

**MINUTES (Approved) OF THE 20<sup>TH</sup> MEETING OF STATE LEVEL EXPERT APPRAISAL COMMITTEE (SEAC) KERALA, HELD ON 5<sup>TH</sup> OCTOBER, 2013 AT HARITHASREE HALL, DEPARTMENT OF ENVIRONMENT AND CLIMATE CHANGE, THIRUVANANTHAPURAM**

The twentieth meeting of SEAC- Kerala was held on 5<sup>th</sup> October 2013 at Harithasree Hall, Department of Environment and Climate Change, Thiruvananthapuram. The meeting commenced at 9.30 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. Prof. (Dr.) K. Sajan - Member, SEAC
3. Dr. E.J. Joseph - Member, SEAC
4. Dr. P.S. Harikumar - Member, SEAC
5. Dr. E.A. Jayson - Member, SEAC
6. Dr. V. Anitha - Member, SEAC
7. Dr. Khaleel Chovva - Member, SEAC
8. Dr. C.N. Mohanan - Member, SEAC
9. Sri. John Mathai - Member, SEAC
10. Sri. Eapen Varughese - Member, SEAC
11. Sri. P. Sreekantan Nair - Secretary, SEAC  
Director,  
Department of Environment & Climate Change

Chairman, SEAC welcomed all the participants and presented the current status of proposals with SEIAA Kerala and raised concern on the pendency of proposals. However, the Committee observed that the pendency is on the part of proponents in replying to the queries raised by SEAC and also in submitting the additional clarifications/documents sought by SEAC. At this juncture the Committee opined to delist all the proposals that are thus pending due for more than 60 days, if requisite documents are not received satisfactorily within the stipulated time. To this end the Secretary SEAC informed that SEIAA in its 22<sup>nd</sup> meeting held on 27<sup>th</sup> September has decided the same which shall be implemented hereafter.

Thereafter, regular agenda items were taken up for deliberations:

**Item No. 20.01** Confirmation of the minutes of the 19<sup>th</sup> SEAC meeting, held on 9<sup>th</sup> and 10<sup>th</sup> September 2013 at Harithasree Hall, Department of Environment and Climate Change, Thiruvananthapuram

Confirmed.

**Item No. 20.02**      **Action taken report on the decisions of the 19<sup>th</sup> SEAC meeting**

Noted.

**Item No. 20.03**      **Application for obtaining environmental clearance for the proposed building stone quarry project in Survey Nos. 117/5-1, 117/5-2 and 117/2 at Elamadu Village, Kottarakkara Taluk, Kollam District, Kerala by M/s Aiswarya Granites (File No. 126/SEIAA/KL/2367/2013)**

Mr. Tinson John, Managing Partner, M/s Aiswarya Granites, vide his application received on 23-08-2013, has sought Environmental Clearance under EIA Notification, 2006 for the building stone quarry project in Survey Nos. 117/5-1, 117/5-2 and 117/2 at Elamadu Village, Kottarakkara Taluk, Kollam District, Kerala for an area of 1.4590 hectares. Further to this, the project proponent vide letter no. nil dt. 30.09.2013 has requested for withdrawal of the application since they intend to include adjoining area along with this project. Considering the request, SEAC decided to delist the present application.

**Item No. 20.04**      **Application for obtaining environmental clearance for the proposed building stone quarry project in Survey Nos. 261/1, 264/1, 2-1, 2-2, 5, 5-2, 6, 7, 265/1, 1-2 and 1-3 at Elamadu Village, Kottarakkara Taluk, Kollam District, Kerala by M/s Aiswarya Granites (File No. 127/SEIAA/KL/2368/2013)**

The project proponent made a brief presentation of the proposal. The proposed project site falls within  $8^{\circ}52' 28.6''$  N to  $8^{\circ} 52' 36.5''$  N and  $76^{\circ} 49' 43.23''$  E to  $76^{\circ} 49' 54.9''$  E and does not fall in ESZ-1. First of all, the Committee pointed out the factual errors in the proposal and warned the environmental consultant in preparing the proposal in a careless manner. The consultant was also directed to submit the affidavit undertaking responsibility for the proposal in stamp paper, with details of the project including the Sy. Nos., name of the project proponent with firm, if any and location of the project, hereafter. It is stated in the questionnaire that there is a forest land adjacent to the lease area which is towards north east of lease area, which is not mentioned in Form 1. To this end the proponent stated that there is no forest nearby and it is a factual error on their part. Hence the proponent is directed to provide clarification in writing regarding the proximity of forest land to the project site. The Committee also found that the Sy. No. 261/1 included in Form 1 of the proposal is not part of covering letter whereas Sy. No. 262/1 in covering letter is not seen included in Form 1. The Committee also noticed that the proponent has submitted copy of land tax receipt and quarrying permit for Sy. No. 262/1. To this end the proponent stated that Sy. No. 262/1 is part of their present project and the inclusion of Sy. No. 261/1 is a typographical error. However, the proponent is directed to submit clarification in writing as to whether Sy. No. 261/1 or 262/1 is part of their present proposal. Regarding proof of authorized signatory the proponent has provided notarized affidavit from the partners of M/s Aiswarya Granites authorizing Mr. Tinson John, Managing Partner of the firm. But it is not acceptable as the details of the project are not mentioned in it. The Committee also raised their strong displeasure in the typographical errors noticed in the application submitted, especially with respect to the mentioning of Itthikkara river as Ltikara river pointing to the poor knowledge of the proponent regarding the area; and the submission of ultimate depth of mining in RL

in spite of repeated directions to represent the same in MSL. The Committee also found that the environmental quality analysis reports submitted by the proponent are far from satisfactory as the noise analysis was not done during the blasting time and in the water quality analysis reports the units were not seen expressed. Also, in the water analysis graph submitted, data from only one station which is not part of the project site is provided which is irrelevant as there is no scope for comparison in different locations of the project site. As stated by the proponent there is a well in existence in the site at present but the proponent has not submitted the data on this existing well in the site. Moreover, the microbiological quality of the water analysis report showed the absence of bacteria in the samples which the Committee found as not reliable and raised concern on the method of sampling adopted and the data therein provided by the proponent. Hence the Committee directed the proponent to submit the environmental quality analysis reports afresh following standard procedures of sampling and analysis.

The Committee also found that the proponent has not submitted the photographs from four corners of the project site and directed to provide the same. The proponent has provided the Corporate Social Responsibility (CSR) details but the complete break up of proposed CSR activities with areas/institutions for which the same shall be extended has also not been provided and is hence directed to provide the same. The proponent has not provided the cadastral map of the project site duly certified by the Village Officer and was hence directed to provide the same for the total extent of land owned by the proponent in which the present project area is marked. The Committee observed that the provision made for management of drainage is not proper considering the drainage plan shown by the proponent as there is a stream flowing on the southern side of the project site which is not shown in the present plan. Hence, as the extent for quarrying is large, the proponent is directed to provide a master plan for drainage/storm water management incorporating the existing features of the land.

Over and above all, considering three different applications submitted by the same proponent in adjacent areas on the plea that those areas are for three different leases, the Committee had serious apprehensions as to whether there is an intention for fragmenting the land which may have an adverse impact on the environment and it was decided to ascertain the same during site visit. Taking into account the order of the Honourable Supreme Court regarding mining leases considering the deliberate intention of fragmenting the land for evading public hearing, the Committee was of the opinion that even though the three projects of the same proponent are for three different leases, the land coming under those areas are adjoining ones and hence, shall be considered as a single entity. The Committee also opined that the extractable reserves in the entire area should be wisely exploited. A comprehensive study has to be conducted by the proponent for the same for which the Terms of Reference shall be fixed by the Committee, if found necessary after field visit.

The Committee also noticed the following discrepancies/contradictions/shortcomings in the proposal submitted by the proponent and hence directed the proponent to provide point wise clarifications/documents regarding the same with strict directions to avoid such contradictions in future:

- (i) As given in Form 1, about 18,000 tons of top soil is estimated and the same will be stacked separately as and when it is encountered incidental to quarrying and will be used for plantation purpose. But as given in questionnaire, very little top soil is present at the site, and would be used for plantation purpose. As a result, no stockpiling area for top soil is required.

