

MINUTES (Approved) OF THE 19TH MEETING OF STATE LEVEL EXPERT APPRAISAL COMMITTEE (SEAC) KERALA, HELD ON 9TH AND 10TH SEPTEMBER, 2013 AT HARITHASREE HALL, DEPARTMENT OF ENVIRONMENT AND CLIMATE CHANGE, THIRUVANANTHAPURAM

The nineteenth meeting of SEAC Kerala was held on 9th and 10th September 2013 at Harithasree Hall, Department of Environment and Climate Change, Thiruvananthapuram. On day 1, 9th September 2013, the meeting commenced at 9.00 am and the following members of State Level Expert Appraisal Committee (SEAC) Kerala have participated:

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. Dr. George Chackacherry - Member, SEAC
11. Dr. C.N. Mohanan - Member, SEAC
12. Sri. John Mathai - Member, SEAC
13. Sri. Eapen Varughese - Member, SEAC
14. Sri. P. Sreekantan Nair - Secretary, SEAC
Director,
Department of Environment & Climate Change

Chairman, SEAC welcomed all the participants and made a briefing on the current status of proposals with SEIAA. Considering the loss of biodiversity anticipated with respect to quarrying activities, the Committee recommended for inclusion of the following in the General Conditions for all mining projects.

1. As part of Access and Benefit Share (ABS), 1 percent of annual profit of the firm should be given to Biodiversity Management Committee of the Panchayath through the concerned Grama Panchayath towards the restoration of biodiversity loss due to quarrying activities.

Thereafter, regular agenda items were taken up for deliberations:

Item No. 19.01 Confirmation of the minutes of the 18th SEAC meeting, held on 3rd August 2013 at Harithasree Hall, Department of Environment and Climate Change, Thiruvananthapuram

Confirmed.

Item No. 19.02 Action taken report on the decisions of the 18th SEAC meeting

Noted.

Item No. 19.03 Application for obtaining environmental clearance for the proposed quarry project in Survey Nos. 275/1-50-3, 275/1-50-4, 275/1-50-5, 275/1-50-2, 270/1A2, 275/1-50-2, 275/1-21-69, 566/10, 275/1-57, 275/1-49, 275/1-52, 275/1-49, 275/1-52, 275/1-10, 276/1-4, 566/1D and 276/1-11 at Iravon Village, Konni Panchayath, Kozhencherry Taluk, Pathanamthitta District, Kerala by M/s Mallelil Industries Pvt. Ltd. (File No. 92/SEIAA/KL/1052/2013)

The project proponent made a brief presentation of the proposal. The Committee found that the proponent has given longitude values as North instead of East and the proponent stated that it was a typographical error and stated that the proposed project site falls within 9°13'52.5" N to 9°13'59.7" N and 76°51'47.8" E to 76°51'56.8" E. The Committee found that the site does not fall in ESZ-1 but insisted on the proponent to provide correct GPS readings in writing. The proponent has not submitted the cadastral map of the project site duly signed by the Village Officer and is directed to provide the same with the supplementary sheet of Sy. No. 275 as the present map provided does not clearly demarcate the sub division numbers of that survey number. The Committee asked the proponent to provide copies of sale deed, land tax receipt and possession certificate for Sy. No. 566/10, which is included in the present proposal. To this end the proponent stated that the inclusion of Sy. No. 566/10 in the present proposal is another typographical error and requested the Committee to omit the Sy. No. 566/10 while issuing EC as they do not own the land bearing that survey number. The Committee asked the proponent to give in writing on the inadvertent error that occurred regarding the inclusion of the said survey number in the present proposal and also to submit an affidavit to rectify the same by omitting Sy. No. 566/10 while issuing EC. The Committee also noted that some survey numbers of the present proposal are not adjoining areas and considering the increased quantity of overburden in land bearing those survey numbers, its proximity to paddy fields and the land being unsuitable for quarrying activities, the proponent is directed that quarrying should be limited to Sy. No. 275 only as other survey numbers (276/1-4, 566/1D and 276/1-11) can be excluded from the present proposal. The Committee found that the proponent has submitted attested copy of Certificate of Incorporation of the firm but the signatures of the parties concerned are not in it and is found to be incomplete as the designation of the partners are not mentioned in it. Moreover it is not notarized. Hence the proponent is directed to produce the original of the same for verification.

The Committee found that the approach road to the mine lease area is a public road with relatively good traffic and hence the proponent is directed to enhance the present buffer distance of 50 m set aside by the proponent from the mine lease boundary to the approach road by 100 m. The

proponent is also directed to reduce the blasting time to two times against three times proposed considering the proximity of the mine lease area to this public road and anticipating the danger that may cause due to fly rock emanating from blasting and is also directed to specify the proposed blasting timings. The Committee also found that the presently proposed storm water channelization towards south-eastern side of project site is unscientific as the provision to clarify the water is not shown in the storm water management plan submitted, and hence the proponent is directed to incorporate the same in revised storm water management plan and submit.

The Committee also found that the proponent's plan to retain the mined area as a large water body is not permissible and directed to reclaim and fill up the mined area adopting appropriate eco-restoration programmes to revamp the lost biodiversity and aesthetic beauty of the place. The Committee had serious apprehensions on the current scenario of biodiversity in the project site as biodiversity listing provided by the proponent was not reliable as not even a single amphibian (including frog) is seen reported in the project site which indicates the irreparable environmental degradation of the site at present – a condition which demands immediate attention and necessary action including stopping of current mining activities going on in the area. The Committee stated that the biodiversity listing provided by the proponent is not satisfactory and has to be revised, especially the faunal list which has to be site and project specific.

Regarding the CSR activities suggested by the proponent, the Committee found that the detailed break up of the amount set aside towards CSR does not tally with the total amount set aside for the same and also the activities proposed under CSR is not specific. The proponent is directed to elaborate on the details of proposed CSR activities linked with the present project specifically, identifying the institutions/areas to which the activities of CSR is proposed to be extended.

Regarding the working quarry of the proponent for which Environmental Clearance has not so far been obtained, the Committee reminded the proponent that as per latest orders of the National Green Tribunal, mining activities are not permitted (whether existing or new) without obtaining Environmental Clearance from MoEF/SEIAA and license from the competent authorities. To this end the proponent stated that they shall submit application for Environmental Clearance for the existing project shortly and shall proceed accordingly. The proponent has also not included the location of the proposed crusher in the master plan of the present project and is directed to provide a revised master plan showing the location of the proposed crusher unit.

Considering the above, the proposal is DEFERRED FOR SITE VISIT to assess the ground realities especially with respect to the current scenario of biodiversity, and also directing the proponent to submit the following before SEAC for further processing of the application:

1. Corrected GPS readings of the project site in writing.
2. Cadastral map duly signed by Village Officer
3. Supplementary sheet of lithomap of Sy. No. 275.
4. Clarification and request for exclusion of Sy. No. 566/10 from the present proposal.
5. Original of Certificate of Incorporation of the firm (the copy of which is submitted along with the application) for verification and return.
6. Assurance in the form of affidavit that quarrying should be limited to Survey Nos. 275/1-50-3, 275/1-50-4, 275/1-50-5, 275/1-50-2, 270/1A2, 275/1-50-2, 275/1-21-69, 275/1-57, 275/1-49, 275/1-52, 275/1-49, 275/1-52 and 275/1-10. Other areas in Sy. Nos. 566/10, 276/1-4, 566/1D and 276/1-11 mentioned in the present proposal to be excluded.

7. Assurance in the form of affidavit that the buffer distance of the mine lease boundary from the approach road will be maintained to at least 100 m.
8. Assurance in the form of affidavit that blasting shall be reduced to two times a day (during hours of least traffic in the approach road), specifying the blasting timings.
9. Revised storm water management plan incorporating provisions to clarify the water.
10. Site specific biodiversity listing of flora and fauna.
11. Details of proposed CSR activities linked with the present project specifically mentioning the institutions/areas to which the said activities are proposed to be extended.
12. Revised master plan of the project site showing the location of the proposed crusher unit.
13. Ultimate depth of mining should not exceed the stream bed level on the eastern side.

