA/EMP Report</b>.</p>
iii.	<p>The Project Proponent needs to submit the status of the credible action to be initiated by the State Govt. against the Project Proponent under the section 19 of E(P)A, 1986 in reference to the Ministry's letter dated 25.11.2020.</p>	<p>Credible action has been initiated by the State Govt./ TNPCB against the Project Proponent under Section 19 of Environmental (Protection) Act, 1986 vide <b>Case No CC No:388/23</b> at Judicial Magistrate Court No-IV. Copy of E-filing Status is attached as <b>Annexure-4</b>.</p>
iv.	<p>The Project Proponent needs to submit the revised letter from the Competent Authority, Forest Department clearly mentioning the type of Schedule Species in the study area of 10 km radius and accordingly the Project Proponent needs to submit the proof of submission of Wildlife Conservation Plan made to the Forest Dept with the timeline for implementation and the budget proposed.</p>	<p>As per the direction, revised letter from the Forest Range Officer, TN Forest Department was obtained clearly mentioning the type of Schedule I Species in the study area of 10 Km Radius vide <b>Letter no C.No.228/2021 dated 13<sup>th</sup> Feb 2023</b>. A copy of same is attached herewith as <b>Annexure-5</b>. (Also, enclosed in Vol II. of Final EIA/EMP Report as Annexure-LIV).</p> <p>Based on the revised letter, Wildlife Conservation Plan along with the budgetary Provisions with timeline for implementation has been prepared by our consultant and submitted to DFO, TN, Forest Department, Salem vide our <b>Letter SL:MM:26150.A dated 9<sup>th</sup> March 2023</b>. Copy of Acknowledgment received against our Submission is herewith submitted as proof and enclosed as</p>



		<b>Annexure-6.</b> Wildlife Conservation Plan along with timeline for implementation and the budget proposed is Annexed as <b>Annexure- 7.</b> (Also, enclosed in Vol II. of Final EIA/EMP Report as Annexure-LVII).
v.	The Project Proponent needs to submit the District Survey Report for Dunite to be approved by the SEIAA, Tamil Nadu.	The District Survey Report (DSR) for Dunite prepared by Department of Geology and Mining and approved by District Collector was downloaded from the website and submitted to Director, Ministry of Environment, Tamil Nadu dated 31.01.2023. SEIAA, Tamil Nadu has approved DSR for Dunite vide letter no: SIEAA/TN/C.No6013/2023 dated 06.06.2023. Copy attached herewith as <b>Annexure-8.</b> (Also enclosed in <b>Vol-II of the Final EIA/EMP Report as Annexure No-LIII</b> ).
vi.	The Project Proponent needs to submit the complete copy of the Approved Mining Plan dated 30.03.2021 in Parivesh.	The Complete Copy of the Approved Mining Plan dated 30.03.2021 is attached herewith.
vii.	The Project Proponent needs to submit the valid NABET Accreditation Certificate of the Consultant in Parivesh.	The Consultant engaged for the project <b>M/s AadhiBoomi Mining and Enviro Tech P Ltd, Salem</b> have been accredited by NABET vide QCI-NABET's letter of accreditation bearing no. QCI/NABET/ENV/ ACO/22/2240 dated 10 <sup>th</sup> Feb 2022; <b>Certificate No. NABET/EIA/2124/RA 0228 dated 10<sup>th</sup> Feb 2022 &amp; Valid upto 22<sup>nd</sup> Oct 2024.</b> The NABET Accreditation Certificate of the Consultant is attached in Page No-iv,v,vi in Volume-I of the Final EIA/EMP Report. Copy of NABL Accreditation as mentioned above is attached herewith as <b>Annexure- 9.</b> for ready reference.
viii.	The Project Proponent needs to submit the undertaking as per Ministry's OM dated 05.10.2011 and also the Consultant needs to submit the undertaking as per Ministry's OM dated 04.08.2009.	The undertaking by the PP as per Ministry's OM dated 05.10.2011 is attached in Page No-ii in Volume-I of the Final EIA/EMP Report. The Copy is attached herewith as <b>Annexure-10.</b> for ready reference. The undertaking by the Consultant as per Ministry's OM dated 04.08.2009 is attached in Page No-iii in Volume-I of the Final EIA/EMP Report. The Copy is attached herewith as <b>Annexure-11.</b> for ready reference.



ix.	The Project Proponent needs to reupload the EIA/EMP report along with the contents of the EIA/EMP report in Parivesh.	As per direction, the Final EIA/EMP report alongwith contents has been re-uploaded in Parivesh along with ADS Reply.
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We kindly request your good self to process our application for issuance of the Environmental Clearance as early as possible.

Thanking You.

**Yours Faithfully,  
For M/s. Dalmia Bharat Sugar and Industries Ltd,**



**P.G. KALIDASS,  
(Authorized Signatory).**

P. G. KALIDASS,  
AGENT & MINES MANAGER,  
CHETTICHAVADI JAGHIR MINES,  
DALMIA BHARAT SUGAR AND INDUSTRIES LTD.,  
DALMIA MAGNESITE CORPORATION,  
SALEM-636 012.

Encl:

Annexure-1: Affidavit dated 22.04.2023.

Annexure-2: Letter issued by the Commissioner of Geology and Mining dated 09.12.2022.

Annexure-3: List of all pending Court Cases and Litigation with relevant Court orders.

Annexure-4: Action taken report by TNPCBd CC.No.388/2023 filed in Judicial Magistrate Court No-IV, Salem.

Annexure-5: Copy of Revised letter from Forest Department mentioning the type of Schedule I Species in 10 Km Radius.

Annexure-6: Copy of Proof of submission of Wildlife Conservation Plan along with timeline and budget.

Annexure-7: Copy of Wildlife Conservation Plan with timeline and Budget.

Annexure-8: District Survey Report for Dunite approved by SEIAA-Tamilnadu vide Letter No.-SIEAA/TN/C.No6013/2023 dated 06.06.2023

Annexure-9: Copy of NABL Accreditation Certificate of the Environment Consultant.

Annexure-10: Copy of the undertaking by the Project Proponent as per Ministry's OM dated 05.10.2021.

Annexure-11: Copy of the Undertaking by the Environment consultant as per Ministry's OM dated 04.08.2009.

Approved Mining Plan.

Final EIA/EMP Report Vol-I & II.



**Annexure-1: Affidavit dated 22.04.2023**



Annexure-1: Affidavit



21 APR 2023  
DALMIA BHARAT  
SUGAR AND INDUSTRIES  
SALEM LTD

CZ 744433  
R. RAJAN  
STAMP VENDOR  
- No 6424-5/97 1  
SURAMANGALAM SALEM-5  
TAMILNADU

**AFFIDAVIT**

I, **P.G.Kalidass** S/o. Late. P.P.Govindharajulu, residing at 15/4 Gopalasamy Chetty Street, Shevapet, Salem-636002 solemnly affirm as under:

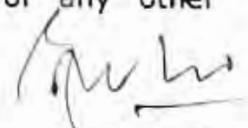
- 1) I am **Agent & Mines Manager** for **Chettichavadi Jaghir Magnesite and Dunite mines of Dalmia Bharat Sugar & Industries Ltd** {earlier known as Dalmia Cement (Bharat) Ltd.} at Village Chettichavadi Dist. Salem (TamilNadu) as such I am authorized and competent to swear this affidavit for and on behalf of Dalmia Bharat Sugar & Industries Ltd. (**Project Proponent**).



  
**P. G. KALIDASS,**  
**AGENT & MINES MANAGER,**  
**CHETTICHAVADI JAGHIR MINES,**  
**DALMIA BHARAT SUGAR AND INDUSTRIES LTD.,**  
**C/o. DALMIA MAGNESITE CORPORATION**  
**SALEM-635 012**



- 2) The Project Proponent had applied for grant of EC in respect of the Chettichavadi Jaghir Magnesite and Dunite mines under the provisions of EIA Notification 2006 and subsequent amendments vide MoEF & CC Proposal No. IA/TN/MIN/241375/2018; File No: 23-227/2018-IA.III(V).
- 3) The Project Proponent hereby under take to comply with all the statutory requirements with regard to grant of Environment Clearance and judgement of Hon'ble Supreme Court dated 2<sup>nd</sup> August 2017 in W.P. No. (Civil) 114/2014 in the matter of Common Cause Vs. Union of India and Ors. This undertaking inter-alia include commitment of the Project Proponent to ensure no violations of statutory requirements and said judgments of Supreme Court.
- 4) In case of violation of above Undertaking the Environmental Clearance shall be liable to be terminated.
- 5) Entire compensation, if any, finally confirmed, for alleged violation shall be paid by the Project Proponent through the respective department of Mining and Geology in strict compliance of judgement of Hon'ble Supreme Court dated 2<sup>nd</sup> August 2017 in Writ Petition (Civil) No. 114 of 2014 in the matter of Common Cause versus Union of India and Ors.
- 6) This undertaking is without prejudice to the rights, remedies and contentions of Project Proponent to contest all the proceedings initiated against the Project Proponent in pursuance of judgement of Hon'ble Supreme Court dated 2<sup>nd</sup> August 2017 in W.P. No. (Civil) 114/2014 in the matter of Common Cause Vs. Union of India & Others and/or to contest any other proceedings for alleged violation of any other environment protection laws/mining laws.

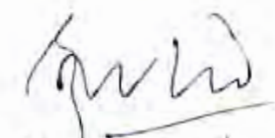


**Deponent**

P. G. KALIDASS,  
AGENT & MINES MANAGER,  
CHETTICHAVADI JAGHIR MINES,  
DALMIA BHARAT SUGAR AND INDUSTRIES LTD.,  
C/o DALMIA MAGNESITE CORPORATION,  
SALEM-636 012.

I, the above-named Deponent do hereby verify that the contents of para 1 to 6 are true to best of my knowledge & belief, as derived from the records of Company and nothing material has been concealed there from.

Verified at **Salem** on this 22<sup>nd</sup> day of April 2023.



**Deponent**

P. G. KALIDASS,  
AGENT & MINES MANAGER,  
CHETTICHAVADI JAGHIR MINES,  
DALMIA BHARAT SUGAR AND INDUSTRIES LTD.,  
C/o DALMIA MAGNESITE CORPORATION,  
SALEM-636 012



Ramesh  
22/4/2023  
R. RAMESH, B.A., B.L., PGD.P.M.  
Advocate & Notary,  
2/48, V.M.R. Nagar, Meyyanoor,  
SALEM - 636004. ☎ 9443694543  
G.O.M.S. 396/27 Dt. 16.8.22  
Valid upto 26.7.2027



**Annexure-2: Letter issued by the Commissioner of  
Geology and Mining dt. 09.12.2022**



**COMMISSIONERATE OF GEOLOGY AND MINING**

**From**

Thiru.J.Jayakanthan, I.A.S.,  
Commissioner of Geology and Mining,  
Guindy, Chennai – 600 032.

**To**

The Secretary,  
O/o, The Secretary of MoEF&CC,  
Indira Paryvaran Bhavan,  
Jor Bagh, New Delhi – 110 003.

**Rc.No.1355/MM9/2006 dated 09.12.2022**

Sir,

Sub: Mines and Minerals – Major Mineral – Magnesite & Dunite – Salem District – Chettichavadi Village – Government lands - over an extent of 574.46.0 Ha. - S.F.Nos. 6 – Tvl.Dalmia Bharath and Sugar Industries Ltd., – For want of EC for Mining Magnesite and Dunite – remarks furnished regarding lease and dues – Reg.

- Ref 1. Representation of Tvl.Dalmia Bharath and Sugar Industries Ltd., dated: 16.08.2022.  
2. Government Letter No. 277/MMA.1/2022-1, dated: 27.09.2022.

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Kind attention is invited to the references cited above.

2) Tvl.Dalmia Bharath and Sugar Industries Ltd., have requested to consider mining lease granted to them in S.F.No.6 in Government Poramboke lands of Chettichavadi Village, Salem West Taluk Salem District for mining Magnesite and Dunite is in subsistence, subject to the outcome of all pending litigations, so that the mining lease can recommence mining operations.

3) In this regard, the followings are submitted:

- i. In respect of demand raised for Surface Right compensation to a sum of Rs. 79 Crores, Tvl.Dalmia Bharath and Sugar Industries Ltd., vide W.P. No.2517/2018 had obtained interim stay in the Hon'ble High Court of Madras.
- ii. In respect of demand raised for EC Violation to a sum of Rs. 18.69 Crores, Tvl.Dalmia Bharath and Sugar Industries Ltd.,

has filed W.A.No. 834 and 835 of 2020 and it is pending before the Hon'ble High Court of Madras.

- iii. As per Section 8A(5) of the amended Act 2015, the period of lease granted before the date of commencement of the Mines and Minerals (Development and Regulation) Amendment Act,2015, where mineral is used for captive purpose, shall be extended and be deemed to have been extended upto a period ending on the 31<sup>st</sup> March 2030, with effect from the date of expiry of renewal last made, or till the completion of renewal period, if any, or a period of 50 years from the date of grant of such lease, whichever is later, subject to the condition that all the terms and condition of the lease have been complied with.

3) In this connection, since the above lease is valid upto 31.03.2030, Tvl.Dalmia Bharath and Sugar Industries Ltd., is directed to remit the EC violation amount of Rs.18.69 Crs and Surface Right Compensation amount of Rs. 79 Crs after the disposal of the following cases which are pending before the Hon'ble High Court of Madras:

1. W.P.No. 2517/ 2018- Surface Right compensation
2. W.A.No. 834 & 835/2020- EC Violation.

  
**Commissioner of Geology and Mining**

Copy to:  
The Dalmia Bharath Sugar and Industries Limited.,  
Dalmiapuram,  
Tiruchirapalli - 621 651



**Annexure-3: List of all pending Court Cases and  
Litigation with relevant Court Orders**

**Annexure-3: List of all pending Court Cases and Litigation with relevant Court orders.**

**LIST OF LITIGATIONS PENDING WITH CHETTICHAVADI JAGHIR MAGNESITE AND DUNITE MINES:**

Sn	Case Reference	Facts	Current Status
	<b>MMRD</b>		
1.	W.P.25518/2006 Madras HC	Since Mines and Geology Dept. was not disposing of the application for renewal of mining lease, Writ Petition No. 25518 of 2006, filed by Project Proponent Hon'ble Court granted an interim injunction in favor of the Project Proponent to operate the said mining lease under <i>deemed extension</i> in terms of Rule 24 A (6) of MCR 1960. Accordingly, in light of the interim relief granted by this Hon'ble Court, the Appellant continued its mining operations without any expansion and or modification.	The said order dated 17 <sup>th</sup> August, 2006 still continues to be in force and the said W.P. No. 25518 of 2006 is also pending as on date. (Copy enclosed as <b>Annexure No- i</b> )  Now State Mining Dept. issued letter dated 9 <sup>th</sup> Dec 2022 hence this writ petition is now redundant.
2.	In terms of the Supreme Court Order dated the 22nd August 2017 in Writ Petition (Civil) No. 114 of 2014, Dist. Collector Salem raised a demand vide order 18 <sup>th</sup> June 2019 directing Dalmia Bharat Sugar & Industries Ltd. (DBSIL), project proponent here to pay sum of INR 11.44 crore on the quantity of Dunite mined without EC for the period 1 <sup>st</sup> April 2000 to 31 <sup>st</sup> March 2018.	The said demand was challenged by the DBSIL before Hon'ble Madras High Court by WP No. 889 of 2020 wherein DBSIL. The said writ petitions were dismissed by Hon'ble High Court vide orders dated 12 <sup>th</sup> June 2020. The orders dated 12th June 2020 passed by Hon'ble High Court has been challenged by DBSIL vide Writ Appeal No 834 of 2020 which are yet to be taken up for hearing. In the meanwhile, Hon'ble Madurai Bench of Madras High Court in a different batch of writ petitions challenging demands by other District Collectors in terms of the said Supreme Court Order dissented with the orders dated 12 <sup>th</sup> June 2020 on the ground that raising of demand without opportunity of hearing may not be proper. The Madurai Bench of Madras High Court recorded its reasons for dissent in its order dated 19th August 2020 in W.P(MD) No.24463 of 2018 and etc. batch and requested Hon'ble Chief Justice of Madras High Court to	Writ Petition No.29275 of 2016 Disposed by passing judgement dated 11 <sup>th</sup> January 2022 by the Honorable Madras High Court with direction to PP to obtain EC. (Copy enclosed as <b>Annexure No- ii</b> ).



