

MINUTES (approved) OF THE 13TH MEETING OF STATE LEVEL EXPERT APPRAISAL COMMITTEE (SEAC) KERALA, HELD ON 2ND MARCH, 2013 AT HARITHASREE HALL, DEPARTMENT OF ENVIRONMENT AND CLIMATE CHANGE, THIRUVANANTHAPURAM

The Thirteenth meeting of SEAC Kerala was held on 2nd March 2013 at Harithasree Hall, Department of Environment and Climate Change, Thiruvananthapuram. Representatives of project proponents/consultants attended the meeting at relevant durations. 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. E.J. Joseph - Member, SEAC
5. Dr. P.S. Harikumar - Member, SEAC
6. Dr. K. Harikrishnan - 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 and made a briefing on the status of proposals appraised by SEAC so far. The Committee after holding retrospective discussions on the appraisal process, especially of the mining projects, decided to impart certain guidelines to be followed by the project proponents / Environmental Consultants of mining projects. The following points were unanimously agreed as General Guidelines to be followed:

1. Since the geology of the site is very significant and crucial as far as mining projects are concerned, the proponent must provide site specific data regarding the geology of the project instead of providing the general geology of the state as given in the website of Geological Survey of India which is usually done.
2. Estimation of overburden and topsoil should be estimated with profile of rock taking minimum one pit/hectare for new ones. The description of the profile of each pit and its location must be provided. But for the existing ones the photos of rock profile shall be sufficient. It was also decided that mining will not be permitted if the average thickness of topsoil + overburden exceeds 5 m. (A fresh lease area with more than 5 m thickness of topsoil + overburden is likely to be removed from a segment of land which is a continuum with adjacent lands where the sub-surface flow of water, microbiota and other processes are in action. Such an action is negative to environment with the adjacent parcels being affected).
3. The water level data preferably from at least 2 nearby wells during summer, monsoon and on date of measurement has to be included in the hydrogeology. The summer and monsoon water levels of wells can be deciphered on local enquiry at the time of measurement or secondary data available. (Data on periodic changes in water level need measurements for at least a year. But for the proponent or the consultant it may be difficult to provide such data. Hence the proponent is permitted to provide the data on highest and lowest water levels based on local enquiry).
4. Water quality test reports from a minimum of two nearby wells or water storage area to be provided. (The water quality and availability of the area can be ascertained only through the primary data collected from a minimum of two sources. This will be useful to get the baseline information on the water quality and water availability status of the area)
5. Details of human settlements at a radius of 300 m from the periphery of the mining area are to be provided mandatorily. Existing social infrastructure (religious, educational, commercial buildings, among others) in and around the proposed site if any may be detailed upon.
6. Local landuse pattern should elaborate on the status as paddy field, garden land with mixed crops/plantation, wasteland, rocky area, natural forest, among others.
7. Details on site specific biodiversity of flora and fauna in 100 m radius of mining site should be provided.
8. All maps should be to scale and to provide a linear scale in metric system.
9. Recent photographs of the project site should bear digitalized camera date and time.
10. A buffer zone of 200 m to be kept from the boundary of forest including reserve forests and 15 m from the nearby quarrying sites. No mining activity shall be permitted in the buffer zone.
11. A minimum of 50 m as horizontal setback distance to be maintained from the HT lines, or the distance specified by KSEB whichever is higher.
12. The distance criteria from the nearby dwelling units should be a minimum of 100 m or the distance fixed by KSPCB or any other agency whichever is higher.

13. No quarrying shall be allowed at slopes greater than 45°.
14. Proposals shall be summarily rejected if any false statement made in the applications/suppression of facts in the application is noticed.

Thereafter, regular agenda items were taken up for deliberations:

Item No. 13.01 Confirmation of the minutes of the 12th SEAC meeting, held on 2nd February 2013 at Harithasree Hall, Department of Environment and Climate Change, Thiruvananthapuram

Confirmed.

Item No. 13.02 Action taken report on the decisions of the 12th SEAC meeting

The Committee noted the item.

