

**APPROVED MINUTES OF THE 20TH MEETING OF THE
STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY
(SEIAA) KERALA, HELD ON 19.07.2013 AT THE
DIRECTORATE OF ENVIRONMENT AND CLIMATE CHANGE**

The following persons were present:

1. Dr. A.E. Muthunayagam - Chairman, SEIAA
Former Secretary to Government of India
2. Dr. K.P. Joy - Member, SEIAA
Former Director, School of Environmental Studies
of M.G. University and Kannur University
3. Shri. Pradeep Kumar IAS
Principal Secretary to Government
Environment, Forest & Wild Life Department
Govt. of Kerala -Member Secretary, SEIAA
4. Sri. P. Sreekantan Nair
Director, Department of Environment
& Climate Change, Govt. of Kerala - Secretary, SEAC (Special Invitee)

The meeting was chaired by Dr. A.E. Muthunayagam. He welcomed all the members. During discussions, the Authority took the following decisions:

Item No. KLA/20. 01 Remarks by Chairman and Members of SEIAA

This agenda was taken up in two parts; the first part limiting to only Members of SEIAA when policy related issues were discussed. Chairman enquired about the recent organizational change in SEIAA secretariat when Dr. K. Ajaykrishnan was nominated as OIC of SEIAA. Member Secretary who is the Principal Secretary of Environment Department informed that the Directorate of Environment and Climate Change is the Secretariat of SEAC and SEIAA. Hence, it is for the Director (Environment and Climate Change), the HOD, to make internal arrangements within the Directorate to provide quality secretarial assistance to SEAC / SEIAA. However it is the Director who remains the Head/OIC of SEAC / SEIAA Secretariat. Hence, recent nomination / change made by Director (Environment) will stand repealed.

Chairman pointed out that SEIAA and SEAC are statutory bodies established by a Notification of Government of India and the GOK has nominated DoECC as the secretariat to provide secretarial assistance to SEIAA and SEAC as required in the notification. SEAC is an advisory body to assist SEIAA in its functions. Executive responsibility totally rests with SEIAA only. We should establish the operational system accordingly. This is not understood and

considerable misunderstanding has arisen due to this in the operational system. It is decided to finalize the organizational system and operational procedures as soon as possible. Until then the existing system shall continue.

The Chairman informed his inconvenience in participating in the 21st SEIAA meeting as per agreed schedule on the 16th of August. After discussions, it is decided that the 21st meeting of SEIAA shall be held on the 23rd of August.

The Authority decided to charge a one-time processing fee from all proponents similar to the system followed in the Government of Tamilnadu which provided required funds for its operations and decided to formulate a slab for one time processing charges proposed to be levied from project proponents. It is also decided to give instructions to the project proponents to submit a draft in favour of SEIAA Kerala for the required amount along with their application. Based on the proposal generated by Dr. Joy, SEIAA approved the following one time fee structure for processing ECs after due approval from Government of Kerala. The Member Secretary is requested to address the administrative procedures.

* All Government / Quasi Government / Govt. undertakings of State or Central Government shall be exempted from levying of one time processing fee.

Sl. No.	Activity in the schedule of EIA Notification 2006	Criteria for fee structure	One time * processing fee suggested
1.	8 (a)	Building projects with built up area 20,000 m ² and above and less than 25,000 m ²	` 1 lakh
2.	8 (a)	Building projects with built up area 25,000 m ² and above but less than 1,50,000 m ²	` 2 lakhs
3.	8 (b)	Townships and Area development projects covering an area \geq 50 ha and or built up area \geq 1,50,000 sq. mtrs.	` 2 lakhs
4.	1 (a), (i)	Mining projects with area less than 1 hectare	` 50,000
5.	1 (a), (i)	Mining projects with area 1 hectare and above but < 5 hectare	` 1 lakh
6.	1 (a), (i)	Mining projects with area 5 hectare and above but < 50 hectare	` 2 lakhs
7.	All other activities except those coming under 1 (a), (i) and 8	All Category B projects except those mentioned above in Sl. Nos. 1 to 7	` 1 lakh

It was suggested by Member Secretary that in future the agenda shall begin with the confirmation of the previous minutes. Since the system and operational procedure are yet to be firmed up, Chairman said that the existing procedure shall continue for some more time.

Based on the suggestions in the meeting, the proposal from Chairman on procedure for granting EC by SEIAA was modified and it shall be discussed further in SEIAA and issued as a resolution of SEIAA.

It was also decided to give more information in the description of Agenda items and modify the appraisal report giving more information like total cost of the project, funding source, litigation/court case if any, budgetary provision for CSR activities, insurance, water harvesting, diesel pollution if applicable, etc. in all projects. Each item should be more specific for eg. 'RWH is planned', 'Satisfactory', 'OK', etc should be more specific. No column in appraisal report should be left blank.