Sn	Case Reference	Facts	Current Status
		<p>place the matter before an appropriate bench. District Collector has also issued notice date 8th July 2020 for recovery of the amount. We have requested to keep the recovery proceedings in abeyance in view of the matter being sub judice.</p>	
3.	<p>District Collector, Salem has also raised another demand vide order dated 08.07.2020 directing project proponent to pay sum of Rs.7.24 crore on the quantity of Magnesite mined without EC for the period 01.04.2000 to 31.03.2018.</p>	<p>Project Proponent has sought basis of demand from District Collector. The demand is pending for disposal in view of above-mentioned development in the similar matter.</p>	<p>Pending.</p>
4.	<p>W.P.No.2517 of 2018 before Madras H.C.  (District Collector's demand of surface compensation of Rs.79,88,39,062 from 20.08.1966 till 31.10.2017)</p>	<p>Project Proponent has filed W.P.No.2517 of 2018 before Madras H.C. Later on, vide orders dated 28<sup>th</sup> Feb 2022, the writ had been tagged with Writ Appeal, No. 757 of 2020. The Writ Appeal also pertains to said demand U/r 72 while stay of demand has been ordered to be continued, until vacated by Court. The demand is stayed till date.</p>	<p>Pending, stay order is in force (Copy enclosed as <b>Annexure No-iii</b>)</p>
5.	<p>W.P 22888/2023 – Dalmia Bharat Sugar &amp; Industries Ltd. Vs Secretary, MOEF&amp;CC</p>	<p>Writ Petition filed before Madras High Court praying amongst others that MOEF&amp;CC should not insist for pre-payment of INR 11.24 Crore and 7.44 Crore for grant of EC (compensation demanded by State Mining Dept. for mining without EC in light of Supreme Court Order in Common Cause, dated 22<sup>nd</sup> August 2017 in Writ Petition (Civil) No.114 of 2014.</p>	<p>Posted for hearing on 20<sup>th</sup> Sept. 2023</p>
	<p><b><u>Environment Protection Act</u></b></p>		
6.	<p>Show cause vide Proceeding Letter</p>	<p>Notices have been issued U/s 19 of Environment</p>	<p>Pending.</p>

Sn	Case Reference	Facts	Current Status
	No. SLM0006/DEE/TNPCB/SLM/RL/2014, dated 03.06.2014 by Tamil Nadu State Pollution Control Board U/s 19 of Environment Protection Act	Protection Act to all the directors of the Project Proponents on the alleged ground of mining without EC during the period of <i>deemed extension</i> while the application for second renewal of mining lease was pending.  Replies have been filed stating amongst others that mining was carried out under the provisions of deemed extension read with above mentioned order dated 17 <sup>th</sup> August 2006 of Madras HC.	
7.	Show Cause vide Proceeding Letter No. FEF/TNPBC/SLM/F/006 /20 by Tamil Nadu State Pollution Control Board U/s 19 of Environment Protection Act dated 4 <sup>th</sup> May 2020	Notices have been issued U/s 19 of Environment Protection Act to the Project Proponent. On the alleged ground of mining without EC during the period of <i>deemed extension</i> while the application for second renewal of mining lease was pending.  Replies have been filed stating amongst others that mining was carried out under the provisions of deemed extension read with above mentioned order dated 17 <sup>th</sup> August 2006 of Madras HC.	Criminal Case vide CC.No.388 of 2023 has been filed in Salem Judicial Magistrate Court No-4 by TNPCBd against the DBSIL represented by Shri. P.G. Kalidass, Agent and Superintendent of Mines. (Copy of Status of CC in Judicial Magistrate Court is attached as <b>Annexure No-iv</b> ).
	<b><u>Air Act &amp; Water Act:</u></b>		
8.	Show Cause Notice dated 5 <sup>th</sup> Feb 2013 under Water Act Show Cause Notice dated 5 <sup>th</sup> Feb 2013 under Air Act	Mining Activity without EC on renewal of mining lease. Reply to the notices have been filed.	Pending
9.	One Mr. S. Sakthivel Environmental Protection Anti-Pollution Group Salem filed Original Application No: 213/2021 before NGT Chennai	It was alleged in the application that that mining is being carried out without renewal of ML and without EC. In the said application PP along with MOEF and State Mining Dept. was arrayed as Respondents.	The said Original Application is finally disposed of vide orders dated 18 <sup>th</sup> May 2023 with direction to PP to obtain EC before starting ML operations (Copy of the Final Judgement by NGT dated 18.05.2023 is enclosed as <b>Annexure v</b> ).



Sn	Case Reference	Facts	Current Status
			<p>The said order following observation:</p> <p><i>“the Environmental Clearance was required to be obtained from the year 1994” (vis-à-vis mining project of the Applicant herein)</i></p> <p>We have moved a Review Application No. 14/2023 for correction of the said observation because under 1994 Notification EC was required for new projects. The mining projects which were existing in 1994, required EC at the time of expansion or renewal of ML.</p> <p>In the said Review Application, we have not sought any change in in the directions to PP to first seek EC from MOEF. The matter is to listed on 12th Sep 2023.</p>

## **Annexure-i of Annexure-3**



Annexure - i

IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Special Original Jurisdiction )

Thursday, the Seventeenth day of August Two Thousand Six

PRESENT

THE HON'BLE MR. JUSTICE K.RAVIRAJA PANDIAN

MP No.1 of 2006

IN WP.25518/2006

DALMIA CEMENT (BHARAT) LTD. [ PETITIONER ]  
A COMPANY INCORPORATED UNDER THE INDIAN  
COMPANIES ACT 1913, HAVING ITS REGISTERED  
OFFICE AT DALMIAPURAM,  
DIST.TIRUCHIRAPALLI,  
TAMIL NADU, INTER ALIA, CARRYING  
ON BUSINESS UNDER THE  
NAME AND STYLE OF  
DALMIA MAGNESITE CORPORATION AT  
SALEM, TAMIL NADU 636 012,  
REP.BY ITS LEGAL  
ADVISOR S.N.MITTAL.

Vs

1 THE STATE OF TAMILNADU [ RESPONDENTS ]  
REP.BY ITS SECRETARY TO GOVT.,  
DEPARTMENT OF INDUSTRIES  
LABOUR AND CO-OPERATION,  
FORT ST.GEORGE, CHENNAI-9.  
2 THE DISTRICT COLLECTOR  
SALEM 636001.

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to pass an order of ad interim injunction restraining the respondents their men, agents, servants and persons claiming under or through them from interfering with the mining of the aforesaid minerals by the petitioner at the Petition Schedule Premises and to continue issue permits for removal of excavated minerals from the petition schedule premises on payment of the requisite royalty pending disposal of the application dated 11.7.2005 pending W.P.No.25518/2006.

AI 004719

*John*  
2/11/14



SCHEDULE (XEROX COPY ENCLOSED):

Order: This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr. T. POORNAM, Advocate for the petitioner and of Mr. R. THIRUGNANAM, SPL.G.P. on behalf of the Respondents, the court made the following order:-

The learned counsel for the petitioner submits that the original lease period granted in favour of the petitioner has expired by 19.8.2006 and the petitioner has preferred an application on 11.7.2005 for renewal of the lease. However, the Respondents - State Government has not disposed of the said Application as on date.

In view of the statutory provision, i.e. Rule 24(A)(6) of the Mineral Concession Rules, 1960 if an application for renewal made within the time referred to in sub-rule (1) is not disposed of by the State Government, the lease period shall be deemed to have been extended by a further period till the State Government passes orders thereon, there will be an order of interim injunction. Notice.

-sd/-  
17/08/2006

/ TRUE COPY /

*J*  
Sub Assistant Registrar ( Statistics / C.S. )  
High Court, Madras - 600 104.

TO

1 THE SECRETARY TO GOVT.,  
GOVERNMENT OF TAMIL NADU, DEPARTMENT OF  
INDUSTRIES LABOUR AND COOPERATION, FORT ST.  
GEORGE, CHENNAI-9.

2 THE DISTRICT COLLECTOR  
SALEM 636001.

*du*  
2/11/14

AI 00471



C.C. to, M/S. T. POORNAM, Advocate on payment of necessary charges S.R.No. 17947

The Special Government Pleader, High Court, Madras - 104.

Order

In  
MP.1/2006

In  
WP.25518/2006

Date :17/08/2006

From 26.2.2001 the Registry is issuing certified copies of the Interim Orders in this format NR(18.8.2006)

NM  
18/8

*[Handwritten signature]*  
2/11/14

AI 004719

All that tract of lands situated at CHETTICHAVADI VILLAGE in SALEM in the Registration District of SALEM Sub-District and Thana SALEM bearing Cadestral Survey No.6, containing an area of 1314 acres or thereabouts delineated on the plan hereto annexed and thereon coloured RED and bounded as follows:

Name of the District : Salem  
Name of the Taluk : Salem  
Name of the Village : Chetichavadi

13. On the North by MUNGALPADI, KARUPPUR & THATHAYANGARPATTI VILLAGES

14. On the East by CHETTICHVADI LANDS

15. On the South by VELLAKKALPATTY, ALAGAPURAM & CHETTICHAVADI VILLAGES and

16. On the West by VELLAKKALPATTY & KARUPPUR VILLAGES hereinafter referred to as "the said lands".

*Handwritten:*  
2/11/45



**Annexure-ii of Annexure-3.**





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**Annexure - ii**



WP No.29275 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11-01-2022

CORAM

**THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM**

**WP No.29275 of 2016**

M/s.Dalmia Bharat Sugar and Industries Limited,  
(Previously known as 'Dalmia Cement (Bharat) Ltd'),  
a Company incorporated under the  
Indian Companies Act, 1913, having its  
Registered Office at Dalmiapuram,  
District, Tiruchirapalli, Tamil Nadu,  
Inter alia, carrying on business under  
the name and style of Dalmia Magnesite  
Corporation at Salem, Tamil Nadu 636 012  
Represented by its Managing Director,  
Mr.Jai Hari Dalmia.

..

Petitioner

vs.

- 1.The State of Tamil Nadu,  
Represented by its Secretary to Government,  
Department of Industries Labour and Cooperation,  
Fort St. George,  
Chennai – 600 009.
- 2.The Secretary,  
Industries Department (MMDI) and (MMCI),  
Fort St. George,  
Chennai – 600 009.



WP No.29275 of 2016

WEB COPY

3.The Commissioner,  
Department of Geology and Mining,  
Guindy Industrial Estate,  
Chennai – 600 032.

4.Deputy Director,  
Geology and Mining,  
Collectorate Complex,  
Salem.

5.The District Collector,  
Salem – 636 001.

.. Respondents

Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, forbearing the respondents from interfering with the mining operations of the petitioner in the Petition Schedule Premises and directing the respondents to continue to issue permits to excavate minerals namely Magnesite and Dunite on payment of the requisite royalty and without insisting on an Environmental Clearance Certificate.

For Petitioner : Mr.T.Poornam

For Respondents-1 to 5 : Mr.R.Shanmugasundaram,  
Advocate General Assisted by  
Mr.K.M.D.Muhilan,  
Government Advocate.



## ORDER

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The relief sought for in the present writ petition is to forbear the respondents from interfering with the mining operations of the petitioner in the Petition Schedule Premises and directing the respondents to continue to issue permits to excavate minerals namely Magnesite and Dunite on payment of the requisite royalty and without insisting on an Environmental Clearance Certificate.

2. The learned counsel for the petitioner made a submission that the petitioner-Company had already suspended their mining operations and submitted an application for Environmental Clearance Certificate before the Competent Authority and the process is in advanced stage and they are waiting for orders.

3. The learned Advocate General made a submission that the question of suspension of mining operations by the petitioner-Company would not arise at all, in view of the fact that no lease has been granted in favour of the petitioner by the State. Pursuant to the judgment of the





WP No.29275 of 2016

Supreme Court in the case of **Common Cause vs. Union of India and Others [(2016) 11 SCC 455]**, the Environmental Clearance Certificate

becomes mandatory for the purpose of grant of lease by the State. Therefore, only in the event of furnishing Environmental Clearance Certificate, the case of the petitioner-Company needs to be considered, but not otherwise.

4. The learned Advocate General further made a submission that all other requirements are also to be complied with for the purpose of grant of lease in accordance with the provisions of the Act and the Rules.

5. Thus, it is made clear that petitioner-Company is required to submit necessary Environmental Clearance Certificate and comply with all other requirements under the provisions of the Act and the Rules, enabling the Competent Authorities of the Department to consider the case for grant of lease for carrying on the mining operations strictly in consonance with the Act and Rules in force.

6. In the present case, the writ itself is to forbear the respondents



WP No.29275 of 2016

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from interfering with the mining operations of the petitioner-Company and the petitioner-Company have made a submission that they are not carrying on any mining operations at present. It is left open to the petitioner-Company to submit all the required documents, including the Environmental Clearance Certificate issued by the Competent Authorities of the State, enabling the State Authorities to consider the case and take a decision and pass appropriate orders on merits and in accordance with law. The respondents are directed to conduct inspection and verify whether mining operations were done or not, by verifying the statement made by the learned counsel for the petitioner.

7. With the abovesaid directions, the writ petition stands disposed of. However, there shall be no order as to costs.

**11-01-2022**

Index : Yes/No.  
Internet : Yes/No.  
Speaking Order/Non-Speaking Order.  
Svn

5/6



WEB COPY



WP No.29275 of 2016

**S.M.SUBRAMANIAM, J.**

Svn

To

- 1.The Secretary to Government,  
State of Tamil Nadu,  
Department of Industries Labour and Cooperation,  
Fort St. George,  
Chennai – 600 009.
- 2.The Secretary,  
Industries Department (MMDI) and (MMCI),  
Fort St. George, Chennai – 600 009.
- 3.The Commissioner,  
Department of Geology and Mining,  
Guindy Industrial Estate,  
Chennai – 600 032.
- 4.Deputy Director,  
Geology and Mining,  
Collectorate Complex,  
Salem.
- 5.The District Collector,  
Salem – 636 001.

WP 29275 of 2016

11-01-2022



**Annexure-iii of Annexure-3**

Annexure - iii

IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Special Original Jurisdiction )

Tuesday, the Sixth day of February Two Thousand Eighteen

PRESENT

THE HON'BLE MR JUSTICE M.DURAISWAMY

WP NO.2517 OF 2018

and WMP.NO.3072/2018

DALMIA BHARAT SUGAR AND [ PETITIONER IN BOTH THE PETITIONS ]  
INDUSTRIES LIMITED, (FORMERLY KNOWN AS  
DALMIA CEMENT (BHARAT) LTD.,) C/O. DALMIA  
MAGNESITE CORPN., REP BY ITS AUTHORIZED  
REPRESENTATIVE, SALEM 636 012

vs

1 STATE OF TAMIL NADU, [ RESPONDENTS IN BOTH THE PETITIONS ]  
THROUGH ITS SECRETARY, MINES AND MINERALS  
DEPARTMENT, FORT ST. GEORGE, CHENNAI 9

2 THE DISTRICT COLLECTOR,  
FORT MAIN ROAD, DISTRICT COLLECTORATE,  
REVENUE DEPARTMENT, SALEM DISTRICT,  
TAMIL NADU

Writ Petitions under Article 226 of the Constitution of India  
praying that in the circumstances stated therein and in the  
respective affidavits filed therewith the High Court will be  
pleased to issue a Writ of Certiorari

(i) calling for the records of the demand notice issued by the  
2nd respondent bearing Roc. No. 577 / 2017 / Mines / A dt  
22.11.2017 and quashing the same as arbitrary and illegal and  
contrary to the provisions of the Mines and Minerals (Development  
and Regulation) Act, 1957 and the Mineral Concession Rules, 1960  
(in WP.2517/2018) and;

(ii) to grant an interim stay against the operation of the  
impugned Demand Notice bearing Roc. No. 577 / 2017 / Mines / A dt  
22.11.2017 and all proceedings pursuant thereto (in WMP.3072/2018)  
pending disposal of the WP NO.2517 OF 2018 respectively.

Order : These petitions coming on for orders upon perusing  
the petitions and the respective affidavits filed in support  
thereof and upon hearing the arguments MR.SATHISH PARASARAN, SENIOR  
COUNSEL FOR of M/S.R.PARTHASARATHY, Advocate for the petitioner in  
both the petitions and of MR.T.N.RAJAGOPALAN, Government Pleader on  
behalf of the Respondents in both the petitions the court made the  
following order:-

ci0004672



Mr.T.N.Rajagopalan, learned Govt. Pleader takes notice for the respondents and sought four weeks time for filing counter.

2. Mr.Sathish Parasaran, learned Senior Counsel appearing for the petitioner submitted that in similar circumstances this Court in W.P.No.24053 of 2017 & W.M.P.No.3749 of 2017 dated 08.09.2017, has granted an order of interim stay and that the interim stay continues even now. The learned Senior Counsel also produced a copy of the order dated 08.09.2017.

3. In view of the submissions made by the learned Senior Counsel appearing for the petitioner, there shall be an order of interim stay for a period of four weeks.