- (ii) As given in Form 1, overburden from the quarry will be used for leveling of roads as the project proponent is also into other infrastructural developmental activities. But in the questionnaire it is stated that since the entire area is more or less covered by charnockite/granite, no overburden is generated from the quarry.
- (iii) As given in col. 1.15 of Form 1, it is stated that there is no liquid effluent, while it is stated in checklist that 'liquid wastes from toilet and office will be treated in septic tank and soak pit'.
- (iv) The quantity of sewage generation is not mentioned.
- (v) The daily water requirement is not specifically mentioned.
- (vi) The total power requirement is also not specifically mentioned.
- (vii) As given in col. 2.2 of Form 1, source of domestic water is given as open well whereas in the presentation made by the proponent it is given as bore well.
- (viii) It is stated in the proposal that there will not be any loss of native species of genetic diversity in this quarry operation, which according to the Committee is a false statement.
- (ix) It is also stated by the proponent that the access road width is maintained minimum 7 m for convenient and easy movement. But during final stage and retreating stage it will be kept only 5 m. The Committee directed the proponent to provide the rationale for the same.
- (x) The proponent has stated that out of an area of 4.7997 hectares of land, fencing of entire lease area with barbed wire, plantation of about 1 hectare will be carried out, bottom portion of the pit will be converted to rain water harvesting pond of about 0.15 hectare and balance area will be retained as a pit with proper fencing. The proponent is directed to provide the detailed break up of proposed land use after mining in this regard.
- (xi) It is stated in the EMP that the project site falls in ESZ -II whereas in ESZ map it is shown as ESZ-III.
- (xii) Copies of land tax receipts for all Sy. Nos. mentioned in the proposal except 261/1 provided. Hence copy of land tax receipt of Sy. No. 261/1 to be provided, if applicable.
- (xiii) Since the proponent has not provided the copies of sale deed it is not clear as to whom the land owns since it is mentioned as 'Chackochan and others' in land tax receipts. Copies of sale deed to prove the ownership of land bearing Sy. Nos. mentioned in the proposal to be provided.
- (xiv) Consent from all other persons having right over land other than authorized signatory to be provided for conducting quarrying activities.
- (xv) Copies of possession certificate not provided.
- (xvi) Copy of quarrying permit granted to the project proponent in Sy. No. 262/1 provided. (But this Sy. No. is not seen in Form 1)
- (xvii) Copy of quarrying permit for all other Sy. nos. except 264/7 provided.

Considering the above, the proposal is DEFERRED for SITE VISIT for assessing the ground realities especially with respect to the total area owned by the proponent to assess whether the three proposals submitted by the proponent in adjacent areas could be treated as a single entity and whether ToR has to be fixed for conducting comprehensive EIA study by considering it as a project coming under Category B1. Since the proponent has stated that out of the total land owned by them some portions are rubber plantations and hence not suitable for mining operations and stated that as one of the reasons why they have submitted different applications for different leases, the Committee also wanted to ascertain the nature of land during site visit in order to ascertain the same and then decide upon as to whether the project should be considered as a single entity or as separate units as given

now. The proponent is also directed to provide the following to SEAC for further consideration of the proposal:

1. Clarification in writing as to whether Sy. No. 261/1 or 262/1 is part of present proposal.
2. Clarification in writing regarding the proximity of forest area to the project site.
3. Affidavit from the Environmental Consultant undertaking responsibility for the proposal in stamp paper, with details of the project including the Sy. Nos., name of the project proponent with firm, if any, and location of the project.
4. Fresh analysis reports on air, water and noise quality. Noise levels to be analyzed during blasting time and water analysis to be done in samples taken from at least four different locations in the project site and from all the wells in the area.
5. Photographs from four different corners of the project site with digital dates of the camera.
6. Cadastral map, duly certified by Village Officer, for the total extent of land owned by the proponent in which the present project area is marked.
7. Master plan for drainage/storm water management incorporating the existing features of the land.
8. Fresh notarized affidavit incorporating details of the project including survey numbers, from the partners of M/s Aiswarya Granites authorizing Mr. Tinson John, Managing Partner of the firm, to be provided as proof of authorized signatory.
9. Ultimate depth of mining in MSL.
10. The detailed break up of proposed CSR activities with areas/institutions for which the same shall be extended.
11. Point wise clarifications/documents regarding items (i) to (xvi) above.

**Item No. 20.05**      **Application for obtaining environmental clearance for the proposed building stone quarry project in Survey Nos. 126/2-1, 2-2, 3-3, 127/5-2, 5-3, 8 and 129/4 at Elamadu Village, Kottarakkara Taluk, Kollam District, Kerala by M/s Aiswarya Granites (File No. 128/SEIAA/KL/2369/2013)**

The project proponent made a brief presentation of the proposal. As given in questionnaire, the proposed project site falls within  $8^{\circ}52' 39.5''$  N to  $8^{\circ} 52' 51.3''$  N and  $76^{\circ} 49' 30.00''$  E to  $76^{\circ} 49' 42.7''$  E, which is different from the co-ordinates given in quarry plan. Hence the proponent is directed to provide correct GPS readings of the project site in writing stating whether it falls in any ESZ. The Committee pointed out many factual errors in the proposal and warned the environmental consultant to be more careful while presenting facts before a statutory body. The consultant was also directed to submit the affidavit undertaking responsibility for the proposal in stamp paper, with details of the project including the Sy. Nos., name of the project proponent with firm, if any and location of the project, hereafter. It is stated in the questionnaire that there is a forest land adjacent to the lease area which is towards north east of lease area which is not mentioned in Form 1. To this end the proponent stated that there is no forest nearby and it is a factual error from their part. Hence the proponent is directed to provide clarification in writing regarding the proximity of forest land to the project site. Regarding proof of authorized signatory the proponent has provided notarized affidavit from the partners of M/s Aishwarya Granites authorizing Mr. Tinson John, Managing Partner of the firm. But it is not acceptable as the details of the project are not mentioned in it. The Committee also raised their strong displeasure in the typographical errors/factual errors noticed in the application submitted, especially with respect to the mentioning of Lttikara river pointing to the poor

knowledge of the proponent regarding the area; submission of ultimate depth of mining in RL in spite of repeated directions to represent the same in MSL, mentioning of distance of the mining area from the nearest human settlement as 1.5 m in the proposal and 1.5 km in checklist, and incorrect GPS readings of the location of the project site provided in the application which is a grave mistake from the part of the proponent. The Committee also found that the environmental quality analysis reports submitted by the proponent are far from satisfactory as the noise analysis was not done during the blasting time and in the water quality analysis reports the units were not seen expressed. Also, in the water analysis graph submitted, data from only one station which is not part of the project site is provided which is irrelevant as there is no scope for comparison in different locations of the project site. As stated by the proponent there is a well in existence in the site at present but the proponent has not submitted the data on this existing well in the site. Moreover, the microbiological quality of the water analysis report showed the absence of bacteria in the samples which the Committee found as not reliable and raised concern on the method of sampling adopted and the data therein provided by the proponent. Hence the Committee directed the proponent to submit the environmental quality analysis reports afresh following standard procedures of sampling and analysis.

The Committee also found that the proponent has not submitted the photographs from four corners of the project site and directed to provide the same. The proponent has provided the CSR details but the complete break up of proposed CSR activities with areas/institutions for which the same shall be extended has also not provided and is hence directed to provide the same. The proponent has not provided the cadastral map of the project site duly certified by the Village Officer and was hence directed to provide cadastral map for the total extent of land owned by the proponent in which the present project area is marked. The Committee observed that the provision made for management of drainage is not proper considering the drainage plan shown by the proponent. Hence, as the extent for quarrying is large, the proponent is directed to provide a master plan for drainage/storm water management incorporating the existing features of the land.

Over and above all, considering three different applications submitted by the same proponent in adjacent areas on the plea that those areas are for three different leases, the Committee had serious apprehensions as to whether there is an intention for fragmenting the land which may have an adverse impact on the environment and it was decided to ascertain the same during site visit. Taking into account the order of the Honourable Supreme Court regarding mining leases considering the deliberate intention of fragmenting the land for evading public hearing, the Committee was of the opinion that even though the three projects of the same proponent are for three different leases, the land coming under those areas are adjoining ones and hence shall be considered as a single entity. The Committee also opined that the extractable reserves in the entire area should be wisely exploited. A comprehensive study has to be conducted by the proponent for the same for which the Terms of Reference shall be fixed by the Committee, if found necessary after field visit.

The Committee also noticed the following discrepancies/contradictions/shortcomings in the proposal submitted by the proponent and hence directed the proponent to provide point wise clarifications/documents regarding the same with strict directions to avoid such contradictions in future:

- (i) As given in Form 1, overburden from the quarry will be used for leveling of roads as the project proponent is also into other infrastructural developmental activities. But in the questionnaire it is stated that since the entire area is more or less covered by charnockite/granite, no overburden is generated from the quarry.

