

**MINUTES (approved) OF THE 7<sup>TH</sup> MEETING OF STATE LEVEL EXPERT  
APPRAISAL COMMITTEE (SEAC) KERALA, HELD ON 1<sup>ST</sup> SEPTEMBER, 2012 AT  
HARITHASREE HALL, DEPARTMENT OF ENVIRONMENT AND CLIMATE  
CHANGE, THIRUVANANTHAPURAM**

The seventh meeting of SEAC Kerala was held on 1<sup>st</sup> September 2012 at Harithasree Hall, Department of Environment and Climate Change, Thiruvananthapuram. Representatives of project proponents/consultants attended the meeting at relevant durations. The agenda included the evaluation of four new projects and reconsideration of three old proposals. The meeting started at 9.30 am and the following members of SEAC Kerala were present in the meeting:

1. Dr. N.G.K. Pillai - Chairman, SEAC  
ICAR Emeritus Scientist &  
Former Director CMFRI
2. Dr. Oommen V. Oommen - Vice-Chairman, SEAC  
Chairman, Kerala State Biodiversity Board &  
CSIR Emeritus Scientist
3. Prof. (Dr.) K. Sajan - Member, SEAC
4. Dr. P.S. Harikumar - Member, SEAC
5. Dr. E.A. Jayson - Member, SEAC
6. Dr. Harikrishnan K. - Member, SEAC
7. Dr. C.N. Mohanan - Member, SEAC
8. Dr. V. Anitha - Member, SEAC
9. Dr. Khaleel Chovva - Member, SEAC
10. Sri. John Mathai - Member, SEAC
11. Sri. Eapen Varughese - Member, SEAC
12. Sri. P. Sreekantan Nair - Secretary, SEAC  
Director,  
Department of Environment & Climate Change

Chairman, SEAC welcomed all the participants. He briefed on the status of project proposals so far considered by SEAC. The Committee also held discussions on the Email

letter received from Chairman SEIAA suggesting to include summary of SEAC recommendations on various environmental parameters discussed, possible impacts and suggested mitigative measures if any, without having explicit statements of SEAC, while forwarding a recommended proposal to SEIAA. The Committee was of the unanimous opinion that detailed deliberations of the meeting is already being clearly recorded in the SEAC minutes and unveil the whole appraisal process of a proposal and discussions held on various environmental aspects relating to it. Hence it does not require any further alterations in the procedures being followed, but was decided to highlight major decisions/recommendations in bold characters on those environmental issues which are specific to a particular project for easy attention of Chairman and members of SEIAA.

Thereafter, regular agenda items were taken up for deliberations:

**Item No. 07.01** Confirmation of the **Minutes of the 6<sup>th</sup> meeting of State Level Expert Appraisal Committee (SEAC) Kerala, held on 4<sup>th</sup> August, 2012 at View Point, Bolghatty Palace, Ernakulam**

Confirmed.

**Item No. 07.02** **Action taken report on the decisions of the 6<sup>th</sup> SEAC meeting**

The committee noted the item and expressed satisfaction on the new style of table presentation.

**Item No. 07.03** **Application for environmental clearance for the construction of Fishery Harbour at Thanur, Malappuram, Kerala**  
(File No. 27/SEIAA/KL/2666/2012)

The Committee held elaborate discussions on the project prior to the presentation of the proposal by the project proponent, as many discrepancies were spotted by the Committee in the application submitted. First and foremost flaw from the part of the proponent was that they have not submitted the application in the prescribed format of Form 1, which was amended after EIA Notification 2006. The Form 1 submitted was incomplete, without having proper signature and seal of the authorized signatory and some columns were even left blank. Moreover, the Activity (II) part of Form 1 submitted was not as per the amended Form 1 wherein **the Committee expressed displeasure on the action of proponent who modified the format prescribed by the MoEF to suit to the interests of the proponent.** The Committee was of the opinion that this itself was a major lapse from the part of the proponent to take the appraisal process so lightly without having serious concerns/attention on the developmental aims of the State Government. The proposal was not prepared by a

