

**MINUTES OF THE 28TH MEETING OF STATE LEVEL ENVIRONMENTAL
IMPACT ASSESSMENT AUTHORITY (SEIAA) KERALA HELD ON 28.03.2014
AT HARITHASREE HALL, DEPT. OF ENVIRONMENT AND CLIMATE
CHANGE**

The following were present:

1.	Dr. K. P. Joy, Former Director, School of Environmental Studies of M.G. University and Kannur University	Chairman, SEIAA
2.	Dr. J. Subhashini, Former Principal, Govt. College, Kanjiramkulam	Member, SEIAA
3.	Sri. P. K. Mohanty IAS Addl. Chief Secretary to Government Environment, Parliamentary Affairs and Forest & Wild Life Departments, Govt. of Kerala	Member Secretary, SEIAA

Sri. P. Sreekantan Nair, Secretary SEAC, participated in the meeting as a special invitee as usual for giving necessary clarifications as was required by SEIAA.

The Authority observed that no communication from Chief Electoral Officer has been received yet granting approval for the publication of minutes of 27th SEIAA meeting and its follow up actions. However the Authority, after due reference to the model code of conduct published by the Election Commission of India for the year 2014, opined that sand mining / dredging / removal of ordinary earth are of common social interest schemes which could be considered as ongoing schemes and not new schemes and hence could be implemented. It was further concluded that this will not help any single political party in any way with respect to the forthcoming elections. SEIAA, considering the broad based common interest of the society and the urgency of the project because of seasonal nature, decided to inform the grant of ECs with necessary conditions to the concerned project proponents of River Sand Mining projects of 5 districts (Kannur, Kozhikode, Thrissur, Malappuram and Ernakulam), dredging proposals cleared in 27th SEIAA meeting held on 11th March 2014 and all the proposals for removal of ordinary earth approved in 27th and 28th SEIAA meetings held on 11th March 2014 and 28th March 2014 respectively.

The Authority discussed on the recent Government orders issued regarding the mining and quarrying of minor minerals, brick earth, ordinary earth, etc. and reiterated with respect to G.O. (Ms) No. 04/2014/Env. dt. 19.03.2014 that all types of sand mining/rock quarrying/removal of ordinary earth among other activities listed in the Schedule of EIA Notification 2006 and subsequent amendments thereto require prior environmental clearance.

Further SEIAA noted that Government of Kerala has filed affidavit before the Principal bench of Honourable NGT (in the appeal filed by Goa Foundation) that Environmental Clearance is mandatory for mining of all minor minerals irrespective of the area.

While evaluating the applications submitted by various Collectorates with respect to EC for sand mining projects, the Authority observed that they have submitted the sand audit

report presently available with them with respect to the project. The Authority stated that sand audit reports (with necessary maps) either from CWRDM/CESS or being vetted by CWRDM/CESS may be considered as the pre-feasibility report but it is mandatory in all future cases that the applicants for river sand mining projects should provide specific mining plan which clearly defines the stretch wise details of the river in terms of extent of area in hectares, proposed depth of the mining (in metres) and exact dimensions (marking boundaries of the mining area including its latitude and longitude) of the project site etc. in addition to all the other mandatory requirements. The extent of sand mining area (in hectare) should also be clearly specified in Form 1. In the absence of all the above, such applications shall not be accepted by the Secretariat of SEIAA/SEAC.

28th SEIAA meeting unanimously took the following decisions:

Item No. KLA/28.01	Environmental clearance for sand mining from the rivers of Malappuram District viz. Bharathapuzha, Chaliyar and Kadalundi, Kerala submitted by District Collector, Malappuram (File No. 238/SEIAA/KL/940/2014)
--------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Decision : Approved for issuance of EC valid up to 31st May 2014 specifying the following conditions:

