

MINUTES (Approved) OF THE 12TH MEETING OF STATE LEVEL EXPERT APPRAISAL COMMITTEE (SEAC) KERALA, HELD ON 2ND FEBRUARY, 2013 AT HARITHASREE HALL, DEPARTMENT OF ENVIRONMENT AND CLIMATE CHANGE, THIRUVANANTHAPURAM

The Twelfth meeting of SEAC Kerala was held on 2nd February 2013 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 twelve projects including ten proposals for reconsideration. The meeting commenced at 9.30 am and the following members of State Level Expert Appraisal Committee (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. K. Harikrishnan - Member, SEAC
6. Dr. C.N. Mohanan - Member, SEAC
7. Dr. E.A. Jayson - 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. As the day of the meeting coincided with the World Wetlands Day with the universal theme of this year 'Wetlands and Water Management', the Chairman in his opening remarks made a brief discourse on the importance of conserving wetlands and expressed serious concern on the present pathetic situation faced by many of the Ramsar sites in Kerala like Sasthamkotta Lake and Vembanad Lake. These water bodies continued to shrink, facing degradation from infilling, pollution and destruction

of ecosystem. The Chairman and the Vice-Chairman urged the members to put in their suggestions which may be given away to the public towards the awareness on the importance of wetlands and the need for conservation of the same. Elaborate discussions were held on the matter and the Committee put forth various suggestions/measures which the people can adopt to attain a sustainable living on earth. **The Committee was of the opinion to make the construction of Rain Water Harvesting (RWH) structures mandatory for all buildings/both old and new constructions irrespective of the floor area, as the existing Kerala Municipal Building Rules (KMBR) and Kerala Panchayath Building Rules (KPBR) are giving some relaxation on the same based on the extent of area.** The Committee also opined for considering some sort of incentives by the Government to the building owners taking up such initiatives in order to promote water conservation and management. The Committee also stated that people in water scarce areas can go in for various measures to recharge ground water as suited to the location. At this juncture **the Committee pointed out that 1 m³ of laterite can store 300 litres of water and this property of laterite can be efficiently utilized for the recharge of ground water in areas where such geology is found. The Committee also noted that the success stories from different parts of the state on water conservation and ground water recharge must be highlighted for greater awareness.** Considering Kerala's west sloping dissected topography with flat bottom valleys and laterite capped hills, the Committee was of the opinion that maintenance of thalakkulams, recharging elevated regions and creation of percolation ponds in combination with sub-surface dykes can ultimately increase the ground water recharge. The Vice-Chairman, who is also the Chairman of Kerala State Biodiversity Board stated that different action plans are under consideration of the Board towards conservation of water and expressed his concern that people of Kerala are so far not much concerned about the acute water scarcity they are going to face in the near future. **The Committee also suggested in having check dams in the upper catchment areas of the drainage basins, promoting reuse/recycle of water in houses/residential units, inclusion of watershed schemes and water management proposals in Kerala as a mandatory element, renovation and use of urban pond as a potable source of drinking water, for efficient management of water and addressing water scarcity.**

The Committee decided to forward recommendations of SEAC incorporating environmental appraisal of projects as desired by SEIAA in future cases and in those cases of reconsideration, SEIAA is requested to consider the SEAC minutes with deliberations as recommendations of SEAC.

Thereafter, regular agenda items were taken up for deliberations:

Item No. 12.01 Confirmation of the minutes of the 11th SEAC meeting, held on 9th January 2013 at Harithasree Hall, Department of Environment and Climate Change, Thiruvananthapuram

Confirmed.

Item No. 12.02 Action taken report on the decisions of the 11th SEAC meeting

The Committee noted the item. It was also decided to conduct the pending site inspection to quarry sites of M/s St. Basil Granites and M/s Bharananganam Industries on 5th February 2013 by a subcommittee of SEAC consisting of Dr. N.G. K. Pillai, Chairman, SEAC; Sri. P. Sreekantan Nair, Secretary, SEAC; Sri. John Mathai, Dr. V. Anitha and Dr. E.A. Jayson, Members of SEAC.