Item No. 19.04 **Application for obtaining environmental clearance for the proposed Erikkulam Chinaclay Mining and Beneficiation project in Sy. Nos. 676/A & 681/1A at Madikkai Village and Panchayath, Hosdurg Taluk, Kasaragod District, Kerala by M/s Kerala Clays & Ceramic Products Ltd. (File No. 114/SEIAA/KL/1980/2013)**

The project proponent made a brief presentation of the proposal. The proposed project site falls within 12° 17' 30.61" N to 12° 17' 48.64" N and 75° 09' 39.90" E to 75° 09' 52.91" E and does not fall in ESZ-1. The consultant organization or its claimed representative was not allowed as they failed to bring original accreditation certificate / letter given to them by NABET (for verification and return) which was required to be produced as informed in the communication for presentation of the project. The Committee found that out of the total 13.193 hectares of land owned by the proponent, the lease area consists of 9.841 hectares which is Government land. As per the G.O. (Ms). No. 141/07//ID dt. 21.11.07 of Industries Department, M/s Kerala Clays & Ceramic Products Ltd. has been granted mining lease for mining china clay over an area of 13.1932 hectares in Government land comprising in Sy. Nos. 676/A, 681/1A and 682/A of Madikkai Village of Hosdurg Taluk, Kasaragod district for a period of 20 years but the Sy. No. 682/A is excluded in the present proposal. The proponent was asked clarification on this. To this end the proponent stated that they are limiting the mining activities to Sy. Nos. 676/A and 681/1A at present. However, the Committee directed the proponent to submit a clarification in writing regarding the omission of Sy. No. 682/A in the present proposal granting mining lease for mining china clay over an area of 13.1932 hectares in Government land comprising in Sy. Nos. 676/A, 681/1A and 682/A.

Since the proposal is for mining of clay, the Committee was not satisfied with the geological reports provided by the proponent and hence directed to provide the log of geological reports incorporating the grade of clay with respect to each bore log, for assessment. When proponent was asked as to why they have provided the details of already done activities towards CSR instead of the proposed activities linked with the present project, the proponent stated that they are planning to continue the same activities as part of the present project also. The Committee insisted the proponent that the same should be given in writing.

The Committee also raised serious concerns on the disposal of effluents generated from the mining activities. SEAC stated that all the paddy lands in Pazhayangadi area were abandoned due to the negative impacts of effluents from lignite and in order to avert similar situation the proponent is directed to provide a detailed effluent treatment plan clearly stating the anticipated pollution

problems during mining activities, with mitigatory measures to contain it. The Committee was of the opinion that since clay mining is done in blocks, simultaneous restoration along with mining is possible. Moreover, SEAC opined that since moral obligation towards environmental protection is vested with Government, this project should become a role model towards eco-restoration activities by ensuring simultaneous restoration of mined area along with mining activities.

The proponent has stated that the existing public road connecting Bengalam-Chernathala will be diverted so as to limit the exposure of mining activity to the public. The Committee asked whether the proponent is authorized to do it. To this end the proponent stated that they have proposed this in consultation with the concerned Panchayath. In addition to the above, the proponent has not provided the cadastral map of the project site duly signed by Village Officer and is directed to provide the same.

The Committee stated that proposed site can be considered as an ecologically fragile land as per the biodiversity listing of flora and fauna provided by the proponent with respect to the project area and decided to ascertain the same during field inspection. The Committee also stated that there will be considerable biodiversity loss due to the proposed activities which must be compensated, as there are many endemic species in the area. The Committee also suggested setting aside an amount for CSR towards the restoration of biodiversity loss due to quarrying activities and suggested to contribute 1 percent of the annual profit to the concerned Panchayath for Biodiversity Management Committee.

Considering the above, the proposal is DEFERRED for SITE VISIT for assessing the ground realities especially with respect to the biodiversity of the area and also directing the proponent to provide the following to SEAC for further consideration of the proposal:

1. Clarification in writing regarding the omission of Sy. No. 682/A in the present proposal as against the G.O. (Ms). No. 141/07//ID dt. 21.11.07 of Industries Department granting mining lease for mining china clay over an area of 13.1932 hectares in Government land comprising in Sy. Nos. 676/A, 681/1A and 682/A.
2. Log of geological reports. Ultimate depth of mining should be indicated based on the reserves.
3. Details of proposed CSR activities linked with the present project.
4. Calculations on the extent of reserves in the total area of the project site. The grade of the reserves to be indicated.
5. A detailed effluent treatment plan clearly stating the anticipated pollution problems during mining activities, with mitigatory measures to contain it.
6. Assurance in the form of affidavit that eco-restoration activities shall be taken up simultaneously with mining activities.
7. Assurance in the form of affidavit that 1 percent of the annual profit shall be given to the concerned Panchayath for Biodiversity Management Committee towards eco-restoration.
8. Cadastral map of the project site duly signed by Village Officer.
9. The details of the beneficiation unit and the method of disposal of rejects.

Item No. 19.05 **Application for obtaining environmental clearance for the proposed quarry project in Sy. Nos. 34/2 Pt., 30/2/2 Pt., 20/7 Pt., 30/2/3 and 20/1 Pt. at Oorakam Village and Panchayath, Tirurangadi Taluk, Malappuram**

The project proponent made a brief presentation of the proposal. The proposed project site falls within 11^o 05' 06.98" N to 11^o 05' 14.64" N and 76^o 00' 31.71" E to 76^o 00' 49.75" E and does not fall in ESZ-1. The Committee found a temple in existence near the mine lease boundary and hence the proponent was directed to take utmost care while blasting, especially during pilgrim season. The Committee also directed the proponent to maintain a safe buffer distance of 250 m from the temple without quarrying activities. The Committee also found a drain passing through the project site and hence directed the proponent to leave 25 m on either side of the drain as buffer zone out of which 20 m on either side should be planted with indigenous species.

The Committee observed that the location of proposed crusher is on a higher elevation and directed the proponent to relocate it to a lower elevation area considering the anticipated adverse impacts of noise and dust. The proponent has stated in conceptual mining plan that anticipating 50 percent growth rate, at the end of life of mine, about 6486 trees will be grown, but in green belt development it was stated that 5000 trees will be planted in an area of 6.4863 hectares. The Committee sought clarification from the proponent in this regard and the proponent agreed to planting 6486 trees as part of eco-restoration.

The Committee found that the proponent has not submitted the consent to conduct quarrying activities from the other person who owns the survey numbers mentioned in the proposal other than the project proponent, and is directed to provide the same. The proponent has also not provided the cadastral map duly signed by the Village Officer and the proposed activities towards CSR linked with the present project with detailed break up.

Considering the above, the proponent is directed to provide the following to the SEIAA / SEAC Secretariat for filing purpose:

1. Consent to conduct quarrying activities from other person who owns the survey numbers mentioned in the proposal other than the project proponent.
2. Assurance in the form of affidavit that at least 6486 trees will be planted as part of eco-restoration.
3. Cadastral map duly signed by Village Officer.
4. Specific proposal on the proposed CSR activities linked with the present project with detailed break up specifying the area/institution to which the same shall be extended.

The proposal is **RECOMMENDED** for Environmental Clearance stipulating the following specific conditions and on satisfactory receipt of the above items for filing purpose:

1. Safe buffer distance of 250 m should be maintained for quarrying from the nearby temple.
2. 25 m buffer zone should be maintained on either side of the canal out of which 20 m on either side should be planted with indigenous species.
3. The crusher unit should be shifted to lower elevation area.

The appraisal report was approved by SEAC for forwarding to SEIAA.