QCI/NABET accredited EIA consultant as per List 'A' of MoEF, **but even then the proposal was considered by SEAC in view of the State Government's interest to fulfill a development project.** The absence of the Chief Engineer of the Harbour Engineering Department, who is the authorized signatory, was also viewed by the SEAC with serious concern. **Non communication of the details of authorized representative by expressing the inability of authorized signatory to attend the meeting further revealed the negligence and ignorance from the part of the proponent.** Factual errors were also found in the proposal. The proponent has not given details of the survey numbers of the proposed project site, proof of authorized signatory, proof of ownership of land, layout and building plan, site specific cadastral map, locations of solid waste storage area, RWH and water recharge pits, water balance chart for rainy and non-rainy days, total plot area, etc. **The queries in the crucial part in Form 1, i.e. Environmental Sensitivity, was answered as 'Not Applicable' which is not so. An application for EC is always to address environmental sensitivity where the harbour engineering department has mentioned as 'not applicable'.** It is a total irregularity in the applying process itself. **It was also found that the proponent has not provided copies of many documents to the Secretariat of the Authority which were seen circulated among the SEAC members and some of the documents circulated among the members and those submitted to the Department were varying.** The proponent has submitted an EIA report of 2011 based on data collected in 2006. The report has been prepared without an approved Terms of Reference (TOR) by the Committee. **The EIA report is prepared based on the data for March and June, which is only with two months data. EIA require long term data and hence not at all an EIA report to be acceptable.** The proponent has provided the reports on the environmental quality analysis which was not done by an accredited laboratory and was not acceptable. Details of subsoil investigations were not given. It is required to identify the type of strata where the breakwater rests. As per the statement the seabed is clayey resting on sand/laterite. The details are required to ascertain the stability of the substrate of breakwater. Studies on the sedimentation trend of the area have also not been done properly. Another aspect is that the organic rich clay cannot be used for filling. If this is dredged out, it shall be ensured that it is disposed off safely. Hence the geotechnical properties of the substrate are required to design the different facilities of the harbour. The proponent has also not provided the details on Corporate Social Responsibility and affidavits on conditions as informed to them earlier. It was also not mentioned in the proposal as to why this particular location was chosen for this harbour and whether they have considered any alternative sites for the proposed harbour. It was found that they have not considered any alternative site for the proposed project. **The**

**2011 report is based on 2006 data, that too for two months.** Time series data is required. Pattern and sedimentation data also need to be accounted in view of this fact that the proposed harbour is in a straight coast.

The proponent was asked regarding the difference in the expected cost of the project mentioned as ` 4308 lakhs in the proposal and ` 4514 lakhs as mentioned in the pre-feasibility report. The proponent stated that the work order was given in 2004 and when the schedule of the date gets revised the project cost also gets revised and at present `45.14 crores is under consideration of Government of India.

There are possibilities of erosion and likely impacts on the northern and southern flank of breakwater. Since Kerala coast has both northerly and southerly drift, erosion is to be experienced on either flank with change in beach morphology in the long run due to the presence of breakwater. The proponent has to address this issue. In the event of inducing erosion, protective measures are necessary on a coast with high density of settlement and the wind pattern being quite erratic. This may be inbuilt into the project.

The quantity of rock needed for the construction of breakwater is mentioned as nearly 5 lakh tonnes, the source of which is Pulikkal quarry. The temporary impact of transportation of the material to the project site may be minimal but the impact on the source region may be taken into account. The impact of excavating such a large quantity of material from the quarry has to be provided. **EC obtained for quarrying from Pulikkal area has to be provided.**

The Committee found that the data provided on water resource of the proposed project is meager. The source of potable water has not been clearly stated. The region is known to have black clay up to 4.5 m with poor quality of water and is a water scarce zone. The source of potable water has to be identified and the dependable yield of the source is to be ascertained through yield test. It is estimated that the project requires 65 KL of water per day. The proponent stated that bore well tests in 5 bore hole sites had already been done by them but they had not submitted the details before the Committee.

The reference of Chart datum needs clarity, especially to assess the quantity of reclamation. The proponent has not provided the width and height of breakwater.

In general, the Committee found that the data provided by the proponent is insufficient to cater the needs of a fishing harbour, which could be a major development project of the State. The Committee was of the opinion that a most modern harbour is the necessity of the

State. The proponent has not provided a long term wind/wave data and has not given any details on the erosion status. Wave data for March 2006 and June 2006 are only provided. Long term data on these are required to justify the alignment of breakwater. Since the proposed harbour is coming up in a highly dynamic water environment, the proponent was asked to provide a time series data. The Committee also stated that the proponent has not followed the guidelines/format of the MoEF and advised to correct the procedural lapses occurred.