4. Post after four weeks for filing counter of the respondents.

-sd/-

06/02/2018

/ TRUE COPY /

20/2/18

~~Sub~~-Assistant Registrar (Subordinate) High Court, Madras - 600 104.

TO

1 THE SECRETARY  
STATE OF TAMILNADU MINES AND MINERALS  
DEPARTMENT FORT ST GEORGE CHENNAI 9.

2 THE DISTRICT COLLECTOR,  
FORT MAIN ROAD, DISTRICT COLLECTORATE,  
REVENUE DEPARTMENT, SALEM DISTRICT,  
TAMIL NADU

C.C. to M/S.R.PARTHASARATHY Advocate Sr.No. 1480

The Government Advocate, High Court, Madras - 104.

Order

in

WP.2517/2018

and WMP.3072/2018

Date :06/02/2018

From 26.2.2001 the Registry is issuing certified copies of the Interim Orders in this format  
RRI 09/02/2018

ci0004673



## **Annexure-iv of Annexure-3**

## Annexure - iv

### Daily Status

Chief Judicial Magistrate Court, Salem

**In the court of** :Judicial Magistrate No. IV

**CNR Number** :TNSA040038192023

**Case Number** :CC/0000388/2023

The TN Pollution control Board, Rep by this District Environmental Er. Salem K.Senthil Vinayagam **versus** Dalmia Bharat Sugar and Industries Ltd., rep by its Agent and another

**Date** : 13-04-2023

---

**Business** : Records perused. Prima facie case made out u/s 19 of Environment (Protection) Act. Taken on file in CC. No. 388/2023. Issue summon to Company. Call on 11-05-2023.

**Next Purpose** : Appearance

**Next Hearing Date** : 11-05-2023

Judicial Magistrate No. IV

## **Annexure-v of Annexure-3**

BEFORE THE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE, CHENNAI

**Original Application No. 213 of 2021 (SZ)**

**&**

**I.A. No. 78 of 2022(SZ)**

(Through Video Conference)

IN THE MATTER OF

**S. Sakthivel,**

Environmental Protection & Anti Pollution Group,  
S/o PK Subramaniam,  
Alagu Vinayakar Kovil Street,  
Fairlands, Salem- 636016.

...Applicant(s)

**Versus**

**1. The Secretary to Government of India,**

Ministry of Environment & Forest and Climate Change,  
Indira Paryavaran Bhavan Jorbagh Road,  
New Delhi- 110003.

**2. The Director,**

Department of Geology and Mines,  
Industrial Estate, Guindy,  
Chennai- 32.

**3. The District Collector,**

Collectorate,  
Salem- 636001.

**4. The District Environmental Engineer,**

Tamil Nadu Pollution Control Board,  
Siva Tower, 2nd Floor,  
Salem- 636004.

**5. The Member Secretary,**

Central Ground Water Authority,  
Jam Nagar House,  
18/11. Mansingh Road,  
New Delhi- 110011.

**6. The Managing Director,**

Dalmia Bharath Sugar and Industries Ltd.,  
Chettichavadi, Jagir Magnesite and Dunite Mines,  
Chettichavadi Village, Salem West Tk,  
Salem- 636012.

**7. Gudalur Town Panchayat,**

Rep by its Executive Officer,  
Nehru Nagar, Samichettipalayam,



Coimbatore- 641 047.

**8. PeriyanaickenPalayam Town Panchayat,**

Rep by its Executive Officer,  
Kuppichipalayam Road,  
Coimbatore- 641 020.

...Respondent(s)

For Applicant(s): Mr. S. Kamalesh Kannan.

For Respondent(s): Dr. D. Shanmuganathan for R2, R3.  
Mr. Sai Sathya Jith for R4.  
Mr. Sathish Parasaran, Senior Adv. along with  
Mr. S. Raghunathan and T. Poornam for R6

**Judgment Reserved on: 20<sup>th</sup> February, 2023.**

**Judgment Pronounced on: 18<sup>th</sup> May, 2023.**

**CORAM:**

**HON'BLE SMT. JUSTICE PUSHPA SATHYANARAYANA, JUDICIAL MEMBER**

**HON'BLE DR. SATYAGOPAL KORLAPATI, EXPERT MEMBER**

**JUDGMENT**

***Delivered by Smt. Justice Pushpa Sathyanarayana, Judicial Member.***

1. This is one of the several cases filed by the applicant, S. Sakthivel S/o P.K. Subramaniam claiming to be interested in the protection of the environment and protection of the right to clean environment. The application is filed against the 6<sup>th</sup> respondent, who is Dalmia Bharath Sugar and Industries Ltd., indulging in mining of Magnesite and Dunite in Chettichavadi Village, Salem Taluk.
2. The primary allegation of the applicant is that the 6<sup>th</sup> respondent is carrying on the mining activities without Environmental clearance. Admittedly, the 6<sup>th</sup> respondent is operating the mining since 1966 during which time the Environmental Clearance was not required. Only from the year 1994, the requirement of Environmental

Clearance was made compulsory, in spite of which the 6<sup>th</sup> respondent had not obtained the same and carried on the illegal operations without Environmental Clearance. In this regard, it is also stated that the Pollution Control Board as well as the Mining and Geology Department also had issued notices to the 6<sup>th</sup> respondent. The 6<sup>th</sup> respondent also claimed to have applied for the Environmental Clearance which is not been granted so far.

3. In addition to the operations as alleged above without Environmental Clearance, the applicant has further alleged that the 6<sup>th</sup> respondent is drawing ground water without obtaining necessary permission from the Central Ground Water Authority. On the above grounds, the application is filed seeking a direction forbearing the 1<sup>st</sup> respondent, MoEF&CC, from issuing any Environmental Clearance to the 6<sup>th</sup> respondent without ascertaining the status of the lease in their favour and direct the 6<sup>th</sup> respondent to obtain NOC from CGWA and restrain the respondent from carrying on further activities without obtaining the mandatory requirement of Environmental Clearance and NOC from CGWA. Additionally, the applicant has also sought for the Environmental Compensation for the illegal operations done by the 6<sup>th</sup> respondent.

4. This Tribunal had appointed a Joint Committee on 06.10.2021 comprising of officers from various departments to ascertain whether the 6<sup>th</sup> respondent is having necessary permission, clearances from the authorities as required under the environmental law the quantity of minerals extracted by the 6<sup>th</sup>

respondent and also to ascertain the damages caused to the environment on account of such illegal mining etc.

5. The Joint Committee report dated 21.03.2022 has stated that the 6<sup>th</sup> respondent was granted with the mining lease for mining magnesite over an extent of 1386.36 acres of Government Poramboke lands in S.F. No. 6 of Chettichavadi Village, Salem Taluk for a period of 20 years vide G.O. Ms. No. 903, Industries Labour and Cooperation Department dated 25.02.1996. The said lease was executed on 20.08.1966 and was valid up to 19.08.1986. Additionally, the 6<sup>th</sup> respondent was granted with mining lease for mining Dunite over an extent of 1386.36 acres in the same S.F. No. 6 vide G.O. Ms. No. 804 dated 26.06.1976. The 1<sup>st</sup> renewal of the mining lease was also granted in favour of the 6<sup>th</sup> respondent for 1314 acres for further period of 20 years from 20.08.1986 to 19.08.2006 vide G.O. Ms. No. 74 dated 11.03.1997.
6. For the 2<sup>nd</sup> renewal of the lease, mining lease application was filed by the 6<sup>th</sup> respondent on 11.07.2005 over an extent of 449.36.4 ha., for a period of 20 years from 20.08.2006. The 2<sup>nd</sup> renewal of mining lease was also filed 12 months before the expiry of the 1<sup>st</sup> renewal of mining lease. The 6<sup>th</sup> respondent was carrying on the mining operation in the area under the subject area under the deemed extension provisions of Rule 24A(6) of Mineral Concession Rules, 1960. In the year 2011, the 6<sup>th</sup> respondent had changed the name of Dalmia Cements Bharat Limited to Dalmia Bharat Sugars and Industries Limited which was also recorded by the Government. Though, the Environmental Clearance was required to be obtained from the year 1994, the 6<sup>th</sup> respondent had applied



for the same only on 09.02.2006. Nevertheless, the 1<sup>st</sup> respondent had not issued the Environmental Clearance so far.

7. While so, the Hon'ble Supreme Court had issued directions in the case of **Common Cause Vs. Union of India & Ors., 2016 (11) SCC 455** on 02.08.2017 for recovery of compensation for the illegal mining from the defaulting lessee. Based on the same and also the office memorandum that was issued by the MoEF&CC on 30.05.2018, the District Collector, who is the 3<sup>rd</sup> respondent, had issued a notice on 18.06.2019 with the direction to the 6<sup>th</sup> respondent to remit the sum of Rs. 11,44,30,605/- (Eleven Crores forty four lakh thirty thousand six hundred and five) towards the cost of the minerals for the quantum of Dunite mined and transported without obtaining Environmental Clearance for the period from 01.04.2000 to 31.08.2018. The said notice was challenged before the Hon'ble High Court by the 6<sup>th</sup> respondent in W.P No. 889 of 2020 and 894 of 2020 which were dismissed on 12.06.2020. Aggrieved by the same, the 6<sup>th</sup> respondent had filed writ appeal nos. 834 and 835 of 2020 and the same are said to be pending without any interim order.

8. While so, another demand notice was issued by the 3<sup>rd</sup> respondent on 08.07.2020 calling upon the 6<sup>th</sup> respondent to remit the sum of Rs. 07,24,73,501/- (Seven Crore twenty Four lakh seventy three thousand five hundred and one) towards the cost of minerals for the quantum of Magnesite mined without Environmental Clearance for the period from 01.04.2000 to 31.03.2018.

9. During the inspection of the Joint Committee, it was found that fresh mining operation were carried on in the subject area and Magnesite and Dunite were stocked in the area. The Joint Committee also observed certain violations like not maintaining the safety zone, water stagnation in three of pits etc. The Committee also had quantified the Magnesite and Dunite mined. The Committee had observed that there was a clear evidence of excess mining and transportation without valid transport permits.
10. The 3<sup>rd</sup> respondent was also directed to take action to collect the cost of the mineral from the lessee company as per the MINES AND Minerals (Development and Regulation) Act, 1957. The water Resource Department had stated that the 6<sup>th</sup> respondent had applied for ground water NOC on 22.09.2021 and detailed hydro-geological field study was conducted. Based on which the State Ground Water and Surface Water Resource Data Centre, Chennai had issued ground water NOC on 17.11.2021.
11. For the imposition of the compensation for unauthorised drawl of ground water, an Environmental Compensation was assessed as Rs. 1,11,46,124/- ( One Crore Eleven lakh forty six thousand one hundred and twenty four). In the meanwhile, the MoEF&CC had issued Terms of Reference on 18.06.2018 and 02.11.2018 under violation category. The MoEF&CC also had directed the State Government to take action against the project proponent under Section 19 of the Environment (Protection) Act, 1986. As per the ToR issued, public hearing was conducted on 03.09.2021 in the presence of the District Collector and EIA and EMP reports were submitted. In the meanwhile, the MoEF&CC had directed the

Director of Mines and Geology to appraise the validity of mining lease of the 6<sup>th</sup> respondent.

12. The Joint Committee had further directed the Tamil Nadu Pollution Control Board and the Ground Water Department to do the water and soil analysis and submit the report for assessing the damages caused to the environment on account of the illegal mining. Upon receipt of the analysis the report, the Committee will calculate the Environmental Compensation to be recovered by them.
13. In the meanwhile, the 6<sup>th</sup> respondents had filed yet another W.P No. 29275 of 2016 for a mandamus forbearing the respondents from interfering with the mining operations of the petitioners and direct the authorities to issue permits to excavate the minerals, namely, Magnesite and Dunite without insisting on the Environmental Clearance. The writ petition was disposed of on 11.01.2022 directing the 6<sup>th</sup> respondent to submit the required documents including the Environmental Clearance for the competent authorities to consider their application.
14. The **3<sup>rd</sup> respondent, who is the District Collector**, Salem has also filed his report stating that as per the direction from the Directorate of Mining and Geology, the District Collector was to take action to collect 100% cost of the minerals from the 6<sup>th</sup> respondent for transportation of the quantified tonnes of Magnesite and Dunite from the lease hold areas without valid transport permit under Section 21(5) of the MMDR Act, 1957 after taking into consideration the transport permits issued already. The authorities have requested the 6<sup>th</sup> respondent to furnish the year



wise production, transport permit obtained, quantity transported, royalty and the difference royalty remittance from 1966-67 till date for both Magnesite and Dunite.

15. However, it is stated that the same was furnished to them only from the year 2006-07 to 2019-20. The above details called for from the year 1966-1979 are not available even with the 3<sup>rd</sup> respondent. Nonetheless, efforts are being taken to collect the same as per the report of the 3<sup>rd</sup> respondent.
16. From the conspectus of the above facts, it is evident that the 6<sup>th</sup> respondent, project proponent, has been indulging in the activity of mining Magnesite and Dunite from the year 1966. During which time, Environmental Clearance was not required, thereafter, when it was made mandatory to obtain prior Environmental Clearance for such mining activity in the year 1994, the 6<sup>th</sup> respondent had not applied for the same. On 09.02.2006, the 6<sup>th</sup> respondent had applied for the Environmental Clearance before the MoEF&CC for the 1<sup>st</sup> time. In this context, considering the relief sought for by the applicant, it has to be seen whether the 6<sup>th</sup> respondent can carry on further activities without the Environmental Clearance.
17. Admittedly, the application of the 6<sup>th</sup> respondent for grant of Environmental Clearance is under process with the 1<sup>st</sup> respondent, MoEF&CC. The MoEF&CC had directed the 6<sup>th</sup> respondent to produce the valid mining lease documents regarding the subsistence of lease up to March, 2030. In fact W.P. N. 29275 of 2016 was disposed of by Hon'ble High Court with the observation that the 6<sup>th</sup> respondent has to first seek the Environmental

Clearance and then approach the 2<sup>nd</sup> respondent for regularisation of its mining lease. Hence, the 6<sup>th</sup> respondent had approached the 1<sup>st</sup> respondent to remove the condition pertaining to submission of valid mining lease document from the TOR. In the EAC meeting, the grant of Environmental Clearance was opposed by the 2<sup>nd</sup> respondent. The 6<sup>th</sup> respondent also made representation to the 1<sup>st</sup> respondent for grant of Environmental Clearance without insisting for the mining lease document in representation dated 18.04.2022.

18. On 09.12.2022, the Commissioner of Mining and Geology issued a letter confirming that the mining lease of 6<sup>th</sup> respondent was valid till 31.03.2030 in view of Section 8A(5) of MMDR Act, 1957. In January, it is stated that the EAC had once again taken up the matter for consideration and it has deferred the proposal for the reasons that the deposit of demand of Rs. 18.69 crores raised by the State Authorities to be paid.
19. From the above, it is clear that the application for Environmental Clearance made by the 6<sup>th</sup> respondent is being processed by the MoEFF&CC. The Commissioner of Mining and Geology also has confirmed the lease in favour of the 6<sup>th</sup> respondent is valid up to 31.03.2030. As the application is already under process, there is nothing further to adjudicate by this Tribunal at this point of time.
20. Regarding the payment of compensation for the purported violations for which already the demands have been raised by the District Collector, Salem for both the minerals were originally challenged before the Hon'ble High Court by way of writ petitions and now it is pending in Appeal. Therefore, the 6<sup>th</sup> respondent has

alleged inordinate delay in processing their applications. As the same is under process and any mining activity to be done by the 6<sup>th</sup> respondent is only subject to the issuance of the Environmental Clearance.

21. The applicant has sought for the relief forbearing the 6<sup>th</sup> respondent from carrying on the mining activity without a valid Environmental Clearance. The 6<sup>th</sup> respondent filed W.P. No. 29275 of 2016 to forbear the officials from interfering with the mining of the operations and continue to issue permits to excavate the minerals without insisting on Environmental Clearance. The said Writ Petition was disposed of on 11.01.2022 i.e. during the pendency of the above Original Application leaving it open to the 6<sup>th</sup> respondent, company, herein, to submit all the required documents including the Environmental Clearance to enable the authorities to consider the case of the respondent. The official respondents were also directed to conduct an inspection to verify whether 6<sup>th</sup> respondent is carrying on mining operations.

22. Admittedly, the 6<sup>th</sup> respondent is aware that without Environmental Clearance mining activity cannot be done even if it has got a valid lease. As already the Hon'ble High Court has made it clear that the 6<sup>th</sup> respondent, herein, cannot carry on mining activity without Environmental Clearance, we only reiterate the same.