1. The average depth of sand mining in the stretches should not exceed the water level at summer or the depth specified in the sand audit report, whichever is less.
2. The quantity of sand removed during the period(s) of EC validity, should not exceed the quantity removed during the corresponding period in 2013 subject to the condition no. 1 above.
3. Mining of sand in the Coastal Regulation Zone shall be as per the guidelines stipulated by the KCZMA vide G.O. (Rt) No. 10/2014/S&TD dt. 27.01.2014.
4. Summer water level must be fixed with reference to a permanent point (bench mark) by levelling and should be recorded for future reference. At least two such points must exist in each Panchayath.
5. Sand mining in rivers can be permitted in future only after consideration of recent sand audit reports. In this context, the reports of sand audits (that is under completion) should be speeded up and the reports must be made available before 31st August 2014.
6. The conditions under Para 1 (iii) (a) to (e) stipulated in the O.M. dt. 24th December 2013 of MoEF for river sand mining should be complied with. Items mentioned under Chapter 3 of the Kerala Protection of River Bank and Regulation of Removal of Sand Act 2001 should be followed, unless repugnant with the conditions in the O.M. dt. 24th December 2013.
7. Conditions laid down in G.O. No. 02/14/Env. dt. 21.02.2014 of Government of Kerala should be implemented.
8. Mining areas for which sand mining licenses are issued should not be less than 5 hectares and should be less than 25 hectares.
9. Monitoring of the sand mining activities should be done by the District Collector to ensure that the mining is done to the extent of area and quantum sanctioned. The District Collector should furnish monthly monitoring reports to SEIAA.
10. Specific mining plan which clearly defines the stretch wise details of the river in terms of extent of area (in hectares), proposed depth of the mining (in metres),

quantity of mined sand in tons at a specific point and period and exact dimensions (marking boundaries of the mining area including its latitude and longitude) in maps, of the project site should be provided for any further EC application with respect to the project along with Form 1 and necessary attachments failing which application shall not be accepted. The sand audit report with necessary maps can be considered as the pre-feasibility report. Extent of area should be clearly mentioned in Form 1.

11. The mining shall be done manually.
12. Online e-management system should only be resorted for sand distribution.
13. All the other statutory clearances as is required should have been obtained prior to initiation of activities.

Item No. KLA/28.02	Environmental clearance for river sand mining from Bharathapuzha, Chalakkudipuzha and Karuvannurpuzha in Thrissur District, Kerala submitted by District Collector, Thrissur (File No. 233/SEIAA/KL/783/2014)
--------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Decision : Approved for issuance of EC valid up to 31st May 2014 specifying the following conditions:

1. The average depth of sand mining in the stretches should not exceed the water level at summer or the depth specified in the sand audit report, whichever is less.
2. The quantity of sand removed during the period(s) of EC validity, should not exceed the quantity removed during the corresponding period in 2013 subject to the condition no. 1 above.
3. Mining of sand in the Coastal Regulation Zone shall be as per the guidelines stipulated by the KCZMA vide G.O. (Rt) No. 10/2014/S&TD dt. 27.01.2014.
4. Summer water level must be fixed with reference to a permanent point (bench mark) by levelling and should be recorded for future reference. At least two such points must exist in each Panchayath.
5. Sand mining in rivers can be permitted in future only after consideration of recent sand audit reports. In this context, the reports of sand audits (that is under completion) should be speeded up and the reports must be made available before 31st August 2014.
6. The conditions under Para 1 (iii) (a) to (e) stipulated in the O.M. dt. 24th December 2013 of MoEF for river sand mining should be complied with. Items mentioned under Chapter 3 of the Kerala Protection of River Bank and Regulation of Removal of Sand Act 2001 should be followed, unless repugnant with the conditions in the O.M. dt. 24th December 2013.
7. Conditions laid down in G.O. No. 02/14/Env. dt. 21.02.2014 of Government of Kerala should be implemented.
8. Mining areas for which sand mining licenses are issued should not be less than 5 hectares and should be less than 25 hectares.
9. Monitoring of the sand mining activities should be done by the District Collector to ensure that the mining is done to the extent of area and quantum sanctioned. The District Collector should furnish monthly monitoring reports to SEIAA.
10. Specific mining plan which clearly defines the stretch wise details of the river in terms of extent of area (in hectares), proposed depth of the mining (in metres), quantity of mined sand in tons at a specific point and period and exact dimensions (marking boundaries of the mining area including its latitude and longitude) in maps, of the project site should be provided for any further EC application with respect to the project along with Form 1 and necessary attachments failing which

application shall not be accepted. The sand audit report with necessary maps can be considered as the pre-feasibility report. Extent of area should be clearly mentioned in Form 1.

11. The mining shall be done manually.
12. Online e-management system should only be resorted for sand distribution.
13. All the other statutory clearances as is required should have been obtained prior to initiation of activities.