Item No. KLA/20.02 **Confirmation of the minutes of 19th meeting of State Level Environment Impact Assessment Authority (SEIAA) Kerala**

Confirmed the approved minutes. The chairman briefly explained the procedure for preparing the draft minutes, getting feedback from members and submitting the final draft to Chairman who approves it with or without modifications. This approved minutes is circulated to all members by the Secretariat and actions are initiated after two days on all items where there is no objection raised by members. The approved minutes is confirmed in the next SEIAA meeting. It is decided that this procedure shall be continued until any change is made by SEIAA.

Item No. KLA/20. 03 **Action taken report on the decisions of the 19th SEIAA Meeting**

Noted. It is pointed out that certain action taken, reported is due to improper appreciation of the recorded minutes of the last SEIAA meeting. Further, the response gives an implied information that SEIAA secretariat has adequate staff which is not the fact. Need for additional staff for SEIAA secretariat has been stressed both by SEAC and SEIAA since long. It was decided to delete last para of Serial no.1 action taken starting with 'On the request of AEO, the incumbent is allowed to refrain from dealing with SEIAA functions. Dr. K. Ajayakrishnan, Environmental Officer is assigned OIC of SEIAA Secretariat'.

Item No. KLA/20. 04 **Application for obtaining environmental clearance for the proposed quarry project in Survey Nos. 373/1, 373/2, 378/2-2, 372/1-2 and 164/1-187 at Ayyampuzha Village and Panchayath, Aluva Taluk, Ernakulam District, Kerala by M/s Poabs Granites Products Pvt. Ltd. (File No. 49/SEIAA/KL/7178/2012)**

SEIAA noted that the appraisal report still requires improvements and certain remarks were made by SEIAA. After detailed discussions on the proposal, clarifications provided by Secretary SEAC and analyzing the appraisal report of SEAC the proposal is **approved for issuance of Environmental Clearance**. The following conditions recommended in the appraisal report shall be included under standard General Conditions.

1. The transportation of minerals should be done in covered trucks to contain dust emissions.
2. PPV to be kept below 10 mm/sec for the safety of nearby dwelling units.
3. Fly rock should not cross the lease area.

While drafting the EC, the deficiency pointed out in the SEIAA meeting will be suitably incorporated in the EC. It was further decided that EC proceedings shall contain site specific as also project specific conditions, including ownership of land/project site as to nature of lease/Government land/Private land, Corporate Social Responsibilities and allocations earmarked, Environment Management Plans, distance from the nearest forest area, etc.; and shall be issued subject to the filing of a notarized affidavit by the project proponent before SEIAA that no litigation / court case is pending regarding this.

Item No. KLA/20. 05 **Application for obtaining environmental clearance for the quarry in Survey No. 59/2 at Kariavattom Village, Vettathoor Panchayath, Perinthalmanna Taluk, Malappuram District, Kerala by M/s Poabson Granite Products Pvt. Ltd. (File No. 50/SEIAA/KL/7241/2012)**

SEIAA noted that the appraisal report still requires improvements and certain remarks were made by SEIAA. After detailed discussions on the proposal, clarifications provided by Secretary SEAC and analyzing the appraisal report of SEAC the proposal is **approved for issuance of Environmental Clearance**. The following conditions recommended in the appraisal report shall be included under standard General Conditions.

1. The transportation of minerals should be done in covered trucks to contain dust emissions.
2. PPV to be kept below 10 mm/sec for the safety of nearby dwelling units.
3. Fly rock should not cross the lease area.

While drafting the EC, the deficiency pointed out in the SEIAA meeting will be suitably incorporated in the EC. It was further decided that EC proceedings shall contain site specific as also project specific conditions, including the ownership of land/project site as to nature of lease/Government land/Private land, Corporate Social Responsibilities and allocations earmarked, Environment Management Plans, distance from the nearest forest area, etc.; and shall be issued subject to the filing of a notarized affidavit by the project proponent before SEIAA that no litigation / court case is pending regarding this.

Item No. KLA/20. 06 **Application for environmental clearance for the proposed Housing Project in Survey Nos. 699/2, 3, 4, 5, 7 & 8 at Village Kakkanad, Municipality Thrikkakkara, Taluk Kanayannur, District Ernakulam, Kerala by M/s Ayles Properties and Developers Pvt. Ltd. (File No. 38/SEIAA/KL/7082/2012)**

After detailed discussions on the proposal, clarifications provided by Secretary SEAC and analyzing the appraisal report of SEAC the proposal is **approved for issuance of Environmental Clearance** stipulating the following specific conditions in addition to the General Conditions stipulated for non-mining projects:

1. A No Development Zone equal to the width of the thodu as shown in cadastral map should be left near the project site from the boundary of the thodu.
2. The height of the constructions should be restricted as per the existing KMBR/KPBR and Regulations applicable to the area with respect to the existing width of the access road.
3. Rain Water Harvesting unit should be installed as per KMBR provisions.