Item No. 13.03 Application for obtaining environmental clearance for the proposed quarry project in Sy. Nos. 1/1, 278/Pt and 165/2, at Village & Panchayath Oorakam, Morayur and Nediyruppu, Taluk Tirurangadi & Eranad, Malappuram district, Kerala by M/s Hi-Tech Metals (File No. 70/SEIAA/KL/165/2013)

The project proponent made a brief presentation of their proposal. The proposed project site falls within 11°6'8.00" N to 11°6'16.27" N and 75°59'49.13" E to 76°00'00.20" E. The proposed project is an existing quarry of 4.186 hectares. The internal roads of the project site are tarred, as stated by the proponent. The proponent was asked to provide a revised area map as the one provided was not matching with the village map provided. The Committee suggested that the proponent make a clear mention of the Corporate Social Responsibility activities and the occupational health measures already undertaken by the proponent to date in addition to the proposed activities. The proposal was DEFERRED for SITE INSPECTION directing the proponent to provide the following clarifications/documents for further consideration of the proposal.

1. Revised area map showing the entire area with the respective cadastral parcels falling in each village put together in a common scale.
2. Modified biodiversity listing of flora and fauna incorporating the Schedules of Wildlife Protection Act/Data deficient, wherever applicable
3. Revised contour map in which the village map with all survey numbers included in the proposal is superimposed.

It was also decided to conduct the field visit on 20th March 2013 by a subcommittee of SEAC consisting of P.Sreekantan Nair, Secretary SEAC; Dr. Harikumar, Dr. E.J. Joseph, Dr. Khaleel Chovva and Sri. John Mathai, Members of SEAC.

Item No. 13.04 **Application for obtaining environmental clearance for the proposed quarry project in Sy. Nos. 163/5-1, 5-2, 5, 6-1, 6-2, 4-1, 4-2, 4-3, 4-4, Block No. 40, at Pampady Village, Pampady Panchayath, Kottayam Taluk, Kottayam district, Kerala by M/s Rock Field Estates Pvt. Ltd. (File No. 71/SEIAA/KL/166/2013)**

The project proponent made a brief description of the proposal. The proposed project site falls within 9°33'4.99" N to 9°33'12.81" N and 76°40'18.50" E to 76°40'25.89" E. The Committee found that the proposed crusher unit is located inside the lease area where active quarrying is proposed. To this end the proponent stated that it was a mistake on their part and denoted the area in the presentation slide. The proponent was required to submit a revised map showing the correct location of crusher unit and the storage of overburden as explained to the SEAC. It was also stated by the proponent that the pond water in the project site to which the storm water is directed to flow, is being used by the local people residing in the Panchayath for drinking purposes. Hence the Committee insisted on clarification of the storm water before reaching the pond so as to maintain the drinking water quality standards. The proposal is RECOMMENDED for Environmental Clearance stipulating the following specific conditions in addition to the General Conditions stipulated for mining projects:

1. A safe horizontal buffer distance of 50 m should be left from the KSEB tower line passing near the boundary of lease area as No Mining Zone or the distance criteria specified by KSEB, whichever is higher.
2. The water flowing from the site to the pond within the lease area should be purified/treated to maintain the drinking water quality standards.

Item No. 13.05 **Application for obtaining environmental clearance for the proposed quarry project in Sy. No. 245/1-8-1, at Ramapuram Village, Ramapuram Panchayath, Meenanchil Taluk, Kottayam district, Kerala by M/s St. Basil Industries India Private Limited (File No. 72/SEIAA/KL/167/2013)**

The project proponent made a brief presentation of their proposal. The proposed project site falls within 9°50'9.24.96" N to 9°50'23.11" N and 76°39'30.08" E to 76°39'43.229" E. This is a new quarry with very limited overburden. Two magazines, each having a capacity to store 100 kgs of explosives are proposed. An open well of 20-22 feet depth is found in the project site. The Committee found that the some areas are having steep slopes as evident from the contour map. So the proponent was directed to restrict mining activities only in slopes less than 45°. The area falls on the boundary of two villages where the village boundary pillars are engraved on the rock. So the proponent was directed to leave 10 m from the boundary of the lease area with the adjacent village as No Mining Zone since this distance pertains only to this boundary so that the boundary marks are left intact and not tampered. The proposal is RECOMMENDED for Environmental Clearance stipulating the

following specific conditions in addition to the General Conditions stipulated for mining projects:

1. Mining activities should not be undertaken in areas having a slope angle greater than 45°.
2. 10 m from the boundary of the lease area with the adjacent village should be left as No Mining Zone.