Item No. 12.03 Application for amendment of Environmental Clearance for the construction of residential apartment complex “Oceanus Maple” at Sy. Nos. 208/6, 208/7, 208/8, 208/9, 208/10, 208/11, 208/12, 208/13, 208/14, 211/10, 212/13 and 212/17 at North Thrikkakara Village, Kalamassery Municipality, Kanayannur Taluk, Ernakulam District, Kerala by M/s Oceanus Estates India (P) Limited (File No. 68/SEIAA/KL/137/2013)

The project proponent made a presentation on their proposal of request. The proponent was asked to provide the details of present status of construction as they have not even provided the photographs of the project site. To this end the proponent stated that since the EC issued by Ministry had a height restriction up to 60 m they have now constructed only up to 19th floor totaling to a height of 58 m and because of the non-existence of height restrictions, they have applied for amendment of EC seeking relaxation in height. The Committee found it difficult to evaluate the proposal in the absence of details pertaining to the location, the present status of land/construction and the extent of compliance of EC conditions stipulated by MoEF by the proponent. It was also found that the survey numbers 211/10, 212/13 and 212/17 which is part of the present proposal are not included in the NOC from Fire and Rescue Services. The proponent was asked to clarify the same to which it was stated that they shall provide a copy of NOC with all survey numbers mentioned in the proposal.

Since the project proponent failed to present the full details of their project, the proposal is DEFERRED directing the proponent to have a detailed presentation at the time of reconsideration by SEAC incorporating the details of location, present status of construction and how far they have complied with the EC conditions specified by MoEF as of now.

Item No. 12.04 Application for environmental clearance for the proposed quarry project in Survey Nos. 396/1-A & 396/1-B2 at Varapetty Village, Varapetty Panchayath, Kothamangalam Taluk, Ernakulam District, Kerala by M/s Parackal Granite Kerala Pvt. Ltd. (File No. 39/SEIAA/KL/7083/2012)

The Committee verified the additional clarifications/documents submitted by the proponent as directed by SEAC in its 10th meeting held on 26th and 27th November 2012. The proposal is RECOMMENDED for Environmental Clearance stipulating the following specific conditions:

1. A minimum buffer distance of 50 m shall be left on either side of the approach / internal road without conducting quarrying activities.

2. Mining depth shall not exceed beyond 40 m or below the level of nearest stream bed, whichever is less.
3. Boundary along the roads where at present quarrying is going on, shall be provided with protective walls/restricting walls to avoid accidents.
4. Overburden thickness shall be managed within the site and the old quarries shall be reclaimed and restored.
5. Height of benches shall not exceed 5 m and width not less than 5 m.
6. Mats should have been provided to reduce fly rock blast and noise isolation shall be provided while fragmenting rocks with machinery, wherever necessary.

Item No. 12.05 **Application for environmental clearance for the proposed quarry project in Survey Nos. 80/1A2, 80/1A17, 80/1A18 & 79/2 at Arakuzha Village, Arakuzha Panchayath, Muvattupuzha Taluk, Ernakulam District, Kerala by M/s Hanna Rock Products Pvt. Ltd. (File No. 42/SEIAA/KL/7159/2012)**

The Committee verified the additional clarifications/documents submitted by the proponent as directed by SEAC in its 10th meeting held on 26th and 27th November 2012. The proposal is RECOMMENDED for Environmental Clearance stipulating the following specific conditions:

1. Advancement of active quarry face should be a top to bottom approach.
2. Benches should not be oriented in straight line as it can follow the topography.

Item No. 12.06 **Application for environmental clearance for the proposed quarry project in Survey No. 1411 at Kanichar Village, Kanichar Panchayath, Thalassery Taluk, Kannur District, Kerala by M/s New Bharat Stone Crusher & Hollow Bricks Industries (File No. 43/SEIAA/KL/7163/2012)**

The Committee verified the additional clarifications/documents submitted by the proponent as directed by SEAC in its 10th meeting held on 26th and 27th November 2012. The proposal is RECOMMENDED for Environmental Clearance stipulating the following specific conditions:

1. A buffer distance of at least 100 m from the quarry to the main road should be maintained.
2. Quarrying activities shall be so restricted in order to prevent the falling of flyrock on to the nearby road.
3. The required distance from the HT line to be maintained.

Item No. 12.07 **Application for environmental clearance for the proposed quarry project in Survey No. 283 at Mazhuvanoor Village, Mazhuvanoor Panchayath and Sy. Nos. 284/1-2, 284/1-3, Arkapady Village, Vengola Panchayat, Kunnathunadu Taluk, Ernakulam District, Kerala by M/s Cochin Granites Pulickal Associates (File No. 45/SEIAA/KL/7166/2012)**

The Committee verified the additional clarifications/documents submitted by the proponent as directed by SEAC in its 10th meeting held on 26th and 27th November 2012. The

proposal is RECOMMENDED for Environmental Clearance stipulating the following specific conditions:

1. Already created benches should have been reclaimed.
2. Local species of plants like Anacardium spp., Mangifera spp., etc. should have also been used for landscaping.
3. The void area should be utilized as pond.
4. M-sand washings are to be collected in separate series of settling tanks.

