

MINUTES OF THE 48TH MEETING OF THE STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY (SEIAA) KERALA HELD ON 23-1-2016 AT 9.30 A.M IN THE CHAMBER OF THE ADDITIONAL CHIEF SECRETARY TO GOVERNMENT (ENVIRONMENT & FOREST) GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.

Present:

1. Prof. (Dr). K.P. Joy, Chairman, SEIAA
2. Dr. J. Subhashini, Member, SEIAA
3. Sri.P. Mara Pandiyan I.A.S. Additional Chief Secretary & Member Secretary, SEIAA.

The 48th meeting of SEIAA and the 15th meeting of the Authority as constituted by the notification No. S.O. 804 (F) dated 19-3-2015 was held from 9.30.a.m in the chamber of the Additional Chief Secretary to Government (Environment& Forest Departments). (Member Secretary SEIAA).

Chairman welcomed the Members. By way of introduction he brought to the notice of the meeting that, in pursuance of the decision of item No. 47.02 of 47thSEIAA, agenda notes and minutes of SEIAA should be prepared by authorized staff of SEIAA only in order to maintain secrecy of cases and absolute integrity.

It was also decided to move to the new office building by 1st of February 2016 and to conduct meeting of SEIAA and SEAC in the new office only instead of in hotels.

Chairman also desired that pendency of applications for E.C would be brought down and on-line process for grant of E.C would be fully functional at the earliest.

Item No. 48.01 Confirmation of minutes of 47thSEIAA meeting

Confirmed.

Item No. 48.02 Action taken Report on minutes of 47thmeeting of SEIAA held on 7th January 2016.

Authority wanted the OSMEC system to be fully operational. Individual pass words for Chairmen and Members may be obtained urgently. Member Secretary wanted the application for additional funds for SEIAA for settlement of dues and activities during the rest of the financial year to be submitted to Government urgently.

Item No. 48.03 **SEIAA – Petitions on Environmental Clearance and general complaints on illegal quarries and other environmentally degrading activities (individual cases consolidated)**

Application for E.C. not received. General decision applicable in the single petition placed before the Authority.

Item No. 48.04 **Removal of Ordinary earth/Brick earth Environmental Clearance issued-Applications for extension of period of validity of Environmental Clearance.**

48.04.1 Extension for six months. No further extension.

48.04.2 Authority agreed to correct the extent of mining allowed in Item No. 44.04 as 86.26 ares

instead of 20.24 ares, as appearing in column 3 of E.C No. 674A/SEIAA/EC3/5354/2014 Dated 09.06.2015.

48.04.3 Extension for six months. No further extension

Item No. 48.05 **Environmental clearance for removal of ordinary earth in Sy.No.378/7, 3-2, 6, 10, 12, 13, 14 & 8 at Mulakkuzha Village, Mulakkuzha Panchayath, Chengannur Taluk, District, Kerala by Sri.Suresh Kumar, T. A. (File No. 842 /EC4/2803/SEIAA /2015)**

Approved for issuance of Environmental clearance on usual conditions for mining of ordinary earth stipulated in O.M No. L.11011/47/2011-IA.II(M) dated 24-6-2013 of the Ministry of Environment & Forests, for removal of ordinary earth not exceeding 2000 m³ as per recommendations of SEAC.

Item No. 48.06 **Environmental clearance for removal of ordinary earth in Sy. No. 3/3 at Karimanoor Village, Karimanoor Panchayath, Thodupuzha Taluk, Idukki District, Kerala by Sri. Hussain E. K. (File No. 844 EC4/2814/SEIAA /2015)**

The 49th meeting of SEAC held on 7th and 8th December, 2015 appraised the proposal and found that the removal of earth is proposed for the construction of a new building. From the location sketch it was found that earth is removed from the same plot more than once. The committee observed that the application submitted is not convincing and hence decided to recommend to SEIAA to reject the application.

The Authority decided to reject the application accepting the above reason.

Item No. 48.07 **Environmental clearance for removal of ordinary earth in Sy.Nos.321/10 at Puthuruthi Village, Thalappilli Taluk, Mundathikode Panchayat, Thrissur District, Kerala by Sri. A.J. Shobin, (File No. 845/SEIAA/EC1/2845/15)**

Approved for issuance of Environmental clearance on usual conditions for mining of ordinary earth stipulated in O.M No. L.11011/47/2011-IA.II(M) dated 24-6-2013 of the Ministry of Environment & Forests, for removal of ordinary earth not exceeding 5000m³ as per recommendations of SEAC.

Item No. 48. 08 **Environmental clearance for removal of ordinary earth in Sy. No. 388/2, 388/3-2,389/1, 389/3 at Arakkapadi Village, Vengola Panchayath, Kunnathunadu Taluk, Ernakulam District, Kerala by Sri. Nishad, P.A., Managing Partner, P.A. constructions (File No. 947 /EC3/4160/SEIAA /2015)**

Sri.Nishad, P.A., Managing Partner, P.A. constructions, Shanthipuram P.O, Kodungalloor, Thrissur-680668 has applied for Environmental Clearance for removal of 300000 m³ of ordinary earth from an area of 4.0287 hectares of land belonging to *Sri. Saheer, Jaasim, Rukgiya, Silna, Azeez, Salman & Kasim* in Sy. No. 216/34, 37, 10, 8, 18, 35, 13, 20,21, 19, 2, 27, 26, 29, 25, 39& 38 at Pattimattom Village, Kunnathunadu Panchayath, Kunnathunadu Taluk, Ernakulam District for the site development and construction of bund for compound wall, canal diversion etc forming part of the 16,500 crores Integrated Refinery expansion project of BPCL at their Cochin Refinery.

In his letter dated 15/12/2015, the Executive Director, BPCL (Kochi Refinery) has informed as follows:

‘Vide their letter cited 2 above BPCL approached The Director, Dept. of Environment & Forest, for getting Environmental Clearance for bringing earth from outside the premises of BPCL-KR. It is understood that there is a delay of two to three months for getting the approval from the above committee for commencing the earth filling activity which will delay the entire project by another Six (6) months. BPCL is planning to utilize the full dry period till May 2016 for commencing the construction of plants after that. If the permission is delayed the earth filling during the dry spell is not possible and the completion of the project as per the schedule time will get affected.’