23. Accordingly, the Original Application is disposed of:

- (i) Directing the 6<sup>th</sup> respondent to obtain Environmental Clearance for the mining of Magnesite and Dunite for continuing the mining activity.
- (ii) Before obtaining Environmental Clearance, the mining activity should not be carried on by 6<sup>th</sup> respondent.

24. In view of the disposal of the above Original Application, the I.A. No. 78 of 2022 is also disposed of.

.....J.M.  
(Smt. Justice Pushpa Sathyanarayana)

.....E.M.  
(Dr. Satyagopal Korlapati)

Internet – Yes/No  
All India NGT Reporter – Yes/No

O.A. No.213/2021(SZ)&  
I.A. No. 78/2022(SZ)  
18th May, 2023.(AM)

**NGT**



**Before the National Green  
Tribunal  
Southern Zone (Chennai)**

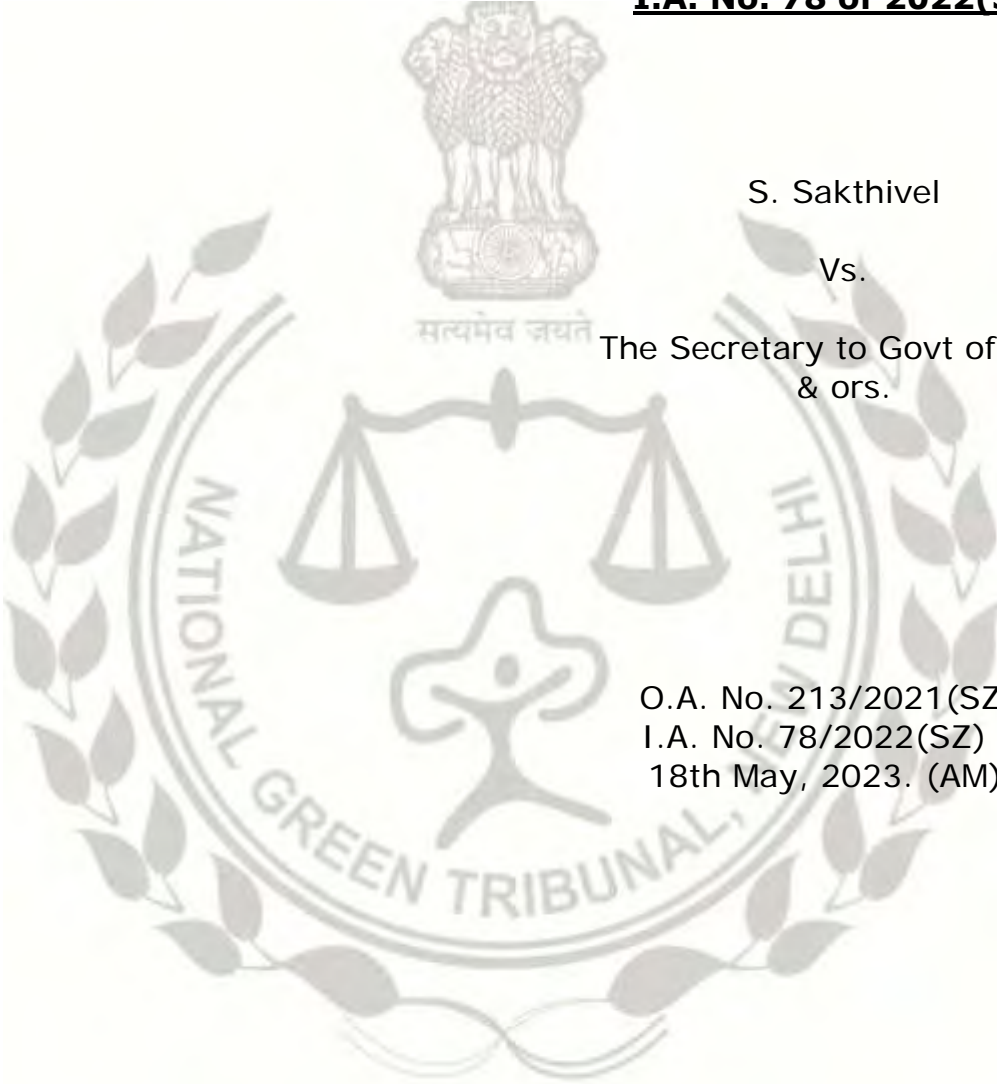
**O.A. No. 213 of 2021(SZ)  
&  
I.A. No. 78 of 2022(SZ)**



S. Sakthivel

Vs.

The Secretary to Govt of India  
& ors.



O.A. No. 213/2021(SZ)&  
I.A. No. 78/2022(SZ)  
18th May, 2023. (AM)

**NGT**

**Annexure-4: Action taken report by TNPCBd  
CC.No.388/2023 filed in Judicial Magistrate  
Court No-IV, Salem.**

**Annexure-4: Action taken report by TNPCBd CC.No.388/2023 filed in Judicial  
Magistrate Court No-IV, Salem.**

**Daily Status**

Chief Judicial Magistrate Court, Salem

**In the court of** :Judicial Magistrate No. IV

**CNR Number** :TNSA040038192023

**Case Number** :CC/0000388/2023

The TN Pollution control Board, Rep by this District Environmental Er. Salem K.Senthil Vinayagam **versus** Dalmia Bharat Sugar and Industries Ltd., rep by its Agent and another

**Date** : 13-04-2023

---

**Business** : Records perused. Prima facie case made out u/s 19 of Environment (Protection) Act. Taken on file in CC. No. 388/2023. Issue summon to Company. Call on 11-05-2023.

**Next Purpose** : Appearance

**Next Hearing Date** : 11-05-2023

Judicial Magistrate No. IV

**Annexure-5: Copy of Revised letter from State Forest  
Department mentioning the type of Schedule I  
Species in 10 Km Radius.**



**Annexure-5: Copy of Revised letter from Forest Department mentioning the type of Schedule I Species in 10 Km Radius.**

**Tamilnadu Forest Department**

**From**

Thiru.M.Muralidharan,  
Forest Range Officer,  
Shevroys South Range,  
Salem-7.

**To**

M/s Dalmia Bharat Sugar and Industries Ltd,  
Chettichavadi Jaghir Magnesite & Dunite Mines,  
Salem .12

**C.No. 228 / 2021, dated: 13 .02.2023**

Sir,

- Sub : Revised letter - Description of Flora & Fauna and type of Schedule – I Species in around Chettichavadi Jaghir Magnesite Mines for the zone area of 10 Kms all around the periphery of the core Zone.
- Ref : M/s Dalmia Bharat Sugar and Industries Limited, Salem letter No.26923 Date: 08.01.2023.

\*\*\* \*\*

With reference to your letter cited above, I furnish the details as follows.

**I. A.Floras:-**

Natural-vegetation / Forest type:

The details in respect of Kurumbapatti and Nagaramalai R.F ie., the core zone area is enclosed separately.

- |                       |   |                       |
|-----------------------|---|-----------------------|
| 1. Grass Land         | : | Nil                   |
| 2. Endangered Species | : | Nil.                  |
| 3. Endemic Species    | : | Yes ( list attached). |

**B.Faunas:-**

Total listing of faunal elements:

The details in respect of Kurumbapatti and Nagaramalai R.F i.e., the core zone area is enclosed separately.

- |                                            |   |                      |
|--------------------------------------------|---|----------------------|
| 1. Endangered Species                      | : | Yes ( List attached) |
| 2. Endemic Species                         | : | Yes ( List attached) |
| 3. Migratory Species                       | : | Nil                  |
| 4. Details of aquatic fauna, if applicable | : | Nil                  |

  
Forest Range Officer  
Shervaroy South Range  
Salem-7.

## TYPE OF FOREST

Southern Tropical dry Mixed deciduous forest (A/C3)

## THE FLORISTIC COMPOSITION

- I. Albizzia amara, Anogeissus latifolia, Acacia leucophoea, Acacia sundra, Adina cardifolia, Azadiracta Indica, Albizzia lebbek, Albizzia odoratissima, Ailanthus monosperma, Chioroxy swietenia, Cassia fistula, Commiphora caudata, Canthium dicocum, Cochlospermum religiosum, Chukrasia velutia, Dalbergia paniculata, Dalbergia latifolia, Dalichanrone atrovirens, Eleodendron galucum, Elae carpus oblongus, Ficus bengalensis, glomerata, Firmjana celorata, Feronia elephantum Gyrocerpus jacquini, Givestia rottceriforn Gmelina arborea, Grewia tiliaefolia, Garuga pinnata, Hardwickia binata, Holoptelea integrifca. Hymenodictyon excelsum, Lannes coromandelica, Melia composite, Strychra potatorum, Strychnos nuxvomica, Sterculia guttata, Stereospermum sauveelens, oleosa, Stamalia malabarica, Sterculia urens, Soymida febrifuga Syzigiumm cumini, pinnata, Shorea talura, Tamarindus indica, Terminalia ballerica, Terminalia panicula, Terminalia chebula, Termnala tomentosa, Tectona grandia, Terminalia coracea, Wrightia tirtora,
- II. Alanguim salvifolium, Atlantia monophylla, Allophyus serratus, Antidesma diandrum, Bridelia retusa, Buchannaia lanzan, Cleistanthur collinus, Clausena will deno Cipadessa baccifera, Cordia dichotomo, Cassia siamea, Careya arborea, Crataeva uniloculate Citrus medica, Ceesaria tomentosa, Celticinnamonea, Cycas circinalis, Disophyros melanoxyle Dolichandrone falcate, Drypetes sepiaria, Emblica officianalis, Erythroxyion monogynus Euphorbia nivulia, Ehretia laevis, Ficus tomentosa, Ficus gibbosa Gardnia latifola Gymnosporia spinosa, Grewia disperm, Clochidion zeylancium, Gelonium lanceolatum, thusa crenulata, Holarrhena antidysenterioa, Heynetrijuga Ixora arborea, Ilea dioica, Lineciera ramiflora, Mallottus philipinensis, Murraya koenigi, Morinda citrifolia perrottettiana Ochna squarosa, Pleurostyliia, lightil Polyalthia cerasioides, Sanlum Streblus asper, Semecarpus anacardium, Schindus emarginates, Scoolpia cfenata, Trema orientalis, Wrightia tomentosa, Wendlandia notowiana, Zizphus mauritiana Zizypt Zylopyrus, Zeylanicum Sps.



- III. *Acalypha Fruticosa*, *Adathoda Vasica*, *Calotrpis gigante*, *Clerodendron serratum*, *Dodonea Viscos*, *Desomdium Spp*, *Flemingia Bracteata*, *Gymnospor emarginatus*, *Glycosmis cochinchinensis*, *Gmelina Asiatic*, *Grewia aspera*, *Heliceres Isora*, *Indigofera Pulchell*, *Lantana aculeate*, *Maba buxifolia*, *Minosh Rubicaul*, *Melanthesia Rhamnoides*, *Pavetta Indica*, *Phyllanth Polyphyllus*, *Rhus Mysorensis*, *Randia Dumetorum*, *Ried Florbiunda*, *Solanum Indicum*, *Solanum Torvum*, *Secunega virosa*, *Strobilanthes*, *Tarenna Asiatica*.
- IV. *Briophotum sp.*, *Barieria cristata*, *Cassia tora*, *Cassia occidentalis*, *Crotolaria Spp.*, *Cynotis commlina*, *Desmodium triflorum*, *Eulvulus alsinoides*, *Euphobia cristata*, *Grewia Hirsuta* *Hibiscus micranthus*, *Indigofera Spp.*, *Justicia spp.*, *Knoxia mollis*, *Oxalis cornicula*, *Phyllanthus simplex*, *Polygonum chinesis*, *Sida acuta*, *Scoparia dulcis*, *Striga euphrasioides*, *Vicoa indica*.
- V. *B.Aristida depressa*, *Apluda mutica*, *Cynod dactylon*, *Chrysopogon fulvus*, *Cenchrus ciliaris* *Dtaria marginata*, *Dicanthium annulatum*, *Eragrostris*, *Heteropogon contortus*, *Imperata cylindrical*, *Themeda eriandra*.
- VI. *Argyreia involucrate*, *Acacia canescens*, *Asparagus racemosus*, *Butea paviflora*, *cacopteris floribunda*, *Clematis gouriana*, *Dioscorea Spp.*, *Gymnema sylvestre*, *Gloriosa superb*, *Hungonia mystax*, *Hiptage bengalensis*, *Ichnocarpus frucens*, *Ipomsa hedercea*, *Jasminum Spp.* *Marsdenia V bilis*, *Pterolobium indicum*, *Phyllanthus lawi*, *Quaclict phoenice*, *Secamone emetic* *Smila Spp.*, *Tinosp cordiafolia*, *Toddalia asiatica*, *Thunbergia fragrans*, *Zizphus oenoplia*.

There is no Schedule-I Species Flora in this zone.

  
Forest Range Officer, 13/02/23  
Shevroys South Range  
Salem.7

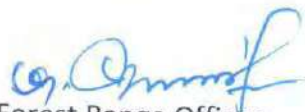
FAUNA:

S.No	Common Name (1)	Zoological Name (2)
1.	Ashy Swallo Shrike	Artamus Fuscus
2.	Ashy Wren Wabblers	Prinia Sociallis
3.	Baby Beaked Shrike	Lanlus Vittatus
4.	Black Drongo	Dicurus macrocercus
5.	Black Winged Kite	Elanus Caerulus
6.	Blossom Headed Parakeet	Psittacula Cynacephala
7.	Blue Pigeon	Columba Livia
8.	Blue Jay	Coracias Bengalensis
9.	Black Headed Oreole	Oriolus Xanthornus
10.	Common Weaver Bird	Ploceus Phillippinus
11.	Common Bustard Quail	Turnix Suscicator
12.	Crested Serpent Eagle	Spilansis Cheela
13.	Chest Nut Headed Bee Eater	Merops Leschenaulti
14.	Crown Pheasant	Centropus Sinesis
15.	Cuckoo Shrike	Lalagemelanoptera
16.	Chest Nut Bellied Nuthatch	Sitta Castanen
17.	Common Mynah	A Cridotheres Tristis
18.	Common Hawk	Hierococcyx varius
19.	Cattle Egret	Rabulcus Ibis
20.	Common Peafowl	Pavo Cristatus
21.	Common King Fisher	Alcedo Atthis
22.	Emerald Dove	Chalcophaps Indica
23.	Finch Lark	Eremopteryx Grisea
24.	Fantail Fly Catcher	Rhipidura Aureola
25.	Fairy Blue Bird	Irena Pulla
26.	Grey Babbler	Turdoides Malcolmii
27.	Grey Wag Tail	Motacilla Caspica
28.	Grey Jungle Fowl	Gallus Sonnerati



	Common Name (1)	Zoological Name (2)
29.	Great Tit	Parus Major
30.	Gold Mantled Chloropsis	Chloropsis Cochinchinesis
31.	Grey Orong	Dicrurus Leucophaeus
32.	Grey Partridge	Perdix Perdix
33.	Golden Backed Wood Pecker	Dicopium Benghalense
34.	Harriers Circus	Circus Aeruginosus
35.	House Sparrow	Passer Domesticus
36.	Indian Moorhen	Gallinula Chloropus
37.	Indian Robin	Euphonia Asiatica
38.	Indian Eagle Owl	Bubo Bengalensis
39.	Indian Nightjar	Caprimulgus Asiaticus
40.	Jungle Babbler	Turdoides Striatus
41.	Jungle Mynah	Acridotheres Fuscus
42.	Jerdons Chloropsis	Jerdoni
43.	Jungle Crow	Corvus Macrorhynchus
44.	Koel	Budynamis Scolopacea
45.	Kestrel	Falco Tinnunculus
46.	Large Green Barbet	Megalaima Zeylonica
47.	Laggar Falcon	Falco Biarmicus
48.	Munia	Lonchura Spp
49.	Orange Minivets	Pericrocotus Famineus
50.	Pied Bushchat	Saxicola Caprata
51.	Pied Wagtail	Motacilla Maderaspatensis
52.	Pitta	Pitta Brachyura
53.	Paradise Fly Catcher	Terpsiphone Paradise
54.	Pariah Kite	Milvus Migrans
55.	Pintail Duck	Anas Acuta
56.	Pheasant Tailed Jacana	Hydrophasianus Chirurgicalis