Meanwhile the proponent agreed to the observations of SEAC and stated that they shall check the flaws happened. They said that they had collected the wave data of one year but has not provided it along with the proposal. **Based on the lapses, the project proponent was directed to modify, redraft and resubmit the proposal afresh avoiding factual errors and also in the prescribed format laid down by the MoEF, without any modification in format.** EIA study with accredited consultant covering the points as mentioned in these minutes as terms of reference (TOR) of the study should also be made a part of the fresh application. Additionally, based on the above observations, SEAC directed the proponent to ensure the following also while applying afresh:

1. Redraft and resubmit a dedicated project specific proposal complete in all respects, avoiding factual errors.
2. Cadastral map having latest resurvey details with location of the project including the location of breakwater. This is required as CRZ shows a different cadastry from the one provided.
3. Proof of ownership details from revenue records.
4. Bathymetry of the near shore slightly beyond the breakwater to the coast and on either side of backwater.
5. Contour of the land portion.
6. Studies on the pattern and rate of sedimentation in the proposed project site has to be submitted.
7. Long term wave, wind, drift and long shore current data to be provided. The design must also take into consideration the height of 2004 tsunami wave.
8. Geotechnical investigation reports of the strata where the breakwater, buildings and other infrastructure is to be constructed.

9. Assurance in the form of affidavit that dredged clay shall be disposed off safely and **provide details specifically. Specific details shall be provided.**
10. Submit predicted erosion data report/feasibility study and suggest proper mitigatory/protective measures to address the possibility of erosion on either flank of breakwater.
11. An impact study on Pulikkal quarry has to be submitted and the scope of getting prior environmental clearance for quarrying operations in the region may be verified and informed to SEAC, as large quantity of material is being proposed to excavate from the site for the construction of breakwater.
12. A certificate from accredited agency regarding the correctness in the orientation of breakwater.
13. Provide the source of potable water and submit the dependable yield of the source based on the yield test.
14. Assurance that sand from the coast shall be untouched for any reclamation activity.
15. Assurance in the form of affidavit that the breakwater mouth will not get silted up.
16. Details on the height of the buildings and nature of its foundation along with construction details proposed **including conceptual plan accordingly.**
17. Land required for widening the road must be mentioned with survey numbers, area and the acquisition strategy.
18. A new plan showing the road with its width.
19. Width and height of breakwater to be provided.
20. Proof of authorized signatory
21. Water balance chart for rainy and non-rainy days indicating critical requirements to be provided.
22. Detailed plan on treatment of sewage to be provided.
23. Layout and building plan of the constructions associated with the harbour.
24. Environmental quality analysis reports (of air, water, soil and noise) done by an accredited laboratory and copy of accreditation certificate of the laboratory shall be provided.

25. Assurance that IS codes 1893-2002, 456, 13920 shall be implemented.
26. Affidavit in original regarding the constitution of environmental monitoring cell, providing fire fighting system, providing systems to minimize dust emissions, to provide adequate safety measures for the construction workers during the construction phase and to upload the following in the website of the project:
  - a) EC order
  - b) Status of compliance of the stipulated EC conditions
  - c) Results of monitoring data and update the same periodically AND
  - d) Send the copy of the EC to the LSG concerned.
27. Details on Corporate Social Responsibility to be provided.
28. Certificate from Accredited Consultants regarding the following:
  - (a) Accreditation with serial number of QCI / NABET
  - (b) Undertaking responsibility for the proposal submitted
  - (c) Joint undertaking with the project proponent for implementation of EMP and EC conditions

The proposal has been DEFERRED for reconsideration on receipt of all the above.