Item No. 13.06 **Application for obtaining environmental clearance for the proposed quarry project in Sy. Nos. 23/2, 23/2-1, 24, 24/1, 24/2 and 24/3 at Moonilavu Village, Moonilavu Panchayath, Meenachil Taluk, Kottayam district, Kerala by M/s P.V. Granites (File No. 73/SEIAA/KL/168/2013)**

The proposed project site falls within 9°45'59.8612" N to 9°46'9.3059" N and 76°48'4.6082" E to 76°48'8.0124" E. The proponent has stated in the proposal that a petition is pending before the Hon. High Court of Kerala regarding this project, but the details of the same were not made available to the Committee then. Hence the proposal was kept in abeyance for reconsideration after getting the details of court case. In the afternoon session, while going through the copy of interim stay order of the Hon. High court furnished by the proponent, the Committee expressed concern whether considering such proposal may bring any contempt of court. Therefore, the proposal was DEFERRED and it was decided to get a legal opinion from the law department of Government of Kerala to proceed further.

Item No. 13.07 **Application for obtaining environmental clearance for the proposed quarry project in Sy. No. 1/1, at Valambur Village, Angadippuram Panchayath, and Sy. Nos. 13/1 and 13/2 at Kariavattam Village, Vettathur Panchayath, Perinthalmanna Taluk, Malappuram district, Kerala by M/s Nalakath Granites (File No. 74/SEIAA/KL/169/2013)**

The project proponent made a brief description of the proposal. The proposed project site falls within 11°00'18.2258" N to 11°00'28.6484" N and 76°13'44.9322" E to 76°13'56.4641" E. The land in the control of the proponent has plenty of barren rocky patches and presently they are planning to quarry in a land with a very odd shape and having patches of natural vegetation. The Committee suggested preserving the vegetated patch and quarrying the exposed barren rock as preferable. The Committee found existence of large volume of exposed rock in the area. But it was noted that only a portion of the exposed rock is marked within the area proposed for mining from their total lease area of 4.7004 hectares. Moreover the exposed rock is in the boundary limits of two Panchayaths and the proponent stated that they have got all statutory approvals for quarrying activities in that land in its irregular shape. The proponent was directed to retain the boundary pillars between two villages as such. The item was DEFERRED directing the proponent to provide copies of all statutory approvals

obtained so far confirming to the irregular shape of the proposed mine area with a portion of exposed rock.

Item No. 13.08 **Application for obtaining environmental clearance for the proposed quarry project in Sy. Nos. 160/4, 160/5, 161/7, 161/8-1, 161/8-2, 161/8-5, 160/1, 160/1-1, 160/1-2, 160/1-3, 160/1-4, 160/2, 160/6, 160/3 and 160/7 at Thottappuzhessery Village, Thottappuzhessery Panchayath, Thiruvalla Taluk, Pathanamthitta district, Kerala by M/s Shanio Metal Crushing Unit (File No. 75/SEIAA/KL/170/2013)**

The proponent made a brief presentation of their proposal. The proposed project site falls within 9°22'1.25" N to 9°22'9.85" N and 76°42'43.76" E to 76°42'52.64" E. The Committee noted that a temple is in existence within 100 m of the proposed quarry site and is not shown in the lay out plan submitted by the proponent. The proposal is DEFERRED for reconsideration directing the proponent to submit a revised lay out plan avoiding all the factual errors.