The applications were placed in the SEAC for appraisal, but owing to the delay in getting it appraised, and the urgency pointed out by BPCL to get E.C for removal of O.E so that the vital

site development activities could be completed and delay in completion of the project avoided, the Authority considered the application and resolved to grant E.C on the following specific conditions as well as the usual conditions for mining of ordinary earth stipulated in O.M No. L.11011/47/2011-IA.II(M) dated 24-6-2013 of the Ministry of Environment & Forests, for removal of ordinary earth not exceeding 80000 m³:

1. Excavation shall not create situations of possible land slide or threat to life and property.
2. Mining shall not result in pit formation or water logging.
3. The quantity of O.E being excavated from each site as permitted and to be deposited at each work site shall be fixed.
4. Name of the work, site and quantity permitted to be removed from the site shall be exhibited on the vehicle.
5. Contractor shall inform the registration number of the vehicle deployed for transportation of the O.E from permitted sites, to the BPCL. The number of the vehicles as intimated may be reported to the concerned police authorities and local authorities by BPCL.
6. BPCL shall ensure overseeing that the O.E extracted as permitted is as per the conditions in the E.C. and used only for the use and project of BPCL.

Item No. 48.09

Environmental Clearance for removal of ordinary earth in Sy. No. 388/2, 388/3-2,389/1, 389/3 at Arakkapadi Village, Vengola Panchayath, Kunnathunadu Taluk, Ernakulam District, Kerala by Sri. Nishad, P.A., Managing Partner, P.A. constructions (File No. 948 /EC3/4161/SEIAA /2015)

Sri.Nishad, P.A., Managing Partner, P.A. constructions, Shanthipuram P.O, Kodungalloor, Thrissur-680668 has applied for Environmental Clearance for removal of 1,24,950 m³ of ordinary earth from an area of 4.2381 hectares of land belonging to *Muhammad Moosa, Sadique, Abdul Rahim, Rajan and Khadar*, in Sy. No. 388/2, 388/3-2,389/1, 389/3 at Arakkapadi Village, Vengola Panchayath, Kunnathunadu Taluk, Ernakulam District.

In his letter dated 15/12/2015, the Executive Director, BPCL (Kochi Refinery) has informed as follows:

‘Vide their letter cited 2 above BPCL approached The Director, Dept. of Environment & Forest, for getting Environmental Clearance for bringing earth from outside the premises of BPCL-KR. It is understood that there is a delay of two to three months for getting the approval from the above committee for commencing the earth filling activity which will delay the entire project by another Six (6) months. BPCL is planning to utilize the

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full dry period till May 2016 for commencing the construction of plants after that. If the permission is delayed the earth filling during the dry spell is not possible and the completion of the project as per the schedule time will get affected.'

The applications were placed in the SEAC for appraisal, but owing to the delay in getting it appraised, and the urgency pointed out by BPCL to get E.C for removal of O.E so that the vital site development activities could be completed and delay in completion of the project avoided, the Authority considered the application and resolved to grant E.C on the following specific conditions as well as the usual conditions for mining of ordinary earth stipulated in O.M No. L.11011/47/2011-IA.II (M) dated 24-6-2013 of the Ministry of Environment & Forests, for removal of ordinary earth not exceeding 80000 m³:

1. Excavation shall not create situations of possible land slide or threat to life and property.
2. Mining shall not result in pit formation or water logging.
3. The quantity of O.E being excavated from each site as permitted and to be deposited at each work site shall be fixed.
4. Name of the work, site and quantity permitted to be removed from the site shall be exhibited on the vehicle.
5. Contractor shall inform the registration number of the vehicle deployed for transportation of the O.E from permitted sites, to the BPCL. The number of the vehicles as intimated may be reported to the concerned police authorities and local authorities by BPCL.
6. BPCL shall ensure overseeing that the O.E extracted as permitted is as per the conditions in the E.C. and used only for the use and project of BPCL.

Item No. 48.10 Environmental clearance for removal of ordinary earth in Sy. No. 165/15, 165/1-1 at Thiruvaniyoor Village, Thiruvaniyoor Panchayath, Kunnathunadu Taluk, Ernakulam District, Kerala by Sri. Nishad, P.A., Managing Partner, P.A. constructions (File No. 949 /EC3/4162/SEIAA /2015)

Sri.Nishad, P.A., Managing Partner, P.A. constructions, Shanthipuram P.O, Kodungalloor, Thrissur-680668 has applied for Environmental Clearance for removal of 46200 m³ of ordinary earth from an area of 70.82 ares of land in Sy. No. 165/15, 165/1-1 at Thiruvaniyoor Village, Thiruvaniyoor Panchayath, Kunnathunadu Taluk, Ernakulam District,

In his letter dated 15/12/2015, the Executive Director, BPCL (Kochi Refinery) has informed as follows:

‘Vide their letter cited 2 above BPCL approached The Director, Dept. of Environment & Forest, for getting Environmental Clearance for bringing earth from outside the premises of BPCL-KR. It is understood that there is a delay of two to three months for getting the approval from the above committee for commencing the earth filling activity which will delay the entire project by another Six (6) months. BPCL is planning to utilize the full dry period till May 2016 for commencing the construction of plants after that. If the permission is delayed the earth filling during the dry spell is not possible and the completion of the project as per the schedule time will get affected.’

The applications were placed in the SEAC for appraisal, but owing to the delay in getting it appraised, and the urgency pointed out by BPCL to get E.C. for removal of O.E so that the vital site development activities could be completed and delay in completion of the project avoided, the Authority considered the application and resolved to grant E.C on the following specific conditions as well as the usual conditions for mining of ordinary earth stipulated in O.M No. L.11011/47/2011-IA.II(M) dated 24-6-2013 of the Ministry of Environment & Forests, for removal of ordinary earth not exceeding 13,600 m³:

1. Excavation shall not create situations of possible land slide or threat to life and property.
2. Mining shall not result in pit formation or water logging.
3. The quantity of O.E being excavated from each site as permitted and to be deposited at each work site shall be fixed.
4. Name of the work, site and quantity permitted to be removed from the site shall be exhibited on the vehicle.
5. Contractor shall inform the registration number of the vehicle deployed for transportation of the O.E from permitted sites, to the BPCL. The number of the vehicles as intimated may be reported to the concerned police authorities and local authorities by BPCL.
6. BPCL shall ensure overseeing that the O.E extracted as permitted is as per the conditions in the E.C and used only for the use and project of BPCL.

