

MINUTES OF THE 49TH MEETING OF THE STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY (SEIAA) KERALA HELD ON 5-2-2016 AT 4.00 P.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 49th meeting of SEIAA and the 16th meeting of the Authority as constituted by the notification No. S.O. 804 (F) dated 19-3-2015 was held from 4.00 p.m in the chamber of the Additional Chief Secretary to Government (Environment & Forest Departments). (Member Secretary SEIAA).

Personal hearing to Sri.A.Abdul Kabeer, Petitioner in W.P No. . 34748/2015 -Implementation of the judgment- reg.

As decided in the 48th meeting held on 23-1-2016, Sri. Kabeer, the petitioner in W.P No.34748/2015 was heard by the Authority. He explained his contentions in detail. All the points covered were reduced to writing and submitted to the Authority. He pleaded that in view of the submissions, E.C may not be granted to the quarries of Aiswarya Granites. The application of Sri.Tinson John, the project proponent for personal hearing was also considered. It was decided that he may be heard in the next meeting of the Authority.

Item No. 49.01 Confirmation of minutes of 48th SEIAA meeting

Confirmed

Item No. 49.02 Action taken Report on minutes of 48th meeting of SEIAA held on 23rd January 2016.

Noted. Authority authorised the Administrator to engage required personnel for contingent works and casual labourers as and when required, on daily wage basis.

Item No. 49.03 **SEIAA – Petitions on Environmental Clearance and general complaints on illegal quarries and other environmentally degrading activities (individual cases consolidated)**

General decision to apply.

Item No. 49.04 **Removal of Ordinary earth/Brick earth Environmental Clearance issued-Applications for extension of period of validity of Environmental Clearance.**

Decided to extend the validity for six months more.

Item No. 49.05 **Application for environmental clearance for removal of ordinary earth at Nooranad Village, Mavelikkara Taluk, Alappuzha District, Kerala in Sy. No. 377/12 by Smt. Sheeja (File No. 191/SEIAA/EC4/43/2014)**

The proponent has not submitted the documents called for by the 23rd meeting of SEAC held on 6th and 7th June 2014 over a period of one year and later the proponent intimated over telephone that she would like to withdraw the application. Authority in its 37th meeting held on 8th May 2015 decided that the applicant must give a written intimation to SEIAA. Applicant informed that she did not require EC and requested to withdraw the application. Authority decided to reject the application for default of the applicant.

Item No.49.06 **Environmental clearance for removal of ordinary earth in Sy. Nos. 532/1, 628/2, 628/3, 628/15, 536/1 and 628/4 at Mulayam Village, Thrissur Taluk, Thrissur District, Kerala by Sri. Manoj Joseph and Ruby Manoj (File No. 263/SEIAA/EC1/1194/2014)**

As per G.O (Ms) 12/2014 dated 15.11.2015 of MoEF, E.C is not needed for the removal of O.E for construction of own houses. Therefore SEIAA exempted the proposal from E.C and intimated the proponent on 06.01.2015.

Now they represented that due to some legal obstructions they could not remove the ordinary earth with in the validity period of G.O (Ms) 12/2014 dated 15.11.2015 and now the validity has exhausted. Therefore they requested to issue E.C for removal of ordinary earth as recommended by 30th SEAC meeting held on 6-7/06/2014. Authority decided to extend the validity by six months.

Item No. 49.07 **Environmental clearance for removal of ordinary earth in Re. Sy.No.307/6 at Mulakkuzha Village and Panchayath, Chengannur Taluk, Alappuzha District, Kerala by**

Sri.T.O.George and Aniamma George (File No. 481/SEIAA/EC4/3337/2014)

The Committee examined the records and found that the quantity actually recorded in the minutes was 10000 m³ but it was shown as 1000 m³ in the minutes by oversight. Therefore the Committee decided to recommend to issue EC for removal of an additional quantity of 9000 m³ of ordinary earth. Authority accepted the recommendations for enhancing the quantity and modification of the E.C issued.

Item No.49.08 **Environmental Clearance for removal of brick earth in Sy.no. 527/1,2,3, 528 at Annallor Village Mala Panchayath, Chalakudy Taluk, Thrissur District, Kerala by Sri. K C Thomas (File No.658 /SEIAA/EC1/5173/2014)**

Approved for issuance of Environmental Clearance on usual conditions for mining of brick 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 not exceeding 9000 m³ as per recommendations of SEAC..District Collector Thrissur may ensure that the quantity of O.E removed does not exceed the limit as per the E.C.