- (ii)
- (iii) As given in col. 1.15 of Form 1, it is stated that there is no liquid effluent, while it is stated in checklist that 'liquid wastes from toilet and office will be treated in septic tank and soak pit'.
- (iv) As given in col. 2.2 of Form 1, source of domestic water is given as open well whereas in the presentation made by the proponent it is given as bore well.
- (v) The quantity of sewage generation is not mentioned.
- (vi) The daily water requirement is not specifically mentioned.
- (vii) The total power requirement is also not specifically mentioned.
- (viii) It is stated in the proposal that there will not be any loss of native species of genetic diversity in this quarry operation, which according to the Committee is a false statement.
- (ix) It is also stated by the proponent that the access road width is maintained minimum 7 m for convenient and easy movement. But during final stage and retreating stage it will be kept only 5 m. The Committee directed the proponent to provide the rationale for the same.
- (x) The proponent has stated that out of an area of 4.7012 hectares of land, fencing of entire lease area with barbed wire, plantation of about 1.4320 hectare will be carried out, bottom portion of the pit will be converted to rain water harvesting pond of about 0.1250 hectare and balance area will be retained as a pit with proper fencing. The proponent is directed to provide the detailed break up of proposed land use after mining in this regard.
- (xi) It is stated in the EMP that the project site falls in ESZ -II whereas in ESZ map it is shown as ESZ-III.
- (xii) Since the proponent has not provided the copies of sale deed it is not clear as to whom the land owns since it is mentioned as 'Chackochan and others' in land tax receipts. Copies of sale deed to prove the ownership of land bearing Sy. Nos. mentioned in the proposal to be provided.
- (xiii) Copies of land tax receipts for all Sy. Nos. mentioned in the proposal provided which shows that the land is owned by many persons. Hence, consent from all other persons other than authorized signatory to conduct quarrying activities to be provided.
- (xiv) Copies of possession certificate not provided.

Considering the above, the proposal is DEFERRED for SITE VISIT for assessing the ground realities especially with respect to the total area owned by the proponent to assess whether the three proposals submitted by the proponent in adjacent areas could be treated as a single entity and whether ToR has to be fixed for conducting comprehensive EIA study by considering it as a project coming under Category B1. Since the proponent has stated that out of the total land owned by them some portions are rubber plantations and hence not suitable for mining operations and stated that as one of the reasons why they have submitted different applications for different leases, the Committee also wanted to ascertain the nature of land during site visit in order to ascertain the same and then decide upon as to whether the project should be considered as a single entity or as separate units as given now. The proponent is also directed to provide the following to SEAC for further consideration of the proposal:

1. Correct GPS readings of the project site in writing stating whether it falls in any ESZ.
2. Clarification in writing regarding the proximity of forest area to the project site.
3. Affidavit from the Environmental Consultant undertaking responsibility for the proposal in stamp paper, with details of the project including the Sy. Nos., name of the project proponent with firm, if any, and location of the project.

4. Fresh analysis reports on air, water and noise quality. Noise levels to be analyzed during blasting time and water analysis to be done in samples taken from at least four different locations in the project site and from all the wells in the area.
5. Photographs from four different corners of the project site with digital dates of the camera.
6. Cadastral map, duly certified by Village Officer, for the total extent of land owned by the proponent in which the present project area is marked.
7. Master plan for drainage/storm water management incorporating the existing features of the land.
8. Fresh notarized affidavit incorporating details of the project including survey numbers, from the partners of M/s Aiswarya Granites authorizing Mr. Tinson John, Managing Partner of the firm, to be provided as proof of authorized signatory.
9. Ultimate depth of mining in MSL.
10. Distance of the mining area from the nearest human settlement.
11. The detailed break up of proposed CSR activities with areas/institutions for which the same shall be extended.
12. Point wise clarifications/documents regarding items (i) to (xii) above.

**Item No. 20.06                      Application for obtaining environmental clearance for the proposed building stone quarry project in Survey Nos. 127/6, 127/7 and 119/1 at Elamadu Village, Kottarakkara Taluk, Kollam District, Kerala by M/s Aiswarya Granites (File No. 129/SEIAA/KL/2370/2013)**

The project proponent made a brief presentation of the proposal. The proposed project site falls within 8<sup>0</sup>52' 42.03" N to 8<sup>0</sup> 52' 48.7" N and 76<sup>0</sup> 49' 34. 3" E to 76<sup>0</sup> 49' 41.34" E and does not fall in ESZ-1. During presentation, the Committee found that the Sy. Nos. shown in the presentation differed from those provided in the application and hence directed the proponent to provide the correct Sy. Nos. of the project site. The Committee pointed out many factual errors in the proposal and warned the Environmental Consultant to be more careful while presenting facts before a statutory body. The Consultant was also directed to submit the affidavit undertaking responsibility for the proposal in stamp paper, with details of the project including the Sy. Nos., name of the project proponent with firm, if any and location of the project, hereafter. It is stated in the questionnaire that there is a forest land adjacent to the lease area which is towards north east of lease which is not mentioned in Form 1. To this end the proponent stated that there is no forest nearby and it is a factual error from their part. Hence the proponent is directed to provide clarification in writing regarding the proximity of forest land to the project site. Regarding proof of authorized signatory the proponent has provided notarized affidavit from the partners of M/s Aiswarya Granites authorizing Mr. Tinson John, Managing Partner of the firm. But it is not acceptable as the details of the project are not mentioned in it. The Committee also raised their strong displeasure in the typographical errors/factual errors noticed in the application submitted, especially with respect to the mentioning of Lttikara river pointing to the poor knowledge of the proponent regarding the area; submission of ultimate depth of mining in RL in spite of repeated directions to represent the same in MSL and mentioning of distance of the mining area from the nearest human settlement as 1.5 m in the proposal and 1.5 km in checklist. The Committee also found that the environmental quality analysis reports submitted by the proponent are far from satisfactory as the noise analysis was not done during the blasting time and in the water quality analysis reports the units were not seen expressed. Also, in the

water analysis graph submitted, data from only one station which is not part of the project site is provided which is irrelevant as there is no scope for comparison in different locations of the project site. As stated by the proponent there is a well in existence in the site at present but the proponent has not submitted the data on this existing well in the site. Moreover, the microbiological quality of the water analysis report showed the absence of bacteria in the samples which the Committee found as not reliable and raised concern on the method of sampling adopted and the data therein provided by the proponent. Hence the Committee directed the proponent to submit the environmental quality analysis reports afresh following standard procedures of sampling and analysis.

The Committee also found that the proponent has not submitted the photographs from four corners of the project site and directed to provide the same. The proponent has provided the CSR details but the complete break up of proposed CSR activities with areas/institutions for which the same shall be extended has also not provided and is hence directed to provide the same. The proponent has not provided the cadastral map of the project site duly certified by the Village Officer and was hence directed to provide cadastral map for the total extent of land owned by the proponent in which the present project area is marked. Since the proponent has stated that the land use classification as per revenue record is Government Revenue land, it was directed to provide clarification regarding the extent of Government land and the land owned by the proponent. The Committee observed that the provision made for management of drainage is not proper considering the drainage plan shown by the proponent. Hence, as the extent for quarrying is large, the proponent is directed to provide a master plan for drainage/storm water management incorporating the existing features of the land. Also, the Committee found that the biodiversity listing of flora and fauna provided by the proponent is not authentic and is with lot of errors as the vernacular names of certain animals are given as Phasianidae, Meropidae, among others and hence directed to provide site specific authentic biodiversity listing of flora and fauna.

Over and above all, considering three different applications submitted by the same proponent in adjacent areas on the plea that those areas are for three different leases, the Committee had serious apprehensions as to whether there is an intention for fragmenting the land which may have an adverse impact on the environment and it was decided to ascertain the same during site visit. Taking into account the order of the Honourable Supreme Court regarding mining leases considering the deliberate intention of fragmenting the land for evading public hearing, the Committee was of the opinion that even though the three projects of the same proponent are for three different leases, the land coming under those areas are adjoining ones and hence shall be considered as a single entity. The Committee also opined that the extractable reserves in the entire area should be wisely exploited. A comprehensive study has to be conducted by the proponent for the same for which the Terms of Reference shall be fixed by the Committee, if found necessary after field visit.

The Committee also noticed the following discrepancies/contradictions/shortcomings in the proposal submitted by the proponent and hence directed the proponent to provide point wise clarifications/documents regarding the same with strict directions to avoid such contradictions in future:

- (i) As given in Form 1, about 1800 tons of top soil is estimated and the same will be stacked separately as and when it is encountered incidental to quarrying and will be used for plantation purpose. But as given in questionnaire, very little top soil is present at the site, and would be used for plantation purpose. As a result, no stockpiling area for top soil is required.

- (ii) As given in Form 1, overburden from the quarry will be used for leveling of roads as the project proponent is also into other infrastructural developmental activities. But in the questionnaire it is stated that since the entire area is more or less covered by charnockite/granite, no overburden is generated from the quarry.
- (iii) As given in col. 1.15 of Form 1, it is stated that there is no liquid effluent, while it is stated in checklist that 'liquid wastes from toilet and office will be treated in septic tank and soak pit'.
- (iv) As given in col. 2.2 of Form 1, source of domestic water is given as open well whereas in the presentation made by the proponent it is given as bore well.
- (v) The quantity of sewage generation is not mentioned.
- (vi) The daily water requirement is not specifically mentioned.
- (vii) The total power requirement is also not specifically mentioned.
- (viii) It is stated in the proposal that there will not be any loss of native species of genetic diversity in this quarry operation, which according to the Committee is a false statement.
- (ix) It is also stated by the proponent that the access road width is maintained minimum 7 m for convenient and easy movement. But during final stage and retreating stage it will be kept only 5 m. The Committee directed the proponent to provide the rationale for the same.
- (x) The proponent has stated that out of an area of 1.6240 hectares of land, fencing of entire lease area with barbed wire, plantation of about 0.5160 hectare will be carried out, bottom portion of the pit will be converted to rain water harvesting pond of about 0.0250 hectare and balance area will be retained as a pit with proper fencing. The proponent is directed to provide the detailed break up of proposed land use after mining in this regard.
- (xi) It is stated in the EMP that the project site falls in ESZ -II whereas in ESZ map it is shown as ESZ-III.