Item No.48.11 Environmental Clearance for Laterite mining – Applications pending reg– (File No. 667/EC4/5134/2014),(File No.703/EC3/5055/2014).

The two cases in files 667/EC4/5134/2014 and 703/EC3/5055/2014 on the decision of SEIAA s based on Rule 12 of KMMC Rules 2015 (MP & EC are not necessary for Mining of Laterite Building Stone) and to intimate the rule position to the applicants, was reviewed. The stand of SEIAA being laterite can be classified as OE (which is a minor mineral) E.C would be necessary as per EIA notification.

As the KMMC Rule and OM of MoEF are contradictory in this regard, SEIAA decided that E.C may be issued in such cases of laterite mining as was done in file No. 775/EC1/2015/SEIAA (E.C issued).

Item No.48.12 Environmental Clearance for the proposed Kannimangalam Granite Quarry at Kannimangalam in Sy. Nos. 45/1, 45/2, 46, 47 Part, 50/2, 51/1, 51/2, 51/3, 52 & 56/1 at Malayattoor Village, Malayattoor - Neeleswaram Panchayath, Aluva Taluk, Ernakulam District, Kerala by M/s Vijaya Quarry Works (File No. 115/SEIAA/EC3/2181/2013)

The Committee appraised the proposal based on the Mining Plan, Prefeasibility Report, field inspection report and all other documents submitted along with the Form I application and decided to recommend for issuance of Environmental Clearance for mining with following specific conditions, in addition to the general conditions stipulated for mining projects.

1. Fencing needed by the side of old pit with steep faces. The main access road by the side of the pit must have protective pillars.
2. Water must be clarified before it is let out.
3. OB has to be stacked at designated place for future reclamation.
4. The present bench height of 10 m must be reduced to 5 m.
5. Additional green belt must be ensured on the southern and eastern side.

The Committee also decided that the documents submitted by the proponent regarding the change of authorized signatory of the project may be looked into by SEIAA.

Authority decided to grant E.C to the project subject to the above recommendations and the result of the Application now pending before the NGT(SZ).

Item No. 48.13 Environmental clearance for the quarry project in Sy.No.276/2, 281/2 B/No. 45 at Anakayam Village, Anakayam Panchayath and Sy. No. 244 at Manjeri Village, Manjeri Municipality,

Eranadu Taluk, Malappuram District by Sri. Abdul Azeez (File No. 537/SEIAA/EC1/3880/2014)

The SEAC appraised the proposal in its 49th meeting held on 7th and 8th December 2015, based on the Mining Plan, Prefeasibility Report, field inspection report and all other documents submitted along with the Form-I application and decided to recommend for issuance of Environmental Clearance for mining with the general conditions stipulated for mining projects.

Authority accepted the recommendation and decided to grant E.C to the quarry, subject to production of no-cluster certificate from the Mining & Geology Department.

Item No.48.14 Environmental clearance for the quarry project in Sy.No.302/6, 302/7.1, 302/7.2, 302/8, 302/1.2, 298/15, 298/14, 298/16, 298/13, 298/12, 302/2.2, 301/1, 301/2, 302/5.1 and 302/5.2.2 at Thiruvaniyoor Village, Kunnathunad Taluk, Ernakulam District, Kerala by Sri.Saji K. Alias. (Owner) for M/s Mariyem Industries (File No. 553/SEIAA/EC4/4087/2014)

The 44th meeting of SEIAA held on 13-11-2015 has analysed the recommendation of the 46th meeting of SEAC held on 29/30-09-2015 on grant E.C. subject to production of more realistic social responsibility programme before SEIAA and with the following specific conditions;

1. Fencing should be provided all around the lease area. The steep cut faces of the old workings should be further demarcated and fenced to be left as danger zone.
2. Over burden must be stored in the designated places and provided with protective support walls. The 20 m wide strip of depressed land with thick soil cover may be used for this purpose. Storage of OB in the elevated part as planned may be avoided.
3. Part of the drainage from the quarry is currently directed to the old pit that acts as RWH structure. However over flow is not provided. It may do in the form of a lined drain, draining to the north. The water from the RWH structure should be let out only after clarification/desilation for which a suitable structure is essential at the outlet.
4. The main haulage road formed in the quarry must be maintained in motorable condition. The approach road to the quarry from the main road is not maintained at all. This road should also be maintained in good motorable condition by the proponent.

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5. To the extent possible local biodiversity management Committee shall be involved in the environmental management/restoration activities.
6. Reclamation and eco-restoration should be done by planting native species.

The Authority held that since several complaints with regard to the functioning of the quarry have been received, SEIAA may conduct site inspection and enquire in to the genuineness of matters of the complaints and report to SEIAA. The field inspection report by SEIAA is as follows:

‘In pursuance of the decision of the 44th meeting of SEIAA held on 13/11/2015 the Chairman together with Administrator SEIAA visited the quarry site of M/s Mariyem industries, at Pazhukkamattom, Thiruvaniyoor, Piravam, on 08/01/2016. The permit quarry was started in 2008, in the ownland of Sri. SajiK.Paulose, in about 10.00 acres (3.997 ha). Permit is for 2 acres only which has been fenced off. A small construction with cement blocks and G.I sheet roofing is seen at about 17 meters away from the South East boundary of the land owned by the proponent. It is informed that this construction (which is incomplete) started only a week ago. On 05/01/2016 Thiruvaniyoor Grama Panchayat issued a stop memo and sought for explanation of Sri. V.A. Bhaskaran, the owner of that land. There are 4 neighbouring private properties, belonging to 4 different persons including Sri. Bhaskaran.

The proposed mining area is having a total length of 144.3m (N) Breadth 27m; 67m (E) and 76m (N); Total 176m. Between the existing mining area and adjacent rubber plantation, distance in 75m. That area belongs to the proponent. Beyond the boundary and towards the west, it is rubber plantation. Though the permit is for 2 acres, E.C has been applied for 3.997 ha. No further mining taken up, except in the S.E side of the existing pit.

The on-going construction in Sri.Bhaskaran’s plot is approximately 400m² with two room and a verandah which can be seen from the mining area. 7½ m buffer distance is kept from the boundary. Office of the quarry is the nearest structure. It is at about 150m from the proposed mining area. Proponent said that the construction in Sri. Bhaskaran’s plot was not there when the Village officer sent a report on 04/12/2015 and the Advocate Commission engaged by the Hon’ble High Court visited the site on 14/12/2015.