**Item No. 07.04**      **Application for environmental clearance for the proposed Shopping Mall cum Hotel Project in Re-Survey No. 132/2, 132/3, 132/4, 132/13, 132/15 and 132/16, Resurvey Block No. 13, Thandapar No. 13662, at Maradu Desham, Maradu Village, Kanayannoor Taluk, Maradu Municipality, Ward No. 6, Ernakulam district by M/s Kool Home Builders (File No.31/SEIAA/KL/3044/2012)**

The project proponent gave a brief description of their proposed project. The Committee sought clarification from the proponent as to the survey number 132/3 of the proposed project site which is falling outside the project area when the google image of the location is interpreted whereas they have mentioned it as part of their land in the proposal. The proponent stated that they have only a small portion of their land coming to nearly only 1.73 cents in the survey number specified. The Committee found that the single lower basement parking area which is 3.5 m below the ground level may create problems and to make the entire basement floor water proof which may cost additional expenditure for the proponent. The proponent said that they had already cancelled the plan for construction of one additional lower basement floor because of this and stated that since there is clayey layer beneath, the permeability levels are low and pile foundation resting on rock is provided to

solve the problem. Moreover they have provided a pumping system to remove water from the basement. But still the Committee raised concern as to whether this pumping system shall be sufficient to address the issue on a long term basis and suggested to elevate the entire structure by 2 m. Even though the Vembanad Feederline is located at a distance of 120 m from the proposed project site, the site does not come under CRZ as there is a road that separates the plot from the water body. Also there is no tidal influence in any part abutting the project site.

The Committee appreciated the attempt taken by the proponent in maximizing the rain water storage capacity to 2000 KL as they found the yield from the well, which is the main source of water, is poor. Still the Committee suggested finding an alternative plan for the source of water as a precautionary measure if rain fails and **suggested to check for the feasibility of other options** including RO plant. The Committee also lauded the initiative taken by the proponent in promoting the use of renewable energy devices by using photovoltaic cells to the maximum and also appreciated the selection of plants for green area development by the project proponent.

The proponent was asked as to the extent of total built up area in exact figures as it was stated as approximately 27000 m<sup>2</sup> in Form 1. The total built up area was stated as 27,195 m<sup>2</sup> by the proponent. Clarification was also sought on the power requirement which was mentioned as 1200 KW in Form 1 and 1200 KWH in Form 1A, for which the proponent clarified the power requirement as 1200 KWH.

The proponent has stated in the proposal that there will be zero discharge from the STP for which the Committee was doubtful as to whether such a thing is practicable and asked the proponent as to how they are going to utilize the 96 KL of treated water. The proponent stated that 90 KL of water is required to run the 1000 ton A/C. But the **Committee directed the proponent to ensure that they shall adopt proper measures if there is any discharge.** The Committee was also of the opinion that the 26% of the use of decorative glasses in the proposed plan may be reduced so as to avoid the formation of heat islands. **The proponent stated that natural roof lighting is provided for the mall and more glass is provided on the northern side of the proposed plan than the western side which may bring down the generation of heat islands.** Considering all the above, the SEAC directed the proponent to submit the following:

1. Mitigatory plans for addressing the seepage of water to the basement floor intended for parking shall be provided.

2. Assurance in the form of affidavit that **proper measures shall be adopted to address any discharge of treated sewage where zero discharge if even not practicable.**
3. Detailed calculation to prove that no treated water is left outside from STP so that zero discharge is ensured.
4. An alternative plan for the source of water for the proposed project other than the RWH structure.
5. NOC from Southern Naval Command, as the site is located near to it.
6. Assurance that the entire structure shall be elevated by 2 m in order to avoid water logging at proposed car parking area suggested below ground level.
7. Assurance that use of reflective glasses for decorative purposes shall be minimized.
8. Assurance that IS codes 1893-2002, 456, 13920 shall be implemented.
9. Safety measures provided for the construction workers has to be specifically mentioned.
10. A Certificate from the Forests and Wildlife Department regarding the distance of the Mangalavanam Bird Sanctuary from the project site.
11. An assurance in the form of affidavit that, before securing the occupancy certificate, the project proponent shall submit an affidavit to the LSG Department that whatever commitments made before the SEAC and recommendations made by the SEAC/ SEIAA shall be fully complied with and at any later stage, if found not complied with, the authorized signatory of the proponent shall be personally held responsible, should be submitted by the proponent.

The committee DEFERRED the proposal for reconsideration on receipt of the above items.