	Common Name (1)	Zoological Name (2)
57.	Redevented Bul Bul	Pyconotus Cafer
58.	Refous Backed Shrike	Shrike Lanius Sachach
59.	Red Turtle Dove	Strepto Pelia Tranquebarica
60.	Red Start	Phuenicurus Phoenicurus
61.	Rose Ringed Parakeet	Psittacula Krameri
62.	Skylarks	Alauda Gulgula
63.	Stone Curlew	Burhinus Oedicne Mus
64.	Spur Fowl	Gallo Per Dix Spadicea
65.	Scimitar Babbler	Porma Torhinus Schistice Ps
66.	Stone Pied Bush	Saxzicolh Tarquata
67.	Snake Bird	Anhinga Anhinga (Melanogaster)
68.	Screech Owl	Tyto Alba
69.	Tailor Bird	Orthotomus Sutorivs
70.	Tree Pie	Dendrocitta Vagabunda
71.	Tickell's Flower Pecker	Dicaeum Ery Throrhynchos
72.	White Brownd Bul Bul	Psyconotus Luteolus
73.	White Wagtail	Motocilla Alba
74.	White Eyed Buzzard	Butastur Teesa
75.	Wood Shrike	Tephrodornis Pondi Cerianus
76.	Whistling Thrush	Myio Phoneus Horse Fieldii
77.	White Scavanger Vulture	Neophron Percnopterus

  
 Forest Range Officer,  
 Shevroys South Range  
 Salem.7



**FAUNA**

S.No	Common Name		Zoological Name
1.	Jungle Cat	-	Felis Chaus
2.	Gaur	-	Bos Gaurus.
3.	Spotted Deer	-	Axis Axis.
4.	Mouse Deer	-	Tragulus Meminna.
5.	Jackal	-	Canis Aureus
6.	Bonnet- Monkey	-	Macaca Radiada
7.	Fruit Bat	-	Cynopterus Sphinx
8.	Porcupine	-	Hytix Indica
9.	Mongoose	-	Herperstes
10.	Wild Bore	-	Suscropfa
11.	Bengal Monitor lizard	-	Varanus bengalensis
12.	Devang	-	Slender loris
13.	Rabbit	-	Oryctolagus cuniculus
14.	Pangolin	-	Manis crassicaudata
15.	Weasel	-	Mustela nivalis
16.	Wild dog	-	Cuon alpines
17.	Palm civet	-	Paradoxurus hermaphrodites
18.	Barking Deer	-	Nuntiacus nuntjak

**Schedule – I Species**

**Mammals:-**

1.	Gaur	-	Bos Gaurus.
2.	Jungle Cat	-	Felis Chaus
3.	Mouse Deer	-	Tragulus Meminna.
4.	Spotted Deer	-	Axis Axis.
5.	Jackal	-	Canis Aureus
6.	Bonnet- Monkey	-	Macaca Radiada
7.	Devang loris	-	Slender Loris (Loris Lydekkerianus)
8.	Pangolin	-	Manis crassicaudata
9.	Palm civet	-	Paradoxurus hermaphrodites
10.	Porcupine	-	Hyxtrixindica

**Birds:**

1.	Common Peafowl	-	Pavo Cristatus
2.	Crested Serpent Eagle	-	Spilansis Cheela
3.	Laggar Falcon	-	Falco Biarmicusjugger
4.	Harriers Circus	-	Circus Aerunginosus
5.	White Scavanger Vulture	-	Neophron Percnopterus
6.	White Eyed Buzzard	-	Butastur Teesa

**Reptiles:**

1.	Python	-	Python Molurus.
2.	Russel Viper	-	Vipera (Daboia) russelil

  
Forest Range Officer,  
Shevroys South Range  
Salem.7.

**Annexure-6: Copy of Proof of submission of Wildlife  
Conservation Plan along with  
Timeline and Budget.**



Annexure-6: Copy of Proof of submission of Wildlife Conservation Plan along with timeline and budget.

CIN : LE6942TN1951PLC000840  
Phone : 0427-2346762/2345600/2346702

Fax : 0427-2345616  
email : dalmlamagnesitemines@yahoo.com

**Dalmia Bharat Sugar and Industries Limited**  
[ Formerly : Dalmia cement (Bharat) Limited ]  
SALEM - 636 012 TAMILNADU

SL:MM:26150.A  
Date: 09.03.2023

To,  
The District Forest Officer,  
Tamilnadu Forest Department,  
Salem-636007.

Dear Sir,

Sub: Requesting Approval of Wildlife Conservation Plan for Schedule I Species in Salem South Range, Shevroys Hills falling within 10 Km radius from the mine lease area -reg.,

Ref: Minutes of Meeting of 9<sup>th</sup> EAC Meeting by MOEF & CC, New Delhi dated 25<sup>th</sup> Jan 2023.

Dalmia Bharat Sugar and Industries Ltd is operating the Chettichavadi Jaghir Magnesite and Dunite Mines in S.F.No-6 of Chettichavadi Village, Salem West Taluk, Salem District, Tamilnadu from 20.08.1966. Presently the mining lease covers an area of 449.364 Ha.

We have applied for Environmental Clearance to Ministry Of Environment Forest & Climate Change, New Delhi vide online EC proposal no IA/TN/MIN/241375/2018 and its proposal was placed in 9<sup>th</sup> EAC Meeting held in 17.01.2023.

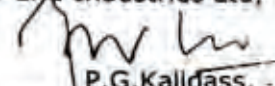
In the Minutes of Meeting dated 25.01.2023, the EAC opined to get revised letter from Forest Department clearly mentioning the type of Schedule I Species in the study area of 10km radius around the lease area and accordingly the project proponent needs to submit proof of submission of wildlife conservation plan made to the Forest Department with the time line for implementation and budget.

In accordance with the EAC recommendation, the Project Proponent has prepared wildlife conservation plan through M/s. Aadhi Boomi Mining & Envirotech P Ltd., (our EIA Consultant) with details of the proposed conservation plan and budget, based on the revised letter issued by Forest Range Officer, Shevroys South Range, Salem dated 13.02.2023.

We are submitting herewith the wildlife conservation plan for our Chettichavadi Jaghir Magnesite and Dunite Mines and request your good self for your kind approval of the conservation plan.

Thanking You.

Yours Faithfully,  
For Dalmia Bharat Sugar and Industries Ltd,

  
P.G.Kallidass,

Agent and Supdt of Mines,  
Chettichavadi Jaghir Magnesite and Dunite Mines.  
Mob:9486482746,8072430915.



: DALMIAPURAM(TAMILNADU) - 621 651.

: HANSALAYA (11<sup>th</sup>&12<sup>th</sup> FLOORS)

15, BARAKHAMBIA ROAD, POST BOX 364

NEW DELHI - 110 001.

**Annexure-7: Copy of Wildlife Conservation Plan  
with Timeline and Budget.**



# WILDLIFE CONSERVATION PLAN FOR SCHEDULE-I SPECIES SHEVROYS SOUTH RANGE, SALEM

(In 10km radius from the Mines)

(AS PER MINUTES OF MEETING OF EXPERT APPRAISAL COMMITTEE,  
MOEF NEW DELHI dated 25.01.2023)

## AREA DETAILS

**Extent** – **449.364 Ha**  
**(Non –Forest Land)**  
**S.F No** – **6**  
**Village** – **Chettichavadi**  
**Taluk** – **Salem**  
**District** – **Salem**  
**State** – **Tamil Nadu**

## PROPONENT

**M/S.DALMIA BHARAT SUGAR AND  
INDUSTRIES LTD**  
**CHETTICHAVADI JAGHIR**  
**MAGNESITE & DUNITE MINES**  
**Salem, Tamil Nadu - 636012**  
**Ph: 0427 2346762**  
**Mob: 9486482746, 8072430915**

Annexure-7: Copy of Wildlife Conservation Plan with timeline and Budget.



**AADHI BOOMI MINING & ENVIRO TECH (P) LTD**  
**(QCI/NABET Accredited EIA Organization)**

3/216, K.S.V.Nagar, Narasothipatti, Alagapuram (PO),  
Salem – 636004.

Website: [www.abmenvirotec.com](http://www.abmenvirotec.com)

Email: [abmenvirotech@gmail.com](mailto:abmenvirotech@gmail.com), [suriyakumarsemban@gmail.com](mailto:suriyakumarsemban@gmail.com)

Mob: 98427 29655.



WILDLIFE CONSERVATION PLAN FOR SCHEDULE-I SPECIES  
SHEVROYS SOUTH RANGE, SALEM

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WILDLIFE CONSERVATION PLAN FOR SCHEDULE I SPECIES,  
SHEVROYS SOUTH RANGE, SALEM

CHETTICHAVADI JAGHIR MAGNESITE AND DUNITE MINES,  
M/s.DALMIA BHARAT SUGAR AND INDUSTRIES LIMITED, SALEM,TN

**DETAILED WILDLIFE CONSERVATION PLAN FOR SCHEDULE-I SPECIES**

**1.0 Introduction**

The Wildlife Protection Act, 1972 is enacted for protection of plants and animal species. The Act established schedules of protected plant and animal species; hunting or harvesting these species was largely outlawed.

Conservation and protection of the rare and endangered species is important for maintaining the ecological balance of the ecosystem. It is also statutorily mandatory to prepare and implement conservation plan for such faunal species found in the study area of 10km radius around the mining area. This conservation plan has been developed to provide appropriate measures for their protection of RET faunal species found in the study area.

This Wildlife Conservation Plan has been developed with particular reference to Schedule-I faunal species and their habit, habitat, feeding, breeding and the potential threat for planning and undertaking necessary action plan for their protection and conservation.

Implementation of the Wildlife Conservation Plan would be carried out with the approval of DFO, State Forest Dept, Tamilnadu.

**1.1 STATUS OF WILDLIFE IN THE STUDY AREA:**

A primary survey of the project site (10 km radius around the project site) was done during the month of March to May, 2018.

During this primary survey, 1 No. endangered 1No. Nearly threatened and 1 No. Vulnerable species were found in the study area of 10km radius; however, discussion with forest officials and villagers indicated presence of 18- Schedule I species i.e Schedule I mammals- 10 species, Schedule I birds – 6 species, Schedule I reptiles – 2 species.

The plan comprises a brief description of the project, description of the general environment and assessment of baseline condition of the study area in 10km radius of project site, conservation plan of one Schedule-I species and recommendations.



WILDLIFE CONSERVATION PLAN FOR SCHEDULE-I SPECIES  
SHEVROYS SOUTH RANGE, SALEM

**2.0 PROJECT AND PROJECT PROPONENT:**

Wildlife Conservation Plan is prepared by Aadhi Boomi Mining and Enviro Tech (P) Ltd, QCI/NABET Accredited EIA Organization, for M/s. Dalmia Bharat Sugar and Industries Ltd operating Chettichavadi Jaghir Magnesite and Dunite mines over an extent of 449.364 hectare (Poramboke land) located in S.F.No.6 of Chettichavadi Village, Salem Taluk & District since 1966.

The mining lease area is located between the Latitudes N11°43'09.71"to N11°44'36.233" and Longitudes between E78°07'23.268" and E78°09'13.068" and falling within the limits of the Survey of India Toposheet No.58 I/2. There is no forest land within the lease area. The entire lease area is Revenue Poramboke land belonging to Government of Tamil Nadu.

Presently the Magnesite and Dunite mine is not in operation for want of environmental clearance from MOEF&CC, New Delhi. The applicant has applied for EC to MOEF&CC vide Online EC Proposal No: IA/TN/MIN/241375/2018 and its proposal was placed in 9<sup>th</sup> EAC(Non coal mining) meeting dated 17.01.2023. In the 9<sup>th</sup> EAC minutes of meeting, EAC opined to get the revised letter from Forest department clearly mentioning the type of Schedule I Species in the study area of 10 km radius and accordingly the Project Proponent needs to submit the proof of submission of Wildlife Conservation Plan made to the Forest Dept with the timeline for implementation and budget.

Accordingly, M/s. Dalmia Bharat Sugar and Industries Ltd has obtained revised letter from Forest Department with description of Flora and Fauna and type of Schedule I species in 10km radius from the mining lease boundary vide letter C.No228/2021 13.02.2023. Based on the letter obtained from Forest Department, We Aadhi Boomi Mining and Enviro Tech (P) Ltd, EIA consultant has prepared this wildlife conservation plan.

**2.1 ENVIRONMENTAL SENSITIVENESS AROUND THE PROJECT SITE:**

<b>Environmental Sensitiveness</b>	
Interstate Boundary	Karnataka Interstate Boundary -55 Km
Coastal Zone	Bay of Bengal – 176km - East
Reserve Forest	Kurumbapatti R.F – 310m- NE Nagaramalai R.F-100m –E Kapputtu R.F-4Km-E Pannikaradu R.F-3.6Km-N Kanjeri R.F-7Km-N

**WILDLIFE CONSERVATION PLAN FOR SCHEDULE-I SPECIES  
SHEVROYS SOUTH RANGE, SALEM**

	Sanyasimalai R.F-9.2Km-NE				
Wildlife sanctuary	Kurumbapatti Zoological Park – 4Km -NE				
Water bodies	<b>S.No</b>	<b>Water Body</b>	<b>Direction</b>	<b>Distance (km)</b>	
	1	Kannankurichi Lake	SE	4.7	
	2	Kannankurichi Puthu eri	SE	4.64	
	3	Thathampatti lake	SE	7.97	
	4	Mariamman temple tank	SE	8.75	
	5	Selathampatti yeri	SW	7.05	
	6	Lake near Vellakalpatti	SW	1.12	
	7	Lake near NH 7	SW	2.9	
	8	Lake near Indiranagar	SW	3.14	
	9	Pallapatti Lake	S	6.50	
	10	Arisipalayam lake	S	7.07	
	11	Kumaragiri lake	S	8.5	
	12	Lake near Muthunaickenpatti	W	10	
	13	Lake	W	8.3	
	14	Lake near Anaigoundampatty – kottagoundampatty Road	W	7.7	
	15	Samuthiram Lake	W	4.40	
	16	Lake near Pagalpatti	W	6.21	
	17	Lake near RC.Chettipatti	NW	8.1	
	18	Lake near Kottaimettupatti	NW	7.64	
	19	Lake near Kamalapuram	NW	7.72	
	20	Lake near Vattakkadu	N	4.40	
Habitations	<b>S.No</b>	<b>Village</b>	<b>Distance</b>	<b>Direction</b>	<b>Population</b>
	1	Chettichavadi	850m	E	4868
	2	Vellakkalpatti	800m	SW	5475
	3	Thattanchavadi	2.6km	W	13967
	4	Karuppur	3.2km	SW	13967
	5	Vellalapatti	4.3km	W	6833
	6	Mungilpadi	3.0km	W	4560
	7	Senaigowndanur	3.0km	W	4560
	8	Thekkampatti	3.1km	NW	10396
	9	Thathaiyangarpatti	3.1km	NW	7679
	10	Gorimedu	3.4km	E	6892
	11	Kondappanayakanpalli	2.0km	N	6892
	12	Vinayagampatti	4.0km	NE	6892
	13	Narasothipatti	3.7km	S	4768
Defense Installations	Nil within 10km radius				
Seismic Zone	Zone-III, Moderate damage risk zone as per BMTPC, Vulnerability atlas Seismic zone of India IS: 1893-2002				

WILDLIFE CONSERVATION PLAN FOR SCHEDULE-I SPECIES  
SHEVROYS SOUTH RANGE, SALEM

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**Fig No .1 General View of the existing lease area**