It is seen that the construction is new and on-going. There is no power connection or availability of water. It is also seen that the boundaries are well marked with boards depicting coordinates. There are no other structures nearby.

The existing quarry pit is more than 10m deepfilled with water. The distance should be minimised to 10m with soil or over burden’.

Authority examined the whole case afresh in the light of the report on site visit, and the report of the Advocate Commission deputed by the Hon. High Court. On being satisfied that there is no substance in the complaints except regarding the depth of the mine pit, Authority decided to

grant E.C subject to reclamation of the mine pit to 10 meters depth as suggested in the report on site visit .

Item No. 48.15 Environmental clearance for the quarry project in Sy. No. 232 and 411(Pt), at Mangalam Dam Village, Mangalam Dam Panchayath, Alathur Taluk, Palakkad District by Sri. Tom George (File No. 570/SEIAA/EC1/4174/2014)

The proponent has informed that the quarry was working with permit for the last 4 years. The annual production proposed is 4,00,000 MTA. The nearest river is at a distance of more than 200m from the proposed area. A crusher unit is associated with the quarry unit. The Committee appraised the proposal based on the Mining Plan, Prefeasibility Report and all other documents submitted along with the Form-I application and decided to recommend for issuance of Environmental Clearance for mining with following specific conditions, in addition to the general conditions stipulated for mining projects.

1. The buildings seen adjacent to the proposed unit shall not be used for dwelling purpose.
2. A comprehensive community drinking water scheme for the project and the nearby area should be provided as part of Social Responsible Activity.
3. As the committee has not conducted site visit, Authority decided to visit the site and to assess the situation.

Item No. 48.16 Environmental clearance for the quarry project in Sy. Nos. 2066/1, 2067/2, 2063, 2057, 2056/2, 3 and 2067/1 at Kuttichira Village , Kodassery Panchayath, Chalakkudy Taluk, Thrissur District by Sri. Shibu Pynadath John, Managing Director, M/s Pynadath Granite Pvt.Ltd., 10/365D, Pynadath Estate, Pulinkara, Kuttichira, P.O., Thrissur – 680724 (File No. 606/SEIAA/EC1/4633/2014)

The proposal was considered by SEAC in its 49th meeting held on 7th & 8th December 2015. The Committee appraised the proposal based on the Mining Plan, Prefeasibility Report, field inspection report and all other documents submitted along with the Form-I application and decided to recommend for issuance of Environmental Clearance for mining with following specific conditions, in addition to the general conditions stipulated for mining projects.

1. Fencing should be provided all around the lease area. The steep cut faces of the old workings should be further demarcated, fenced and to be left as danger zone.

2. Overburden must be stored in the designated places and provided with protective support walls.
3. The old pit must be maintained as a RWH structure.
4. Lined catchwater drains should be provided at the lower elevation on the north and south to channelize storm water. The water should be let out only after clarification/desiltation
5. The main haulage road formed in the quarry must be maintained in motorable condition. The alternate road from the Church side should also be maintained in good motorable condition by the proponent.
6. The ultimate depth of quarrying should be limited to 30 m above AMSL.

Authority accepted the recommendations and decided to issue E.C subject to production of no cluster certificate

Item No.48.17

Environmental clearance for the quarry project 111/8-2, 113/1-2, 113/1-3, 112/5, 114/1, 114/2, 114/7, 113/1, of Chithara Village & Panchayat, Kottarakara Taluk, Kollam District, Kerala for an area of 2.2541 hectares by Sri. Dilly Sukhy, Managing Partner, M/s Ananthapuri Blue Metals (File No. 799/EC3/2042/SEIAA/2015)

The 49th meeting of SEAC held on 7-8 Dec. 2015 appraised the proposal based on the Mining Plan, Prefeasibility Report, field inspection report and all other documents submitted along with the Form-I application and decided to recommend for issuance of Environmental Clearance for mining with following specific conditions, in addition to the general conditions stipulated for mining projects.

1. Fencing should be provided all around the lease area.
2. Over burden should be stored in the designated places and provided with protective support walls.
3. Ultimate depth of mine which will depend on the possible benches of 5m width and 5m height in the lease area as no prominent streams are seen in the vicinity.
4. A declaration to be produced stating that the building on the northern side is not a dwelling unit and is used for rubber sheet related activity.
5. The building in the northern side shall not be used for residential purpose.

Authority accepted the recommendations and decided to issue E.C subject to the above conditions.

Item No. 48.18 **Environmental clearance for the building stone quarry project in Sy. Nos. 247/2, 247/2/1, 247/2/2, 247/2/3, 249/1, 249/2/, 249/3, 249/4, 439/1-1, 248/4, 248/3pt at Erattupetta Village, Thalappalam Panchayath, Meenachil Taluk, Kottayam District- by Sri. Tomy Thomas (File No. 806/SEIAA/EC4/2237/2015)**

The proposal along with field visit report was again placed in the 49th meeting of SEAC held on 7th and 8th December 2015. The Committee decided to recommend for issuance of Environmental Clearance with the following specific conditions, in addition to the general conditions stipulated for mining projects.

1. Fencing should be provided all around the lease area.
2. Considering the steepness of slope, haulage road must be redesigned with increase in width and lower gradient.
3. Catch water drains must be provided at the lowest part and channelized down slope after clarification.
4. RWH structure should be provided in the site but on the lower part.
5. Ultimate depth of mine to be limited to the permissible level of deepening by benches.
6. OB burden must be stored in a designated place at a lower elevation and must be provided with protective walls to prevent slope stability problems.
7. The working must progress from top to bottom by providing benches. The existing steep cuttings should be negotiated in a planned manner

Authority decided to issue E.C to the project subject to the above conditions.