Item No. 12.08 **Application for environmental clearance for the proposed quarry project in Survey No. 288/1, Block 32 at Koodal Village, Kalanjoor Panchayath, Adoor Taluk, Pathanamthitta District, Kerala by M/s Mavanal Granites Private Limited (File No. 51/SEIAA/KL/7509/2012)**

The Committee verified the additional clarifications/documents submitted by the proponent as directed by SEAC in its 10th meeting held on 26th and 27th November 2012. The proposal is RECOMMENDED for Environmental Clearance stipulating the following specific conditions:

1. Drainage channels and storm water management plans as agreed should have been implemented.
2. A safe minimum buffer distance of 100 m should be maintained from the forest boundary without any activity.

Item No. 12.09 **Application for environmental clearance for the proposed additional facilities within the campus of St. Joseph's College of Engineering & Technology, Palai, at Block No. 36 in Re-survey Nos. 78/6-1, 78/4, 80/3, 80/4, 85/2, 85/3, 85/3-2, 85/3-1, 113/5, 111/2-1, 111/2-2, 114/4-2, 114/5-1, 113/3-1, 116/10, 116/3, 116/3-1, 115/1-1, 104/1, 105/1, 105/2, 106/1, 111/1, 111/3, 112/2-2, 112/2-3, 113/1-1 and Block No. 35, Re-survey No. 352/3-1 at Bharananganam Village and Panchayath, Meenanchil Taluk, Kottayam District, Kerala by M/s Diocesan Technical Education Trust, Palai (File No. 53/SEIAA/KL/7581/2012)**

The Committee verified the additional clarifications/documents submitted by the proponent as directed by SEAC in its 10th meeting held on 26th and 27th November 2012. The proposal is RECOMMENDED for Environmental Clearance stipulating the following specific conditions:

1. No construction should be made in Re-Sy. No. 383/2-11 of Block No. 35 as it is excluded in the revised proposal.
2. No construction should be made in survey numbers which are recorded as 'nilam' in land documents.
3. All the storm water should have been directed to the ponds proposed in the project area.

Item No. 12.10 **Application for environmental clearance for the proposed quarry project in Survey Nos. 200/1, 202/2, Block 27 at Oorgattiri Village, Oorgattiri Panchayath, Eranadu Taluk, Malappuram District, Kerala by M/s PMR Granites India Private Limited (File No. 55/SEIAA/KL/7583/2012)**

The Committee verified the additional clarifications/documents submitted by the proponent as directed by SEAC in its 10th meeting held on 26th and 27th November 2012. The proposal is RECOMMENDED for Environmental Clearance stipulating the following specific conditions:

1. Quarrying activities to be done in a top to bottom approach manner.
2. Mining activities should be restricted to the northward direction which is rocky without disturbing the nearby coconut plantations on the eastern area.

Item No. 12.11 **Application for environmental clearance for the proposed quarry project in Survey Nos. 1094/1-A, 1094/1-A1, 1094/1-A6, 1097/7-A, 1097/6-B2, 1101/3, 1097/7-B, 1097/6-A2, 1094/1-A27, 1097/6-B3, 1097/7-C2 at Marady Village, Marady Panchayath, Muvattupuzha Taluk, Ernakulam District, Kerala by M/s St. George Granites (File No. 57/SEIAA/KL/7585/2012)**

The Committee verified the additional clarifications/documents submitted by the proponent as directed by SEAC in its 10th meeting held on 26th and 27th November 2012. The proposal is RECOMMENDED for Environmental Clearance stipulating the following specific conditions:

1. The storm water should be channelized to a pit that has to be retained in the central area of the proposed mine.
2. Food crops should be cultivated as part of eco-restoration instead of going for cash crops like rubber foreseeing the food scarcity problems our state is going to face in near future.

Item No. 12.12 **Application for environmental clearance for the proposed quarry project in Survey No. 168 at Karukutty Village, Karukutty Panchayath, Alwaye Taluk, Ernakulam District, Kerala by M/s Planters Aggregates (File No. 58/SEIAA/KL/7586/2012)**

The Committee verified the additional clarifications/documents submitted by the proponent as directed by SEAC in its 10th meeting held on 26th and 27th November 2012. The proposal is RECOMMENDED for Environmental Clearance stipulating the following specific conditions:

1. Storm water drainage channels and drainage line to the existing pond in the site and its exit from the site should be made fully functional.
2. The depth of mining shall be restricted to 30 m or the level of road, whichever is less.
3. Providing scholarships to children in local schools and providing aid to the local health centre as part of CSR proposed should have been implemented.