Considering the above, the proposal is DEFERRED for SITE VISIT for assessing the ground realities especially with respect to the total area owned by the proponent to assess whether the three proposals submitted by the proponent in adjacent areas could be treated as a single entity and whether ToR has to be fixed for conducting comprehensive EIA study by considering it as a project coming under Category B1. Since the proponent has stated that out of the total land owned by them some portions are rubber plantations and hence not suitable for mining operations and stated that as one of the reasons why they have submitted different applications for different leases, the Committee also wanted to ascertain the nature of land during site visit in order to ascertain the same and then decide upon as to whether the project should be considered as a single entity or as separate units as given now. The proponent is also directed to provide the following to SEAC for further consideration of the proposal:

1. Correct survey numbers of the project site.
2. Clarification in writing regarding the proximity of forest area to the project site.
3. Site specific authentic biodiversity listing of flora and fauna.
4. Affidavit from the Environmental Consultant undertaking responsibility for the proposal in stamp paper, with details of the project including the Sy. Nos., name of the project proponent with firm, if any, and location of the project.
5. Fresh analysis reports on air, water and noise quality. Noise levels to be analyzed during blasting time and water analysis to be done in samples taken from at least four different locations in the project site and from all the wells in the area.

6. Photographs from four different corners of the project site with digital dates of the camera.
7. Cadastral map, duly certified by Village Officer, for the total extent of land owned by the proponent in which the present project area is marked.
8. Clarification regarding the extent of Government land and the land owned by the proponent.
9. Master plan for drainage/storm water management incorporating the existing features of the land.
10. Fresh notarized affidavit incorporating details of the project including survey numbers, from the partners of M/s Aishwarya Granites authorizing Mr. Tinson John, Managing Partner of the firm, to be provided as proof of authorized signatory.
11. Ultimate depth of mining in MSL.
12. Distance of the mining area from the nearest human settlement.
13. The detailed break up of proposed CSR activities with areas/institutions for which the same shall be extended.
14. Point wise clarifications/documents regarding items (i) to (x) above.

**Item No. 20.07      Application for obtaining environmental clearance for the proposed quarry project in Survey Nos. 81 pt, 82 pt, 83 pt and 84 pt at Cherpulassery Village and Panchayath, Ottappalam Taluk, Palakkad District, Kerala by M/s Hywel Granites (File No. 124/SEIAA/KL/2334/2013)**

The project proponent made a brief presentation of the proposal. The proposed project site falls within 10<sup>0</sup> 53' 47.08" N to 10<sup>0</sup> 53' 58.08" N and 76<sup>0</sup> 16' 42.88" E to 76<sup>0</sup> 16' 56.95" E and does not fall in ESZ-1. The Committee noticed that the proponent had earlier submitted application for Environmental Clearance for some areas coming under this proposal which was considered by SEAC and on the advice of considering applying for contiguous area without fragmentation of the site was further deferred for site inspection and seeking additional clarifications. Since the proponent has not responded to the queries of SEAC within the stipulated time of 60 days, the application was delisted. Now the proponent has submitted a fresh application increasing the total extent of mining area than the earlier application. During the site inspection conducted by a subcommittee of SEAC to the present project earlier on 17<sup>th</sup> May 2013, certain suggestions were made to manage the storm water and overburden. The Committee found that those required items were addressed in the present proposal submitted by the proponent.

Regarding proof of ownership of land, the proponent has provided copies of land tax receipt for all Sy. Nos mentioned in the proposal. The Committee found that two land tax receipts are given for Sy. No. 81 in which one Sy. No. is owned by Suma Joseph and other Sy. No. is owned by 2 persons wherein one person is a minor whose guardian is written as Mr. Joseph in the land tax receipt. But in the sale deed, the guardian of the minor is given as Jissmol Joseph and Jissmol Joseph has given consent on behalf of the minor for conducting quarrying activities. So the Committee sought clarification as to who is the guardian of the minor and directed the proponent to submit consent from real guardian of the minor to conduct quarrying activities in the site, after confirming the same. The Committee also found that the proponent has not submitted the assurance in the form of affidavit that 10 percent of the annual profit of the firm shall be set aside towards Corporate Social Responsibility, as committed before SEAC earlier. It was also found that the Resolution passed at the meeting of partners of M/s Hywel Granites authorizing Mr. Jassin Joseph provided by

the proponent regarding the proof of authorized signatory is not acceptable as the details of the project are not specified in it. Moreover, the ultimate depth of mining is given as 70 m MSL in Form 1 and 75 m MSL in checklist and the basic information provided by the proponent. To this end the proponent stated that the ultimate depth of mining for the present project is 70 m MSL. However, the proponent stated that they shall address all the shortcomings pointed out by SEAC and submit the requisite documents that day itself.

Later, in the afternoon, the proponent submitted the following documents as directed by SEAC:

1. Assurance in the form of affidavit that the ultimate depth of mining will be 70 m.
2. Resolution passed at the meeting of partners of M/s Hywel Granites authorizing Mr. Jassin Joseph, specifying the details of the project.
3. Assurance in the form of affidavit that 10 percent of the annual profit of the firm shall be set aside towards Corporate Social Responsibility.

The Committee verified the documents submitted by the proponent which were found to be satisfactory. But the Committee found that the proponent has not provided the consent from the real guardian of the minor for conducting quarrying activities in the land owned by the minor. Considering the above, it is stipulated that the proponent has to submit the following document to SEAC/SEIAA Secretariat for filing purposes:

- Declaration in stamp paper from the real guardian of the minor who owns Sy. No. 81 stating that he is the guardian of the minor and his consent on behalf of the minor to conduct quarrying activities in the land owned by the minor.

The proposal is RECOMMENDED for Environmental Clearance as per usual general conditions for mining projects in addition to the following specific conditions:

1. A check dam may be provided to arrest the storm water and clarify it before letting it outside.
2. The overburden dump must be provided with retaining walls.
3. Vegetative stabilization of the overburden must be carried out with indigenous species.

The appraisal report is approved by the Committee for forwarding to SEIAA.

**Item No. 20.08**      **Application for obtaining environmental clearance for the proposed quarry project in Survey Nos. 2/2, 5/2 at Lakkidi-Perrur 1<sup>st</sup> Village and Panchayath, Ottapalam Taluk, Palakkad District, Kerala by M/s Valluvanad Granites (File No. 125/SEIAA/KL/2335/2013)**

The project proponent made a brief presentation of the proposal. The proposed project site falls within 10<sup>o</sup> 48' 0.28" N to 10<sup>o</sup> 48' 06.30" N and 76<sup>o</sup> 24' 55.70" E to 76<sup>o</sup> 25' 8.49" E and does not fall in ESZ-1. The Committee found that the proponent has stated in the proposal that the blasting shall be done only once, at 4 pm, in a day. When asked to the proponent regarding this, the proponent stated that blasting is proposed twice a day, at 12 pm and at 4 pm. Hence, the Committee sought assurance from the proponent regarding the same. The Committee also found that no specific place is designated for the storage of overburden and hence directed the proponent to specify a location place for stacking it properly. The proponent stated that they shall provide assurance regarding the same. Considering the present working benches of height greater than 5 m, the Committee directed

the proponent to reduce the bench height to 5 m. The Committee found that the proponent has not properly addressed the management of storm water and hence directed to provide a check dam to clarify the storm water before leaving the site. The proponent assured it and Committee directed to submit affidavit regarding the same for filing purpose. The Committee also suggested the proponent to maintain the existing greenery in the adjacent areas as such. Since the proposed project site is adjacent to the village boundary, the proponent is also directed to leave a safe buffer distance of 15 m from the same without conducting quarrying activities and to provide assurance regarding the same. The Committee found that the proponent has submitted consent from the real owners of land bearing Sy. Nos. mentioned in the proposal to conduct quarrying activities for 70 years. The proponent stated that they shall address all the shortcomings pointed out by SEAC and submit the following requisite documents that day itself.

1. Assurance in the form of affidavit that blasting time shall be limited to twice a day – i.e., at 12 pm and 4 pm only.
2. Assurance in the form of affidavit that overburden shall be stacked properly in the site at designated places.
3. Assurance in the form of affidavit that a check dam shall be constructed to clarify the storm water before leaving the site.
4. Assurance in the form of affidavit that bench height shall be maintained at 5 m.
5. Assurance in the form of affidavit that a safe buffer distances of 15 m shall be left from the village boundary without conducting mining activities.