Item No.48.19 **Environmental clearance for the quarry project in Sy. Nos. 375/7, 385/1, 385/2-1, 385/2-2, 385/3, 385/4-1, 385/4-2, 385/5-2, 385/6, 385/7, 385/8, 385/9, 385/10, 385/11, 385/12, 385/13, 385/14, 385/15, 385/16-2, 385/16-3, 385/17, 386/4, 386/5-2, 386/5-2-1, 386/5-3, 386/5-4, 386/11, 386/12, 386/13, 386/14, 386/15, 386/15-2, 386/15-3, 386/16, 386/17-2, 387/4, 387/5, 387/7-1, 387/8, 387/9, 387/10, 387/11, 387/14-1, 387/14-2, 387/15, 387/16, 387/17, 388/15-2-2, 388/15-2-3, 388/15-3-3, 388/15-6, 388/15-7, 388/15-10, 389/16 2 and 389/17 at Mankode Village, Kottarakkara Taluk, Kollam District, Kerala by Sri. R. Madhoosudanan Nair for M/s. Chithara Crushers Metals (File No. 812/EC3/2477/SEIAA/2015)**

The 49th meeting of SEAC held on 7/8th Dec. 2015 appraised the proposal and recommended for issuance of Environmental Clearance with specific conditions, in addition to the general conditions stipulated for mining projects.

Authority noted that the mining area is 10.3134 hectares. Certificate of no cluster situation has not been produced. The nearest human settlement is stated to be at more than 100 m by the VO but several buildings are seen existing within that range as per the maps. Question of violation of EIA notification also arises as it is working without environmental clearance in more than 5 ha. Authority therefore decided to refer the matter to SEAC to look in to the above aspects as well and to make recommendations.

Item No. 48.20 **Environmental clearance for the quarry project in Survey Nos. 283/4-2-1-1 pt., 284/3 pt., 284/4 pt., 284/3-2pt., 284/4-2 pt., 284/5-3, 285/3-2 pt., 285/4-2 pt., 285/5-1pt., 285/5-2 pt., 285/6-2, 285/10-1 pt., 285/11 pt., 387/1-1pt., 387/1-2 pt., Chitara Village & Panchayat, Kottarakkara Taluk, Kollam District, Kerala for M/s Masonry Stone Mine (Quarry) project of Mr. Sunil Kumar S.(File No. 813/SEIAA/EC3/2484/2015)**

Based on an overall evaluation of the site, a subcommittee of SEAC which conducted site visit reported to SEAC that quarry operations may be recommended with following conditions:

1. Fencing should be provided all around the lease area.
2. Storm water drainage from the upper part must be channelised properly and let out through well-defined channels. Considering the topography catch water drain should also be provided on the lower part for the safety of crusher unit and other facilities.
3. The RWH structure and water clarification mechanism planned should be in place. Periodic desiltation is mandatory.
4. Ultimate depth of mine which will depend on the possible benches of 5m width and 5m height in the lease area as no prominent streams are seen in the vicinity.
5. The road leading to the quarry and the haulage lines should be kept in kept in pristine condition with sufficient width.
6. Other items from general conditions like, a) appropriate sign boards should be displayed b) the blasting time must be displayed and strictly adhered to c) the PPV values must be less than 10 mm/sec d) steps to be taken to limit fly rock to within the lease area. rock

fragments should not fall anywhere outside the lease area e) dust suppression mechanism must be in place f) a belt of trees (vegetation belt) should be maintained all around the quarry but must be maintained till the entire life of quarry g) a separate small plot to be maintained in the premise to preserve rare and endemic species, if any, listed in the biodiversity assessment etc.

The 49th committee of SEAC held on 7/8th Dec. 2015 has appraised the proposal recommended for issuance of Environmental Clearance with following specific conditions, in addition to the general conditions stipulated for mining projects.

1. Fencing should be provided all around the lease area.
2. Storm water drainage from the upper part must be channelised through well-defined channels. Considering the topography catch water drain should also be provided on the lower part for the safety of crusher unit and other facilities.
3. The RWH structure and water clarification mechanism planned should be in place. Periodic desiltation is mandatory.
4. The road leading to the quarry and the haulage lines should be kept in pristine condition with sufficient width.

Authority decided to grant E.C subject to the conditions proposed by the Subcommittee which were omitted by SEAC(4,6).

Item No. 48.21 Environmental clearance for the building stone quarry project in Sy. No. 348/7, 349/5, 349/6, 349/7, 349/8, 350/6, 350/7, 350/8, 350/9, 350/10 at Kanakkary Village, Meenachil Taluk, Kottayam District by Dr.Vivish Thomas (File No. 815/SEIAA/EC4/2486/2015)

The proposal along with field visit report was considered in the 49th meeting of SEAC held on 7th and 8th December 2015. The Committee decided to recommend for issuance of Environmental Clearance for mining with the following specific conditions, in addition to the general conditions stipulated for mining projects.

1. Fencing should be provided all around the lease area.
2. The very steep cliff like flanks of the deep pit used as RWH structure shall be demarcated and fenced as danger zone with sign boards.
3. Approach roads to the quarry and the main haulage road shall be maintained
4. A minimum buffer distance of 100 m must be left from the nearest dwelling unit.

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Authority accepted the recommendations and decided to issue E.C subject to the above conditions.

Item No. 48.22 **Environmental clearance for the quarry project in Sy. No. 4/3, 4/4, 4/11-1, 4/11, 4/13-1, 4/13-2, 4/13-3, 4/14, 6/1, 6/3, 6/4, 9/1, 9/2, 9/3, 9/4, 9/5, 9/6, 9/7, 6/5, 16/2 at Ezhumattoor Village, Mallapally Taluk, Pathanamthitta District, Kerala by Sri. V.R. Ajayakumar, Mallapally Taluk, Pathanamthitta District by Sri. V.R. Ajayakumar (File No. 816//SEIAA/EC4/2488/2015)**

The proposal along with field visit report was placed in the 49th meeting of SEAC held on 7th and 8th December 2015. The committee decided to recommend for issuance of Environmental Clearance to the quarry with the following specific conditions, in addition to the general conditions stipulated for mining projects.

1. A clear buffer width of not less than 7.5 m shall be provided from the stream. The flow of water in the stream should not be tampered with.
2. The deep abandoned pit on the northern side of property shall be maintained as RWH structure
3. Ultimate depth of mine shall be limited to the permissible level of deepening by benches.
4. OB burden and top soil must be used for eco-restoration of old abandoned pits and balance shall be stored in a designated place.
5. While providing benches the existing steep cuttings should be negotiated in a planned and phased manner only.

Authority accepted the recommendations and decided to issue E.C subject to the above conditions.