Item No. 19.06**Application for obtaining environmental clearance for the Building stone quarry project in Sy. Nos. 781/1-23-1 & 781/1-23-2 at Athikkayam Village, Ranni Taluk, Pathanamthitta District, Kerala by Mr. Tomy Abraham (File No. 121/SEIAA/KL/2200/2013)**

The project proponent made a brief presentation of the proposal. The proposed project site falls within 9° 25' 00.3" N to 9° 25' 12.00" N and 76° 50' 37.1" E to 76° 50' 45.6" E and does not fall in ESZ-1. The Committee observed that the area falls in the Chembanmudy area where lot of agitations are going on against quarrying activities as people allege the occurrence of landslides and blocking of free flow of water because of quarrying activities. The proponent stated that as of now there are no complaints against the quarry. The proponent has provided the ultimate depth of mining as RL 235 and the Committee insisted upon the consultant to express the same in MSL hereafter. The proponent stated that the ultimate depth of mining of the present project is 330 MSL. The Committee found that the proponent has not provided the detailed break up of the amount set aside towards CSR and was directed to provide the same. The Committee also stated that there will considerable biodiversity loss due to the proposed mining activities which must be compensated and suggested to contribute 1 percent of the annual profit of the firm to the concerned Panchayath for Biodiversity Management Committee. The Committee also directed the proponent to reclaim the mined area without leaving the entire area as a pit. The proponent has not provided the details of the quantity of sewage generation, daily water requirement and total power requirement of the present project and is directed to provide the same.

The Committee also found that the proponent has not provided the cadastral map duly signed by Village Officer. At this juncture, the Committee suggested that SEIAA/SEAC Secretariat may ensure during preliminary scrutiny itself that the proponent submits all the requisite documents and only thereafter the proposal shall be placed before SEAC for appraisal. The proponent has also not provided photographs from all the four sides of the project site. The Committee also found that even though the proponent has provided the affidavit for conditions mentioned in the check list, the details of the present project are not indicated in the same which is not acceptable and hence the proponent is directed to provide a fresh notarized affidavit incorporating the details of the present project in that.

The Committee found the following discrepancies in the proof of ownership of land and directed to provide adequate clarifications regarding the same.

- (i) Copies of land tax receipts for all sy. nos. mentioned in the proposal provided. But sy. no. 781/1-23-1 is owned by 2 persons - the project proponent and his wife Achamma Tomy. But her consent to conduct quarrying activities is not provided.
- (ii) Copy of possession certificate for sy. no. 781/1-23-2 not provided.
- (iii) An affidavit is submitted by the proponent stating that the land bearing sy. nos. 781/1-23-1 and 781/1-23-2 are owned by him. But sy. no. 781/1-23-1 is not solely owned by him.

Considering the above, the proposal is DEFERRED for SITE VISIT for assessing the ground realities and also directing the proponent to provide the following to SEAC for further consideration of the proposal:

1. The detailed break up of the amount set aside towards CSR and specific proposal indicating the area/institution to which the activities shall be extended to.
2. Assurance in the form of affidavit that 1 percent of the annual profit shall be given to the concerned Panchayath for Biodiversity Management Committee towards eco-restoration.
3. Cadastral map duly signed by the Village Officer.
4. Quantity of sewage generation of the present project.
5. Daily water requirement of the present project.
6. Total power requirement of the present project.
7. Clarifications on items (i) to (iii) above regarding proof of ownership of land.
8. Recent photographs from all the four sides of the project site with digital dates of the camera.
9. Fresh notarized affidavit regarding the conditions mentioned in the check list incorporating the details of the present project.

Item No. 19.07 **Application for obtaining environmental clearance for the proposed quarry project in Sy. Nos. 351/1-1 part and 351/1-2 at Aikkaranad South Village, Poothrikka Panchayat, Kunnathunadu Taluk, Ernakulam District, Kerala by M/s Poovelil Aggregates (File No. 89/SEIAA/KL/1049/2013)**

The Committee verified the additional clarifications/documents submitted by the project proponent. The Committee found that the revised map submitted by the proponent is not to scale and also found that the proponent has not still addressed the clarifications sought regarding the proof of ownership of land. Hence the item is DEFERRED directing the project proponent to submit the following additional clarifications/documents as directed by SEAC in its 15th meeting held on 4th May 2013 for further processing of the application:

1. A revised map (to scale) marking the exact distance of the project site from the survey boundary pillars precisely defining the proposed mining area.
2. Copy of possession certificate, land tax receipt and sale deed for Sy. No. 351/1-1 part.
3. Copy of sale deed for Sy. No. 351/1-2.
4. Consent from the present real owner(s) of Sy. No. 351/1-1 to conduct quarrying activities specifying the extent of area coming under that survey number.

Item No. 19.08 **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 Committee verified the additional clarifications/documents submitted by the proponent and observed that the proponent has not circulated all additional clarifications to the SEAC members for assessment, especially the details sought during site inspection. Moreover, during field inspection by subcommittee of SEAC it was found that the proponent has constructed the structure as per building plan i.e. above 60 m extending to 72 m and a helipad, which is against the EC

conditions (already with the proponent) issued by MoEF. The Committee also expressed its extreme displeasure regarding the earlier statement of proponent that they have constructed only up to 19th floor totaling to a height of 58 m since the EC issued by Ministry had a height restriction up to 60 m, which is against the facts revealed during site inspection. Hence it was decided to initiate violation proceedings against the proponent as per the O.M. dt. 12.12.2012 of MoEF and the proponent is directed to submit a resolution passed by the Board of Directors of the firm that violation has occurred and shall not be repeated. It was also found that the proponent has violated Rule 33 of existing KMBR regarding the width of access as the proponent has not provided access road width of 7 m as per the said rule. The Committee was also of the opinion that the explanation given by the proponent regarding the exclusion of survey numbers 211/10, 212/13 & 212/17 in the NOC from Southern Naval Command and Airports Authority of India because of the absence of building or utility units in those survey numbers as per their building plan, is not satisfactory. Hence it is decided to intimate the proponent that they should either submit valid NOC from Southern Naval Command / Airports Authority of India incorporating all survey numbers mentioned in the proposal or the proponent should submit a request for omission of the said survey numbers from the present application for Environmental Clearance. Committee also found that a compliance report of EC conditions by M/s Oceanus Estates India (Pvt.) Ltd. sought from MoEF by SEIAA Kerala has to be received for further processing of the application. The Committee also directed the proponent to implement the directions given by SEAC during site visit and to report the compliance thereof.

Further to the site inspection conducted by subcommittee of SEAC and on non-satisfactory receipt of the additional clarifications provided by the proponent on verification, the item is DEFERRED directing the proponent to provide the following before SEAC for further consideration of the proposal, subject to the receipt of compliance report of EC conditions from MoEF:

1. Resolution passed by the Board of Directors of the firm that violation has occurred and shall not be repeated.
2. Assurance in the form of affidavit that the access road width shall be increased as per the existing KMBR.
3. There is a stream / canal passing through the project site and a part of it is seen occupied by the proponent. This encroachment has to be removed and appropriate public access to be provided therein and reported to SEAC.
4. The present RWH facility is sufficient for only 12 days. The proposed source well has to be developed and yield reported to SEAC. If the yield is inadequate, then RWH capacity needs to be enhanced.
5. Assurance in the form of affidavit that road width shall be increased to 9 m inside the premise (from the gate to the building) for the smooth flow of traffic and for the quick free movement of Fire and Rescue vehicles during emergency.
6. Assurance in the form of affidavit that a well of preferably 6 m diameter shall be constructed as an alternate source of water.
7. The well shall be tested for its yield (at least with 1000 minutes of pumping) and details to be submitted to SEAC.
8. Building approval plans (for verification)

9. Assurance in the form of affidavit that the thodu shall be fenced with grill / compound wall to be constructed so as to demarcate it as public property.
10. Either a valid NOC from Southern Naval Command / Airports Authority of India incorporating all survey numbers mentioned in the proposal or a request for omission of the survey numbers 211/10, 212/13 & 212/17 from the present application for Environmental Clearance.
11. Approved building plan superimposed in the site plan, specifically marking survey numbers.