Later, in the afternoon, the proponent submitted items (1) to (5) above as directed by SEAC, which were found to be satisfactory, on verification, by the Committee. The Committee also found that even though the proponent has submitted affidavit regarding leaving of buffer distance of 15 m from the village boundary, it is stated in the affidavit that the safety distance will be set aside as the mining area, which the Committee found as not acceptable since the safety distance should be maintained as non-mining area.

Considering the above, it is stipulated that the proponent has to submit the following document to SEAC/SEIAA Secretariat for filing purposes:

1. Assurance in the form of affidavit that a safe buffer distance of 15 m shall be left from the village boundary without conducting mining activities.

The proposal is RECOMMENDED for Environmental Clearance under the usual General Conditions for mining projects along with the following specific condition:

1. The existing greenery should be maintained.

The appraisal report is approved by the Committee for forwarding to SEIAA.

**Item No. 20.09**      **Application for obtaining environmental clearance for the proposed building stone quarry project in Survey Nos. 78/2A at Kumaranellur Village, Kozhikode Taluk, Kozhikode District, Kerala by M/s Profile Granite (File No. 130/SEIAA/KL/2437/2013)**

The project proponent made a brief presentation of the proposal. As given in pre-feasibility report, the proposed project site falls within 11<sup>0</sup>18' 29.6" N to 11<sup>0</sup> 18' 16.956" N and 76<sup>0</sup>01' 19.920"

E to 76° 01' 25.320" E, which is different from the co-ordinates given in quarry plan. Hence the proponent is directed to provide correct GPS readings of the project site in writing stating whether it falls in any ESZ. The proponent has stated that part of the pit of 0.500 hectare will be converted into water pond / rain water harvest pond and the balance pit will be retained as a pit which will not be reclaimed in any manner because the deposit is not exhausted completely. The Committee reiterated that this is not permissible as the proponent has suggested retaining the majority of mining area to be retained as a pit on the plea that the deposits are not exhausted completely. Hence the proponent is directed to provide revised details on the mine closure plan giving thrust to eco-restoration in the maximum possible way. The Committee pointed out many factual errors in the proposal and warned the Environmental Consultant to be more careful while presenting facts before a statutory body. The Consultant was also directed to submit the affidavit undertaking responsibility for the proposal in stamp paper, with details of the project including the Sy. Nos., name of the project proponent with firm, if any and location of the project, hereafter. The Committee asked the proponent why their block reserves are more than the mineable reserves. To this end the proponent stated that the 5x5 benches are more in the project site and hence block reserves are more. The Committee also raised their strong displeasure in the typographical errors/factual errors noticed in the application submitted, especially with respect to the submission of ultimate depth of mining in RL in spite of repeated directions to represent the same in MSL and incorrect GPS readings of the location of the project site provided in the application which is a grave mistake from the part of the proponent. The major concern of the Committee regarding the present project was a major road with comparatively good traffic passing through the northern side of the project site. The Committee was of the opinion that when leaving a buffer distance of 50 m on either side of the road, passing through the middle of the project area, without conducting quarrying activities, the northern side of the project site will become unviable for mining as only a small area will be left for mining. Hence the Committee directed the proponent to exclude the northern portion of the project site without conducting mining activities. The Committee found that as per the contour plan the region is sloping without having proper channels to manage storm water. Hence the proponent is directed to submit provisions to address the same and show the location for collecting storm water in the storm water management plan. Since a high tension line is seen adjacent to the project site, the proponent is directed to provide a safer distance from it as per KSEB guidelines without conducting quarrying activities. The Committee also found that the environmental quality analysis reports submitted by the proponent are far from satisfactory as the noise analysis and air analysis were not done during the blasting time. Also, in the water analysis reports, data from only one station which is not part of the project site is provided which is irrelevant as there is no scope for comparison in different locations of the project site. Hence the proponent is directed to provide water analysis reports of samples taken from four sites within the 500 m zone of lease area. The proponent is also directed to provide the yield of the existing well in the site.

The Committee also found that the proponent has not submitted the photographs from four different corners of the project site and is directed to provide the same. The proponent has provided the details on Corporate Social Responsibility but the detailed break up of proposed CSR activities with areas/institutions for which the same shall be extended has also not provided and is hence directed to provide the same. The proponent has not provided the cadastral map of the project site duly certified by the Village Officer and was hence directed to provide the same marking the exact distance of the project area from the boundary pillars. The Committee found that the biodiversity

listing of flora and fauna is not site-specific and hence directed to provide an authentic report on the same.

The Committee also noticed the following discrepancies/shortcomings in the proposal submitted by the proponent and hence directed the proponent to provide point wise clarifications/documents regarding the same:

- (i) As given in col. 1.15 of Form 1, it is stated that there is no liquid effluent, whereas in checklist it is stated that 'liquid wastes from toilet and office will be treated in septic tank and soak pit'.
- (ii) The quantity of sewage generation is not mentioned.
- (iii) The daily water requirement is not specifically mentioned.
- (iv) The total power requirement is also not specifically mentioned.
- (v) It is also stated by the proponent that the access road width is maintained minimum 7 m for convenient and easy movement. But during final stage and retreating stage it will be kept only 5 m. The Committee directed the proponent to provide the rationale for the same.
- (vi) Copies of land tax receipts provided as proof of ownership of land lacks clarity as the names of all persons who owns the Sy. No. 78/2A is not given in that. It shows that the land is owned by many persons. As stated in affidavit regarding proof of ownership of land, the land bearing Sy. No. 78/2A is not in the name of the company but owned by 5 persons including the authorized signatory.
- (vii) As seen from the partnership deed, the land is owned by 5 persons including the authorized signatory, but consent to conduct quarrying activities from other 4 persons not provided.
- (viii) Resolution from the partners regarding authorization given to the project proponent not provided.
- (ix) The affidavit regarding authorization given to Mr. Habeeb Rahman P.M., Managing Partner, M/s Profile Granite provided is not acceptable as names of 3 partners are given at the back page of stamp paper. Moreover, in the affidavit the details of the project and authorization to sign all the documents / to do all acts and deeds on behalf of the firm before SEIAA are not given. Hence a fresh affidavit addressing all these has to be provided.
- (x) In check list it is stated that certificate of incorporation is enclosed at pg. nos. 146-147 but it is not provided. Hence notarized copy of Certificate of Incorporation of the firm to be provided.

The Committee also found that another project of a different proponent is having the same Sy. No. and location as of this project. To this end the proponent stated that it is because those said areas are part of a big hill which has been given to different persons but since the resurvey of the land is not carried out yet, that large area still remains as Sy. No. 78/2A. The Committee wanted to ascertain the same during site visit.

Considering the above, the proposal is DEFERRED for SITE VISIT for assessing the ground realities especially to ascertain the extent of Sy. No. 78/2A and to find out the quarries coming under that Sy. No. The proponent is also directed to provide the following to SEAC for further consideration of the proposal:

1. Correct GPS readings of the project site in writing stating whether it falls in any ESZ.
2. Revised details on the mine closure plan giving thrust to eco-restoration in the maximum possible way.
3. Affidavit from the Environmental Consultant undertaking responsibility for the proposal in stamp paper, with details of the project including the Sy. Nos., name of the project proponent with firm, if any, and location of the project.
4. Water analysis reports of samples taken from four sites within the 500 m zone of lease area.

5. Yield of the existing well in the site.
6. Air and noise analysis taken during blasting time.
7. Photographs from four different corners of the project site with digital dates of the camera.
8. Cadastral map, duly certified by Village Officer, marking the exact distance of the project area from the boundary pillars.
9. Ultimate depth of mining in MSL.
10. Assurance in the form of affidavit that the northern portion of the project site shall be excluded from the present project without conducting mining activities considering the non-viability of extracting resources from the area after leaving 50 m safe buffer distance (without conducting quarrying activities) on either side of the road passing through the middle of the project site.
11. Assurance in the form of affidavit that a safe buffer distance as per KSEB guidelines shall be left from the nearby high tension line without conducting quarrying activities.
12. Site specific authentic report on the biodiversity listing of flora and fauna.
13. Revised storm water management plan showing the location to collect the same, taking into account the slope of the region.
14. The detailed break up of proposed CSR activities with areas/institutions for which the same shall be extended.
15. Point wise clarifications/documents regarding items (i) to (x) above.