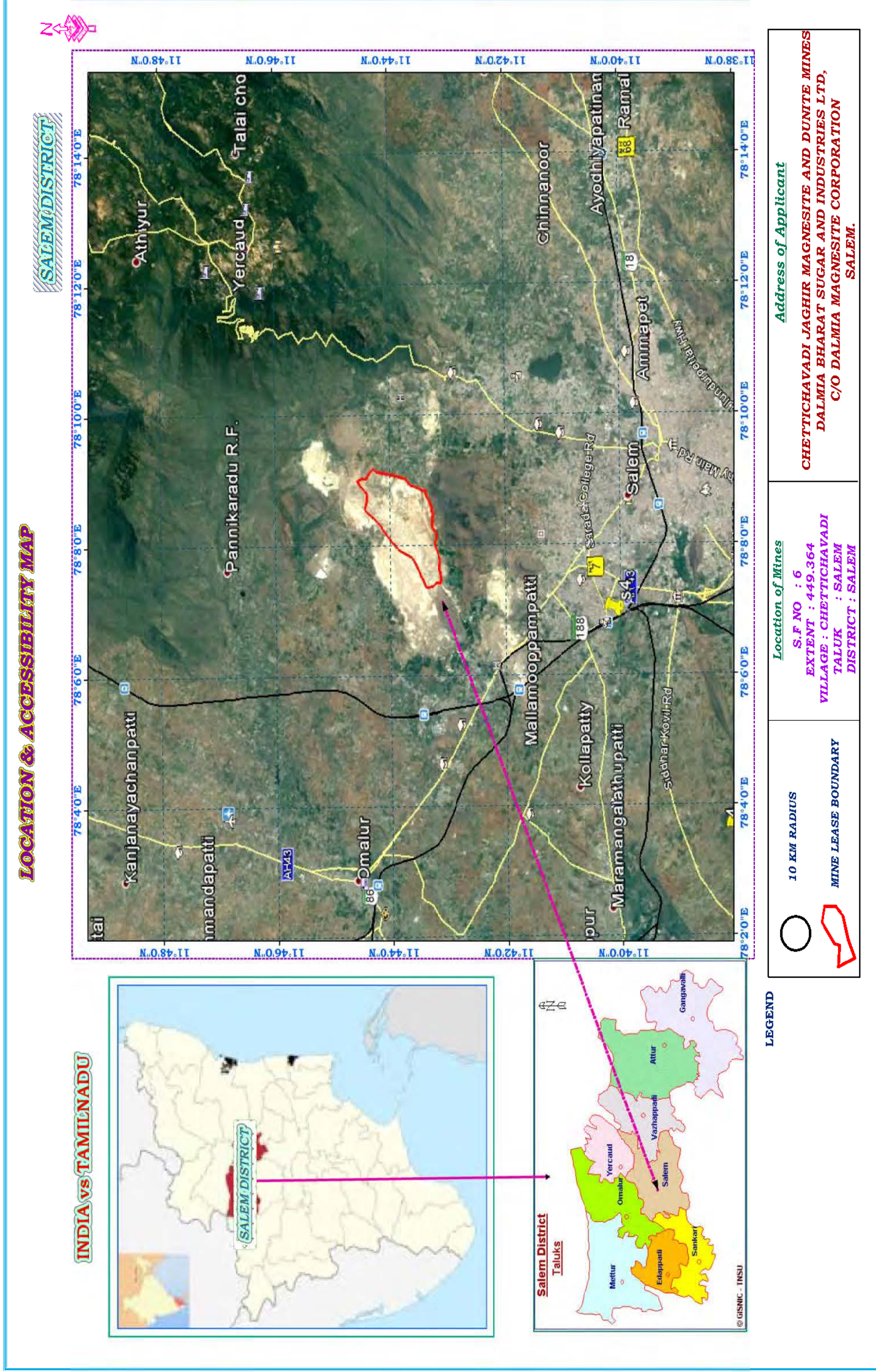


Fig No.2: Google earth image showing project site location



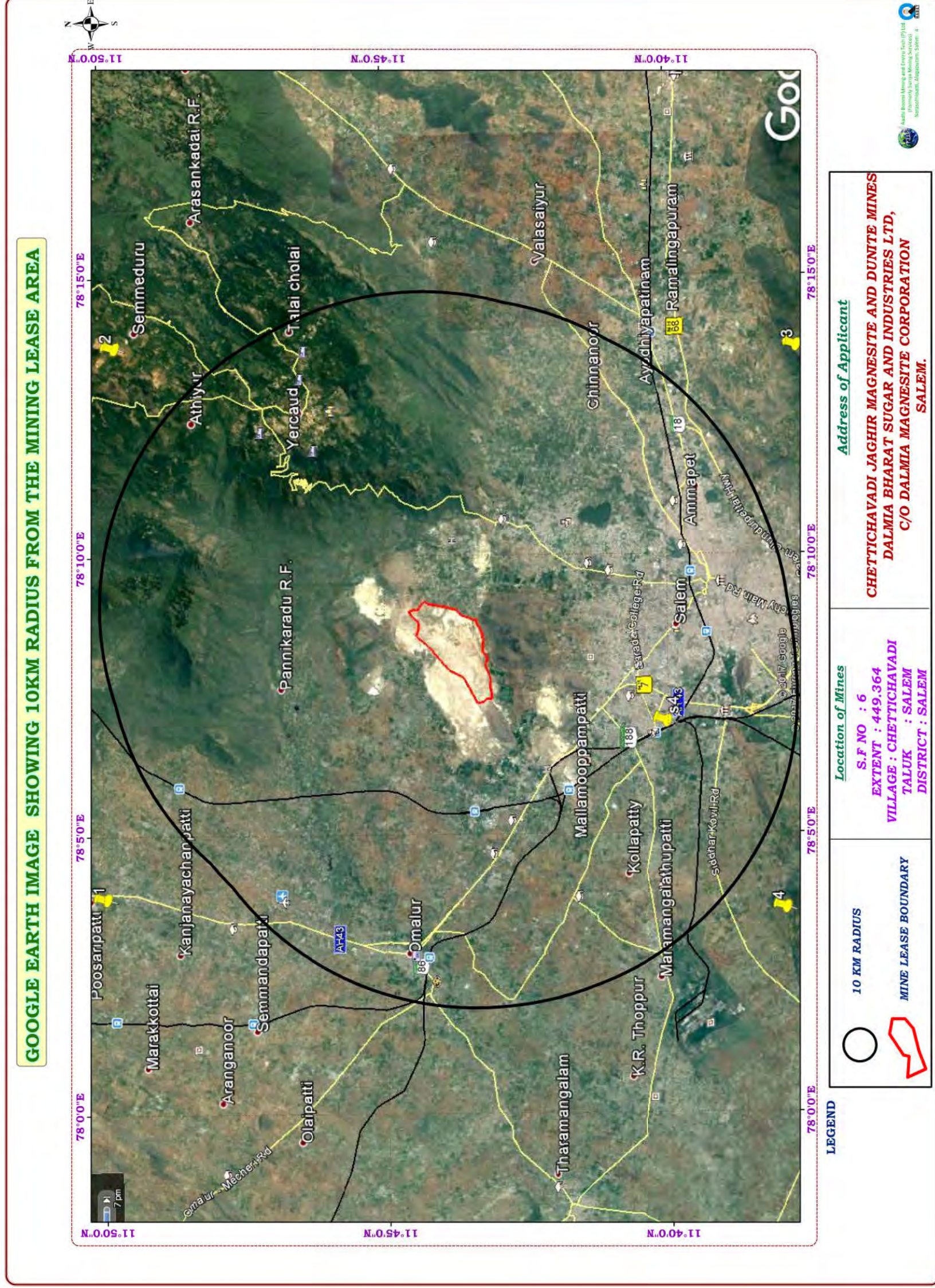


Fig No.3: Google earth image showing 10km radius study area of project site



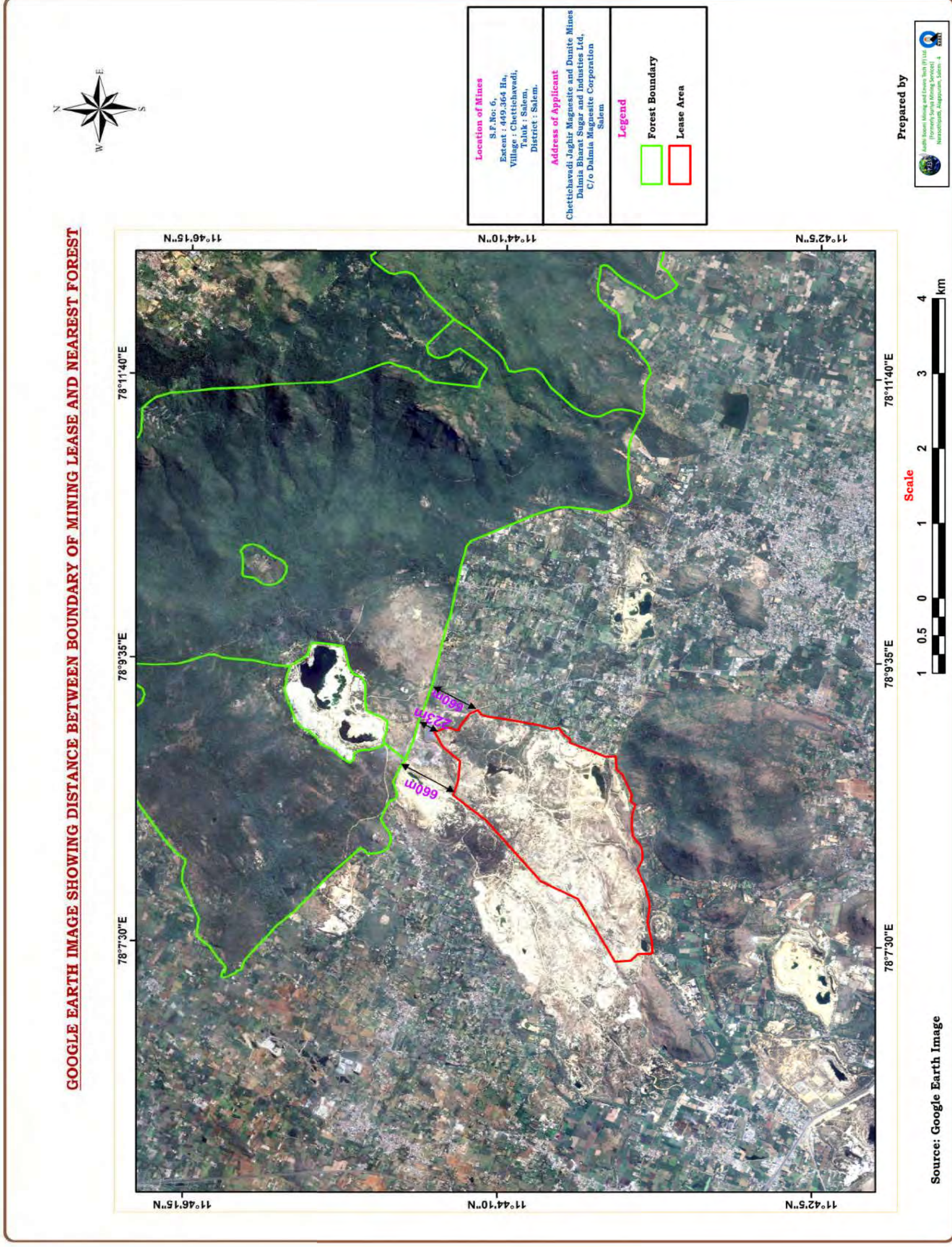


Fig No.4: Google earth image showing distance between mining lease area and forest boundary



WILDLIFE CONSERVATION PLAN FOR SCHEDULE-I SPECIES  
SHEVROYS SOUTH RANGE, SALEM

**3.0 List of Schedule 1 Faunal species as per letter from Forest Range Officer, South Range Salem, TN.**

**Mammals:**

S.No	Common Name	Zoological Name
1	Gaur	Bos Gaurus
2	Jungle cat	Felis Chau
3	Mouse deer	Tragulus Meminna
4	Spotted deer	Axis Axis
5	Jackal	Canis Aureus
6	Bonnet monkey	Macaca Radiada
7	Devang loris	Slender Loris
8	Pangolin	Manis Crassicaudata
9	Palm civet	Paradoxurus Hermaphrodites
10	Porcupine	Hyxtrixindica

**Birds:**

1	Common Peafowl	Pavo Cristatus
2	Crested Serpent Eagle	Spilansis Cheela
3	Laggor Falcon	Falco Biarmicusjuggar
4	Harriers Circus	Circus Auernginosus
5	White Scavanger Vulture	Neophron Percnopterus
6	White Eyed Buzzard	Butastur Teesa

**Reptiles:**

1	Python	Python molurus
2	Russel viper	Vipera russelil



#### **4.0 Wild Life Conservation Plan:**

##### **Description of Schedule I Faunal Species:**

#### **4.1. Mammals:**

##### **4.1.1 Gaur**

**a) Scientific Name:** Bos Gaurus

**b) About Bos gaurus**

- The Gaur (Bos gaurus) is also known as the Indian bison. It is widely spread in Yercaud hill which is located within 10km radius of project site.
- In India, it has declined by more than 70% during the last three generations.
- Body mass: 440-1,000 kg; Height at shoulder: 1.5-2.2 m; Head and body length: 2.5-3.3 m

**c) Food and Habitation**

- Gaur is commonly seen in all over Yercaud hills. Yercaud is evergreen forest which is natural habitat of gaur.
- Gaur habitat is characterized by large, relatively undisturbed forest tracts, hilly terrain below an elevation of 1,500 to 1,800 m (4,900 to 5,900 ft), availability of water, and an abundance of forage in the form of grasses, bamboo, shrubs, and trees.
- The gaur grazes and browses mostly the upper portions of plants, such as leaf blades, stems, seeds and flowers of grass species.



**Fig No.5 Gaur**

#### 4.1.2 Jungle cat

##### a) Scientific Name: Felis Chaus

##### b) About Jungle Cat

- The jungle cat has a uniformly sandy, reddish-brown or grey fur without spots.
- The Jungle cat is usually a solitary animal and only socializes with others of its species during the breeding season
- Adults maintain territories by urine spraying and scent marking.

##### c) Food and Habitation

- The Jungle cat inhabits places with adequate water and dense vegetation, such as swamps, wetlands, grasslands and shrub.
- Jungle cats are carnivorous creatures and mostly prey on rodents, lizards, frogs, snakes, birds, fish, insects, hares, and livestock. During the winter they may supplement their diet with some fruit.
- It likes water and is a good swimmer, diving into the water to catch fish using its mouth.



**Fig 6 Jungle Cat**

#### **4.1.3. Mouse Deer**

##### **a) Scientific Name: Tragulus Meminna**

##### **b) About Mouse Deer**

- It is the smallest deer in India and is highly nocturnal.
- It is a rare species to spot in wild since it is very shy and of cryptic nature.
- Head and body length in the species typically are 50 to 60 cm. It is dull brown in colour with three to four dotted white stripes going longitudinally along flank. The weight can reach between 3 to 4 kg. It prefers living in dense forests.

##### **c) Food and Habitation**

- It prefers living in dense forests.
- It forages on forest floor for fruits, roots, leaves and herbs. It has occasionally been observed eating insects, crustaceans and even small mammals.



**Fig No. 7 Mouse Deer**



#### **4.1.4 Spotted Deer**

**a) Scientific Name: Axis Axis**

**b) About Spotted Deer**

- The spotted deer, or chital, is the most common deer species in Indian forests.
- With a lifespan of about 20 to 30 years, it stands at about 35 inches tall and weighs about 187 pounds. The deer's golden-rufous coloring is speckled with white spots, and it has a white underbelly.

**c) Food and Habitation**

- Spotted Deer live in dense forests, forested valleys and also prefer open grasslands, savannas, and plantations.
- The period of these animals' highest activity is morning and late afternoon. At the heat of the day the Axis deer usually rest under the shadow. When the weather is hot, they tend to remain near water, drinking in the mornings and evenings.
- Their diet usually consists of grasses, flowers, and fruits, fallen from the trees. When the monsoon season comes, grasses and sedges become the main source of food for these animals. They also prefer mushrooms that are rich in proteins and nutrients.



**Fig No. 8 Spotted Deer**

#### 4.1.5. Jackal

**a) Scientific Name: *Canis Aureus***

**b) About Jackal**

- The golden jackal (*Canis aureus*) is a wolf-like canid that is native to Eastern Europe, Southwest Asia, South Asia, and regions of Southeast Asia. The Golden jackal has long, pointed ears and long hair. The tail is fluffy and long.
- The coloration of their fur depends on the season of year and region, varying from yellow to pale gold with a brown tip. Living nearby human settlements, Golden jackals are strictly nocturnal. However, those living in other areas can be partly diurnal.

**c) Food and Habitations**

- Jackals are abundant in valleys and along rivers and their tributaries, canals, lakes but are rare in foothills and low mountains. They are found in dense thickets of prickly bushes, reed flood-lands, and forests. In India, they will occupy the surrounding foothills above arable areas and enter human settlements at night to feed on garbage.
- Looking for shelter, they frequently use caverns, dug by other animals. Golden jackals can also dig caverns themselves as well as use crevices in rocks. Golden jackals are omnivores. They feed on a wide variety of animal species such as young gazelles, hares, reptiles, ground birds and their eggs, fish, frogs as well as insects. The usual diet Golden jackals also include various fruits. During the winter months, they frequently eat rodents.



**Fig No.10 Jackal**

#### 4.1.6. Bonnet Monkey

##### a) Scientific Name: *Macaca Radiata*

##### b) About Bonnet Monkey

- The **Bonnet Monkey** (*Macaca radiata*), also known as **zati**, is a species of macaque endemic to southern India. Land use changes in the last few decades have resulted in changes in its distribution boundaries raising concern for its status in the wild.
- The overall coloration of this animal is dusky brown to golden yellow with red face as well as black ears and lower lip.