Item No. 19.09 **Application for obtaining environmental clearance for the proposed quarry project in Sy. Nos. 1251/2 pt., 3 pt., 11 pt., 1250/3/2 pt., 3 pt., 1233/3, 1255/1, 2, 3, 4 at Kadangode Village and Panchayath, Thalappilly Taluk, Thrissur District, Kerala by M/s ABA Industries (File No. 117/SEIAA/KL/2183/2013)**

The project proponent made a brief presentation of the proposal. The proposed project site falls within $10^{\circ} 42' 37.94''$ N to $10^{\circ} 42' 45.62''$ N and $76^{\circ} 08' 03.89''$ E to $76^{\circ} 08' 15.21''$ E and does not fall in ESZ-1. Considering the topography of the project site and its proneness of rock breaking at certain planes, the proponent is directed to ensure safety to workers at the site by maintaining proper working face. From the presentation made by the project proponent the Committee found that Sy. Nos. mentioned in the proposal like 1251/2 pt., 3 pt., etc. were seen adjacent to Sy. No. 539 and hence clarification was sought from the proponent regarding this. To this end the proponent stated that Sy. No. 539 was a big hill which was fragmented and assigned new sub survey numbers of 1251/2 pt., 3 pt., etc. (retaining the main survey number 539 for rest of the land) when they bought the land. The proponent is directed to provide supplementary sheet of Sy. No. 539 or any other valid document to precisely define where the present proposed mining area lies. The Committee asked the proponent whether they have made provisions for management of storm water, as the proposed let out of storm water is not clear in the master plan submitted. To this end the proponent stated that they have made provisions for clarification and de-siltation of storm water within the plot itself. The Committee found that even though the proponent has mentioned about the proximity of Thayoor forest and Kadangode forests from the project site, nothing has been mentioned about the Peechi-Vazhani Sanctuary located within 15 km of the project site and insisted the consultant to furnish those details in Form 1 clearly in future cases, as applicable, and directed the proponent to give in writing the distance of the project site from Peechi-Vazhani Sanctuary with a request to consider the details as part of the details in Form1. The proponent is also directed to provide certificate from Forest Department regarding the distance of nearest wildlife sanctuary/protected area/reserve forest from the project site, if any. The Committee also raised concern regarding the iron content in bore well water samples, the proposed source of drinking water to workers at site, as evident from the analysis reports provided, and directed the proponent to close the existing bore well in the site and report to SEAC.

The Committee found that even though the proponent has provided copy of sale deed for all Sy. Nos. mentioned in the proposal, the buyer and seller for Sy. No. 1255/1 in the sale deed was found to be the same person (the project proponent) with different PAN card numbers and the proponent is directed to provide valid clarification regarding the possession of two PAN cards for

one person. Even though the proponent stated that one card is in the name of proponent and the other in the name of company where he is the managing partner, the Committee on verification of the documents found that both the PAN cards are in the name of the project proponent only and wanted to ascertain whether that is permissible.

The Committee was not satisfied with the details of CSR provided by the proponent as it does not specifically state the proposed activities towards the same. Hence the proponent is directed to elaborate on the details of proposed CSR activities linked with the present project specifically, identifying the institutions/areas to which the activities of CSR is proposed to be extended.

Considering the above, the proposal is DEFERRED FOR SITE VISIT to assess the ground realities especially, the topography the project site and the present way of conducting quarrying activities, and also directing the proponent to submit the following before SEAC for further processing of the application:

1. Assurance in the form of affidavit that proper working face shall be maintained to ensure safety of workers at the site.
2. Supplementary sheet of Sy. No. 539 or any other valid document to precisely define where the present proposed mining area lies.
3. Clarification in writing regarding the distance of the project site from Peechi-Vazhani Sanctuary with a request to consider the information as part of the details in Form I.
4. Assurance in the form of affidavit that good quality drinking water shall be provided to workers at site, after proper treatment and the existing bore well shall be closed and the same report to SEAC.
5. Valid clarification, with supporting documents, regarding the possession of two PAN cards in the name of project proponent.
6. Details of proposed CSR activities linked with the present project specifically mentioning the institutions/areas to which the said activities are proposed to be extended.
7. Certificate from Forest Department regarding the distance of nearest wildlife sanctuary/protected area/reserve forest from the project site, if any.

Item No. 19.10 **Application for obtaining environmental clearance for the proposed quarry project in Sy. Nos. 79/1-127, 79/1-128, 79/1-129, 79/1-130, 79/1-131 and 79/1-132 at Manjallor Village and Panchayath, Muvattupuzha Taluk, Ernakulam District, Kerala by M/s St. Mary's Aggregates (File No. 118/SEIAA/KL/2184/2013)**

The project proponent made a brief presentation of the proposal. The proposed project site falls within $9^{\circ} 55' 30.86''$ N to $9^{\circ} 55' 37.14''$ N and $76^{\circ} 39' 1.60''$ E to $76^{\circ} 39' 10.64''$ E and does not fall in ESZ-1. The Committee found that the Sy. No. 79/1 to which the project site pertains is a big hill which was earlier part of a Reserve Forest. The proponent has also not provided copy of possession certificate for Sy. No. 79/1-130, copy of land tax receipt for Sy. No. 79/1-128 and cadastral map duly signed by Village Officer. Hence the proponent is directed to provide all missing details regarding the ownership of land and valid proof as to how they possessed the land.

The Committee was not satisfied with the details of CSR provided by the proponent as it does not specifically state the proposed activities linked with the present project but only the already

done activities. Hence the proponent is directed to elaborate on the details of proposed CSR activities linked with the present project specifically, identifying the institutions/areas to which the activities of CSR is proposed to be extended.

Considering the above, the proposal is DEFERRED FOR SITE VISIT to assess the ground realities especially with respect to its proximity to any forest area, and also directing the proponent to submit the following before SEAC for further processing of the application:

1. Details regarding the ownership and possession of Sy. No. 79/1 with valid proof as to how the proponent possessed the land bearing that Sy. No. which was earlier part of a Reserve Forest.
2. Copy of possession certificate for Sy. No. 79/1-130.
3. Copy of land tax receipt for Sy. No. 79/1-128.
4. Cadastral map duly signed by Village Officer and Field Measurement Plan (FMP).
5. Details of proposed CSR activities linked with the present project specifically mentioning the institutions/areas to which the said activities are proposed to be extended.

Item No. 19.11 **Application for obtaining environmental clearance for the proposed quarry project in Sy. Nos. 306/5, 306/6, 330/2, 330/3 and 331/1 at Ambalappara Village and Panchayath, Ottapalam Taluk, Palakkad District, Kerala by M/s Valluvanad Quarries and Granites Pvt. Ltd. (File No. 119/SEIAA/KL/2185/2013)**

The project proponent made a brief presentation of the proposal. The proposed project site falls within 10⁰ 48' 7.93" N to 10⁰ 48' 14.25" N and 76⁰ 25' 39.19" E to 76⁰ 25' 49.26" E and does not fall in ESZ-1. The Committee asked the proponent regarding 6-7 red tiled houses located in the North West corner of the project site. The proponent stated that those houses are owned by them. The Committee asked the proponent to provide revised geology of the site as the one provided is not site specific as it pertains to the entire Palakkad district. SEAC directed the proponent to provide green belt in eastern and northern side of the project site to contain dust emissions. The Committee found that the location of proposed crusher unit is not shown in the master plan provided and hence directed to provide a revised master plan incorporating the location of crusher unit along with details of the same. The Committee also asked the proponent regarding the water requirement of the project to which the proponent stated that the daily water requirement is 5 KLD. Regarding the proof of authorized signatory the proponent has provided resolution passed at the meeting of Board of Directors of M/s Valluvanad Quarries and Granites Pvt. Ltd., jointly and severally authorizing Mr. Binil K. John, Managing Director of the firm and Mrs. Bobby Varghese, Director of the firm, but in the resolution the details of the project is not specified and the statement of authorization has to be revised clearly stating that the proponent is authorized to sign/make applications before SEIAA Kerala and to receive Environmental Clearance certificate on behalf of the firm concerned.

Regarding the CSR activities suggested by the proponent, the Committee found that the detailed break up of the amount set aside towards CSR does not tally with the total amount set aside for the same and also the activities proposed under CSR is not specific. The proponent is directed to elaborate on the details of proposed CSR activities linked with the present project specifically, identifying the institutions/areas to which the activities of CSR is proposed to be extended.