Item No. KLA/28.03	Environmental clearance for river sand mining in Kozhikode District, Kerala submitted by District Collector, Kozhikode (File No. 234/SEIAA/KL/846/2014)
--------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------

Decision : Approved for issuance of EC valid up to 31st May 2014 specifying the following conditions:

1. The average depth of sand mining in the stretches should not exceed the water level at summer or the depth specified in the sand audit report, whichever is less.
2. The quantity of sand removed during the period(s) of EC validity, should not exceed the quantity removed during the corresponding period in 2013 subject to the condition no. 1 above.
3. Mining of sand in the Coastal Regulation Zone shall be as per the guidelines stipulated by the KCZMA vide G.O. (Rt) No. 10/2014/S&TD dt. 27.01.2014.
4. Summer water level must be fixed with reference to a permanent point (bench mark) by levelling and should be recorded for future reference. At least two such points must exist in each Panchayath.
5. Sand mining in rivers can be permitted in future only after consideration of recent sand audit reports. In this context, the reports of sand audits (that is under completion) should be speeded up and the reports must be made available before 31st August 2014.
6. The conditions under Para 1 (iii) (a) to (e) stipulated in the O.M. dt. 24th December 2013 of MoEF for river sand mining should be complied with. Items mentioned under Chapter 3 of the Kerala Protection of River Bank and Regulation of Removal of Sand Act 2001 should be followed, unless repugnant with the conditions in the O.M. dt. 24th December 2013.
7. Conditions laid down in G.O. No. 02/14/Env. dt. 21.02.2014 of Government of Kerala should be implemented.
8. Mining areas for which sand mining licenses are issued should not be less than 5 hectares and should be less than 25 hectares.
9. Monitoring of the sand mining activities should be done by the District Collector to ensure that the mining is done to the extent of area and quantum sanctioned. The District Collector should furnish monthly monitoring reports to SEIAA.
10. Specific mining plan which clearly defines the stretch wise details of the river in terms of extent of area (in hectares), proposed depth of the mining (in metres), quantity of mined sand in tons at a specific point and period and exact dimensions (marking boundaries of the mining area including its latitude and longitude) in maps, of the project site should be provided for any further EC application with respect to the project along with Form 1 and necessary attachments failing which application shall not be accepted. The sand audit report with necessary maps can be considered as the pre-feasibility report. Extent of area should be clearly mentioned in Form 1.
11. The mining shall be done manually.
12. Online e-management system should only be resorted for sand distribution.

13. All the other statutory clearances as is required should have been obtained prior to initiation of activities.

Item No. KLA/28.04	Environmental clearance for river sand mining from Periyar river and Muvattupuzha in Ernakulam District, Kerala submitted by District Collector, Ernakulam (File No. 246/SEIAA/KL/979/2014)
--------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Decision : Approved for issuance of EC valid up to 31st May 2014 specifying the following conditions:

1. The average depth of sand mining in the stretches should not exceed the water level at summer or the depth specified in the sand audit report, whichever is less.
2. The quantity of sand removed during the period(s) of EC validity, should not exceed the quantity removed during the corresponding period in 2013 subject to the condition no. 1 above.
3. Mining of sand in the Coastal Regulation Zone shall be as per the guidelines stipulated by the KCZMA vide G.O. (Rt) No. 10/2014/S&TD dt. 27.01.2014.
4. Summer water level must be fixed with reference to a permanent point (bench mark) by levelling and should be recorded for future reference. At least two such points must exist in each Panchayath.
5. Sand mining in rivers can be permitted in future only after consideration of recent sand audit reports. In this context, the reports of sand audits (that is under completion) should be speeded up and the reports must be made available before 31st August 2014.
6. The conditions under Para 1 (iii) (a) to (e) stipulated in the O.M. dt. 24th December 2013 of MoEF for river sand mining should be complied with. Items mentioned under Chapter 3 of the Kerala Protection of River Bank and Regulation of Removal of Sand Act 2001 should be followed, unless repugnant with the conditions in the O.M. dt. 24th December 2013.
7. Conditions laid down in G.O. No. 02/14/Envvt. dt. 21.02.2014 of Government of Kerala should be implemented.
8. Mining areas for which sand mining licenses are issued should not be less than 5 hectares and should be less than 25 hectares.
9. Monitoring of the sand mining activities should be done by the District Collector to ensure that the mining is done to the extent of area and quantum sanctioned. The District Collector should furnish monthly monitoring reports to SEIAA.
10. Specific mining plan which clearly defines the stretch wise details of the river in terms of extent of area (in hectares), proposed depth of the mining (in metres), quantity of mined sand in tons at a specific point and period and exact dimensions (marking boundaries of the mining area including its latitude and longitude) in maps, of the project site should be provided for any further EC application with respect to the project along with Form 1 and necessary attachments failing which application shall not be accepted. The sand audit report with necessary maps can be considered as the pre-feasibility report. Extent of area should be clearly mentioned in Form 1.
11. The mining shall be done manually.
12. Online e-management system should only be resorted for sand distribution.
13. All the other statutory clearances as is required should have been obtained prior to initiation of activities.