Item No. 13.09 **Application for obtaining environmental clearance for the proposed quarry project in Sy. Nos. 46/1/2, 46/1/3, 46/1/1, 46/1 at Moonilavu Village, Moonilavu Panchayath, Meenachil Taluk, Kottayam district, Kerala by M/s Mankombu Granites (File No. 76/SEIAA/KL/171/2013)**

The Committee noticed the following shortcomings in the proposal submitted by the proponent.

1. Regarding proof of ownership of land, copy of land tax receipts for all Sy. Nos. in the name of Thresia Luke Kocheri, was provided. But consent from Thresia Luke Kocheri to conduct mining activities in the land owned by her was not provided.
2. The Authorized signatory is Mr. Nalinakshan Nair. Copy of partnership deed was provided wherein Theresa Kocherry has put signature for M/s Mankombu Granites as its MD. Copy of resolution passed in the meeting of Partners of M/s Mankombu Granites authorizing Mr. M.A. Nalinakshan Nair as the Authorized signatory of Mankombu Granites was also provided. But the signature of Theresa Kocherry in the resolution and partnership deed is different.
3. Area survey plan approved by Village officer was provided but lacks clarity as Sy. nos. mentioned in the proposal are not shown in the survey plan clearly.
4. Against column 24 of Basic information of Form 1, the proponent has submitted that no litigation is pending against the lease area/ applicant of this lease area in any court of law to the best of knowledge. The Committee found that, such a submission of the authorized signatory is against the facts. This was later confirmed by the authorized signatory.

Considering all the above, the proposal was DEFERRED and the Committee directed the proponent to submit a fresh proposal avoiding all factual errors narrating the full details of court cases, among others with documentary evidences.

Item No. 13.10 **Application for obtaining environmental clearance for the proposed quarry project in Sy. Nos. 575/1-3-6-2 and 581/1-5-7, at Konni Thazham Village, Konni Grama Panchayath, Kozhencherry Taluk, Pathanamthitta District, Kerala by M/s Chengalathu Quarry Industries (File No. 77/SEIAA/KL/172/2013)**

The project proponent made a brief presentation of their proposal. The proposed project site falls within 9°15'07.0486" N to 9°15'14.0688" N and 76°52'35.5682" E to 76°52'55.8124" E. The quarry is functional for the past 9 years and the crusher proposed is under installation. The local geology is described as Charnockite in the proposal while from the literature it is learnt that the area is dominated by Khondalite rocks. Hence the proponent is directed to provide the local geology of the area to have information on the type of rock that is being quarried. The Committee raised concern as to whether the lease area is near to the Reserve forest as the google image showed the presence of natural vegetation and also regarding the human settlements around the lease area. The figures given to the Committee on the geological reserves of a quarry is based on certain facts like area of quarry, depth of mining, slope, etc. It was found that the value provided by the proponent deviated greatly with reference to the deductions from the submitted plan. The Committee was of the opinion that the proponent has overestimated the reserves in the area and hence directed to rework on the same. The proposal is DEFERRED for SITE INSPECTION directing the proponent to provide the following clarifications/documents for further consideration of the proposal.

1. Local geology of the area with details of pits, etc.
2. Assurance that mining shall be limited to Pit-1.
3. Recalculated estimation of geological reserves.

It was also decided to conduct site inspection on 19th March 2013 by a subcommittee of SEAC consisting of Dr. N.G.K. Pillai, Chairman SEAC; P.Sreekantan Nair, Secretary SEAC; Dr. Harikrishnan and Sri. John Mathai, Members of SEAC.

Item No. 13.11 **Application for obtaining environmental clearance for the proposed quarry project in Sy. No. 523/1, 2 at Maruthonkara Village, Maruthonkara Panchayath, Vatakara Taluk, Kozhikode district, Kerala by M/s The Uralungal Labour Contract Co-operative Society Ltd. No. 10957 (File No. 78/SEIAA/KL/173/2013)**

The project proponent made a brief description of the proposal. The proposed project site falls within 11°38'39.56.03" N to 11°39'4.34" N and 75°49'20.43" E to 75°49'31.01" E.