Item No. 12.13 **Application for amendment of Environmental Clearance for the construction of group housing “Trinity World” in Sy. Nos. 474/1, 2, 3, 4, 5, 6, 7, 9, 10, 11 at Thrikkakara Village, Kanayannur Taluk, Ernakulam District, Kerala by M/s Trinity Arcade Private Limited (File No. 69/SEIAA/KL/138/2013)**

The project proponent has not come prepared for a detailed presentation of their proposal. The proponent has not even provided the photographs of the project site. The Committee found it difficult to evaluate the proposal as they could not assess the present status of land/construction and the extent of compliance of EC conditions stipulated by MoEF by the proponent. Since the project proponent failed to present their project, the proposal is DEFERRED directing the proponent to submit all requisite documents and to have a detailed presentation before SEAC incorporating the details of present status of construction and how far they have complied with the EC conditions specified by MoEF as of now.

Item No. 12.14 **Application for environmental clearance for the proposed construction of a Housing Project, at Kazhakuttom Village, Trivandrum Taluk, Trivandrum District, Kerala, in Sy.Nos. 40/10, 40/10-1, 37/11 & 40/17 by M/s Nikunjam Constructions Private Limited (File No. 8/SEIAA/KL/393/2012)**

The Committee discussed on the field inspection report received from the subcommittee of SEAC consisting of Dr. Oommen V. Oommen, Vice Chairman, SEAC; Sri. P. Sreekantan Nair, Secretary, SEAC and Sri. Eapen Varughese & Sri. John Mathai, Members of SEAC. SEAC approved the subcommittee’s site inspection report and decided to report to SEIAA as follows:

1. The Authorized signatory has provided an affidavit stating that violation has occurred and shall not be repeated.
2. There exists one open well of diameter of about 4 feet with a water level at 4.20 m below ground level in the site. There also exists a bore well that were in existence at the time of purchase by the present proponent reported to have been constructed 16 years back used as a water source. The details of well assembly and depth are not known. The proponent has also reported that the bore well is used during dry months only when the open well dries up. Water from the bore well is drawn with the help of compressor type pump with 1” diameter delivery pipe indicating low level draft. Rain water harvesting unit with a capacity of 3.5 lakh litres and recycled water from STP are informed as the main source of water for the present project.
3. The proposed project has 138 residential units with recreation area in a single tower having basement, ground floor and 34 floors. The construction is going on. 16 floor of structure is almost completed.

SEAC was of the opinion that it is advisable if the building plan be reconfirmed and the structural stability be assured by the LSGI concerned with respect to the relevant building

rules and the construction thereof. The use of existing bore well should be regulated to prevent corruption of deeper aquifer.

Item No. 12.15 **Violation of CZR/Wetlands (Conservation & Management) Rules 2010 - Petition lodged by Sri. R. Bhadran, Kollam against M/s Heera Construction Company Pvt. Ltd. (File No. SEIAA/E4/4004/2012)**

SEAC discussed on the site inspection report of the SEAC subcommittee consisting of Dr. Oommen V. Oommen, Vice Chairman, SEAC; Sri. P. Sreekantan Nair, Secretary, SEAC and Sri. Eapen Varughese & Sri. John Mathai, Members of SEAC and authorized the Secretary, SEAC to forward a copy of this relevant abstract to Government.

“The complaint referred by Government was discussed by SEAC at its meetings held on 1st September 2012 and 2nd February 2013. Copies of all related permissions were also sought from M/s Heera Construction Company Pvt. Ltd. and examined in detail. A site inspection was also held on 28th January 2013 by a subcommittee of SEAC consisting of Dr. Oommen V. Oommen, Vice Chairman, SEAC; Sri. P. Sreekantan Nair, Secretary, SEAC and Sri. Eapen Varughese & Sri. John Mathai, Members of SEAC to physically assess the ground realities. Considering all these, SEAC reports as follows:

‘The main contention of the petition is CRZ violations. The construction work of the project has already started. The total plot area of the project is 76.64 cents. From the edge of the lake coinciding with HTL up to the compound wall of the proposed project area the measured distance is 69.6 m. (As reported by Village Officer it is 70 m). The distance from the compound wall to the basement of the building is 30.6 m. As per the CRZ norms no construction is allowed within a distance of 100 m from the lake side. In this case the distance from the lake edge to the basement of building under construction is 100.2 m.

Based on the above observations it is found that the respondent has not made any violations as per CRZ norms and can go ahead with the construction leaving 100 m from the HTL lakeside as No Development Zone and limiting the height of the building as per KMBR. The proponent should not make any alteration / construction in the No Development Zone”.

The meeting concluded at 4.30 pm with a vote of thanks by the Chairman. The members unanimously responded with thanks to the Chair.