It was further decided that EC proceedings shall contain site specific as also project specific conditions, including the ownership of land/project site as to nature of lease/Government land/Private land, Corporate Social Responsibilities and allocations earmarked, Environment Management Plans, distance from the nearest forest area, etc.; and shall be issued subject to the filing of a notarized affidavit by the project proponent before SEIAA that no litigation / court case is pending regarding this.

Item No. KLA/20. 07

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

After detailed discussions on the proposal, Authority noted that there is a court case against the quarry in which action against the quarry operations is requested since there is violation in the absence of Environmental clearance from SEIAA. If it is so, violation proceedings are to be initiated and authority to take action against illegal mining activity through the State Government. Secretary SEAC informed that at the time of his inspection as a part of the technical committee constituted by Government, the quarry was not working. This was quite a few months back. The Authority directed the Secretary SEAC to inspect the site and report the present status for further processing of the proposal. Violations, if any should be processed as per the 12th December 2012 orders from MoEF and reported to the State Government / District Magistrate.

Item No. KLA/20. 08

Application for obtaining environmental clearance for the construction of Convention and Exhibition centre in Sy. No. 31/4 and 31/20 at Bolgatty Island, Mulavukad Village, Kanayannur Taluk, Ernakulam District, Kerala by M/s Lulu Convention and Exhibition Centre Pvt. Ltd. (File No. 86/SEIAA/KL/379/2013)

After detailed discussions on the proposal, clarifications provided by Secretary SEAC and analyzing the appraisal report of SEAC and also the KCZMA recommendation vide letter no. 670/A2/12/ KCZMA/S&TD dt. 29.01.2013 the proposal is **approved for issuance of CRZ cum Environmental Clearance** stipulating the following specific conditions in addition to the General Conditions stipulated for non-mining projects:

1. NOC from Southern Naval Command to be obtained before initiating activity.
2. All kinds of waste must be treated in situ.

3. Report of NATPAC on traffic management of the proposed project site and access roads for the development of the Bolghatty Junction provided by the proponent must be implemented.
4. Landscape plan proposed in which index of tree species and index number of each plant species are provided must be implemented.
5. Conditions stipulated by CRZ clearances should be complied with.
6. No untreated wastes should be let into the water body.
7. Drinking water supply scheme agreed for people residing in Vypeen as part of the Corporate Social Responsibility must be initiated within 6 months period of initiation of construction activities of the project and should be fully commissioned before launching of the project.
8. Amount allocated for CSR activities linked with the present project should be informed to SEIAA and be included in the specific conditions.
9. Time schedule for completion of project should be informed to SEIAA.

It was further decided that EC proceedings shall contain site specific as also project specific conditions, including the ownership of land/project site as to nature of lease/Government land/Private land, Corporate Social Responsibilities and allocations earmarked, Environment Management Plans, distance from the nearest forest area, etc.; and shall be issued subject to the filing of a notarized affidavit by the project proponent before SEIAA that no litigation / court case is pending regarding this.

Item No. KLA/20. 09 **Application for obtaining environmental clearance for the proposed Phase 1 development of Smart City (Kochi) in Survey Nos. 666/10 pt, 640/1, 2 pt, 4 pt, 5, 641/1 pt, 10, 25 pt, 29, 30 at Kakkanad Village, Kanayannur Taluk, Ernakulam District, Kerala by Smart City (Kochi) Infrastructure Pvt. Ltd. (File No. 105/SEIAA/KL/1692/2013)**

After detailed discussions on the proposal, and analyzing the appraisal report of SEAC the proposal is **approved for issuance of Environmental Clearance** stipulating the appropriate specific conditions to be finalised in the next SEIAA meeting in addition to the General Conditions stipulated for non-mining project.

It was further decided that EC proceedings shall contain site specific as also project specific conditions, including the ownership of land/project site as to nature of lease/Government land/Private land, Corporate Social Responsibilities and allocations earmarked, Environment Management Plans, distance from the nearest forest area, etc.; and shall be issued subject to the filing of a notarized affidavit by the project proponent before SEIAA that no litigation / court case is pending regarding this.