Considering the above, the proposal is DEFERRED FOR SITE VISIT and the proponent is directed to provide the following to SEAC for further consideration of the proposal:

1. Revised site specific regional geology of the site.
2. Assurance in the form of affidavit that green belt shall be provided in the eastern and northern side of the project site to contain dust emissions.
3. Revised master plan of the project incorporating the location of crusher unit along with details of the same.
4. Revised resolution regarding the proof of authorized signatory incorporating the details of the project and clearly stating that the proponent is authorized to sign/make applications before SEIAA Kerala and to receive Environmental Clearance certificate on behalf of the firm concerned.
5. Details of proposed CSR activities linked with the present project specifically mentioning the institutions/areas to which the said activities are proposed to be extended.

Item No. 19.12 **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)**

The Committee found that the proponent has started construction without obtaining prior Environmental Clearance and has thus violated the provisions of EIA Notification 2006. Hence the item is DEFERRED FOR SITE VISIT to assess the extent of violation done by the proponent and to proceed further thereon after verification of the authenticity of statutory approvals claimed to be received by the proponent for the project. It is also decided to direct the proponent to circulate details regarding proof of ownership of land, statutory approvals for the already constructed blocks and the present status of construction and details of FAR (same as submitted to the Secretariat of SEAC/SEIAA) to all members of SEAC for verification and assessment.

The meeting concluded at 5 pm on the first day (9th September 2013) with a vote of thanks by the Chairman. The members unanimously responded with thanks to the Chair.

On day 2 (on 10th September 2013) the meeting commenced at 9.30 am and the following members of State Level Expert Appraisal Committee (SEAC) Kerala were present:

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

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| 3. | Dr. K. Harikrishnan | - Member, SEAC |
| 4. | Dr. Khaleel Chovva | - Member, SEAC |
| 5. | Prof. (Dr.) K. Sajan | - Member, SEAC |
| 6. | Dr. V. Anitha | - Member, SEAC |
| 7. | Dr. E.J. Joseph | - Member, SEAC |
| 8. | Dr. C.N. Mohanan | - Member, SEAC |
| 9. | Sri. Eapen Varughese | - Member, SEAC |
| 10. | Sri. John Mathai | - Member, SEAC |
| 11. | Sri. P. Sreekantan Nair
Director,
Department of Environment & Climate Change | - Secretary, SEAC |

The Chairman welcomed the members and thereafter, the remaining agenda items were taken up for deliberations:

Item No. 19.13 Application for obtaining Environmental Clearance for the proposed additional tankage for motor spirit and facilities for receipt, storage and delivery through Tank lorries of ATF at Village Karavanthuruthy, Tehsil & District Kozhikode, Kerala by M/s Indian Oil Corporation Limited (File No. 87/SEIAA/KL/447/2013)

In spite of the communication sent for the submission of valid proof regarding the accreditation of the Environmental Consultant for making presentation before SEAC, M/s Project & Development India Ltd (PDIL), the environmental consultant for the project has neither produced the notarized copy nor the original of accreditation certificate/communication letter from NABET regarding their accreditation for verification. Hence the EIA consultant was not allowed to make a presentation and the project proponent presented the proposal before SEAC.

The proponent stated that the depot operating in Kozhikode since 1998 is dealing with petrol, diesel, kerosene, etc. When asked about the buffer distance set aside all around the project site, the proponent stated that buffer distance ranging from a minimum of 10 m to a maximum of 30 m at different locations around the project site is provided. The Committee found from the air quality analysis reports that the quantity of SPM is high and hence directed the proponent to provide provisions to contain the same. The Committee was also not satisfied with the baseline data regarding air and water quality submitted by the proponent in spite of being an industrial establishment and hence directed the proponent to provide original authentic reports on site-specific monitoring data of ambient air quality and water quality. The Committee asked the proponent whether they have addressed all concerns and allegations from the local people residing near their project sites regarding the congestion of the road. To this end the proponent stated that they have cleared all those issues and the present width of approach road (Panchayath road) is 8 m. But the Committee found that the proponent has not specifically mentioned plans to address many of the

concerns raised by the public during the public hearing conducted as part of the present project and directed to provide specific details on the same. When asked about the management of storm water in the site, the proponent stated that adequate provisions are made to channelize storm water to the nearby public drain after proper clarification using oil water separators. The proponent also stated that the oil separated from the oil-water separator will be stored after analyzing the blending ratio which usually comes to 1:200. But the Committee was not satisfied with the storm water management plan submitted by the proponent and hence the proponent is directed to submit a detailed plan on the same. When asked about the water source of the project the proponent stated that two bore wells and two open wells shall serve as source of water for the project and 20 KL of water shall be pumped into the hydrant tank in addition to the present capacity of 24 KL. The Committee was also not satisfied with the waste management proposals submitted by the proponent and expressed their extreme displeasure on the lackadaisical manner in which the proponent has suggested measures to address the same by stating that solid waste shall be disposed through auction sale, which is not at all possible in Kerala scenario. Hence the proponent is directed to submit waste management proposals categorizing different kinds of waste to be generated as a result of the implementation of the present project.

The Committee after going through the list of flora and fauna of the area submitted by the proponent was quite apprehensive about it as the list was quite exhaustive indicating the area having rich biodiversity. Moreover, the scientific names/family of the species found in the area were wrongly mentioned in the biodiversity listing and hence the data was found to be unreliable, being not an authenticated data prepared by concerned experts. Hence, the proponent is directed to provide a revised EIA report giving thrust to biodiversity aspect and to provide authenticated site-specific biodiversity listing. The Committee was also doubtful regarding the proximity of project site to the Vallikkunnu-Kadalundy Community Reserve and directed the proponent to submit the aerial distance of the project site from the same and suggested that if the distance is within 10 km, they should get an NOC from the concerned regarding the distance from the same.

Also, a valid proof of authorized signatory is also not provided by the proponent since the applicant, Sri. K.K. Narayanan, Sr. Depot Manager, M/s Indian Oil Corporation Ltd., who is the authorized signatory of the project (as entered in Form 1) is known to be transferred from the post. Presently communication is sent to Mr. Zacharia Thomas, Dy. General Manager (OPS Kerala State Office) but a formal authorization to do all acts and deeds on behalf of the firm before SEIAA Kerala including receiving of EC certificate is not provided.

The proponent has also not satisfactorily answered the earlier queries of SEAC regarding the land use details of the site based on satellite imagery, proposal for safety buffer zone around the proposed site with map and details of river crossings drain crossings, railway/road crossing, etc. & method of digging/drilling for laying of pipeline. Also, since so many discrepancies were found in the proposal submitted and since the proponent has not satisfactorily submitted all the documents as per the checklist like GPS readings from four extreme boundaries of the project site, valid proof of authorized signatory, etc. among other things, the proponent is directed to redraft and resubmit the proposal avoiding factual errors and to submit all documents as per the checklist mentioned in SEIAA website and following all the instructions given therein.

The proponent has stated that CSR activities shall be undertaken as per standard Corporate Policy of IOCL, without specifically mentioning the standards and policies referred to and the

areas/institutions to which the CSR activities are proposed to be extended. Hence the proponent is directed to submit specific proposal on proposed CSR activities linked with the present project.

Considering the above, the proposal is DEFERRED FOR SITE VISIT, especially to assess the biodiversity in the area, and also directing the proponent to provide the following to SEAC for further consideration of the proposal:

1. Redrafted proposal avoiding factual errors providing all details/documents mentioned in the checklist of SEIAA website and following the general instructions therein.
2. Provisions to reduce the SPM.
3. Original reports on authentic site-specific monitoring data of ambient air quality and water quality.
4. Specific plans/proposals to mitigate the issues raised during public hearing.
5. Detailed storm water management plan.
6. Specific waste management proposals categorizing different kinds of waste to be generated as a result of the implementation of the present project.
7. Revised EIA report giving thrust to biodiversity aspect with authenticated site-specific biodiversity listing of flora and fauna.
8. Details on the aerial distance of the project site from Vallikkunnu-Kadalundy Community Reserve, and, if the distance is within 10 km, an NOC from the concerned regarding the distance from the same.
9. Notarized copy of accreditation certificate/communication letter from NABET regarding accreditation of M/s Project & Development India Ltd (PDIL).
10. Valid proof of authorized signatory.
11. Land use details of the site based on satellite imagery.
12. Proposal for safety buffer zone around the proposed site with map.
13. Details of river crossings drain crossings, railway/road crossing, etc. and method of digging/drilling for laying of pipeline.
14. GPS readings from four extreme boundaries of the project site.
15. Specific proposal on proposed CSR activities linked with the present project mentioning the areas/institutions to which the same shall be extended to.