Item No. 48.23 **Environmental clearance for the Proposed quarry project in Sy. Nos 2059/1, 2060, 2061, 2063 of Kuttichira Village & Survey Nos . 928, 929, 930, 931, 932/1, 932/2 at Kodassery Village, Kodassery Panchayath, Chalakudy Taluk, Thrissur District, Kerala by Sri. Basil Madappilly (File No. 847/SEIAA/EC1/2859/2015)**

The Committee has recommended for issuance of Environmental Clearance for mining with general conditions stipulated for mining projects.

Authority is of the view that if the land involved is assigned Patta Land for specific purpose not being mining, quarrying is not possible. Proponent to produce the assignment order (Patta) to verify the conditions. .

Item No.48.24 Environmental clearance for proposed Centralized Biomedical Waste Treatment Facility (CBMWTF) at Kinalur Village, Koyilandi Taluk Kozhikode District By Sri. Deepthikumar P.S., M/s Malabar Enviro Vision Pvt. Ltd. (File No 598/SEIAA/EC4/4601/2014)

The proposal was placed in the 49th meeting of SEAC held on 7th and 8th December 2015 which recommended for issuance of Environmental Clearance with the general conditions stipulated for Biomedical waste Treatment Facility. The ToR for the project has been approved by MoEF and the EIA report is prepared on the basis of that. The authority on the basis of the recommendation of SEAC decide to grant E.C to the CBMWTF of Malabar Enviro Vision Pvt. Ltd. at Kinalur village, Kpzhikode subject to the following conditions as well.

1. The waste shall be segregated at source itself to be transported for treatment.
2. Plastic wastes shall be shredded and recycled.
3. Greenbelt should be developed with local tree species.
4. The equipments shall be cleaned every day and the waste water shall be channelized to ETP and the ash shall be removed once in every 15 days.
5. Compound wall shall be built all around the area.
6. There shall be effective provisions for storm water management.

Item No. 48.25 Environmental clearance for the proposed expansion of existing IT /ITES SEZ campus project (M/s Infosys Limited) in Sy. No. 198(p), 143(p), 180(p), 181(p), 190(p), 191(p), 192(p), 200(p), 203(p), 183, 184, 186, 188, 194, 195, 196, 197, 199, 201, 202(p), 204(p), 223(p) and 224(p) in Block No. 18 at Attipra Village, Thiruvananthapuram Taluk, Thiruvananthapuram District by Adv. Dr.P.Ramadas Kamath, U. (File No. 647/SEIAA/EC1/4943/2014)

The proposal was considered in the 49th meeting of SEAC held on 7th& 8th December 2015. The Committee observed that the proposed area falls under SEZ. EC for the existing building was obtained from MoEF on 4.06.2008.

The Committee recommended for issuance of Environmental Clearance with following specific conditions, in addition to the general conditions stipulated for building projects subject to the production of following documents/details.

- 1) The emergency parking facility proposed should be ear marked.
- 2) Adequate drinking water and sanitary facilities should be provided for construction workers at the site. Provision should be made for mobile toilets. The safe disposal of wastewater and solid wastes generated during the construction phase should be ensured.
- 3) Disposal of muck during construction phase should not create any adverse effect on the neighbouring communities and be disposed taking the necessary precautions for general safety and health aspects of people, only in approved sites with the approval of competent authority.
- 4) Construction spoils, including bituminous material and other hazardous materials, must not be allowed to contaminate water courses and the sump sites for such materials must be secured so that they should not leach into the ground water.
- 5) Any hazardous waste generated during construction phase, should be disposed off as per applicable rules and norms with necessary approvals of the Kerala State Pollution Control Board.
- 6) The diesel generator sets to be used during construction phase should be low sulphur diesel type and should conform to Environment (Protection) Rules prescribed for air and noise emission standards.
- 7) Water demand during construction should be reduced by use of pre-mixed concrete, curing agents and other best practices referred.
- 8) Roof should meet prescriptive requirement as per Energy Conservation Building Code by using appropriate thermal insulation material to fulfil requirement.

Authority considered the recommendations and decided to grant E.C subject to the above and the additional specific condition that a tree belt shall be formed with native species near the NH side of the proposed area, and the general condition for building projects.

Item No.48.26

Environmental clearance for the proposed housing project in Survey nos. 60/1A, 1B & 1C at Edappally South Village, Kanayannur Taluk and Ernakulam District, application of Sri. Blaze Felix (File No. 834/SEIAA/KL/2712/2015)

The SEAC appraised the proposal and recommended for issue of Environmental Clearance with following specific conditions, in addition to the general conditions stipulated for building.

1. The RWH capacity should be enhanced to 1,00,000 KL
2. The *thodu* flowing adjacent to the proposed area should be kept undisturbed.

Authority resolved to write to the proponent to produce CRZ clearance from the KCZMA for issue of E.C.

Item No. 48.27 Environmental clearance for the quarry project in Sy. No. 946/2 pt. at Chittar Village & Panchayath, Ranni Taluk, Pathanamthitta District, by M/s Delta Aggregates & Sand Pvt. Ltd. (File No. 239/SEIAA/EC4/969/2014)

SEIAA in its 40th meeting held on 3/4-08/2015, resolved that such cases attracting ESA restrictions need to be considered only after the final notification of ESAs by MoEF, except where there are Court directions.

Further to the judgment dated 2-9-2015 in W.P (C) no. 19618/ 2015 filed by M/s Delta Aggregates & Sands Pvt Ltd the Chairman and Member SEIAA heard the proponent on 30-9-2015 and in its 42nd meeting held on 01/10/2015 decided to defer this issue to decide on the general issue of quarrying in the ESA based on the report of the Kerala State Biodiversity Board. The Board has opined that 'grant of Environmental Clearance for mining/Quarrying may be considered only after the final notification of ESA areas of the State with geocoordinates of boundary, except where there are specific court directions in the matter'. This issue as a general question was considered in the 47th meeting of SEIAA held on 07/01/2016. The decision was as under:

'In the matter of grant of E.Cs in ESAs SEIAA is guided not by the draft notification dated 10/03/2014 or 04/09/15, but by order No. F.1-4/2012 RE (pt) dated 13/11/2013, which is a statutory Direction of MoEF under Section 5 of the E (P) Act – 1986. List of ESA Village in Kerala has been notified therein. Mining, quarrying and sand mining have been prohibited in ESA from 13/11/2013, except in those cases which have been received by SEIAA before putting HLWG report on the website of the Ministry, (17/04/2013), and which are pending with SEIAA. Both the draft notifications are proposals published by MoEF for information of public likely to be affected thereby and will be taken up for consideration only after the statutory notice period is over (60 days) and taken effect only from the date on which it is published in the

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Gazette of India. It is no notification Under Section 3, and is ineffectual for all purposes. At the same time the direction Under Section 5 stands. In the new draft dated 04/09/2015, the provision on ESA in respect of Kerala is as under:

“(2) The Eco Sensitive Area in the State of Kerala is spread over an area of 9993.7 sq. km, which includes 9107 sq. km of forest area and 886.7 sq.km of non-forest area, and the boundary and description of Eco- Sensitive Area and the Village wise details of Eco-Sensitive Area proposed by State Govt. are available on the website of the Kerala State Biodiversity Board.”