The Committee found that the quarrying in the proposed area may affect the natural drainage pattern and is in proximity to region where there is earlier occurrence of landslide. Hence the Committee suggested to provide garland drains around the boundary of dumps and to design the height alignment and slopes of the dumps as per the wind velocity, direction and rainfall. The proposal is RECOMMENDED for Environmental Clearance stipulating the following specific conditions in addition to the General Conditions stipulated for mining projects:

1. Storage of run-off water to facilitate ground water recharge along with artificial recharge to the effected wells in the vicinity of the mining area should be provided.
2. Provision should be made for settling the mine pit water and treating through neutralization tank and final discharge finally confirming to the prescribed standards of inland water discharge quality.

Item No. 13.12 **Application for obtaining environmental clearance for the proposed quarry project in Sy. Nos. 288/1 part and 251/1 part, Block 32 of Koodal Village, Kalanjoor Panchayath, Adoor Taluk, Pathanamthitta district, Kerala by M/s Vajra Rock Mining Industries (File No. 80/SEIAA/KL/182/2013)**

The proposed project site falls within 9°8'37.22" N to 9°8'49.38" N and 76°53'39.47" E to 76°53'52.05" E. The major observation made by the Committee regarding this proposed project was that the proponent is seeking Environmental Clearance for two contiguous lease areas of same survey numbers as two separate units. The proponent explained that the two leases that exist are (i) in the name of Mavalan Granites Private Limited (No.622/2005-06/1058/M3/2006 dated 6.2.2006 in Sy no. 288/1 excluding an extent of 0.1861 ha) and (ii) Vajra Rock Mining Industries (No. No.759/2005-06/1907/M3/2006 dated 22.3.2006 in Sy no. 251/1, 256/4 and an extent of 0.1861 ha in Sy no. 288/1.). The authorized signatory happened to be the same proponent, one by way of ownership and other by way of partnership. Since the leases/placation for EC are different for different map areas, even though in the same survey numbers, the action taken by the proponent is justifiable and hence acceptable to SEAC. The lease deed produced by the proponent confirms to this aspect and was further appraised based on the presentation made. Mining & Geology department have given separate lease for this project. SEAC suggested leaving a buffer zone of 15 metre from the boundary of the nearest quarry as specified by the Mining & Geology Department. The proposal is RECOMMENDED for Environmental Clearance stipulating the following specific conditions in addition to the General Conditions stipulated for mining projects:

1. A safe buffer distance of 200 m should be left from the boundary of nearby forest without conducting mining activities.
2. Garland drains should be provided with clarifiers.
3. A buffer distance of 15 m to be kept undisturbed from the boundary of the nearest quarry as proposed by the Mining & Geology Department.

Item No. 13.13 **Application for obtaining environmental clearance for the proposed quarry project in Sy. No. 288/1 part, Block 32 of Koodal Village, Kalanjoor Panchayath, Adoor Taluk, Pathanamthitta district, Kerala by M/s Mavalan Granites Private Limited (File No. 81/SEIAA/KL/183/2013)**

The proposed project site falls within 9°8'40.60" N to 9°8'46.06" N and 76°53'48.93" E to 76°53'53.75" E. The Committee pointed out that it has already considered a quarry proposal in the same survey no. (288/1) and hence was doubtful as to whether the present proposal for which Environmental Clearance is sought is a contiguous lease area of the one which is already considered. If so, it was apprehensive whether to consider the two separate units as a single unit. In order to clarify this, the item was DEFERRED directing the proponent to provide the copies of lease agreements for verifying the status of the areas under consideration that are being dealt by Mavalan Granites Private Limited.

Item No. 13.14 **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)**

SEAC noted that the proponent has already started construction. Vide Para 5 of O.M. No. J-11013/41/2006-IA.II(I) dt. 12.12.2012 of the Ministry of Environment and Forests, Government of India has informed the procedures for Environmental Clearance in the case of proponents who have violated the provisions under the Environment Protection Act 1986, EIA Notification 2006 and CRZ Notification 2011. Since the proposal of M/s Green Vistas is a clear case of violation, the proponent was directed to file affidavit in effect that violation as per EIA Notification has occurred and shall not be repeated.

