

**MINUTES (Approved) OF THE 22nd MEETING OF THE
STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY
(SEIAA) KERALA, HELD ON 27.09.2013 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. P.K.Mohanty IAS -Member Secretary, SEIAA
Addl. Chief Secretary to Government
Environment, Parliamentary Affairs and
Forest & Wild Life Departments
Govt. of Kerala
4. Sri. P. Sreekantan Nair - Secretary, SEAC (Special Invitee)
Director, Department of Environment
& Climate Change, Govt. of Kerala

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/22. 01 **Introductory Remarks by Chairman**

Chairman called the meeting to order and welcomed all the members. He conveyed his special welcome to the Member Secretary SEIAA, Mr P K Mohanty, Additional Chief Secretary, GOK who has recently taken over the charge of the Environment Department and sought his valuable suggestions for successful execution of SEIAA activities.

In his introductory remarks Chairman referred to the status of pending EC proposals in SEIAA as on August 2013 and expressed his concern over the 47 numbers of pending proposals out of which 8 are for 1 year, 10 are for 6 months and 29 are for 3 months. He suggested a discussions on this when the agenda is taken up.

He pointed out the urgent need to review the existing organization of SEIAA secretariat and the operational system. He circulated a note prepared by him and sent earlier to Members by mail and proposed to discuss and take decisions under the agenda on any other item of this meeting.

The following additional decisions were taken:

SEIAA stressed the need to complete the appraisal process and grant ECs on time. Towards this it is decided that every proposal taken up for discussion in SEIAA meeting for EC should indicate in the agenda of every proposal the date of acceptance of the proposal by SEIAA after verifications by SEIAA Secretariat and ensuring that all required inputs are available. It should also indicate the date when the process by SEAC is completed and the appraisal report along with the recommendations is submitted to SEIAA Secretariat.

Chairman SEIAA informed that he had invited Chairman SEAC and Vice Chairman SEAC to participate in the meeting but they could not due to their prior commitments.

It is also decided that draft minutes of the meeting should be sent to members within seven days after the meeting and after the minutes are approved, draft EC should be sent to members within five days. Uploading on the website should be done with the approval of the Chairman.

Item No. KLA/22.02 **Confirmation of the minutes of 21st meeting of State Level Environment Impact Assessment Authority (SEIAA) Kerala**

Confirmed the approved minutes. It was decided in the last meeting that within seven days after the meeting, draft minutes should be sent to members and after the minutes are approved, draft EC should be sent to members within five days. Uploading on the website should be with the approved of the Chairman. Date of receipt of application and date of recommendation by SEAC should be specifically noted at the beginning of the each agenda item.

Item No. KLA/22. 03 **Action taken report on the decisions of the 21st SEIAA Meeting**

SEIAA observed that the action taken report has not addressed all the items and is incomplete. Discussions followed item after item as given below.

Chairman had requested Member Secretary to nominate a person in SEIAA secretariat to assist him in discharging the functions as Chairman SEIAA. Member Secretary instructed Secretary SEAC to engage the presently assigned personnel exclusively for SEIAA activities.

Regarding the proposal for review and updating of General Conditions in Environmental Clearances, it was pointed out by Secretary SEAC that the annexure was prepared by SEIAA secretariat under his guidance based on all previous inputs in SEIAA and SEAC minutes. It is decided that comments/from SEIAA members may be sent to Chairman SEIAA for preparing a final version of the general conditions which will be circulated to all members of SEIAA and finalized by chairman after getting the comments of the members. Towards this Chairman SEIAA requested Secretary SEAC to provide to him a list of all Specific conditions stipulated till date in the ECs.

Chairman raised an issue on Secretary SEAC addressing the press and TV about an additional proposed condition about giving a percentage of the profit of the firm to the Biodiversity Management Committee of the Panchayath through grama Panchayat towards

restoration of biodiversity loss due to quarrying activities. Chairman pointed out that this is highly irregular since the proposed additional condition is in the proposal stage and not even referred to SEIAA members.

Chairman requested for details about the funds allotted and spent by SEIAA. He also requested for the budget provided for SEIAA for the year 2013-2014 and the actual expenditure during the first quarter 2013-2014.

It was further decided to initiate actions for the following by the secretariat:

1. Separate file shall be initiated for uploading items in the SEIAA website
2. A leaflet may be prepared for both DoECC and SEIAA in common and put in both the websites
3. Delist all the proposals which are pending due to non response from the proponents for more than 60 days
4. Regarding the quarry project of M/s P.V. Granites, SEIAA authorized Member Secretary to issue a show cause notice as to why their EC application should not be summarily rejected, which has to be responded by the proponent within 15 days.
5. Regarding the building project of M/s Infoparks Kerala, the EC shall incorporate in the specific conditions the following: "There shall be minimum of 6 numbers of rechargeable pits each having 2 m diameter and reaching up to a depth of 4 m below ground level.
6. Regarding the quarry project of M/s Chengalathu Quarry Industries, SEIAA discussed the note from SEAC and decided on the merit of the case that the mining can be undertaken at Pit 1 and Pit 2 as proposed without exceeding the slope of 45°.
7. Regarding the building project by M/s Skyline Builders, SEIAA restated the earlier decision that EC shall incorporate in the specific conditions, the number (minimum two) and specification of rechargeable pits as recommended by SEAC.