**Item No. 07.05**

**Violation of CZR/Wetlands (Conservation & Management) Rules 2010 - Petition lodged by Sri. R. Bhadran, Kollam (File No. SEIAA/E4/4004/2012)**

Government, vide letter No. 2694/A2/12/Env. dated 13.08.2012 has forwarded a copy of the petition lodged by Sri. R. Bhadran, Thoppilkadavu, Kollam regarding the violation of CZR/Wetlands (Conservation & Management) Rules 2010, for conducting a detailed enquiry and to furnish report to Government immediately.

The petitioner has requested for independent investigation into an apparent gross violation of Coastal Regulation Zone Guidelines and Wetlands (Conservation and Management) Rules 2010 in Akkulam area by Heera builders in announcing Heera Lake Front Apartment Complex in Thiruvananthapuram, Kerala. The Committee held detailed discussions on the matter and decided to send a letter to the respondent, M/s Heera builders asking for the following documents for verification based on the complaint from the petitioner:

1. Cadastral map of the area
2. Resurvey block map showing the extent of area that the party possesses
3. Building plan, location plan, site plan, etc. showing the extent of the property
4. Possession certificate
5. Copy of all the permits received for construction
6. Copy of CRZ Clearance/Wetland Clearance/Environmental Clearance
7. Land utilization certificate from Revenue Department

The Committee further decided to have a SITE INSPECTION after verification of the above documents and a subcommittee consisting of Chairman, SEAC; Vice Chairman, SEAC; Secretary SEAC; Sri. Eapen Varughese, Member SEAC; Sri. John Mathai, Member SEAC and Dr. C.N. Mohanan, Member SEAC was entrusted for the same. It was also decided to have further course of action based on these.

**Item No. 07.06**

**Application for obtaining environmental clearance for the proposed Housing Project in Re-Survey No. 359/3 at Village Kakkanad, Municipality Thrikkakkara, Taluk Kanayannur, District Ernakulam, Kerala by M/s Green Vistas Infrastructure Projects (File No. 32/SEIAA/KL/3045/2012)**

A brief description of the project was given by the project proponent. The Committee found this as a case of violation as the proponent had already constructed 2 blocks out of the total 5 blocks. Each completed block with Ground + 14 floors had 120 units out of which some had already been sold out but not yet occupied. The proponent was sought clarification regarding this. The proponent stated that they have started construction way back in February 2006 prior to the EIA Notification 2006 after getting an NOC from the Thrikkakkara Panchayat and out of ignorance they have not so far applied for Environmental Clearance. But the Committee verified the NOC issued by the Thrikkakkara Panchayat wherein it is stated that they are not the authorized persons to issue permit. Hence the Committee was of the opinion that the document is neither an NOC nor a valid document for the proponent to start construction without a valid building permit. Moreover the FAR for the already constructed blocks is 4 whereas the permitted FAR is only 2.5. The total area for all the 5

blocks was stated by the proponent as 75,000 m<sup>2</sup>. The proponent has also not provided a valid proof of authorized signatory. Since so much of discrepancies were found in the proposal submitted, the **Committee advised the proponent to get regularized the construction of the first two blocks which has almost completed.** The Committee stated that a regularization certificate shall be obtained from the Thrikkakkara Panchayath, even if they have not issued the building permit. The proponent was also informed that Rule 143 of KBR shows the provisions for regularization and if there is no violation as such in the building already constructed, there is no hindrance for getting it regularized by the Panchayath. The ownership of the land presently rests with Seena Sunny and it requires registered power of Attorney to process the application in the name of the present project proponent.

Based on the above grounds, the proposal is recommended for REJECTION of environmental clearance and the project proponent was directed to apply afresh after getting regularization certificate from the LSG.

**Item No. 07.07**

**Application for obtaining environmental clearance for the proposed I.T. Building Project at Cyberpark Campus in Re-Survey No. 109/1B, 109/2, 109/14 and 110/5, Village - Nellicode, Taluk & District - Kozhikode, Kerala by M/s Kerala State IT Infrastructure Ltd. (File No. 33/SEIAA/KL/3046/2012)**