**Item No. 20.10      Application for obtaining environmental clearance for the quarry project in Survey Nos. 75/2, 75/3 and 75/4, Block No. 16, at Muttom Village and Panchayath, Thodupuzha Taluk, Idukki District, Kerala by Mr. Denny Joseph (File No. 134/SEIAA/KL/2562/2013)**

The project proponent made a brief presentation of the proposal. The proposed project site falls within 9° 50' 00.39" N to 9° 50' 08.07" N and 76° 43' 17.91" E to 76° 43' 22.96" E and does not fall in ESZ-1. The Committee found that Sy. No. 75/2 on eastern side of the project site (and part of the present proposal) is adjacent to Government land and is steeply sloping. Considering the steeply sloping nature of the said land, its proximity to Government land and the very less quantity of extractable reserves in the area, the Committee was of the opinion that quarrying cannot be permitted in that area and hence directed the proponent to leave the Sy. No. 75/2 as buffer zone without conducting quarrying activities. The Committee asked the proponent regarding a big building seen on the northern side of the project site, as seen from the google image. To this end the proponent stated that there is a school and church near the project site. At this juncture, the Committee decided to suggest leaving a buffer distance of 500 m from educational institutions without conducting quarrying activities hereafter. The Committee also noticed that the proponent has not made provisions to address dust emissions and hence directed to make provisions for effective dust suppression. The Committee found that the Sy. Nos. mentioned in the proposal cannot be traced in the copies of sale deed provided as proof of ownership of land and hence the proponent is directed to provide either clarification in writing regarding the same or the sale deed with Sy. Nos. mentioned in the proposal.

Considering the above, the proposal is DEFERRED FOR SITE VISIT to assess the ground realities especially with respect to its proximity to the Government land and assessing the topography of the project site 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 Sy. No. 75/2 shall be left as buffer zone without conducting quarrying activities.

2. Assurance in the form of affidavit that a safe buffer distance of 500 m shall be left from the educational institutions without conducting quarrying activities.
3. Provisions for dust suppression.
4. Since the Sy. Nos. mentioned in the proposal cannot be traced in the copies of sale deed provided as proof of ownership of land, either clarification in writing regarding the same or the sale deed with Sy. Nos. mentioned in the proposal has to be provided.

**Item No. 20.11**      **Application for obtaining environmental clearance for the building stone quarry project in Survey Nos. 540/1-1-127, 540/1-1-128, 540/1-1-129, 540/1-1-126 (2339), 540/1-1-126 (2329) and 540/1-1-129 (2338) at Aruvappulam Village, Kozhencherry Taluk, Pathanamthitta District, Kerala by M/s SKG Granites & Quarries Pvt. Ltd. (File No. 133/SEIAA/KL/2560/2013)**

The project proponent made a brief presentation of the proposal. As given in pre-feasibility report, the proposed project site falls within  $9^{\circ}10' 50.93''$  N to  $9^{\circ}10' 58.82''$  N and  $76^{\circ}53' 01.73''$  E to  $76^{\circ}53' 12.62''$  E, which is different from the co-ordinates given in quarry plan. Hence the proponent is directed to provide correct GPS readings of the project site in writing stating whether it falls in any ESZ. The Committee pointed out many factual errors in the proposal and warned the Environmental Consultant to be more careful while presenting facts before a statutory body. The Consultant was also directed to submit the affidavit undertaking responsibility for the proposal in stamp paper, with details of the project including the Sy. Nos., name of the project proponent with firm, if any and location of the project, hereafter. It is stated in the questionnaire that there is a forest at 3.5 kms from the lease area, but the same is not mentioned in Form 1. To this end the proponent stated that there is no forest nearby and it is a factual error on their part. Hence the proponent is directed to provide clarification in writing regarding the proximity of forest land to the project site. The Committee found that the proponent has stated in Form 1 that the land use classification as per revenue record is private patta land and Government land. But in the split-up of land given in pre-feasibility report the Sy. Nos. coming under Government land is not mentioned. Moreover, the copy of land tax receipts show that the land is owned by the project proponent. When clarification was sought from the proponent in the matter, it was stated that there is no Government land in the present project and the inclusion of the same in Form 1 is a mistake from their part. Hence the Committee directed the proponent to submit a declaration in writing stating that only private land is involved in the present project and no Government land is involved. The Committee also found that the proponent has not circulated the copy of cadastral map of the project site (submitted to the Secretariat of SEAC) to all SEAC members for assessment, which is a major lapse from the part of the proponent. Hence the proponent is directed to submit cadastral map marking exact distance of the project site from the boundaries of the lease area. It was also found that Sy. No. 540/1-1-126 (2329) is not marked in the area survey plan provided by the proponent. Hence the proponent is directed to provide area survey plan marking all survey numbers mentioned in the proposal. The proponent has also not provided the details on the distance of the project site from the nearby settlements, road, etc within 500 m radius of the project site. The proponent is directed to provide details regarding the same. Regarding proof of authorized signatory the proponent has provided notarized affidavit from the Directors of M/s SKG Granites & Quarries Pvt. Ltd. authorizing Mr. Sunil Kumar, Managing Director of the firm. But it is not acceptable as the details of the project are not mentioned in it. The

Committee also raised its strong displeasure in the typographical errors/factual errors noticed in the application submitted, especially with respect to the mentioning of the expected life of mine as 5 years in pre-feasibility report and as 8 years in quarry plan, submission of ultimate depth of mining in RL in spite of repeated directions to represent the same in MSL, mentioning of distance of the mining area from the nearest human settlement as 1 km in checklist and 1.5 km in pre-feasibility report, and incorrect GPS readings of the location of the project site provided in the application which is a grave mistake from the part of the proponent. Regarding proof of ownership of land the proponent has not provided the copies of possession certificate and sale deed and is directed to provide the same. The proponent has provided the CSR details but the complete break up of proposed CSR activities with areas/institutions for which the same shall be extended has also not provided and is hence directed to provide the same.

The Committee found that the proponent owns a large mineable area out of which clearance is sought at present only for 3.9661 hectares. Clarification was sought from the proponent regarding this. To this end the proponent stated that as they have different leases for the land owned by them they have submitted the present application due to some misleading information that a buffer distance of 20 m should be kept from adjacent quarries having separate leases. The Committee stated that even though a buffer distance of 15 m has to be left from the adjacent quarry, the same is not applicable if the entire land belongs to the same person. Hence, the Committee directed the proponent to submit a fresh application clubbing the total mining area owned by him in contiguous areas (even if the leases are different) and the present proposed area, addressing the shortcomings pointed out in the present proposal while resubmitting the application. Understanding the anticipated loss of extractable reserves by leaving the buffer distance between quarries of separate leases of the same person, the proponent agreed to submit a fresh application for the entire contiguous areas owned by him as one unit. Considering the above, the Committee decided to DEFER the present proposal and to take the revised application as a fresh one.

The Committee noticed the following discrepancies/contradictions/shortcomings in the proposal submitted by the proponent and hence directed the proponent to address the same while resubmitting the application with strict directions to avoid such contradictions in future:

- (i) As given in Form 1, about 40,500 tons of top soil is estimated and the same will be stacked separately as and when it is encountered incidental to quarrying and will be used for plantation purpose. But as given in questionnaire, very little top soil is present at the site, and would be used for plantation purpose. As a result, no stockpiling area for top soil is required.
- (ii) As given in Form 1, overburden from the quarry will be used for leveling of roads as the project proponent is also into other infrastructural developmental activities. But in the questionnaire it is stated that since the entire area is more or less covered by charnockite/granite, no overburden is generated from the quarry.
- (iii) As given in col. 1.15 of Form 1, it is stated that there is no liquid effluent, while it is stated in checklist that 'liquid wastes from toilet and office will be treated in septic tank and soak pit'.
- (iv) The quantity of sewage generation is not mentioned.
- (v) The daily water requirement is not specifically mentioned.
- (vi) The total power requirement is also not specifically mentioned.
- (vii) It is stated in the proposal that there will not be any loss of native species of genetic diversity in this quarry operation, which according to the Committee is a false statement.

- (viii) It is also stated by the proponent that the access road width is maintained minimum 7 m for convenient and easy movement. But during final stage and retreating stage it will be kept only 5 m. The Committee directed the proponent to provide the rationale for the same.
- (ix) The proponent has stated that out of an area of 3.9661 hectares of land, fencing of entire lease area with barbed wire, plantation of about 0.6500 hectare will be carried out, bottom portion of the pit will be converted to rain water harvesting pond of about 0.0500 hectare and balance area will be retained as a pit with proper fencing. The proponent is directed to provide the detailed break up of proposed land use after mining in this regard.

The proponent is also directed to ensure the following while resubmitting the application:

1. Correct GPS readings of the project site in writing stating whether it falls in any ESZ.
2. Clarification in writing regarding the proximity of forest land to the project site.
3. Declaration in writing stating that only private land is involved in the present project and no Government land is involved.
4. Cadastral map marking exact distance of the project site from the boundaries of the lease area.
5. Details on the distance of the project site from the nearby settlements within 500 m radius (with distance clearly marked from each settlement to the mine lease area), road, etc.
6. Distance of the mining area from the nearest human settlement.
7. Copies of possession certificate and sale deed.
8. Fresh notarized affidavit incorporating details of the project including survey numbers, from the Directors of M/s SKG Granites & Quarries Pvt. Ltd. authorizing Mr. Sunil Kumar, Managing Director of the firm to be provided as proof of authorized signatory.
9. Affidavit from the Environmental Consultant undertaking responsibility for the proposal in stamp paper, with details of the project including the Sy. Nos., name of the project proponent with firm, if any, and location of the project.
10. Area survey plan marking all survey numbers mentioned in the proposal.
11. Ultimate depth of mining in MSL.
12. Expected life of mine
13. The detailed break up of proposed CSR activities with areas/institutions for which the same shall be extended.
14. Point wise clarifications/documents regarding items (i) to (ix) above.