Item No. KLA/20.10 **Any other item with the approval of Chairman**

Item No. KLA/20. 10.01 **Application for Environmental Clearance for Achencovil Hydro Electric Project (2x15 MW) in Aruvappulam Panchayath, Kozhencherry Taluk in Pathanamthitta District and Aryancavu Panchayath, Pathanapuram Taluk in Kollam**

District by Kerala State Electricity Board (File No. 113/SEIAA/KL/1931/2013)

The Authority noted that this item was discussed earlier in the first SEIAA meeting and it was found that SEIAA Kerala is not empowered to address this proposal. It was decided to communicate this to all appropriately. There appears to be some lacuna in the communications from SEIAA. Since this issue was discussed at the level of Chief Secretary of Kerala, it is taken up again in the agenda of SEIAA at the request of Member Secretary.

The provisions of the MoEF notification were referred again. The project proposed by KSEB regarding the Achencovil hydroelectric project was discussed and was observed that the proposed project site is 5 km (aerial distance) from the boundary of Tamilnadu and it attracts General Conditions of MoEF Notification and hence comes under Category A project to be considered by the Ministry of Environment and Forests. It was decided to inform KSEB that SEIAA Kerala is not empowered to deal with this case and request KSEB to pursue the proposal with MoEF.

Item No. KLA/20. 10.02 Application for obtaining environmental clearance for the proposed quarry project in Survey Nos. 172 at Kodyathoor Village and Panchayath, Kozhikode Taluk, Kozhikode District, Kerala by M/s Poabs Rock Products Pvt. Ltd. (File No. 48/SEIAA/KL/7176/2012)

SEIAA noted that this agenda item is one among the three items which were referred back to SEAC along with agenda items KLA/20.04 and 05 and the observations made earlier are applicable. After detailed discussions on the proposal and analyzing the appraisal report of SEAC the proposal is **approved for issuance of Environmental Clearance** stipulating the following specific conditions:

1. Storm water management plans provided in the proposal should be implemented.
2. Good quality drinking water should be provided to the workers.
3. 10 percent of the pit formed on completion of quarrying activities should be used for storage of water. The rest has to be refilled with the stacked top soil and overburden and covered with vegetation.
4. A 20 m wide permanent continuous tree belt with deep root system on the upper area of the lease should be provided.
5. A protective wall should be constructed in the upper reaches of the mine area to prevent anticipated soil erosion.
6. Avoid blasting in the rainy days. Blasting to be resumed only after the flow of water through channels are stopped.

It is also decided that the following shall also be included under the usual General Conditions for all Mining projects:

1. The transportation of minerals should be done in covered trucks to contain dust emissions.
2. PPV to be kept below 10 mm/sec for the safety of nearby dwelling units.
3. Fly rock should not cross the lease area.

It was further decided that EC proceedings shall contain site specific as also project specific conditions, including the ownership of land/project site as to nature of lease/Government land/Private land, Corporate Social Responsibilities and allocations earmarked, Environment Management Plans, distance from the nearest forest area, etc.; and shall be issued subject to the filing of a notarized affidavit by the project proponent before SEIAA that no litigation / court case is pending regarding this.

Item No. KLA/20.10.03 **Office Memorandum, O.M. F. No. 21-270/2008-IA.III dt. 06.06.2013 of the Ministry of Environment and Forests regarding the modification in guidelines for High Rise Building**

Noted and decided that SEAC may consider the directions contained in the O.M. while forwarding recommendations. The template / format may be modified if necessary.

Item No. KLA/20.10.04 **Office Memorandum, O.M. No. 21-270/2008-IA.III dt. 19.6.2013 of the Ministry of Environment and Forests regarding the EC for Buildings and real estate projects**

Authority directed Secretary SEAC to incorporate necessary modifications in the appraisal report considering the directions contained in the O.M.

Item No. KLA/20.10.05 **Office Memorandum, O.M. No. L-11011/47/2011-IA.II(M) dt. 24.06.2013 of the Ministry of Environment and Forests regarding the guidelines for EC of brick earth and ordinary earth**

Noted and decided that SEAC may consider the directions contained in the O.M. while forwarding recommendations.

Item No. KLA/20.11 **Report on the status of processing of the applications for Environmental Clearance by SEIAA Secretariat (vide GoI letter no. J-11013/5/2013-IA.I dt. 22.04.2013)**

Noted. It was informed that it was approved by Member Secretary before sending to MoEF.

Miscellaneous:

The Authority observed that the EC proceedings should invariably contain the following details:

- General Conditions
- Project specific conditions; Site specific conditions
- Nature of ownership of the site (land) – private land, lease land, whether Forest / Revenue land; the documental details forming the basis of ownership should also be mentioned.
- Details of dispute / litigation with Government Department or under consideration of the court, if any.

- Social Responsibility undertaking along with outlay set apart and time frame / whether during construction phase or later to be specified.
- Green belt plan
- Environment Management Plan
- Waste treatment / Pollution abatement plans

The meeting ended with a vote of thanks to the Chair.

Approved by Chairman SEIAA on 7th August 2013.