Item No. KLA/28.05	Environmental clearance for removal of ordinary earth at Palamel Village, Mavelikkara Taluk, Alappuzha in Sy. Nos. 226/14 and 226/6 by Sajeena Anwar, Pandalam (File No. 157/SEIAA/KL/3421/2013)
--------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Decision : Approved for EC as per the usual conditions specified in O.M. No. L-11011/47/2011-IA.II(M) dt. 21.03.2013 of Ministry of Environment and Forests on mining of 'brick earth' and 'ordinary earth' having lease area less than 5 hectares as follows:

- (i) The activity shall not involve blasting.
- (ii) The maximum depth of removal of earth should not go beyond 2 m from the general ground level of the site, which should be prominently marked before initiating the work.
- (iii) Removal of earth should be restricted to 2 m above to the ground water table at the site.
- (iv) The excavation activity shall not alter the natural drainage pattern of the area.
- (v) The borrowed/excavated pit shall be restored by the project proponent for useful purpose(s) as specified in the application.
- (vi) Appropriate fencing all around the borrowed/excavated pit shall be made to prevent any mishap.
- (vii) Measures shall be taken to prevent dust emission by covering of borrowed/excavated earth during transportation.
- (viii) Safeguards shall be adopted against health risks on account of breeding of vectors in the water bodies created due to borrowing/excavation of earth.
- (ix) Workers / labourers shall be provided with facilities for drinking water and sanitation.
- (x) A berm shall be left from the boundary of adjoining field having a width equal to at least half the depth of proposed excavation.
- (xi) A minimum distance of 15 m from any civil structure shall be kept from the periphery of the excavation area.
- (xii) The Environmental Clearance shall be liable to be cancelled in any case of violation of above guidelines.

Item No. KLA/28.06	Environmental clearance for removal of ordinary earth in Sy. Nos. 364-9/6, 9/7, 9/12, 8/6, 8/22, 8/21, 6/29, 6/30 at Mulayam Village, Nadathara Panchayath, Thrissur Taluk, Thrissur District, Kerala by Mr. P.R. Rajesh (File No. 202/SEIAA/KL/94/2014)
--------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Decision : Approved for EC as per the usual conditions specified in O.M. No. L-11011/47/2011-IA.II(M) dt. 21.03.2013 of Ministry of Environment and Forests on mining of 'brick earth' and 'ordinary earth' having lease area less than 5 hectares as follows:

- (i) The activity shall not involve blasting.
- (ii) The maximum depth of removal of earth should not go beyond 2 m from the general ground level of the site, which should be prominently marked before

- initiating the work.
- (iii) Removal of earth should be restricted to 2 m above to the ground water table at the site.
 - (iv) The excavation activity shall not alter the natural drainage pattern of the area.
 - (v) The borrowed/excavated pit shall be restored by the project proponent for useful purpose(s) as specified in the application.
 - (vi) Appropriate fencing all around the borrowed/excavated pit shall be made to prevent any mishap.
 - (vii) Measures shall be taken to prevent dust emission by covering of borrowed/excavated earth during transportation.
 - (viii) Safeguards shall be adopted against health risks on account of breeding of vectors in the water bodies created due to borrowing/excavation of earth.
 - (ix) Workers / labourers shall be provided with facilities for drinking water and sanitation.
 - (x) A berm shall be left from the boundary of adjoining field having a width equal to at least half the depth of proposed excavation.
 - (xi) A minimum distance of 15 m from any civil structure shall be kept from the periphery of the excavation area.
 - (xii) Ordinary earth should not be removed either from Government Purambokke or forest lands.
 - (xiii) The Environmental Clearance shall be liable to be cancelled in any case of violation of above guidelines.