Item No. 49.09 **Environmental Clearance for removal of ordinary earth in Sy.no. 530/2,555/2, 556/1-2 at Annallor Village Mala Panchayath, Chalakudy Taluk, Thrissur District, Kerala by Sri. Roy Sebastian (File No.659 /SEIAA/KL/5174/2014)**

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 not exceeding 2000 m³ as per recommendations of SEAC. District Collector Thrissur may ensure that the quantity of O.E removed does not exceed the limit as per the E.C.

Item No.49.10 **Environmental clearance for removal of ordinary earth in Sy. No. 121/1-1, 1-1-1, 2 &3 at Mulakkuzha Village, Mulakkuzha Panchayath, Chengannur Taluk, Alappuzha District, Kerala by Sri. Suresh Kumar, K. (File No. 841 /EC4/2802/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

- c) presence of a row of dwelling units in the vicinity on the southern side and d) as it is yet to be excavated
2. Fencing should be provided all around the lease area.
 3. Over burden should be stored in the designated places (not here and there) and provided with protective support walls.
 4. Storm water drainage from the upper part must be channelized properly and let out through well defined channels after clarification.
 5. The RWH structure present as an abandoned quarry in the adjacent land may not be sufficient in the long run. A proper RWH body must be provided in the lease area with water clarification mechanism and maintained throughout. Periodic desiltation is mandatory.
 6. The approach road is of very bad state due to frequent travel of trucks. There should be a collective effort by the nearby quarry owners to maintain the road motorable as they are used by the general public also.
 7. To the extent possible, local biodiversity management Committee shall be involved in the environmental management/restoration activities.
 8. Reclamation and eco-restoration should be done by planting native species.

The proposal was considered by SEIAA in its 44th meeting held on 13/11/2015. The Authority noticed that there was no consultant. The proponent himself presented his project before SEAC. SEAC appraised the proposal based on the Mining Plan, Prefeasibility Report, field inspection report and all other documents submitted along with the Form I application in its 46th meeting held on 29/30-09-2015 and decided to recommend for issuance of Environmental Clearance with the above specific conditions, in addition to the general conditions stipulated for mining projects, subject to production of the certificate of current validity of the R.Q.P and to convey the conditions proposed by SEAC. Consideration of grant of E.C. will be thereafter. Now the proponent has produced the certificate of current validity of the R.Q.P and hence the proposal was cleared for grant of E.C as already decided.

Item No. 49.13

Environmental clearance for the building stone quarry project in Sy. Nos.133/1,133/1-1,133/2,133/3,133/5,133/6,133/6-1,133/6-2,133/6-3,133/6-4,133/6-5,133/6-6,133/6-7,133/7,133/7-1,133/7-2,133/7-3,133/7-3,133/7-4,133/8-1,133/9,133/9-2,107/4-1,107/6,107/6-2,107/7,107/7-2,107/7-3,107/8,108/1,108/3,108/3-1 at Block no.32,in Kottangal village,Mallapally Taluk-, Pathanamthitta District- by Sri. A.D. John (File No. 803/SEIAA/EC4/2120/2015)

The proposal was placed in the 50th meeting of SEAC held on 30th and 31st December 2015. The Committee verified the cadastral map submitted by the proponent. 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 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. Storm water drainage from the quarry must be let out to the stream only after clarification. The stream seen on the north western side must be maintained for conducting rainwater.
3. RWH structure should be provided in the site.
4. Ultimate depth of mine must be limited to the floor level of Manimala River which is at about 20 m AMSL.
5. OB must be stored in a designated place at a lower elevation.
6. Approach roads to the quarry and the main haulage road need to be developed with a minimum width of 6 m.

Authority considered the recommendations and decided to grant E.C subject to specification of the CSR amounts proposed to be set apart and the above specific conditions, and the general conditions stipulated for mining projects.