Item No. 19.14 Application for obtaining environmental clearance for the Building stone quarry project in Sy. Nos. 528/1,2,3, 533/1, 534/1,2,4,5,6,7,8,9 535/2&3 at Vadasserikkara Village, Ranni Taluk, Pathanamthitta District, Kerala by M/s Kavumkal Granite Pvt. Ltd. (File No. 122/SEIAA/KL/2201/2013)

The project proponent made a brief presentation of the proposal. The proposed project site falls within 9⁰ 18' 38.00" N to 9⁰ 18' 51.8" N and 76⁰ 50' 44.60" E to 76⁰ 50' 59.10" E and does not fall in ESZ-1. The proponent has stated in the proposal that Rs. 7.5 lakhs shall be spent towards environmental conservation and hence the Committee insisted the proponent to provide an assurance regarding the same as they wanted the commitment to be implemented rather than being only in paper. The Committee found that there is a forest land adjacent to the lease area towards north east of lease and directed the proponent to maintain a 200 m safe buffer distance from it without conducting quarrying activities. The Committee also found that the Sy. No. 533/1 owned by the proponent (as seen from the land tax receipt) which is included in Form 1 is not seen included in the covering letter and affidavit regarding the conditions mentioned in the checklist. To this end the proponent stated it was a mistake from their part and agreed to submit a fresh affidavit including all survey numbers mentioned in the proposal. The proponent is also directed to provide the details of liquid effluent

generated from the proposed activity, details of total water requirement and power requirement, ultimate depth of mining in MSL, among others, as all these details were not provided in the proposal submitted.

From the copy of request submitted by the proponent to the District Collector, Pathanamthitta, seeking permission for quarrying in the Govt. purambokke land the Committee found that the proponent has sought permission to conduct quarrying activities in sy. nos. 528/1, 534/1,4,7, 527/1 and 535/3 but sy. no. 527/1 is not included in the present proposal. The Committee asked the proponent as to why they have omitted the Sy. No. 527/1 in the present proposal. To this end the proponent stated that the mine lease area may cross 10 hectares when that sy. no. is also included in the present proposal and hence to evade public hearing they have omitted it. The Committee stated that the intention of the proponent to break the contiguous area into fragments for the sake of evading public hearing is not permissible. The Committee was also doubtful whether the inclusion of the said sy. no. will make the total mine lease area exceed 10 hectares as the land bearing that sy. no. comes to only 0.1 hectare. Moreover, the proponent has not provided the copies of sale deed for all survey numbers mentioned in the proposal and hence is directed to rework the mine lease area coming under each survey number in the total area of the project site along with an area survey plan of the project site and submit the same before SEAC for further assessment. However, the Committee reminded the proponent that if the mine lease area crosses 10 hectares, the proponent will not be allowed to fragment the land and in that case, he has to submit a fresh application including all survey numbers for which they have sought permission from the District Collector, Pathanamthitta along with the land owned by him. The Committee observed that the existing quarry is operated by the proponent with yearly renewed permits and hence directed the proponent to submit proof regarding the permission granted by Government earlier to conduct quarrying activities in purambokke land for verification, and the proponent agreed to provide copies of already obtained permits which expired on 2011. The proponent is also directed to provide authorized cadastral map marking survey sub division numbers concerned with the present project.

Regarding the proof of authorized signatory, the proponent has submitted an affidavit signed by partners of M/s Kavumkal Granite Pvt. Ltd. authorizing Mr. Sabu Kuriakose, Managing Director of the firm. But one of the partner's name is given as Jamol Sabu, whereas in the Certificate of Incorporation of the firm the name is given as Jamol Jacob. Hence proof to be submitted that these two persons are the same. The Committee also found that even though the proponent has submitted a notarized affidavit regarding conditions mentioned in the check list, the details of the proposed project is not mentioned in it and hence not valid. So the proponent is directed to provide a fresh affidavit incorporating the details of the project and submit the same before SEAC. The Committee also found that even though the proponent has provided proposed activities towards CSR, the detailed break up of amount set aside for the same is not mentioned and is directed to provide the same.

Considering the above, the proposal is DEFERRED FOR SITE VISIT, especially to assess the extent of mine lease area coming under the present proposal, and the proponent is directed to provide the following to SEAC for further consideration of the proposal:

1. Assurance in the form of affidavit that Rs. 7.5 lakhs shall be spent towards environmental conservation as stated by the proponent in the proposal.
2. Assurance in the form of affidavit that a safe buffer distance of 200 m shall be maintained from the nearby forest without conducting quarrying activities.

3. Affidavit regarding conditions mentioned in the check list specifically mentioning all the survey numbers mentioned in the proposal.
4. Details of liquid effluent generated from the proposed activity, details of total water requirement and power requirement.
5. Ultimate depth of mining (in MSL).
6. Copies of sale deed for all survey numbers mentioned in the proposal.
7. Detailed split up of mine lease area coming under each survey number in the total area of the project site.
8. Area survey plan of the project site approved by Village Officer.
9. Copies of already obtained quarrying permits which expired on 2011.
10. Proof to be submitted that Jamol Jacob and Jamol Sabu are one and the same person.
11. Authorized cadastral map marking survey sub division numbers concerned with the present project.
12. Notarized affidavit regarding conditions mentioned in the check list affidavit incorporating the details of the project.
13. The detailed break up of amount set aside towards CSR specifically mentioning the areas/institutions for which the same is proposed to be extended.

Item No. 19.15 Application for obtaining environmental clearance for the proposed Kannimangalam Granite Quarry at Kannimangalam in Sy. Nos. 45/1, 45/2, 46, 47 Part, 50/2, 51/1, 51/2, 51/3, 52 & 56/1 at Malayattoor Village, Malayattoor - Neeleswaram Panchayath, Aluva Taluk, Ernakulam District, Kerala by M/s Vijaya Quarry Works (File No. 115/SEIAA/KL/2181/2013)

The project proponent made a brief presentation of the proposal. The proposed project site falls within 10° 12' 50.3" N to 10° 12' 58.8" N and 76° 29' 31.4" E to 76° 29' 44.1" E and does not fall in ESZ-1. The proponent has stated in the feasibility report that the report comprising project feasibility, existing environmental status and EMP for Kannimangalam rough stone quarry is prepared inline with the guidelines issued by MoEF, vide their letter dt. 30.09.2010 towards getting EC from SEIAA Kerala for rough stone production of 75000 TPA for the mine lease area of 6.3324 hectares. Hence the Committee was doubtful as to whether the proponent has submitted any application for EC before MoEF and sought clarification from the proponent regarding the same. To this end the proponent stated that it is a grammatical error from their part and the statement only refers to a circular issued by MoEF regarding the guidelines for preparing pre-feasibility report according to which they have prepared the pre-feasibility report. The proponent is directed to provide copy of the circular issued by MoEF.

The major concern of the Committee with respect to the present project is the occurrence of 20 m thick overburden seen as a blanket in the project site as evident from the section provided by the proponent. The Committee was of the opinion that the area with such an overburden is good soil suitable for cultivation and hence mining cannot be permitted in such a cultivable land. However the Committee wanted to ascertain the same during site visit.

Being an existing quarry with certain amount of reserves already exploited, the Committee sought the details of already excavated material and quantity of left out reserves from the proponent. The Committee also sought clarification from the proponent regarding the period of operation of existing quarry which is stated as 'in operation since 1998' in one place and stated as 'the main quarry lease is under continuous operation since 2007'. The Committee found that the proponent has proposed a maximum bench height of 10 m and bench width at minimum > 10 m which is not permissible and directed to replan the mining activities so as to limit the bench height and width to 5m x 5 m. The proponent has stated that there is a litigation (W.P. (C) 28087 of 2011) pending against the lease area in the Honourable High Court of Kerala and no orders or directions has been passed regarding the same which is pending since 2011. The proponent has not provided the expected life of mine, recent photographs of the project site with digital dates on the camera, cadastral map duly certified by Village Officer, details on the existing crusher unit located 3 km from the project site including measures taken to contain dust emissions, plans for storm water management, details of CSR activities linked with the present project and authentic site specific biodiversity listing of flora and fauna. The Committee was not satisfied with the contour plan submitted by the proponent as the contours are not correctly marked in it as per the existing topography of the land and the proponent is directed to revise the same.