##### c) Food and Habitations

- The Bonnet monkeys are distributed throughout southern India in a territory, restricted to the Indian Ocean on three sides. Suitable habitats for this species are evergreen high forests and dry deciduous forests of the western ghats.
- Although the bonnet monkeys are able to live both on the ground and in trees, they usually spend much of their time on the ground. They are generally diurnal animals. Bonnet monkeys are omnivores; they generally feed upon fruits, nuts, cereals, seeds, leaves, berries, flowers and foliage, supplementing this diet with bird eggs and various invertebrates.
- They often inhabit temples where tourists feed them or they take food offerings left at the feet of religious figures. They also raid nearby houses, tourist buses, food stalls, backyard gardens, and large trash piles for food



**Fig No 11. Bonnet Monkey**



#### 4.1.7. Devang Loris

##### a) Scientific Name: Slender Loris

##### b) About Devang Loris

- The slender lorises are a genus of loris native to India and Sri Lanka. The genus comprises two species, the red slender loris found in Sri Lanka and the gray slender loris from Sri Lanka and India.
- The primates have life spans of approximately 15 years and are nocturnal.

##### c) Food and Habitations

- The gray slender Loris can be found in tropical rainforests, primary and some secondary, coastal acacia scrub forests, semi-evergreen forests, swamps, and bamboo groves up to 2000 m above sea level.
- The gray slender Loris is primarily carnivorous (mostly insects) but will also eat bird eggs, berries, leaves, buds and occasionally invertebrates as well as geckos and lizards.
- To maximize protein and nutrient uptake they consume every part of their prey, including the scales and bones. They are able to digest toxic prey such as ants and noxious beetles.



**Fig No.12 Devang Loris**

#### 4.1.8 Pangolin

##### a) Scientific Name: *Manis Crassicaudata*

##### b) About Pangolin

- The **Indian pangolin** (*Manis crassicaudata*), also called thick-tailed pangolin and scaly anteater is a pangolin native to the Indian subcontinent.
- Like other pangolins, it has large, overlapping scales on its body which act as armour. The colour of its scales varies depending on the colour of the earth in its surroundings.
- It can also curl itself into a ball as self-defence against predators. It is nocturnal and rests in deep burrows during the day.

##### c) Food and Habitations

- It inhabits rainforest, grasslands, and barren hilly areas. It can live in modified habitats, so long as there are plenty of termites and ants.
- Indian pangolins are nocturnal, and spend most of their day among rocks or in their burrows. At night they leave their burrows to search for food.
- The Indian pangolin is almost entirely insectivorous and more specifically a myrmecophage - this species mainly eats ants, termites, and their eggs, though one has been recorded as eating beetle wing sheaths, skins of worms, and cockroaches.



**Fig No.13 Pangolin**

#### **4.1.9. Palm Civet**

##### **a) Scientific Name: *Paradoxurus hermaphrodites***

##### **b) About Palm Civet**

Asian palm civets are small cat-sized mammals that live in South and Southeast Asia. Their long, stocky body is covered with coarse, shaggy hair that is usually greyish in color.

##### **c) Food and Habitations**

- Asian palm civets are native to India, Nepal, Bangladesh, Bhutan, Myanmar, Sri Lanka etc. These animals usually inhabit primary and secondary forests, seasonally flooded peat swamp forest, mangroves, oil palm and teak plantations.
- They are also present in parks and suburban gardens with mature fruit trees, fig trees, and undisturbed vegetation.
- They are both terrestrial and arboreal, being active during the night with peaks between late evening until after midnight. During the day they usually rest in trees or inside rock crevices.
- Asian palm civets are omnivores. They eat fruits such as berries, chiku, mango, rambutan, and coffee, but also small mammals and insects. They also feed on palm flower sap.



**Fig No.14 Palm Civet**



#### **4.1.10. Porcupine:**

##### **a) Scientific Name: Hyxtrix indica**

##### **b) About Porcupine:**

The Indian porcupine is an 'Old World' porcupine and one of the world's largest porcupines. This rodent has rather long quills of up to 16 inches. Unlike the 'New World' porcupines, this porcupine is a ground-dwelling and burrowing animal.

The amazingly strong front feet allow the animal excavate substantial burrows. The substantial incisors of Indian porcupine never stop growing, so that the animal has to wear down its teeth, which it does through chewing bark, trees, chain link fence and sometimes cement.

##### **c) Food and Habitations**

- It mainly occurs on rocky hill sides, but is also found in tropical and temperate scrublands, grasslands and forests.
- Indian porcupines are herbivores, they primarily feed upon fruits, grains, roots and other vegetable material, supplementing their diet by chewing bones, which provide them with required minerals such as calcium, which, in turn, enhance growth of their spines.



**Fig No 15 . Porcupine**

## **4.2. Birds:**

### **4.2.1 Common Peafowl**

**a) Scientific Name:** Pavo cristatus

**b) About Pavo cristatus:**

- The Indian peafowl is a magnificent member of the pheasant family.
- The male (peacock) is brightly colored, with a predominantly blue fan-like crest of spatula-tipped wire-like feathers
- Females (peahens) have a greenish lower neck and duller brown plumage.
- Downy chicks are pale buff with a dark brown mark on the eyes.

**c) Food and Habitation:**

- Omnivorous and eat seeds, insects, fruits, small mammals, and reptiles. They feed on small snakes.
- Peafowl also feed on a wide range of crops such as groundnut, tomato, paddy, chili, and even bananas.
- They are found in moist and dry-deciduous forests near water, in mountain forests and can also adapt to live in cultivated regions and around human habitations.



**Fig No. 16: Pavo cristatus**

#### 4.2.2 Crested Serpent Eagle

a) **Scientific Name:** Spilansis Cheela

b) **About Spilansis Cheela:**

- The **crested serpent eagle** (*Spilornis cheela*) is a medium-sized bird.
- They are medium to large, dark brown, with rounded wings and a short tail.

c) **Food and Habitation:**

- The crested serpent eagle is a reptile eater which hunts over forests often close to wet grassland, for snakes and lizards.
- They also prey on birds, amphibians, mammals and fishes.
- It is found mainly over areas with thick vegetation both on the low hills and the plains.
- This species is a resident species, but in some parts of their range they are found only in summer.



**Fig No. 17: Crested Serpent Eagle**



### 4.2.3 Laggur Falcon

a) **Scientific Name:** *Falco biarmicusjuggar*

b) **About *Falco biarmicusjuggar*:**

- The laggur falcon is a mid-sized bird, which occurs in the Indian subcontinent
- It is darker overall, and has blackish feathers.

c) **Food and Habitation:**

- The **Laggur falcon** eagle is a reptile eater which hunts over forests often close to wet grassland, for snakes and lizards.
- They also prey on birds, amphibians, mammals and fishes.
- It is found mainly over areas with thick vegetation both on the low hills and the plains.



**Fig No.18.: *Falco biarmicusjuggar***

#### 4.2.4 Harriers Circus

**Scientific Name:** Circus auernginosus

**About Circus auernginosus:**

- Harriers circus is a medium-sized bird
- It has a wingspan of 105–115 cm (41–45 in) and a body length of 44–50 cm (17–20 in).
- When perched, this bird appears all black. However, in flight a white rump and flight feathers become visible.
- Its morphology is comparable to that of other harriers, with a slim body, narrow wings and a long tail. Male and female plumages are similar. Juveniles have buff under-parts and heavily spotted breasts.

**Food and Habitation:**

- It hunts in typical harrier fashion, gliding low over flat open ground on its search for prey, with its wings held in a shallow V-shape and often with dangling legs.
- The harrier is a small mammal specialist which feed mostly on small rodents and birds and will occasionally take reptiles, catching them while flying low over its hunting grounds.
- They also feed on small birds, insects and frogs.



**Fig No. 19: Circus auernginosus**

#### 4.2.5 White Scavenger Vulture

**Scientific Name:** Neophron percnopterus

#### **About Neophron percnopterus:**

- Egyptian vultures are small Old World vultures.
- Their adult plumage is white, and there are some black feathers on the wings and tail.

#### **Food and Habitation:**

- White Scavenger vulture is carnivores and scavengers and eats carrion.
- They will also prey on small mammals, birds, and reptiles.
- They also feed on the eggs of other birds, breaking larger ones by tossing a large pebble onto them.
- It is widely distributed from the Iberian Peninsula and North Africa to India and it soars high during the warmer parts of the day.
- They generally inhabit arid open areas such as steppe, desert, cereal fields, and pastures, but need rocky sites for nesting.
- They are often found near where humans live, for example, in or near towns, and around slaughterhouses, rubbish dumps, and fishing ports.



**Fig No. 20: Neophron percnopterus**



#### 4.2.6 White Eyed Buzzard

**Scientific Name:** Bustastur teesa

#### **About Bustastur teesa:**

- The **white-eyed buzzard** is a medium-sized hawk. Adults have a rufous tail with distinctive white iris, and a white throat bearing a dark mesial stripe bordered.
- The head is brown and the median coverts of the upper wing are pale.
- They lack the typical carpal patches on the underside of the wings seen in true buzzards, but the entire wing lining appears dark in contrast to the flight feathers.

#### **Food and Habitation:**

- They feed mainly on locusts, grasshoppers, crickets, and other large insects, as well as mice, lizards, and frogs.
- They also feed on crabs from near wetlands and have been reported to take larger prey such as the black-naped hare.
- The usual habitat is dry, open forest or cultivation, but may go up to 1200m altitude in the foothills of the Himalayas.
- They are numerous in some areas, but declining. A survey in the late 1950s estimated about 5000 birds in the vicinity of Delhi in an area of about 50,000 km<sup>2</sup> giving a density of 0.1 per square kilometre.



**Fig No. 21: Bustastur teesa**

### **4.3. Reptiles :**

#### **4.3.1 Python**

**a) Scientific Name:** Python Molurus

#### **b) About Python**

- Python molurus is a large, non venomous python species native to tropical and subtropical regions of the Indian subcontinent and Southeast Asia. It is known by the common names Indian python, black-tailed python, Indian rock python, and Asian rock python. It is generally lighter colored than the Burmese python and reaches usually 3 m (9 ft 10 in).

#### **c) Food and Habitation**

- Indian pythons are found in India, southern Nepal, Pakistan, Sri Lanka, Bhutan, Bangladesh, and probably in the north of Myanmar. They live in a wide range of habitats, including grasslands and savannahs, swamps, marshes, rocky foothills, woodlands, open forest, and river valleys.
- They are also very good climbers and can often be seen hanging on branches of trees. Indian pythons are excellent swimmers and are quite at home in the water. They like to shelter in abandoned mammal burrows, hollow trees, dense water reeds, and mangrove thickets.
- Lethargic and slow-moving even in their native habitat, Indian pythons exhibit timidity and rarely try to attack even when attacked. Indian pythons are strict carnivores and feed on mammals, birds, amphibians, and reptiles.



**Fig. No 22 Python**

### 4.3.2 Russel viper

**Scientific Name:** *Vipera russelil*

**About *Vipera russelil*:**

- Russell's viper is a venomous snake found in Asia.
- These snakes are deep yellow, tan, or brown in color, with three series of dark brown spots that run the length of the body.
- Each of these spots has a black ring around it, the outer border of which is intensified with a rim of white or yellow.

**Food and Habitation:**

- Russell's vipers are carnivores. They feed primarily on rodents but will also eat small reptiles, land crabs, scorpions, and other arthropods. Juveniles hunt lizards. As they grow and become adults, they begin to specialize in rodents.
- These snakes are not restricted to any particular habitat but do tend to avoid dense forests. They are mostly found in open, grassy, or bushy areas, but may also be found in second-growth forests (scrub jungles), on forested plantations, and on farmland.
- Russell's vipers are most common in plains, coastal lowlands, and hills of suitable habitat. Humid environments, such as marshes, swamps, and rainforests, are avoided. They are also often found in highly urbanized areas and settlements in the countryside because of the abundance of rodents



**Fig No. 23: *Vipera russelil***



### **5.0 Common threat**

- During summer season, mammals crossed the forest boundary in search of water and food. While crossing the road, they may get hit by trucks and other heavy vehicles.
- In the mining zone, fly rocks may get fall on the fauna found near the mining zone due to blasting activity and might cause severe injury.
- Mammals are highly threatened by poaching for trade to supply international markets, but also by opportunistic hunting, and specific hunting for home consumption such as meat.
- Forest fire might occur during summer months leads to loss of habitation which causes migration and loss of fauna.
- Common peafowl are threatened by illegal poaching for their meat and feathers.
- Main threats to Indian pythons include habitat loss, collection for the pet trade and hunting for their skin which is highly valued in the leather trade. These snakes are also often killed for food and because of fear.
- The main threats to Russell's vipers include illegal collection and trade for food and skins. They are also often killed because of fear.

## **6.0 Conservation plan:**

### **6.1 Aim of the Plan**

1. Awareness training to the local public to protect and conserve the wildlife.
2. To control illegal trading and poaching of wildlife and their products.
3. To educate the employees about the importance of Wildlife and impart training on conservation of the same.
4. To help protect the Schedule – I species.
5. To develop team to save the abandoned wildlife which has lost its way due to search of food/water and impart back into forest with the help of forest conservation department.

### **6.2 Plan of Action:**

#### **6.2.1 Mining Zone**

- Adopting controlled blasting techniques to prevent the fly rocks in the vicinity. Nonel blasting will be adopted to reduce the noise level and vibration.
- Dense afforestation will be developed along the mining lease boundary to arrest the emission of dust and to reduce the noise level.

#### **6.2.2 Public Place**

- Placing awareness sign board with picture in different places referring the importance of endangered species to the local people for protecting schedule I species
- Placing proper sign boards along the roads in appropriate places referring the movement of fauna and its trespasses.
- Giving periodical training to local people to teach “**Do’s and Dont’s**” in and around the forest zone, handling of sudden intrusion of wild animals to the public places etc.
- Placing contact numbers of the Forest Department of Salem in necessary places to help the local people to immediately inform the intrusion of fauna to forest department.

### 6.2.3 Forest zone

#### 6.2.3.1 Arrangement of Mineral licks in appropriate place:

- A mineral lick (also known as a salt lick) is a place where animals can go to lick essential mineral nutrients from a deposit of salts and other minerals for its diet. The mineral lick is planned to make at 10-12 places in the forest area where the animals are moving frequently.
- For easy access, 5 to 6 numbers of mineral licks are planned to place around the water holes. Rest will be placed at random places where the animals are moving frequently.



**Fig No 24. Arrangement of salt lick in forest area**

#### 6.2.3.2 Habitat development for Herbivores (S.No 1, 3 & 4 of Schedule 1 species - mammals)

- The palatable grass has to be developed for increasing population of Schedule 1 herbivorous such as spotted deer, gaur and others. Just as humans tend to eat more at a dinner of delectable specialties, animals will eat more if the palatability is high.
- Grass is more palatable to animals when young, tender, and leafy.
- Recommended palatable grasses are Corotollaria burhea, Cymbopogan martini, Cynodon dactylon, Hybrid napier, Guinea grass (Megathyrsus maximus), Para grass (Brachiaria mutica).
- Identifying sites of pasture in the forest for planting the palatable grass species.



### 6.2.3.3 Placing artificial wooden nests

The artificial wooden nest have to be placed at vantage points for increasing Schedule I and other Avi fauna population.



**Fig No 25 Artificial wooden nest arrangement in forest area**

### 6.2.3.4 Other common action plan in forest zone

- For increasing and maintaining the density of forest, seeding will be done by making furrows or direct broadcast by mixing with cow dung.
- In the forest area, the dead fallen trees should not be removed as it provides Ant reproduction sites for **Porcupine**
- To prevent the movement of mammals beyond the forest limit in search of water and food, animal ponds will be constructed at the required place within the forest area in consultation with District Forest Officer, Salem.
- Plantation of tree saplings within the forest limits providing natural habitat for fauna and for maintaining the density of forest.
- Plantation of fruit bearing regional trees within the forest zone to prevent the migration of fauna in search of food beyond the forest limit.

WILDLIFE CONSERVATION PLAN FOR SCHEDULE-I SPECIES  
SHEVROYS SOUTH RANGE, SALEM

- Construction of watch and observation tower for the Forest Department Personnel for surveillance of movement of fauna and people.
- Providing camping tents, rain coats, binoculars and safety boots to forest department for the surveillance purposes.

**7.0 Cost allocation for conservation of Schedule I fauna in Yercaud hills by M/s. Dalmia Bharat Sugar and Industries Ltd.**

<b>S.No</b>	<b>Description</b>	<b>0 Year (Rs in lakhs)</b>	<b>1<sup>st</sup> year Cost/annum (Rs in lakhs)</b>
1	Construction of animal pond – 2 Nos.	8.0	-
2	Development of Palatable Grass Fodder	Site selection	9.0
3	Placement of Artificial Wooden Nests	0.5	0.5
4	Plantation of tree saplings within forest boundary – 200 Nos/annum and Seeding by making furrows or direct broadcast by mixing with cow dung.	0.5	0.5
5	Plantation of fruit bearing tree saplings within forest boundary – 100 Nos/annum.	0.5	0.5
6	Placement of awareness board, sign boards and contact information boards (Each 10 boards)	1.0	1.0
7	Conduct training and awareness program to local village people about the importance of forest, wildlife and conservation.	0.25	0.25
8	Construction of two watch towers to Forest Department.	2.0	-
9	Provision of camping tent, rain coat, torch light, binoculars and safety boots and gloves to forest department.	0.25	0.25
<b>Total Cost</b>		<b>13.0</b>	<b>12.0</b>

The conservation plan cost will be paid to the Forest Department through Demand Draft drawn in favour of District Forest Officer, Salem.