Item No. 49.14 Environmental clearance for the quarry project in Sy. No. 1361/1 and 1361/2 at Killannur Village, Thrissur Taluk, Thrissur District by Sri. K.J. Vasudevan Nair, Managing Partner, M/s. K. J. Vasudevan Nair Granites, Killannur Village, Mulamkunnathukavu, P.O., Thrissur - 680581 (File No. 822/SEIAA/EC1/2557/2015)

The proposal was considered in the 50th meeting of SEAC held on 30/31-12-2015. The project is working with lease, which is valid up to 2020. The proposed area is 2.3720 Ha and is Govt. purambokku land and the proponent has provided copies of the lease along with the application. The land use pre-dominates rubber cultivation. Chimmony Irrigation Canal is flowing in the western side of the proposed area and safe distance should be maintained.

The Committee appraised the proposal and decided to recommend for issuance of Environmental Clearance with the following specific condition, in addition to the general conditions stipulated for mining projects.

1. A minimum setback distance of 100 m should be kept from the Chimmony Irrigation Canal.

Authority decided that EC may be issued to the quarry, provided NOC either from the District Collector or the R.D.O Thrissur is produced.

Item No. 49.15 **Amendment in Environmental Clearance issued by MoEF for the development of Software complex “TCS Technopark” in Sy. Nos. 209, 210, 211, 213, 221, 223, 224, 225, 226, 302, 304 and 305 at Attippra Village, Thiruvananthapuram District, Kerala by M/s Tata Consultancy Services (TCS) Limited (File No. 205/SEIAA/EC1/128/2014)**

On submission of the required documents provided by the proponent the proposal was considered by 50th meeting of SEAC held on 30/30-12-2015 and the committee found that the proposal is for EC for adding an additional built up area of 4,735.92 m² for setting up the Software Complex having a total built up area 1, 10,473 m² for which EC is seen issued by MoEF on 12.03.2013. The Committee found that the total plot area of the project has not changed and the proponent has now proposed an additional area of 4,735.92 m² only.

The Committee appraised the proposal based on revised Form-I, Form-IA, EIA report and all other documents submitted along with the application and decided to recommend for issuance of Environmental Clearance with all the conditions already stipulated by the MoEF & CC in their clearance 21-14/2008-I.A.III dated 12.03.13.

Authority accepted the recommendation and decided to issue E.C for the additional works subject to the conditions already stipulated by MoEF and the general conditions for non- mining projects.

Item No.49.16 **Environmental clearance for river sand mining in Bharathapuzha, Chalakudipuzha and KaruvannurPuzha of Thrissur District, Kerala by District Collector, Thrissur (File No.788 /EC1/2015/SEIAA)**

The SEAC appraised the proposal in its 39th meeting held on 14/15-5-2015 and decided to recommend to SEIAA to reject the application with directions to the District Collector,

Thrissur to submit separate application for a minimum area of 5 ha stretch of river with supporting sand audit document prepared by an agency authorized by the Government of Kerala or with the authenticated details of sand removed from the above locations during the last 3 years. The recommendations were considered by SEIAA in its 39th meeting held on 18-6-2015. The applications for river sand mining allowed so far was considered under the state Act and as B2 category, under EIA notification, but without pre-feasibility report and mining plan as those are adequately covered in the sand audit report. The length and breadth of stretches for river sand mining as proposed by the D.C have been given in the report of CWRDM. Insistence of minimum mining area, other than that specifically identified by CWRDM would not be advisable; in so far as that could enable excavation from stretches where sand deposit is not enough for removal. When statutory provisions ensuring the ecological restoration are there specifically for river sand that cannot be ignored. The application contains necessary documents connected to sand audit report on kadavu wise details as per the Kerala River Bank Protection and Regulation of Removal of Sand Act 2001. If it is not the current sand audit report, current sand audit report may be insisted as assured by the applicant. Authority decided to refer the case back to SEAC for reconsideration about the quantity of sand to be removed and not the extent of the stretch, in the light of the above findings.

The proposal was again considered by the Committee in its 46th meeting on 29/30-9-2015 to consider the direction of SEIAA to go by the state legislation, the Kerala Protection of River Banks and Regulation of Removal of Sand Act, 2001. Committee observed that it has no power to deviate from the procedure contained in the MoEF OM No. J-13012/12/2013-IA-1I (I) Dated 24th December, 2013 which itself was issued consequent to a judgement by the Hon. Supreme Court. Hence it was decided not to change the decision taken by the Committee in its 39th meeting.