**Item No. 20.12**      **Application for obtaining environmental clearance for the quarry project in Survey No. 172, at Kodyathur Village and Panchayath, Kozhikode Taluk, Kozhikode District, Kerala by M/s The Uralungal Labour Contract Co-operative Society Ltd. No. 10957 (File No. 135/SEIAA/KL/2563/2013)**

The project proponent made a brief presentation of the proposal. The proposed project site falls within 11° 16' 58.03" N to 11° 17' 7.76" N and 76° 02' 05.14" E to 76° 02' 19.99" E and does not fall in ESZ-1. Regarding proof of authorized signatory, even though the proponent has provided copy of resolution passed in the meeting of Board of Directors of M/s The Uralungal Labour Contract Co-operative Society Ltd. No. 10957 authorizing Mr. P. Rameshan, President of the society, the proponent has not provided the copy of certificate regarding the elected members of the Board of Directors of M/s The Uralungal Labour Contract Co-operative Society Ltd. No. 10957

to verify whether those persons signed in the resolution are authorized to do so. The proponent has provided the CSR details but the complete and specific break up of proposed CSR activities with areas/institutions for which the same shall be extended has also not provided and is hence directed to provide the same. The Committee found that a road is passing adjacent to the project site and hence directed the proponent to provide cadastral map marking the exact distance from the road and boundary of Sy. No. 172 of the project site. From the google image of the project site submitted along with the application the Committee felt that the region where storm water pond is marked in the present plan is an undisturbed area. The Committee wanted to ascertain the same during site visit. The Committee found that the proponent has earlier obtained Environmental Clearance for their quarry project in Sy. No. 523/1, 2 at Maruthonkara Village, Maruthonkara Panchayath, Vatakara Taluk, Kozhikode district, Kerala and hence wanted to ascertain whether the proponent has complied with all the conditions stipulated in the EC already issued to them and hence the item is DEFERRED FOR SITE VISIT to assess the same and also directing the proponent to submit the following to SEAC for further consideration of their proposal:

1. Copy of certificate regarding the elected members of the Board of Directors of M/s The Uralungal Labour Contract Co-operative Society Ltd. No. 10957, to verify whether those persons signed in the resolution are authorized to do so.
2. The detailed break up of proposed CSR activities with areas/institutions for which the same shall be extended.
3. Cadastral map marking the exact distance from the road and boundary of Sy. No. 172 of the project site.

**Item No. 20.13**      **Application for obtaining environmental clearance for the quarry project in Survey No. 78/2A at Kumaranellur Village, Karassery Panchayath, Kozhikode Taluk, Kozhikode District, Kerala by M/s Tristar Stone Crusher and Stone Mines (File No. 136/SEIAA/KL/2564/2013)**

The project proponent made a brief presentation of the proposal. The proposed project site falls within  $11^{\circ} 18' 20.04''$  N to  $11^{\circ} 18' 26.76''$  N and  $76^{\circ} 01' 45.19''$  E to  $76^{\circ} 01' 54.17''$  E and does not fall in ESZ-1. The Committee found that the copy of land tax receipt provided by the proponent as proof of ownership of land does not indicate the Sy. No. and is hence not acceptable. It is also not clear from the land tax receipt as to who all are the owners of land bearing Sy. No. 78/2A. Hence, the proponent is directed to submit consent to conduct quarrying activities from the real owners of land bearing Sy. No. 78/2A after ascertaining the same. But, as seen from the copies of sale deed provided by the proponent, the Sy. No. 78/2A is owned by 6 persons including the project proponent and hence consent from all other 5 persons has to be submitted by the proponent (if applicable, after ascertaining the real owners of the Sy. No.). Also, in the affidavit submitted by the proponent regarding proof of ownership of land, it is not clear as to whether those undersigned are witnesses or parties who own the land. Even then, all the undersigned does not possess the land bearing the Sy. No. 78/2A as per the sale deed document.

SEAC observed with concern that the slope in an area of the project site exceeds  $45^{\circ}$  and hence directed the proponent that mining activities should not be done in that area. The Committee also directed the proponent to maintain the existing green belt. The Committee was also doubtful

regarding the proximity of project site to human settlements and directed the proponent to provide a map marking exact distances of all human settlements within 500 m radius of the project site and decided to ascertain the same during site visit.

The Committee also found that another project of a different proponent is having the same Sy. No. and location as of this project. To this end the proponent stated that it is because those said areas are part of a big hill which has been given to different persons but since the resurvey of the land is not carried out yet, that large area still remains as Sy. No. 78/2A. The Committee wanted to ascertain the same during site visit.

Considering the above, the proposal is DEFERRED for SITE VISIT for assessing the ground realities especially to ascertain the extent of Sy. No. 78/2A and to find out the quarries coming under that Sy. No., proximity of project site to human settlements and also to assess the regions with slope greater than 45°. The proponent is also directed to provide the following to SEAC for further consideration of the proposal:

1. Copy of land tax receipt of Sy. No. 78/2A.
2. Consent to conduct quarrying activities from the owners of land bearing Sy. No. 78/2A after ascertaining the real owners of the said survey number.
3. Assurance in the form of affidavit that the existing green belt shall be maintained.
4. Assurance in the form of affidavit that mining activities shall not be done in regions where the slope is greater than 45°.
5. Map (to scale) marking exact distances of all human settlements within 500 m radius of the project site.

**Item No. 20.14**      **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 proponent. The Committee found that the proponent has satisfactorily provided all other additional clarifications except revised map (to scale) marking the exact distance of the project site from the survey boundary pillars precisely defining the proposed mining area, as directed by SEAC. Hence the Committee decided that the proposal shall be forwarded to SEIAA directing the proponent to provide it for filing purpose. The proposal is RECOMMENDED for Environmental Clearance stipulating the following specific conditions:

1. The existing pit should be completely reclaimed and eco-restoration should be taken up at the own cost of the project proponent.
2. Quarrying activities, at any later stages, should not be extended to any part of 6 hectares of land owned by the proponent other than conducting quarrying in the survey numbers mentioned in the present proposal and the area in which mining is done at present.
3. Mining should be done in a top to bottom manner creating benches of 5m x 5 m.

The appraisal report is approved by the Committee for forwarding to SEIAA.

**Item No. 20.15**      **Application for obtaining environmental clearance for the quarry project in Survey Nos. 436/1, 443/1, 443/1-3, 446/3, 446/3-1, 446/4, 447/1, 447/1-2, 447/1-3 and 448/2 at Kottangal Village, Mallapally Taluk, Pathanamthitta District, Kerala by M/s Amity Rocks Products (P) Ltd. (File No. 98/SEIAA/KL/1387/2013)**

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 20<sup>th</sup> July 2013. The Committee found that the proponent has satisfactorily provided all other additional clarifications except notarized affidavit in original regarding the conditions mentioned in the checklist indicating the details of the project (like name, location, survey numbers, etc.), as directed by SEAC. Hence directed the proponent to provide the same for filing purpose.

During site visit, the Committee found that the set back from the forest boundary, marked with pillars, is about 100 m (not measured physically due to dense vegetation cover in the buffer region and steep slope). It was also observed that the drainage from the quarry is channelised into a settling tank. Loose boulder check dams are also provided in the upslope region. Hence it was suggested to provide an additional chamber in the lowermost portion to clarify the turbid water before it is let into the stream.

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

1. 100 m set back should be made from the forest boundary.
2. Additional chamber to be provided in the lowermost portion to clarify the turbid water before it is let into the stream.

The appraisal report is approved by the Committee for forwarding to SEIAA.

**Item No. 20.16**      **Application for obtaining environmental clearance for the residential project “Kent Mahal” in Sy. Nos. 141/3, 141/4, 141/5 and 141/8 at Puthencruz Village, Vadavucode Puthencruz Grama Panchayat, Kunnathunadu Taluk , Ernakulam District, Kerala by M/s Kent Constructions (P) Ltd. (File No. 99/SEIAA/KL/1481/2013)**

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 23<sup>rd</sup> July 2013. On verification of the documents /additional clarifications submitted by the proponent, the following shortcomings are found:

1. The resolution from the Board of Directors of the firm regarding violation is not signed by all directors of the firm.
2. The proponent was asked to provide consent from Shameer Marikkar permitting for construction activities in the survey numbers 141/3, 141/4, 141/5 and 141/8 or to prove ownership of the said land otherwise. To this end the proponent has stated that as per the possession certificate and the land documents, the land is in the absolute possession of M/s Kent Constructions Pvt. Ltd. and no consent is required from

Mr. Shameer Marikkar. The Committee did not find the explanation from the proponent satisfactory as the Committee sought the consent of Mr. Shameer Marikkar based on the following grounds:

- (i) The deed for Sy. Nos. 141/3, 141/4 and 141/5 is in the name of M/s Kent Constructions (P) Ltd. represented by its Director, Shameer Marikkar
- (ii) Deed for Sy. No. 141/8 is solely in the name of Shameer Marikkar, who has resigned from the firm.
- (iii) Also, in the location plan certificate provided by the proponent it is stated that the Sy. Nos. mentioned in the proposal belongs to Director of M/s Kent Constructions (P) Ltd., F.M. Shameer Marakkar.
- (iv) Moreover, the revised building permit (the validity of which is expired) and NOC from Fire and Rescue Services is in the name of Shameer Marikkar. But as per the resolution of the firm, F.M. Shameer Marakkar has resigned from the Directorship of the company.