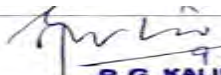
**WILDLIFE CONSERVATION PLAN FOR SCHEDULE-I SPECIES  
SHEVROYS SOUTH RANGE, SALEM**

In addition to the above conservation plan expenses within the forest area we are also incurring expenses under Environment Damage remediation cost along the periphery of the lease area which will go in a long way contributing to the wildlife conservation which is shown as hereunder.

Remediation cost for activities proposed to be carried out outside the Forest area will be given as "**Bank Guarantee**" to TNPCBd.

<b>Eco development and Eco restoration of Villages</b>					
<b>S. No</b>	<b>Description</b>	<b>Capital Cost (lakhs)</b>	<b>First Year Cost/annum (lakhs)</b>	<b>Second Year Cost/annum (lakhs)</b>	<b>Third Year Cost/annum (lakhs)</b>
<b>a.</b>	Plantation of total 6500 Nos. of native plants at Rs.1500 per sapling, including maintenance for 3 years in nearby villages and periphery of the project	<b>97.50</b>	32.50	32.50	32.50
<b>b.</b>	Restoration and Cleaning of water bodies like ponds, Nallahs, Streams, etc. in and around the lease area	<b>65.00</b>	21.66	21.66	21.66
<b>c.</b>	Construction of Check Dams of size 4 Mtr Length X 2 Mtr Height X 1 Mtr Width in nearby villages	<b>65.00</b>	21.66	21.66	21.66
<b>d.</b>	Providing Wind Barrier and Vertical Greenery to Villages Adjacent /Running Parallel to ML Area	<b>65.00</b>	20.00	20.00	25.00
<b>Total cost</b>		<b>292.5</b>	<b>95.82</b>	<b>95.82</b>	<b>100.82</b>

Signature of Project Proponent Along with name and address

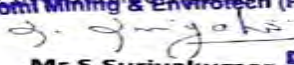
  
 9.3.2023  
**P. G. KALIDASS,**  
 AGENT & MINES MANAGER,  
 CHETTICHAVADI JAGHIR MINES,  
 DALMIA BHARAT SUGAR AND INDUSTRIES LTD.,  
 C/O. DALMIA MAGNESITE CORPORATION

**M/s.Dalmia Bharat Sugar and Industries Ltd,**  
Salem, Tamil Nadu - 636012

Date: 09.03.2023

Place: Salem

Signature of the Qualified person

  
 Signature of the Qualified person  
**Aadhi Boomi Mining & Envirotech (P)Ltd.,**  
**Mr.S.Suriyakumar Director**  
 EIA Co-ordinator (Mining)

**Mr.S.Suriyakumar**  
M.Sc., M.Phil, F.C.C. (Min)  
PGDBA, DIPC  
EIA Co-ordinator (Mining)



**Annexure-8: Approval of District Survey  
Report for Dunit by SEIAA-Tamilnadu vide  
Letter No.- SIEAA/TN/C.No 6013/2023 dated  
06.06.2023**

**Annexure-8: Approval of District Survey Report for Dunite by SEIAA-Tamilnadu vide  
Letter No.- SIEAA/TN/C.No 6013/2023 dated 06.06.2023**

Thiru.Deepak S.Bilgi, I.F.S.,  
MEMBER SECRETARY



**STATE LEVEL ENVIRONMENT IMPACT  
ASSESSMENT AUTHORITY-TAMILNADU**

3rd Floor, Panagal Maaligai,  
No.1, Jeenis Road, Saidapet  
Chennai-600015  
Phone No.  
044-24359973

**Lr. No.SEIAA-TN/C.No.6013/2023 dated: 6 .06.2023**

To

The Member Secretary  
Director/Additional Director/Scientist E/F of NCM sector,  
IA division MoEF&CC,  
Indira Paryavaran Bhawan,  
New Delhi-110003

Sir,

Sub: SEIAA-Tamil Nadu – Dalmia Bharat Sugar and Industries Ltd at Chettichavadi Jaghir Magnesite and Dunite Mines- extent of 449.364 Ha in Chettichavadi village, Salem Taluk and District, Tamilnadu - approved District Survey Report as per Minutes of Meeting of EAC, MOEF, New Delhi dated 17.01.2023- – Regarding.

- Ref: 1. Minutes of 9<sup>th</sup> EAC Meeting held on 17.01.2023 & 18.1.2023  
2. PP letter No. MM 26150 Dt. 31.1.2023  
2. Minutes of 361<sup>st</sup> SEAC meeting held on 10.3.2023  
3. PP letter No. MM 26150 Dt.18.5.2023  
4. Minutes of 380<sup>th</sup> SEAC meeting held on 17.05.2023  
5. Minutes of 627<sup>th</sup> SEIAA meeting held on 6.6.2023

This has to the reference cited above, wherein, the proposed Magnesite and Dunite Mines, to an extent of 449.364 Ha in Chettichavadi village, Salem Taluk and District, Tamilnadu by project proponent (PP) of M/s Dalmia Bharat Sugar and Industries Ltd

has obtained ToR from MoEF&CC on 05.02.2021. Subsequently, the final EIA/EMP report was submitted to MOEF on 29.11.2021.

The MOEF in its 9<sup>th</sup> EAC Meeting held on 17.01.2023 has instructed the PP to furnish on the points below, besides other details to be provided by the PP.

1. The Project Proponent needs to submit the District Survey Report for Dunite to be approved by the SEIAA, Tamil Nadu.

Based on that the PP has furnished a copy of Salem District Survey Report approved and signed by Deputy Director, Department of Geology and Mining, Salem and the District Collector, Salem requested the SEIAA for necessary recommendation vide Lr Dt. 31.1.2023 received on 23.2.2023.

The Proposal was placed in 597<sup>th</sup> Authority meeting held on 27.2.2023 and Authority decided to refer the proposal to SEAC for necessary remarks on District Survey Report furnished by the PP.

Subsequently, this proposal was placed in 361<sup>st</sup> SEAC meeting held on 10.3.2023 & 379<sup>th</sup> SEAC meeting held on 12.5.2023. Based on the presentation and documents furnished by the project proponent, SEAC after detailed deliberations, decided to constitute subcommittee to examine the DSR.

The sub-Committee has examined the DSR furnished by the PP and suggested the following recommendations.

1. Based on the above, the Sub-Committee verified the DSR submitted by the PP with respect to the associated mineral "Dunite" produced with Magnesite in the Salem District and hence it is concluded that the said DSR has been prepared during May 2019 and approved by the competent authority is in order.
2. In the case of approved DSR, the Sub-Committee has observed that Dunite specific to Chettichavadi Jaghir 'Magnesite and Dunite' Mines over an extent of 449.364 Ha is situated in Chettichavadi Village, Salem District, Tamil Nadu owned by Dalmia Bharat Sugar and Industries Ltd.
3. The Sub-Committee has recommended that the mine shall be operated taking into consideration of all the Environmental Norms and stipulations as per EC to be granted. Further, the EMP for Mining of Magnesite and Dunite as





stipulated in DSR and EC shall be implemented during Operation of the Mines to mitigate the Impact on the environment.

4. This District Survey report of Dunite in the Salem District shall be updated and revised every five year in accordance with MoEF Notification S.O. 3611 (E) dated 25.07.2018. Hence, the Sub- committee recommends that the DSR shall be updated by the Competent authority by involving any of these reputed institutions – Dept of Geology, Anna University Chennai, and Dept of Geology, University of Madras.

The subject was again been placed in this 380<sup>th</sup> meeting of SEAC held on 17.05.2023 and SEAC accepted the subcommittee recommendation and send the proposal to SEIAA-TN for further action.

Based on that, this proposal was placed in 627<sup>th</sup> SEIAA meeting held on 6.6.2023 and SEIAA-TN accepted the recommendation of the sub-committee followed by SEAC. Therefore, SEIAA-TN is hereby endorsing the District Survey Report prepared for the mineral - Dunite by the Dept of Geology & Mining and approved by the District Administration, which establish that the mineral resource of Dunite is existing along with the magnesite in the mine lease hold area of an extent of 449.364 Ha in Chettichavadi Village, Salem District, Tamil Nadu owned by Dalmia Bharat Sugar and Industries Ltd.

Encl: Copy of the District Survey Report

  
Member Secretary  
  
6/6/23  
SEIAA-TN

Copy to

 The Agent & Mines Manager  
Chettichavadi Jaghir Magnesite & Dunite Mines  
M/s Dalmia Bharat Sugar and Industries Limited  
Sf.No. 6 Chettichavadi Village  
Salem Taluk & District

**Annexure-9: Copy of NABET & NABL Accreditation  
Certificate of the Environment Consultant.**



## National Accreditation Board for Education and Training



### Certificate of Accreditation

**Aadhi Boomi Mining and Enviro Tech P Ltd, Salem**

**3/216, K.S.V.Nagar, Narasothipatti, Alagapuram Post, Salem - 636004, Tamil Nadu**

The organization is accredited as **Category-A** under the QCI-NABET Scheme for Accreditation of EIA Consultant Organization, Version 3: for preparing EIA-EMP reports in the following Sectors –

S. No	Sector Description	Sector (as per)		Cat.
		NABET	MoEFCC	
1	Mining of minerals- opencast only	1	1 (a) (i)	A
2	River Valley projects	3	1 (c)	A
3	Mineral beneficiation	7	2 (b)	A
4	Cement plants	9	3 (b)	A
5	Highways	34	7 (f)	B
6	Building and construction projects	38	8 (a)	B
7	Glass and Ceramic Industry	40 (iv)	-	A

**Note: Names of approved EIA Coordinators and Functional Area Experts are mentioned in RAAC minutes dated December 17, 2021 posted on QCI-NABET website.**

The Accreditation shall remain in force subject to continued compliance to the terms and conditions mentioned in QCI-NABET's letter of accreditation bearing no. QCI/NABET/ENV/ACO/22/2240 dated Feb 10, 2022. The accreditation needs to be renewed before the expiry date by Aadhi Boomi Mining and Enviro Tech P Ltd, Salem following due process of assessment.



**Sr. Director, NABET**  
Dated: Feb 10, 2022

**Certificate No.**  
NABET/EIA/2124/RA 0228

**Valid up to**  
October 22, 2024

For the updated List of Accredited EIA Consultant Organizations with approved Sectors please refer to QCI-NABET website.





National Accreditation Board for  
Testing and Calibration Laboratories

**CERTIFICATE OF ACCREDITATION**

**EKDANT ENVIRO SERVICES (P) LTD.**

has been assessed and accredited in accordance with the standard

**ISO/IEC 17025:2017**

**"General Requirements for the Competence of Testing &  
Calibration Laboratories"**

for its facilities at

NO R-7/1, AVK TOWER, NORTH MAIN ROAD, ANNA NAGAR WEST EXTN., CHENNAI, TAMIL NADU, INDIA

in the field of

**TESTING**

Certificate Number: TC-5028

Issue Date: 06/03/2020

Valid Until:

05/03/2022\*

\*The validity is extended for one year up to 05.03.2023

This certificate remains valid for the Scope of Accreditation as specified in the annexure subject to continued satisfactory compliance to the above standard & the relevant requirements of NABL.  
(To see the scope of accreditation of this laboratory, you may also visit NABL website [www.nabl-india.org](http://www.nabl-india.org))

Name of Legal Identity : EKDANT ENVIRO SERVICES (P) LTD.

Signed for and on behalf of NABL



N. Venkateswaran  
Chief Executive Officer



National Accreditation Board for  
Testing and Calibration Laboratories

**CERTIFICATE OF ACCREDITATION**

**ABM ENVIRONMENTAL AND ANALYTICAL  
LABORATORY (A UNIT OF AADHI BOOMI MINING AND  
ENVIRO TECH PRIVATE LIMITED)**

has been assessed and accredited in accordance with the standard

**ISO/IEC 17025:2017**

**"General Requirements for the Competence of Testing &  
Calibration Laboratories"**

for its facilities at

4/77L, INDRANI NAGAR, SANTHAI MAIN ROAD, NARASOTHIPATTI, SALEM, TAMIL NADU, INDIA

in the field of

**TESTING**

Certificate Number: TC-9497

Issue Date: 04/05/2021

Valid Until:

03/05/2023

This certificate remains valid for the Scope of Accreditation as specified in the annexure subject to continued satisfactory compliance to the above standard & the relevant requirements of NABL.

(To see the scope of accreditation of this laboratory, you may also visit NABL website [www.nabl-india.org](http://www.nabl-india.org))

Name of Legal Identity : AADHI BOOMI MINING AND ENVIRO TECH PRIVATE LIMITED

Signed for and on behalf of NABL



N. Venkateswaran  
Chief Executive Officer

**Annexure-10: Undertaking by the Project  
Proponent as per Ministry's OM dated  
05.10.2021**



# Dalmia Bharat Sugar and Industries Limited

[ Formerly : Dalmia cement (Bharat) Limited ]

SALEM - 636 012 TAMILNADU

## Undertaking by Project Proponent as per OM dated 05.10.2011:

The Company Dalmia Bharat Sugar and Industries Ltd, hereby gives this undertaking to the effect that the conditions laid down in the Terms of Reference under Violation case vide letter F.No.23-227/2018/-IA/III (V) dated 05.02.2021 for our existing Magnesite and Dunite Mines in S.F.No-6, over an extent of 449.364 Ha of Chettichavadi village, Salem Taluk, Salem District, Tamilnadu have been complied with , in the final EIA & EMP report and the data submitted and the information presented there in are true and correct to the best of my knowledge.

Place: Salem-12.

Date: 21.04.2023.

Sign and Seal of the PP.

  
P. G. KALIDASS,  
AGENT & MINES MANAGER,  
CHETTICHAVADI JAGHIR MINES,  
DALMIA BHARAT SUGAR AND INDUSTRIES LTD.,  
C/o. DALMIA MAGNESITE CORPORATION,  
SALEM-636 012

REGD. OFFICE : DALMIAPURAM(TAMILNADU) - 621 651.  
HEAD OFFICE : HANSALAYA (11<sup>TH</sup>&12<sup>TH</sup> FLOORS)  
15, BARAKHAMBHA ROAD, POST BOX 364  
NEW DELHI - 110 001.



**Annexure-11: Undertaking by the  
Environment Consultant as per Ministry's  
OM dated 04.08.2009.**

# AADHI BOOMI MINING AND ENVIRO TECH (P) Ltd.,



(NABET/QCI Accredited Organization - 'A' Category)

ISO: 9001:2015 Certified

Cell : +91 98427 29655, 94432 90855

E-mail : suriyakumarsemban@gmail.com, abmenvirotech@gmail.com

website: www.abmenvirotech.com



Date : 21.4.2023

## Declaration by the Head of the accredited consultant organization as per OM dt 04.08.2009

I, S.Suriyakumar, Managing Director of Aadhi Boomi Mining & Envirotech P Ltd, hereby confirm that the Final EIA and EMP report has been prepared in compliance with the conditions laid down in the Terms of Reference under Violation case vide letter F.No.23-227/2018/-IA/III (V) dated 05.02.2021 including Ecological damage assessment, remediation plan, natural resource augmentation plan and Community Resource augmentation Plan for obtaining EC from MOEF & CC, New Delhi for the existing Chettichavadi Jaghir Magnesite and Dunite Mines of M/s. Dalmia Bharat Sugar and Industries Ltd, located in S.F.No-6, over an extent of 449.364 Ha of Chettichavadi village, Salem Taluk, Salem District, Tamilnadu.

The names of all experts associated / involved in the preparation of the reports and their declarations are shown in NABET Annexure VII (Page No.iii)

The NABL certificates of Laboratories through which the samples have been analyzed are shown in (Page No iv and v).

I also confirm that I shall be fully accountable for any mis leading information mentioned in this statement.

Name: **Mr.S.Suriyakumar**

Signature:   
Director

Designation: **Managing Director**

Name of the EIA Consultant Organization: Aadhi Boomi Mining & Enviro Tech Private Limited.

NABET Certificate No: NABET/EIA/2124/RA 0228 valid till 22.10.2024

**Due to size constraint, complete set of ADS reply with all annexures, Approved Mining Plan and Final EIA/EMP Report Vol-I & II has been provided in the link given below:**

<https://drive.google.com/drive/folders/1OrhXri5COLjSZOOtPp6VFCtTKA6lnpih?usp=sharing>