The 44th meeting of SEIAA considered the proposal and made certain findings based on the situation available in the state and orders dated 13-1-2015 of the Hon. NGT in O/A. No. 171/2013, which were considered in the 50th meeting of SEAC held on 30/31-12-2015. Committee observed that the OM dated 24.12.13 was issued by the MoEF&CC in accordance with directions contained in Judgment of the Hon. Supreme Court in Deepk Kumar case. Para 12 to 16 of the judgment deal with the above stipulations and directions. For river sand mining we

The following applications for E.Cs attract the prohibition under the directions and O.Ms of MoEF.

Sl. No	Name of Quarry, Village, Taluk, District	Extent	Date of receipt of completed application with mining plan	Recommendation of SEAC
1	M/s Wimrock Granites, Vadasserikkara Village, Ranni Taluk, Pathanamthitta	9.6436 Ha	18-6-2013	Deferred -39 th SEAC held on 14-15 th May 2015
2	M/s Kavumkal Granites, Vadasserikkara Village, Ranni Taluk, Pathanamthitta	8.9923 Ha	2-8-2013	Without mining plan
3	M/s S.K.G. Granites and Quarries Pvt. Ltd., Aruvappulam Village, Kozhencherry Taluk, Pathanamthitta	9.4729 Ha	16-1-2014	Deferred -40 th SEAC held on 29 th May 2015
4	M/s Delta Aggregates and Sand Pvt. Ltd., Chiitar Village, Ranni Taluk, Pathanamthitta	9.7128 Ha	1-3-2014	Deferred -39 th SEAC held on 14-15 th May 2015
5	M/s Petra Crushers, Kootickal Village, Kanjirappally Taluk, Kottayam	6.8976 Ha	13-8-2014	Mining Plan submitted on 21-12-2015
6	M/s Sedeer Granites, Kavilumpara Village, Vadakara Taluk, Kozhikode District	9.4997 Ha	17-9-2014	Without mining plan
7	M/s Modern Rock Mining Industries, Vadasserikkara Village, Ranni Taluk, Pathanamthitta District	4.028 Ha	28-1-2015	Without mining plan
8	M/s Five Star Metals (P) Ltd., Muthalamada - 1 Village, Chittur Taluk, Palakkad District (File No. 56/SEIAA/EC1/7584/2012)	2.2978 Ha	07-11-2012	Without mining plan
9	A-One Sands Pvt. Ltd., Muthalamada,	4.0009 Ha	16/01/15	Without mining plan

	Chittur Taluk, Palakkad District. 747/ SEIAA/EC1/180/15			
10	Thomson Metals, Muthalamada II Village, Chittur Taluk, Palakkad District 754/ SEIAA/EC1/328/15	4.836 Ha	02/02/15	Without mining plan
11	Kizhakethalackal Rocks Kumily Village, Kumily Panchayath, Peerumade Taluk, Idukki District 40/SEIAA/KL/7084/2012	2.1653 ha	22/02/2014	With SEAC
12	M/s Karippaparambil Crusher Works Kokkayar Village, Kokkayar Panchayath, Peerumade Taluk, Idukki District 784/SEIAA/EC3/1218/2015	5.1 ha	09.04.2015	Fresh application

The matter was considered in the 40th meeting of SEIAA held on 3rd and 4th August 2015, whether these applications received after 17-4-2013 delisted or not. The Authority decided to wait for final notification of ESAs by MoEF. Subsequently the matter was discussed in the 47th meeting of SEIAA held on 7-1-2016 and decided that ESAs can be distinguished only on the basis of the final notification of the MoEF on the recommendations on the Kasturirangan Committee and there is no reason to review the earlier decision of SEIAA taken in the 40th meeting held on 3 /4-8-2015. The final notification from MoEF is still awaited. The standing direction of MoEF is not to consider such applications. The Kerala State Biodiversity Board has also informed that 'grant of environmental clearance for mining/quarrying may be considered only after the final notification of ESA areas of the State with geoco-ordinates of boundary, except those where are specific court directions in the matter'.

In view of the prohibition, the above 12 cases are delisted, to be revived with seniority, in case MoEF exempts the areas involving the sites from the ESAs of the State.