Regarding the proof of ownership of land, the following discrepancies are noted and the proponent is directed to clarify them.

- (i) The proponent has not provided copy of sale deed for Sy. nos. 45/1, 51/1, 51/2, 51/3, 52 & 56/1 but consents from Mr. A.P. Joseph & Mrs. Elsy Joseph given to project proponent for conducting quarrying activities in Sy. Nos. 51/2, 51/3, 52 & 56/1 AND 51/1 respectively is provided. But the sale deed to prove the ownership of these sy. nos. is not provided.
- (ii) Copy of possession certificates for all sy. nos. mentioned in the proposal provided. (But as per the possession certificate and land tax receipt submitted by the proponent, Sy. no. 51/1 and 51/3 is owned by Elsy Joseph but the consent for quarrying in sy. no. 51/3 is given by Mr. A.P. Joseph. Also, as seen in the site plan signed by village officer and mining sketch, the title holder of sy. no. 51/3 is A.P. Joseph. Also, as per the possession certificate, Sy. nos. 51/2, 52 & 56/1 are owned by Edathala Paappu Joseph whereas consent for quarrying in that sy. nos. is given by Mr. A.P. Joseph.) – Clarification to this along with proof that Mr. A.P. Joseph & Edathala Paappu Joseph are one and the same person to be provided.
- (iii) The consent is given to Mr. Joemon Joseph, proprietor of M/s Vijaya stone aggregates but the present proposal is from M/s Vijaya Quarry Works. Hence clarification is required as to whether these two firms are the same and details of partners, if any, of the firms. (Certificate of incorporation of the firm to be provided)
- (iv) Copy of sale deed for sy. no. 45/1 owned by project proponent (as seen from possession certificate) not provided.

Regarding proof of authorized signatory, the proponent has provided undertaking in Rs. 100 stamp paper that he is the sole proprietor of the firm, but since the proponent has not provided the Certificate of Incorporation of M/s Vijaya Quarry works the Committee was not sure as to whether he is the sole proprietor of the firm. When sought clarification on this, the proponent stated that there is no Certificate of Incorporation for the firm as he being the sole proprietor and

he shall produce the copy of license issued by Panchayath to conduct quarrying activities in his name as the sole proprietor of the firm.

Considering the above, the proposal is DEFERRED FOR SITE VISIT especially to assess the topography and nature of the land as to whether it is having high overburden thickness to be categorized as cultivable land, and the proponent is directed to provide the following to SEAC for further consideration of the proposal:

1. Copy of the circular issued by MoEF regarding guidelines for preparing pre-feasibility report.
2. Details of already excavated material and quantity of left out reserves.
3. Clarification in writing as to the period of operation of existing quarry.
4. Expected life of mine.
5. Recent photographs of the project site with digital dates on the camera.
6. Cadastral map duly certified by Village Officer.
7. Area survey plan of the project site approved by Village Officer.
8. Details of CSR activities linked with the present project with detailed break up of amount set aside towards the same along with the areas/institutions for which the same shall be extended.
9. Revised contour plan.
10. Details on the existing crusher unit including measures taken to contain dust emissions.
11. Storm water management plan.
12. Clarification on items (i) to (iv) above regarding proof of ownership of land.
13. Copy of license issued by Panchayath to conduct quarrying activities in the name of project proponent as the sole proprietor of M/s Vijaya Quarry Works, as proof of authorized signatory.
14. Site specific authentic biodiversity listing of flora and fauna.

Item No. 19.16 **Application for obtaining environmental clearance for the proposed Illithode Granite Quarry at Potta, Illithode in Sy. No. 301/1 at Malayattoor Village, Malayattoor - Neeleswaram Panchayath, Aluva Taluk, Ernakulam District, Kerala by M/s Vijaya Quarry Works (File No. 116/SEIAA/KL/2182/2013)**

The project proponent made a brief presentation of the proposal. The proposed project site falls within 10^o 12' 33.2" N to 10^o 12' 38.6" N and 76^o 31' 18.5" E to 76^o 31' 25.7" E and does not fall in ESZ-1. The proponent has stated in the feasibility report that the report comprising project feasibility, existing environmental status and EMP for Illithode rough stone quarry is prepared inline with the guidelines issued by MoEF for rough stone production of 50,000 TPA for obtaining Environmental Clearance from SEIAA Kerala for the total mine lease area of just 2.1707 hectares. Hence the Committee was doubtful as to whether the proponent has submitted any application for EC before MoEF and sought clarification from the proponent regarding the same. To this end the proponent stated that it is a grammatical error from their part and the statement only refers to a circular issued by MoEF regarding the guidelines for preparing pre-feasibility report according to which they have prepared the pre-feasibility report. The proponent is directed to provide copy of the circular issued by MoEF.

The Committee found that the proponent has proposed a maximum bench height of 10 m and bench width at minimum > 10 m which is not permissible and directed to replan the mining activities so as to limit the bench height and width to 5m x 5 m. The proponent has stated that there is a litigation (W.P. (C) 28087 of 2011) pending against the lease area in the Honourable High Court of Kerala and no orders or directions has been passed regarding the same which is pending since 2011. The proponent has not provided cadastral map and area survey plan duly certified by Village Officer, details of CSR activities linked with the present project and authentic site specific biodiversity listing of flora and fauna. The Committee was not satisfied with the air quality analysis report provided by the proponent and directed to provide a fresh report on the same which is site specific.

Regarding proof of authorized signatory, the proponent has provided undertaking in Rs. 100 stamp paper that he is the sole proprietor of the firm, but since the proponent has not provided the Certificate of Incorporation of M/s Vijaya Quarry works the Committee was not sure as to whether he is the sole proprietor of the firm. When sought clarification on this, the proponent stated that there is no Certificate of Incorporation for the firm as he being the sole proprietor and he shall produce the copy of license issued by Panchayath to conduct quarrying activities in his name as the sole proprietor of the firm.

Considering the above, the proposal is DEFERRED FOR SITE VISIT, and the proponent is directed to provide the following to SEAC for further consideration of the proposal:

1. Copy of the circular issued by MoEF regarding guidelines for preparing pre-feasibility report.
2. Cadastral map duly certified by Village Officer.
3. Area survey plan of the project site approved by Village Officer.
4. Details of CSR activities linked with the present project with detailed break up of amount set aside towards the same along with the areas/institutions for which the same shall be extended.
5. Copy of license issued by Panchayath to conduct quarrying activities in the name of project proponent as the sole proprietor of M/s Vijaya Quarry Works, as proof of authorized signatory.
6. Site specific authentic biodiversity listing of flora and fauna.
7. Site specific air quality analysis report

Item No. 19.17 **Application for environmental clearance for the Quarry project in Survey Nos. 332/4, 340/5, 340/4pt, 331/4, 331/6p, 340/3, 340/3p, 340/4p and 325/9p at Pananchery Village, Pananchery Panchayath, Thrissur Taluk, Thrissur District, Kerala by M/s St. Basil Granites (File No. 61/SEIAA/KL/7682/2012)**

The Committee verified the additional clarifications/documents submitted by the proponent and analyzed the report of sub committee of SEAC on their visit to the site on 5th February 2013. Since the proponent has given clarification on the exclusion of the Sy. No. 325/9p from the present proposal, the Committee decided to omit the said survey number while issuing EC. The Committee found that the proponent has not provided the consent from Mrs. Laly Ouseph to conduct quarrying activities as directed by SEAC in its 11th meeting held on 09.01.2013 and was not satisfied with the explanation of the proponent for non-submission of the same that the land for the proposed quarrying

activity is in the name of M/s St. Basil Granites and hence consent from Mrs. Laly Ouseph is not required. But the Committee on verification of the possession certificate found that some Sy. Nos. mentioned in the proposal is in the name of Mrs. Laly Ouseph, Managing Partner of the firm and some Sy. Nos. belong to Laly Joseph. Hence the proponent is directed to provide proof as to whether Laly Ouseph and Laly Joseph is one and the same person. The Committee also directed the proponent that even though the residential units 1,2,3 and 4 (as shown in the vicinity map) are owned by Mr. Tinku Joseph, one of the partners of M/s St. Basil Granites, a safe buffer distance of 100 m should be left from those settlements without conducting quarrying activities.