There is no indication that the ESAs proposed by the State Govt. have been accepted by Govt of India. In the face of the Direction under section 5, the draft notification has no relevance’.

The general decision of the 40th meeting held on 03/04-08-2015 and 47th meeting on 07/01/2016 would stand in the light of the standof the Biodiversity Board, in the specific case of the proponent’s quarry. Decision may be intimated to the proponent.

Item No. 48.28 **Environmental Clearance for removal of ordinary earth in Sy. No. 239/13(pt) at Kanayannur Village, Kanaynnur Taluk, Ernakulam District to Sri. John, S/o Mathai- Granted-Transportation- Extension of E.C.-reg. (288/EC3/2014/SEIAA)**

Dist. Geologist cannot apply for extension for E.C. for mining, issued to private applicant. E.C. is not necessary for transportation of O.E. If the E.C. condition except validity has been complied with, the Geologist can permit transportation. He may be informed so.

Item No.48.29 **Environmental Clearance for removal of ordinary earth in Sy.no. 752/p, 753/p, 755/p, 750/p, 751/p and 749/p at Ayyathole Village and Thrissur Panchayath, Thrissur Taluk, Thrissur District, Kerala by Sri. Domi K.A (File No.**

Authority decided that the application was for removal of O.E for basement only. Car park was not included. If additional quantity is to be excavated, separate application may be submitted.

Item No. 48.30 **Permit quarries – Violation of EIA notification – Observations of SEAC (File No. 3496/EC2/2014/SEAC)**

Authority decided to write to the Principal Secretary (Industries) informing the position stated in the agenda note.

48.31 Environmental clearance for quarry project in Sy. No. 1083 / 12, 1084 / 6, 2, 13, 107 7/1A, 1084/6.2 and 1084 /1 at MemuryVillage, MemuryPanchayath, MuvattupuzhaTaluk, Ernakulam District, Kerala by Sri. Stephen Joseph for Stone Quarry Mining at Memury (File No. 792/SEIAA/EC3/1711/2015)

45th meeting of SEIAA held on 04.12.2015 decided to conduct a site inspection before deciding on grant of E.C. as there are some discrepancies found regarding human settlement and water body. The inspection report is as follows;

As per the decision in the 45th meeting of SEIAA, the Chairma, SEIAA together with the Administrator visited the quarry site of M/s Crystal Aggregates Pvt. Ltd., at Memury Village, MemuryPanchayath, MuvattupuzhaTaluk, Ernakulam. It is a permit quarry working for the last 9 years. There are three houses within 100m. Mining is proposed in the area opposite to where the houses are. According to the quarry operators, there are no inhabitants in one house and the other two are taken on rent by them for residential purpose of workers. All around there is rubber cultivation.

Deep pit has been formed. There is no outlet for the water collected. The mining done is in unscientific manner and large boulders are seen remaining on slopes posing danger to workers. Road to the quarry is also not well maintained. No bench has been formed so far. Scientific mining has to be exercised as per mining plan.

Quarrying may be permitted;

1. provided the depth of mine pit maintained at the maximum level of 10m,
2. restoring the rest with topsoil/ overburden,
3. fencing off the entire mining area.
4. affidavits may be produced to the effect that the land owners of the above three dwelling units have no objection to the quarrying, as applied for by the proponent.

Project proponent should give an affidavit agreeing to the above conditions with the time limit before the issuance of E.C.

Authority decided to issue E.C subject to the recommendations of SEAC and the suggestions of the inspection team of SEIAA in addition to the general conditions stipulated for mining projects.

Item No. 48.32 Environmental Clearance for removal of Ordinary Sand () –Report of District level Expert Committee – (File No. 785/EC4/2015/SEIAA)

14 Cases of applications for E.C for extraction of ordinary Sand () in various districts, mainly Wayanad, are pending. The District Collectors have to constitute the Committee. Government (Ind. Department) may be requested to direct the District Collectors to constitute the Committees per G.O (Ms) 132/14/1D dated 22/09/2014 forthwith and to make available the EIA report to SEIAA. It is all the more necessary as District Environment Impact Assessment Authorities (DEIAAs) has been formed, whereby it is required to dispose of applications for E.C for Ordinary Sand.

Item No. 48. 33 General Recommendations of SEAC in the 49th meeting held on 07/08/-12-2015

The 49th meeting of SEAC held on 07/08-12-2015 made the following general recommendation for consideration of SEIAA.

No.	Recommendation of SEAC	Remarks
1.	The Committee has been trying very hard to get an overall idea about the total pendency of proposals for appraisal and the reasons for the same. With this in view a specific query was raised in the previous meeting requesting the secretariat to list out all pending cases along with the reasons for their pendency. Unfortunately it has not been made available so far. When the matter was raised by the Chairman the Secretary informed the committee that no data regarding the pendency of cases are maintained since beginning. Sincere attempts are being made to prepare the statement of pendency of proposals considered after the present SEAC and SEIAA have come in to being from March 2015.He promised that it will be presented in the next meeting. However the details of pending cases from the previous committee are not readily forthcoming. This is very sorry state of affairs and the Committee hope that the SEIAA will take note of this	SEIAA has already prepared lists of pending/decided cases and a list of files pending with SEAC (147 Cases) has been furnished. cases pending for default of proponents may be sorted out and placed in SEIAA for decision on delisting / rejection.. 1. Now that Application and documents can be accessed on line by members of SEAC/SEIAA the agenda note may be on essential impact assessment aspects or non-adherence to notification, guidelines or O.Ms of MoEF. 2. List of pending applications and even stage thereof up to disposal may be uploaded in SEIAA website (on reconstruction) so that RTI applications and unnecessary visits by proponents to the office of SEIAA can be avoided. 3. Review of old files may be conducted by Chairman and Member SEIAA and those which can be disposed of by delisting/rejection may be placed in the Authority for decision. 4. Once the appraisal process is fully online,