Item No. 49. 19

Decision on defective pending applications for Environmental Clearance in SEIAA - reg- (File No. 161/SEIAA/EC4/3491/13)

Minutes of the 49th meeting of SEIAA held on 5th February 2016

The 35th meeting of SEIAA held on 09-04-2015 has resolved that approved Mining Plan as per the KMMC Rules-2015 would be mandatory in all applications for environmental clearances for quarry projects, including cases pending for appraisal. The following applications for ECs are pending with SEIAA, for no-submission of approved Mining Plan. These cannot be appraised or considered for issue of E.C.

Sl.No	File No	Name of Proponent	Date of intimation	Details of required documents
1	161/ EC4/ SEIAA/ 3491/2013	R. Sreedharan Nair	19-6-2015	Approved Mining Plan and Processing fee
2	432/EC4/2992/SEIAA	Abdul Azeez	6-7-2015	Approved Mining Plan and Processing fee
3	562/EC4/4123/2014/SEIAA	K.J. Thomaskutty	9-7-2015	Approved Mining Plan and Processing fee
4	568/EC4/4172/2014/SEIAA	P.J. Chacko	9-7-2015	Approved Mining Plan and Processing fee
5	575/EC4/4331/2014/SEIAA	P.J. Chacko	9-7-2015	
6	675/EC4/5355/2014/SEIAA	John Jacob	9-7-2015	Approved Mining Plan and Processing fee
7	706/EC4/5783/2014/SEIAA	Beenakumari	9-7-2015	Approved Mining Plan and Processing fee
8	743/EC4/86/2015/SEIAA	Pious Antony	9-7-2015	Approved Mining Plan and Processing fee
9	213/SEIAA/EC1/252/2014	Sri. Anver T.P.	28-07-2015	"
10	565/SEIAA/EC1/4169/2015	Sri. Robin Jose	28-07-2015	"
11	604/SEIAA/EC1/4631/14	Sri. Abdul Kareem	28-07-2015	"
12	627/ SEIAA/EC1/4810/ 2014	Sri. E.N. Shajan	28-07-2015	"
13	657/SEIAA/EC1/5172/14	Sri.AhammedHarshalChakkeeri	28-07-2015	"
14	661/SEIAA/EC1/5176/14	Sri. K. V. Mohammed Ali	28-07-2015	"
15	662/SEIAA/EC1/5177/14	Sri. M. A. Mohammed Ali	28-07-2015	"
16	663/SEIAA/EC1/5178/14	Sri. P. A. Saidu Mohammed	28-07-2015	"
17	671/SEIAA/EC1/5192/14	Smt. Khadeeja, M.K.,	28-07-2015	"

18	678/ SEIAA/EC1/5358/2014	Sri. Raphy John	28-07-2015	"
19	694/SEIAA/EC1/5646/14	Smt.Bindu.S	28-07-2015	"
20	745/ SEIAA/EC1/168/15	Sri. V. Vijayakumar	28-07-2015	"
21	746/ SEIAA/ KL/179/2015	Sri. George Kuriakose	28-07-2015	"
22	747/ SEIAA/EC1/180/15	Sri. K. P. Joy	28-07-2015	"
23	749/ SEIAA/EC1/226/15	Sri. R. J. Karunanidhi	28-07-2015	"
24	750/0292/15	K.J.Thomaskutty	28-07-2015	"
25	751/SEIAA/KL/293/2015	Shri. Dinesh Kumar Mangalassery	28-07-2015	"
26	752/SEIAA/KL/301/2015	Sri. S. Shaji	28-07-2015	"
27	753/ SEIAA/EC1/302/15	Shaji.K.Mathew	28-07-2015	"
28	754/ SEIAA/EC1/328/15	P. T. Davis	28-07-2015	"
29	755/ SEIAA/EC1/329/15	Sri. C. Rajeev	28-07-2015	"
30	767/SEIAA/EC1/667/2015	Mr. P.T.V. Musthafa	28-07-2015	"
31	768/ SEIAA/EC1/662/2014	Sri. P.J. Jacob	28-07-2015	"
32	772/SEIAA/EC1/688/2015	Sri. C.K. Kunhipocker	28-07-2015	"

As per the General decision of SEIAA in the 35th meeting held on 9-4-2015 the defect has already been communicated to the proponents. But there is no response from them till date. As these cases are pending for fault of the applicants, and contribute to the list of long pending cases, these cases are rejected. Applicants to be informed.

The next meeting of the Authority will be at 9.30 a.m on 26-2-2016.

The meeting ended at 5.30.p.m

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

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

Sri P.Mara Pandiyan