During site visit, the Committee found more than three households in the west side of the quarry and hence directed the proponent to obtain consent from these people residing within 100 m from the quarry before the quarry becomes operational for the smooth conduct of quarrying activities. But the proponent has not provided any consent and is directed to provide the same.

Further to the site inspection conducted by subcommittee of SEAC and on non-satisfactory receipt of the additional clarifications provided by the proponent on verification, the item is DEFERRED seeking additional clarifications and directing the proponent to provide the following before SEAC for further consideration of the proposal:

1. Consent from Mrs. Laly Ouseph to conduct quarrying activities in land bearing survey numbers owned by her OR the land tax receipts in the name of St. Basil granites.
2. Proof as to whether Laly Ouseph and Laly Joseph is one and the same person.
3. Assurance in the form of affidavit that a safe buffer distance of 100 m shall be left from nearby settlements of and within lease area without conducting quarrying activities OR proof to show that any building within the 100 m circumference is owned by the company.
4. Location of all settlements in about 300 m from the lease boundary in the cadastral map with the distance from all dwelling units.
5. Show the location of access road and garland drain around, especially on the western side.
6. Assurance in the form of affidavit that a retaining wall shall be provided on the western part of garland drain to arrest the runoff and clarify the water.
7. Provide document from Forest officials as to the distance from Reserve Forest.
8. Consent from people residing within 100 m from the quarry, especially households in the west side of the quarry.
9. Assurance in the form of affidavit that proper green belt shall be put in place.
10. Assurance in the form of affidavit that fencing and retaining wall shall be provided as safety measures to avoid any untoward incident.
11. Assurance in the form of affidavit that erosion hazards due to bush clearing & soil disturbance from the new quarry activity shall be effectively addressed.

Item No. 19.18 **Application for obtaining environmental clearance for the quarry project in Sy. No. 70/1 at Kolayad Village and Panchayath, Thalassery Taluk, Kannur District, Kerala by M/s Malabar Construction Materials (P) Ltd. (File No. 101/SEIAA/KL/1606/2013)**

The Committee verified the additional clarifications/documents submitted by the proponent and analyzed the report of sub committee of SEAC on their visit to the site on 25th July 2013. The

Committee ensured during field visit that Sy. No. 71, seen adjacent to Sy. No. 70/1, does not form part of the present proposal.

Further to the site inspection conducted by subcommittee of SEAC, the Committee found that the quarry is in a highly dangerous situation as the quarry operations are not held in benches with very steep cutting with 50 m height. Considering the present working condition of the quarry, it is decided to address the proponent to STOP THE QUARRYING ACTIVITIES IMMEDIATELY till Environmental Clearance is obtained in view of its proneness to environmental hazards and report to SEAC, with a copy to the District Collector, Kannur.

Considering the above the item is DEFERRED directing the proponent to STOP THE QUARRYING ACTIVITIES IMMEDIATELY (and for report) till Environmental Clearance is obtained and also seeking additional clarifications. The proponent is directed to provide the following before SEAC for further consideration of the proposal:

1. Assurance in the form of affidavit that fresh haulage lines shall be laid from an alternate side and the quarry shall be developed afresh abandoning the existing working face for the time being. Fresh plan has to be prepared and submitted with all details.
2. Since storm water with the silt from the quarry is let out without clarification, proper arrangement has to be provided for desilting and clarification of water and details regarding the same to be submitted to SEAC.
3. Outline of lease area superimposed on the cadastry to be provided. The entire land in possession of the proponent to be indicated along with the village boundary.

Item No. 19.19 **Application for obtaining environmental clearance for the quarry project in Sy. Nos. 64/1 Pt, 65 Pt, 126/6 Pt at Mankada Village and Panchayath, Perinthalmanna Taluk, Malappuram district, Kerala by K. P. Aboobacker (File No. 102/SEIAA/KL/1607/2013)**

The Committee verified the additional clarifications/documents submitted by the proponent and analyzed the report of sub committee of SEAC on their visit to the site on 24th July 2013. Earlier, the Committee was doubtful as to whether Sy. No. 48/9, which is not included in the proposal submitted by the proponent form part of the present project, as the storage of waste water is seen proposed in this survey number as per the survey map provided by the proponent. This was clarified at the site during field inspection by the subcommittee of SEAC that the project site proposed for obtaining Environmental Clearance is falling in Sy. No. 64/1 pt, 65 pt and 126/6 pt and there is no area falling in Sy. No. 48/9. All other additional clarifications provided by the proponent were found to be satisfactory by the Committee, on verification. The Committee suggested the proponent to stack the overburden and top soil separately in designated places on lower slope and to provide retaining wall to prevent washing out of this material. The proponent is also directed to channelize the drainage from the quarry into desiltation tanks and clarify the water before letting it out of the lease area.

Further to the site inspection conducted by subcommittee of SEAC and on satisfactory receipt of additional clarifications/documents as directed by SEAC, the proposal is RECOMMENDED for Environmental Clearance stipulating the following specific conditions:

1. The steep cuttings should be reduced to 5m by providing benches.
2. A buffer zone of 20 m should be maintained adjacent to the abandoned quarry.

The appraisal report is approved by SEAC for forwarding to SEIAA.

Item No. 19.20 Any other item approved by Chair

Item No. 19.20.1 Clarifications sought by SEIAA on proposals recommended by SEAC for Environmental Clearance

The Committee noted that SEIAA has sought inputs from SEAC for suggesting the specific conditions for two projects coming under item nos. KLA/21.05 (M/s Infoparks Kerala) and KLA/21.06 (M/s Chengalathu Quarry Industries), which were approved for issuance of Environmental Clearance in the 21st SEIAA meeting.

Regarding item no. KLA/21.05 (M/s Infoparks Kerala), SEIAA has sought definition of the number and specification of the recharge pits to augment recharge of ground water. To this end SEAC suggested for recharge pits of at least 6 numbers, each having 2 m diameter and reaching up to a depth of 4 m below ground level.

Regarding item no. KLA/21.06 (M/s Chengalathu Quarry Industries), SEIAA sought a note from SEAC indicating the basis for suggesting mining activities to be restricted to Pit-1 while recommending it for Environmental Clearance. The note from SEAC in the matter is as follows:

“The second pit is an independent plot on east facing slope, separated geographically from Pit-1. Considering the steep slope of more than 35°, limited mineable area of less than 0.4 hectares and considering that the area being still virgin, it is recommended to leave the area as such without quarrying. Moreover, for mining of limited reserves from Pit-2, fresh haulage lines and ancillary units has to be made which is not economically feasible”.

Item No. 19.20.2 Hon. Supreme Court of India Record of Proceedings in RE: Vembanad lake, Kerala Special leave petition (Civil) No. 24390-24391 of 2013 order dated 01.08.2013

The Committee noted the item.

Item No. 19.20.3 Orders of NGT dt. 5th and 14th August 2013

The Committee noted the item.

Item No. 19.20.4 Mails from SEIAA Chairman to SEAC Chairman for attending SEIAA meetings

SEAC noted that in the agenda notes for SEIAA, the Secretary SEAC is placing the appraisal report duly signed and approved by SEAC without any change, and hence does not necessitate

Chairman/ Vice Chairman or any Member of SEAC except Secretary SEAC (as is till date) to attend SEIAA meeting. SEAC have full confidence on Secretary SEAC. Further, as per the MoEF guidelines, Chairman/Vice-Chairman SEAC is not expected to attend the SEIAA meeting to take decision jointly.

The meeting concluded at 4.30 pm on the 2nd day (10th September 2013) with a vote of thanks by the Chair. The members unanimously responded with thanks to the Chair.