Hence the Committee decided to seek clarification from the proponent regarding items (i) to (iv) above.

3. It was directed to ascertain the inclusion of Sy. N. 1141/3 in the NOC of the Southern Naval Command, as the said survey no. is not part of the present project. To this end the proponent has stated that it is a typographical error in the part of Southern Naval Command and that they shall take steps to correct the same. Hence the Committee decided to inform the proponent to submit a valid NOC from Southern Naval Command correcting the mistakes in the present one.

The Committee also decided to address the proponent to address items (1) to (3) above, and to submit the following to SEAC for further consideration of the proposal:

1. Provisions to enhance the RWH capacity to at least three weeks daily demand as the present capacity is sufficient for only 3 days.
2. The details of yield, depth of yielding zone and well assembly of the bore well existing in the site.
3. Assurance in the form of affidavit that the treated waste water from shall not be discharged it into the nearby plots or water body and it shall be reused for flushing and non-drinking purposes after properly aerating.

The Committee also sought necessary clarifications from the proponent regarding the following:

1. The lay out of the complex with 6 towers and path ways appears to be rather congested. The scope for providing greenery is rather limited.
2. The soak pit for the treated water is located in the lower portion with shallow basement condition. This can cause a perennial spring of treated water rich in nutrients on the lower side with its implications.
3. Eastern and Northern boundary almost abuts against the building of 3<sup>rd</sup> Tower. As such there is no access to the east and north of the tower. As a result the tower is inaccessible from two sides. Considering the peculiar shape of the building, access has to be provided all around. This is also to be made applicable for tower number 5 and 6 having limited access.
4. Additional land is required for access road, disposing treated water and for RWH. Unless it is made available it may not be prudent to clear the project in its present form.

5. The laterite cutting on the eastern side with more than 4 m height and exposing lithomarge at the base is in a slumped condition indicating the presence of unstable slopes. This slope has to be lowered to less than 3 m for the stability of the cutting.

The proposal is DEFERRED and it is also decided that after addressing all the above, the proposal shall be forwarded to SEIAA including that for initiating violation proceedings.

**Item No. 20.17**      **Application for environmental clearance for the proposed quarry project in Sy. No. 80/1A1 (Part) at Keezhariyur Village, Keezhariyur Panchayath, Koyilandy Taluk, Kozhikode district, Kerala by M/s Payyoli Granites Pvt. Ltd. (File No. 100/SEIAA/KL/1537/2013)**

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 24<sup>th</sup> July 2013. The Committee found that the copy of possession certificate provided by the proponent showed that the land bearing Sy. No. 80/1A1 coming to a total of 10 acres is under possession of 4 persons including Mr. Issac Jacob, the authorized signatory of the project. The proponent has provided consent from the other three persons on behalf of M/s Payyoli Granites Pvt. Ltd. to conduct quarrying activities but in the consent, the name of one of the partners is given as Shibu Thekkumpuram whereas in possession certificate it is given as Shibu Varghese. The Committee decided to seek valid proof from the proponent as to whether Shibu Varghese and Shibu Thekkumpuram is one and the same person. Hence the Committee decided that the proposal shall be forwarded to SEIAA directing the proponent to clarify the same. On verification, the other documents submitted by the proponent were found to be satisfactory.

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

1. 15 m buffer distance should be left from the village boundary to the project site.

The appraisal report is approved by the Committee for forwarding to SEIAA.

**Item No. 20.18**      **Application for environmental clearance for the proposed Group Construction Project of Educity in Ward No. IX, R.S. No. 395, 397/2 of Pookkottur Panchayath and in Ward No. III, R.S. No. 137/1, 137/2, 137/3, 138, 139/1A, 139/1B, 139/2, 139/3A, 139/3B, 140/1, 140/2, 141/1A, 141/2A, 141/2B, 141/2C, 142/1, 142/2A, 142/2B, 144/1, 144/2A, 144/2B, 144/3A, 144/3B, 144/4A1, 144/4A2, 144/4B, 145/1A1, 145/1A2, 145/1B1, 145/1B2, 145/2, 145/2B, 145/3, 145/4, 145/5, 145/6A, 145/6B, 146/2A, 146/2B of Malappuram Municipality, at Melmuri Village & Pookkottur Village, Malappuram District, Kerala by M/s Al Abeer Educity (File No. 106/SEIAA/KL/1722/2013)**

The Committee verified the additional clarifications/documents including the redrafted proposal submitted by the proponent, and analyzed the report of sub committee of SEAC on their

visit to the site on 24<sup>th</sup> July 2013. On verification of the additional clarifications submitted by the proponent, the following discrepancies are found:

1. The authorized signatory of the redrafted proposal is different from the authorized signatory of original proposal.
2. None of the clarifications sought are provided with para-wise comments and hence it cannot be ensured whether the proponent has answered all queries raised by SEAC.
3. In the checklist it is said that certain documents are kept in certain page numbers. But such documents are not there in the concerned pages. Therefore it is not clear what changes are made in the redrafted proposal than the original and whether all documents stated as attached are really submitted along with the application.
4. It is also noticed that the redrafted proposal submitted to SEIAA Secretariat is not fully provided to SEAC members. It is further noticed that copy of the redrafted proposal circulated among SEAC members also differs in between; which is a serious lapse from the part of the proponent.

The Committee also noticed that as per the master plan, part of the project site comes under agricultural zone and hence the project could be further appraised only after clearing the same. Further to the site visit, the major observation the Committee made was regarding the width of the road which is not in tune with the existing rules of KMBR, as 10 m wide road is suggested for Municipalities and 8 m wide road for Panchayaths.

Considering the above, the Committee DEFERRED the proposal and decided to invite the proponent in the next SEAC meeting for presentation, with direction to orient the presentation with respect to the changes made in the redrafted proposal, subject to the submission of all additional clarifications/documents, complete in all respects, as intimated to them vide email dt. 26.08.2013.

**Item No. 20.19 Any other item approved by Chair**

**Item No. 20.19.1 O.M. No. J-11013/1/2013-IA-I dt. 28<sup>th</sup> May 2013 of Ministry of Environment and Forests on Streamlining of process of Environment Clearance and Forest Clearance cases by Expert Appraisal Committee and Forest Advisory Committee respectively for Hydropower and River Valley Projects**

The Committee noted the item.

**Item No. 20.19.2 SEIAA observations on Appraisal Report**

SEAC observed that the General Conditions suggested by SEAC and SEIAA in its various meetings has been compiled by the secretariat and placed for approval before SEIAA in its 22<sup>nd</sup> meeting held on 27<sup>th</sup> September 2013.

SEAC after going through the process and procedure suggested by Chairman SEIAA for streamlining SEIAA functions stated that both SEAC and SEIAA are governed by the guidelines of EIA Notification 2006 of Ministry of Environment and Forests, Government of India. SEAC further noted that pendency of proposals is mostly due to the delay on the part of the proponent in answering the queries raised by SEAC.

Regarding the participation of Chairman/Vice-Chairman SEAC in the SEIAA meetings, SEAC reiterated that the same is not warranted, as 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 as 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.

SEAC observed that any modification in the appraisal report could be done only by SEAC; and seeking personal opinion of Chairman/Vice-Chairman of SEAC in the matter is inappropriate as no one in SEAC is solely empowered to modify the appraisal report. SEAC stated that as per the laid down procedures of EIA Notification 2006, if SEIAA disagrees with the recommendations of SEAC it may be referred back to SEAC stating the reasons for the disagreement. An intimation of this decision shall be simultaneously conveyed to the applicant.

**Item No. 20.19.3                      Processing of applications for removal of ordinary earth for building/construction purposes**

Secretary SEAC informed the Committee on the receipt of lot many requests for Environmental Clearance and clarifications on the removal of ordinary earth as part of construction purposes and preparation of land for construction of houses following the O. M. No. L-11011/47/2011-IA.II(M) dt. 24<sup>th</sup> June 2013 of MoEF categorizing mining of 'brick earth' and 'ordinary earth' having lease area less than 5 ha as B2.

The Committee was of the opinion that since construction of houses is a necessity, and processing of EC should not hinder developmental activities, the procedure for environmental clearance with respect to such cases should be simplified in order to expedite the process. Hence it was decided to derive a simplified procedure for speedy processing of such applications by developing a specific format of application and procedure for processing of such requests.

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