	and take urgent remedial measures.	<p>frequency of meetings may be increased.</p> <p>5. Services of the project personnel engaged may be made available to prepare minutes of SEAC.</p> <p>6. Field visit may be confined to projects against which complains are there. Site inspection in necessary cases may be conducted and report furnished within the time line for appraisal by SEAC (60 days).</p> <p>7. Training programmes may be arranged for the personnel of SEIAA on screening and other technical aspects related to EIA by the technical Members of SEAC and other experts in the field.</p>
2.	Even now quite a few old cases are pending for field inspection. Chairman requested the Secretary to proactively follow up the matter with the respective coordinators so as to finalise the site visit at the earliest.	In the 47 th meeting held on 07/01/2016, SEIAA has taken up the question whether for B2 projects, presentation by PP (Consultant) would be mandatory, and decided to refer to MoEF for clarification. Also proposals have been submitted to Government for payment of honorarium to members of SEAC at the same rate as for regular meeting, for site inspection also.
3.	Since SEIAA has already taken a decision to operationalize the online OSMEC the Committee requested the Secretariat to further proceed accordingly as and when the proposals are forwarded to the Committee by the SEIAA. It requires constant vigil and monitoring by the Secretariat.	One application has already been sent. NIC (MoEF) has not yet furnished individual passwords to Chairmen/Members of SEIAA/SEAC. Technical Director NIC, and state centre NIC have been reminded.
4.	The Committee also heard a submission by few Consultants against the Committee's decision not to insist on their services for B2 proposals. Few Committee members who were not present in last meeting also made few queries. The Chairman explained the rationale behind taking such a decision. Finally, if they are not still satisfied the Consultants were advised to take up their grievance, if any, either before SEIAA or MoEF & CC for redressal.	This has been examined in detail by SEIAA in the 47 th meeting held on 07/01/2016. Representation of the Accredited Consultants has also been considered. Decision to be intimated to SEAC.

Item No. 48.34 SEIAA – Designation of Public Information Officer-

Approved

Item No. 48.35 SEIAA- Constitution of DEIAA- Notification of MoEF dated 15th January 2016 (File No.41950/EC2/2015/SEIAA)

Authority examined the amendments effected in the EIA notification -2006 vide S.O.No. 141(E) dated 15-1-2016 of MoEF. Now that SEIAA is given supervisory jurisdiction and can review the E.Cs issued by DEIAAs, more responsibilities have been cast upon SEIAA.

In order that there is uniformity in the procedures on and disposal of applications, training on EIA subjects, Government may be requested to designate SEIAA as the nodal agency to coordinate the activities and the apex body to take up issues that must involve State Government in the matter of DEIAAs with the that Government. Funds that may be provided to DEIAAs may be channalised through SEIAA.50% of the revenue by way of processing fee on applications for E.C may be retained by SEIAA for the functioning of SEIAA/ SEAC and DEIAAs/ DCEACs, balance to be remitted to Government annually, for which the D.Ds on processing fee may be drawn in favour of the Member Secretary to be credited to S.B A/c No.67175853565of SEIAA in the SBT. D.Ds collected by DEIAAs to be forwarded to SEIAA for centralized accounting and utilisation as above. SEIAA to be authorized to propose procedures, functioning, training and monitoring of DEIAA for coordinated functioning.

The contradictions in the notification constituting DEIAA especially in the matter of jurisdiction of DEIAA/ DEAC in cluster conditions involving mining extent up to 25 ha and other mistakes may be brought to the notice of MoEF for rectification.

Item No. 48.36 SEIAA- Building on rent-Proposals (File No.163/EC2/2015/SEIAA)

In G.O (Ms) No. 15/2015/Env. dated 28-11-2015. Govt. have accorded sanction to occupy a rented building with minimum area of 4000 sqft, subject to rent certificate from PWD.

The house offered by Sri. Abdul Azeem M.T. 'ALIYA', T.C. 26/761, Officers Nagar, H.No.15, Oottukuzhy, Thiruvnanthapuram in the Secretariat Ward at the monthly rent of Rs.30,000/-(Rupees Thirty thousand only)may be taken on rent for housing the office of SEIAA/SEAC, and for meetings. The rent may be fixed at Rs.30, 000/- during the rent period of

3 years from the date of entering in to contract. The building may be taken on rent subject to rent certificate of PWD.

The furniture and equipments being used by SEIAA/SEAC in the DoECC may continue to be used by SEIAA/SEAC with the consent of DoECC, and shifted to the new office. Telephone/ Internet connections may be arranged at the rented building, once occupied.

Item No. 48.37 **SEIAA – Streamlining of processing of applications and curtailing delay.**

Noted

Item No. 48.38 **Aiswrya Granites- Hearing to Sri.A. Abdul Kabeer, Petitioner in W.P (C) 34748/2015 No. – Implementation of the judgment- reg. (File No. 129/EC3/ 2013/ SEIAA)**

Authority perused the minutes of the 51st meeting of SEAC which examined the report of the subcommittee that conducted site visit on 6-1-2016 and the report of the site visit. The interim order of the Hon. Supreme Court in SLP No.30103/2015 filed by T.K. Thomas and others in which the proponent has been impleaded was also noted. Authority decided to get it clarified from the District Collector, Kollam as to whether quarrying is barred in the lands involved in the applications owing to any existing patta conditions.

Sri.A.Abdul Kabeer who was to appear for personal hearing did not turn-up at the appointed time. Authority decided to extend another chance on 5-2-2016, for which he may be intimated by registered letter.

Meeting ended at 12' O clock. Next meeting at 9.30 am on 05/02/2016.

Prof. (Dr). K.P Joy
CHAIRMAN MEMBER

Dr.J. Subhashini
MEMBER SECRETARY &
(ADL. CHIEF SECRETARY (ENVIRONMENT &
FOREST)

Sri P.Mara Pandiyan

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