Item No. KLA/28.07	Environmental clearance for removal of ordinary earth in Sy. No. 1681/5 at Aaloor Village, Mukundapuram Taluk, Thrissur District, Kerala by Mr. Kachappilly Thomas Xavier (File No. 204/SEIAA/KL/101/2014)
--------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Decision : Approved for EC as per the usual conditions specified in O.M. No. L-11011/47/2011-IA.II(M) dt. 21.03.2013 of Ministry of Environment and Forests on mining of 'brick earth' and 'ordinary earth' having lease area less than 5 hectares as follows:

- (i) The activity shall not involve blasting.
- (ii) The maximum depth of removal of earth should not go beyond 2 m from the general ground level of the site, which should be prominently marked before initiating the work.
- (iii) Removal of earth should be restricted to 2 m above to the ground water table at the site.
- (iv) The excavation activity shall not alter the natural drainage pattern of the area.
- (v) The borrowed/excavated pit shall be restored by the project proponent for useful purpose(s) as specified in the application.
- (vi) Appropriate fencing all around the borrowed/excavated pit shall be made to prevent any mishap.
- (vii) Measures shall be taken to prevent dust emission by covering of borrowed/excavated earth during transportation.

- (viii) Safeguards shall be adopted against health risks on account of breeding of vectors in the water bodies created due to borrowing/excavation of earth.
- (ix) Workers / labourers shall be provided with facilities for drinking water and sanitation.
- (x) A berm shall be left from the boundary of adjoining field having a width equal to at least half the depth of proposed excavation.
- (xi) A minimum distance of 15 m from any civil structure shall be kept from the periphery of the excavation area.
- (xii) The Environmental Clearance shall be liable to be cancelled in any case of violation of above guidelines.

Item No. KLA/28.08	Environmental clearance for the proposed construction of a Housing Project, at Kazhakuttom Village, Trivandrum Taluk, Trivandrum District, Kerala, in Sy. Nos. 40/10, 40/10-1, 37/11 & 40/17 by M/s Nikunjam Constructions Private Limited (File No. 8/SEIAA/KL/393/2012)
--------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Deferred the item.

Item No. KLA/28.09	Any other item approved by Chair
--------------------	----------------------------------

Item No. KLA/28.09.01	Proposal submitted by SIDCO for digitization of documents as part of E-Governance
-----------------------	-----------------------------------------------------------------------------------

Decision: The Authority observed that the digitization of documents in a systematic manner is very essential for effective data storage and retrieval of the same with respect to the applications for Environmental Clearance processed by SEIAA Kerala. It was also found that the scanning and indexing is not a simple process but requires orientation towards the variety of nature of data to be retrieved. So the scanning and indexing process should be very much specific in such a way that the details on the following project specific information could be retrieved at the finger tips at any moment:

1. Date of receipt of application, date of disposing off and the total number of days taken by SEIAA/SEAC/proponent, etc.
2. Details of communication sent to the proponent (including the dates of communication sent and receipt of reply)
3. Number of days taken for processing the application, before and after SEAC and also before and after SEIAA.
4. Project specific details (like Form 1, Form 1A, conceptual plan, location of the site including survey numbers, water balance chart, checklist, pre-feasibility report, mining plan, eco-restoration plan, storm water management, EMP, budget allocations (for EMP, environmental monitoring and CSR), Landscape plan, Building plan, NOC (from Airports Authority of India, Fire & Rescue Services, Southern Naval Command)), as the case may be.
5. Details of appraisal by SEAC (including the details of all the meetings in which the proposal was considered)

6. Details of assessment by SEIAA (including the details of all the meetings in which the proposal was considered)
7. Biodiversity assessment report
8. Land documents (land tax receipt, sale deed, possession certificate, etc. specifically referring to the survey numbers pertaining to them)
9. Details of the project proponent / authorized signatory (like ID card, Board of Resolution regarding authorization, Deed of partnership, Certificate of Incorporation)
10. Details of the Environmental Consultant
11. Affidavits (regarding conditions stipulated by SEAC/SEIAA, on litigation status, on violation, on consents given, etc.)
12. Litigations/court cases/complaints/field inspection reports, etc,

The Authority observed that the retrieval of the above information requires very exhaustive and meticulous scanning and indexing process compared to the normal requirements for the same. Hence the amount quoted by SIDCO, a State Government agency, was found to be justifiable considering the specific requirements. In the mean while, opinion of an IT consultant on the rate quoted may also be sought. It was decided to assign the task with a trial work for 50,000 pages as per requirements, by releasing an initial instalment of 25 percent of the cost against bank guarantee for a period of three months. On completion of three months it shall be assessed and if the work is satisfactory, as to the retrieval of data in full satisfaction to the requirement of SEIAA/SEAC proceedings, the amount kept as bank guarantee shall be released to SIDCO and further task shall be considered for assignment. The warehousing part need to be taken up only in the third year.