The project proponent made a brief presentation of their proposal. The proponent was asked regarding the maximum height of the building which was not mentioned in the proposal for which it was stated as 23.5 m. The proponent has provided the google image of the project site dated 2007 as it is the latest one available at present in the website. The Committee observed that the North West area of the site is elevated and the South East corner is an open space. The proponent has made a cutting in the North West corner and the two-storeyed cutting given may have adverse impact as the water pressure there may be high. Since the region has softer laterite which is harder at top, stumping is also seen. So the proponent was directed to provide a retaining wall. It was found that the eastern and western sides of the rain water harvesting pond have 6 contours. So it was suggested to raise the location of RWH pond as the proponent has found the position of the RWH pond by cutting the ground which was not advisable. It was also found that the interior road near the circle may create accidents and traffic problems as it is not wide enough. The proponent has not provided the approved master plan of the Cyberpark campus in which the whole building plans and road networks are envisaged. The Committee also found the parking facilities for 322 vehicles inadequate to cater the needs of a total floating population of 1437 as more people will be using their own vehicles as there is no railway station or bus stand nearby. The

proponent stated that provision has been made for the monorail facility to touch the Cyberpark which shall facilitate the transportation which may promote the use of public transport by people. The Committee suggested to encourage car pooling and to provide parking facilities free of cost. But the Committee was of the general opinion that by and large, this is a properly planned project.

The proposal is RECOMMENDED for environmental clearance stipulating the following specific conditions:

1. The stability of the cut slope shall be ensured with proper support/retaining wall and the seepage from cut faces shall be channelized without compromising the stability of the building.
2. The layout of the road shall be designed properly close to the valley section in such a way that the meeting place of road on the southern side with the road on the eastern side shall be elevated on pillars so as to facilitate flow of water all along the valley.
3. Location of rain water harvesting structure shall be changed to the centre of the valley.
4. The location of STP shall be shifted to the lowermost point close to the point where the RWH structure is shown in the present proposal.
5. IS codes 1893-2002, 456, 13920 shall be implemented.

**Item No. 07.08**      **Application for obtaining environmental clearance for the proposed construction of Commercial Complex at Edapally South Village, Corporation of Kochi, Kanayannoor Taluk, Ernakulam District, Kerala in Sy. Nos. 127/5 & 128/3-1 by M/s Narmada Builders and Traders Pvt. Ltd (File No. 16/SEIAA/KL/629/2012)**

The project proponent has submitted all the documents as directed by SEAC in its 6<sup>th</sup> meeting. The committee examined the documents submitted by the proponent and was found satisfactory. Hence RECOMMENDED for environmental clearance stipulating the usual general conditions.

**Item No. 07.09**      **Application for obtaining environmental clearance for the proposed Hospital Project - Smita Memorial Hospital And Research Centre, at Kumaramangalam Village, Thodupuzha Taluk, Idukki District, Kerala in Sy. Nos. 8/1A/15, 8/1A/5, 8/5/1, 8/1A/15, 8/1A-1 and 8/5/1 by M/s Smita Memorial Hospital and Research Centre (File No.23/SEIAA/KL/969/2012)**

The project proponent has submitted all the documents except the assurance in the form of affidavit, as directed by SEAC in its 5<sup>th</sup> meeting. The committee examined the documents submitted by the proponent and was found satisfactory. The proposal is RECOMMENDED for environmental clearance stipulating the following specific conditions..

1. A minimum 7 m wide road shall be left unaltered around the proposed construction.
2. IS codes 1893-2002, 456, 13920 shall be implemented.
3. Proper measures shall be made to ensure that the biomedical wastes do not contaminate the nearby river.

**Item No. 07.10**      **Application for obtaining environmental clearance for the proposed Residential Project at Village Vijayapuram, Panchayath Vijayapuram, Taluk Kottayam, District Kottayam, Kerala in Re-Survey No. 72/3, 72/5, Block No. 23 by Mr. Sam Mathew Kalarickal (File No.29/SEIAA/KL/2794/2012)**

The project proponent has submitted all the documents except the assurance in the form of affidavit, as directed by SEAC in its 6<sup>th</sup> meeting. The committee examined the documents submitted by the proponent and was found satisfactory. The proposal is RECOMMENDED for environmental clearance stipulating the following specific conditions:

1. A 4.5 m width area should be left unaltered on either side of the thodu adjacent to the proposed project site to facilitate unhindered flow of flood water.
2. Lowest plinth level should be kept elevated 0.6 m above the surface water level.
3. Height of the building should be regulated as per KPBR 2011.

The meeting concluded at 5.00 pm with vote of thanks by the chair. The members unanimously responded with vote of thanks to the Chair.

Chairman SEAC

Secretary SEAC