Item No. KLA/22. 04 **Application for obtaining environmental clearance for the proposed quarry project in Sy. Nos. 34/2 Pt., 30/2/2 Pt., 20/7 Pt., 30/2/3 and 20/1 Pt. at Oorakam Village and Panchayath, Tirurangadi Taluk, Malappuram District, Kerala by M/s Ooragam Metals Ltd. (File No. 120/SEIAA/KL/2186/2013)**

SEIAA analyzed the appraisal report and recommendations of SEAC on this proposal. It is observed that certain discrepancies and inconsistency exist on comparing statements in the appraisal report of SEAC and the accompanying annexure with basic information of the project provided by the proponent. 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 mining projects:

1. Safe buffer distance of 100 m should be maintained for quarrying from the nearby temple.
2. A buffer zone of 25 m or width of the canal whichever is higher should be maintained on either side of the canal out of which 20 m on either side should be planted with indigenous species.
3. The crusher unit should be shifted to lowest possible elevation.

Item No. KLA/22. 05 **Application for obtaining environmental clearance for the quarry project in Sy. Nos. 64/1 Pt, 65 Pt, 126/6 Pt at Mankada Village and Panchayath, Perinthalmanna Taluk, Malappuram district, Kerala by K. P. Aboobacker (File No. 102/SEIAA/KL/1607/2013)**

SEIAA analyzed the appraisal report and recommendations of SEAC on this proposal. It is observed that certain discrepancies and inconsistency exist on comparing statements in the appraisal report of SEAC and the accompanying annexure with basic information of the project provided by the proponent. 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 mining projects:

1. The steep cuttings should be reduced to 5m by providing benches.
2. A buffer zone of 20 m should be maintained adjacent to the abandoned quarry.
3. If crusher is established, it should be located at the lowest possible elevation.

Item No. KLA/22. 06 **Application for obtaining environmental clearance and CRZ clearance for construction of multi-storied building-DLF Riverside housing project at Chilavannoor, Kochi, Kerala by M/s Adelie Builders and Developers Pvt. Ltd. (File No. 123/SEIAA/KL/2320/2013)**

SEIAA noted that the proponent had earlier applied to Ministry of Environment and Forests, Government of India for Environmental Clearance in 2007.

Secretary SEAC presented a brief about the proposal. Since there was no recommendation from SEAC Kerala, SEIAA decided to defer the item to the next SEIAA meeting to study the file in detail and take the correct decision.

Item No. KLA/22. 07 **Clarifications sought by SEIAA on proposals recommended by SEAC for Environmental Clearance**

After detailed discussions on the clarifications provided by SEAC, it was decided as follows:

- (i) For item No. KLA/21.05 and KLA/21.09- “Recharge pits of at least 6 numbers, each having 2m diameter and reaching up to a depth of 4m below ground level should be provided”- shall be included as a special condition
- (ii) For item No. KLA/ 21.06- “Mining can be undertaken both at pit-1 and Pit-2, provided the slope does not exceed 45°.

Item No. KLA/22. 08 Any other item with the approval of Chairman

**Additional Item KLA/22.08.01 Request from M/s Nikunjam Constructions Private Limited
(File No. 8/SEIAA/KL/393/2012)**

M/s Nikunjam Constructions Pvt. Ltd. has given a submission addressed to Chairman SEIAA for amending the specific conditions prescribed in the decision for issuance of EC, after completion of violation proceedings. The issue was discussed in earlier meetings also. When Chairman SEAC was contacted to ascertain the rationale for introducing the contested two conditions different from KMBR, he informed that these two conditions were not recommended by SEAC. It is observed by SEIAA that KMBR is stipulated as a specific condition in EC for all construction of buildings presently. SEAC also has recommended it. Accordingly SEIAA decided to stipulate KMBR in the specific conditions and make necessary modifications.

The second request from M/s Nikunjam Constructions was relating to the issuing of EC. SEIAA noted that a petition W.P. © No. 17404/2013 relating to the issuance of EC for M/s Nikunjam Constructions Pvt. Ltd. is under consideration of the Hon. High Court of Kerala. Hence SEIAA decided to await the orders of the Honourable High Court.

Item No. KLA/22. 08.02 Application No. 26/12- interim orders of NGT- filing of Civil Appeal- Vakalatnama in respect of SEIAA

SEIAA Authorised the Member Secretary SEIAA to file Vakalatnama for the same.

Item No. KLA/22. 09 Clearance for mining operations of major minerals – request from KSPCB (File No. DoECC/SEIAA/E4/2414/2013)

It was decided to incorporate the following as a General Condition in all Environmental Clearances:

“Consent from Kerala State Pollution Control Board under Air & Water Act(s) should have been obtained before initiating activity”.

Item No. KLA/22.10 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 the report which was forwarded to MoEF with the approval of Member Secretary. SEIAA expressed its concern over the large number of proposals pending for 6 months and some for one year too. SEIAA directed that an analysis of proposals pending for 6 months and one year may be made by OIC SEIAA Secretariat and presented in the next SEIAA meeting.

SEIAA observed that certain discrepancies/ inconsistency exist on comparing statements in the appraisal report of SEAC and the basic information of the project provided by the proponent. Hence, it is advisable to have some details in Appraisal Reports on such items, as the template of Appraisal report may not necessarily be a checklist.