Item No. 13.15 **Application for environmental clearance for the Quarry project at Block No. 34 in Survey Nos. 106/1, 106/2, 106/3, 106/4, 130/2-3, 130/3 at Bharananganam Village, Bharananganam Panchayath, Meenachil Taluk, Kottayam District, Kerala by M/s Bharananganam Industries (File No. 62/SEIAA/KL/7683/2012)**

The Committee verified the documents submitted by the proponent and was found to be satisfactory. Since the proponent stated in writing that the survey number 130/4-1 is not part of their land under their application, the Committee decided to omit that survey number while issuing EC. Moreover the proponent has submitted the possession certificate for survey number 130/2-3 instead of 130/2 as given in the proposal and hence the Committee decided including survey number 130/2-3 omitting survey number 130/2 while issuing EC. Considering the above, the proposal is RECOMMENDED for Environmental Clearance

stipulating the following specific conditions in addition to the General Conditions stipulated for mining projects:

1. In place of Sy. No. 130/2 quarrying should be limited to Sy. No. 130/2-3.
2. Quarrying activity should not be resorted to the places where slope is greater than 45⁰.
3. Garland drains should be provided with clarifiers.
4. The approach road should have culverts in all channels for storm water management.
5. Rainwater harvesting should be made at the lowermost part of the land.
6. Retaining walls/bunds must have channels to let out storm water.
7. Garland drains to be connected with the channels such that loading of water is minimized on slopes.

Item No. 13.16 **Application for environmental clearance for the Quarry Project in Sy. Nos. 1/3, 1/4, 1/5, 1/7, 8/2, 8/4, 9/1, 9/2, 9/3, 9/7, 8/3 and 8/2-1 at Ramapuram Village, Ramapuram Panchayath, Meenachil Taluk, Kottayam District, Kerala by M/S Cochin Blue Metal Industries (Pvt.) Ltd. (File No. 67/SEIAA/KL/7904/2012)**

The Committee verified the documents submitted by the proponent and was found to be satisfactory. The proposal is RECOMMENDED for Environmental Clearance stipulating the following specific conditions in addition to the General Conditions stipulated for mining projects:

1. Noise reduction measures as per KSPCB norms to attain noise standards should be implemented.
2. Quarrying activities should be limited to day time as per KSPCB guidelines.

Item No. 13.17 **Application for environmental clearance for the proposed Institute of Medical Sciences and Multi-Speciality Hospital Project in Survey Nos. 225/2, 225/3-1, 225/2/2, 226/5/1/2, 226/5/1/3, 226/5/1/4, 226/5/1/1, 226/5/2, 189/1-2, 189/2, 224/4, 224/5, 397/1-2 and 397/1-3 at Koovappady Village and Panchayath, Kunnathunadu Taluk, Ernakulam District, Kerala by M/s Sree Narayana Gurukulam Charitable Trust (File No. 54/SEIAA/KL/7582/2012)**

The Committee verified the documents submitted by the proponent and was found to be satisfactory. The proposal is RECOMMENDED for Environmental Clearance stipulating the following specific conditions:

1. Water quality should be continuously monitored for ensuring potability.
2. Minimum vertical and horizontal set back distances to be ensured from the HT line as per KSEB guidelines.
3. The abandoned quarry in the south-central part of the land has to be developed and protected with fencing/compound wall for rainwater harvesting.

4. The nuclear facility planned in the southern side in the basement of the hospital should not contaminate ground water.

Item No. 13.18 Any other item approved by Chair - SEIAA Suggestions for joint meetings to consider quarry proposals

The procedure suggested by SEIAA for joint meetings of SEAC and SEIAA to consider quarry proposals was circulated among the members for their suggestions in the matter.

The meeting concluded at 5.30 pm with a vote of thanks by the Chairman. The members unanimously responded with thanks to the Chair.