

MINUTES OF THE 52nd MEETING OF THE STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY (SEIAA) KERALA HELD ON 29-4-2016 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 52nd meeting of SEIAA and the 19th 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). In view of the wide spread public complaints regarding the delay in processing the applications, Chairman said that the delay is mainly due to non-availability of minutes of SEAC within the stipulated time limit. If SEAC, in spite of repeated reminders of SEAC does not given minutes to SEIAA on time, SEIAA should think of alternate arrangements. Chairman also said that the non-availability of funds on time is also another factor in the functioning of SEIAA. The solution is that 50% of the processing fee should be transferred to SEIAA. The representation has been made to the Government in this effect.

Item No. 52.01 Confirmation of minutes of 51stSEIAA meeting

Confirmed. In the context of issue of environmental clearance to the quarry project of M/s Mariyem Industries-in Thiruvaniyoor Village, Kunnathunad Taluk, Ernakulam District, Kerala by Sri. Saji K. Alias vide, the Authority decided to withdraw the decision in item No. 51.39 of the 51st meeting to hear Sri. V. A. Bhaskaran before issue of E.C.

Item No. 52.02 Action taken Report on minutes of 51stmeeting of SEIAA held on 29-3-2016

Noted. Superintending Engineer PWD has certified the rent admissible for the private building identical for accommodating office of SEIAA (Rs.30,000/month). Authority decided to take the building 'ALIYA', T.C.26/761, Officer's Nagar, House No.15, Oottukuzhi,

Trivandrum on rent at the rate of Rs.30,000/month and agreement executed on behalf of SEIAA by Administrator. Facilities may be arranged for electrical connection for computers (through UPS), Photostat Machines and new telephone and internet connections may be arranged for through BSNL. Approximate expenditure on facilities to be made at the new building is as follows:-

UPS Wiring	-	Rs.43,706.00
Wiring for computers, Photostat etc	-	Rs.51,200.00
EAPBX and Telephones	-	Rs.24,000.00
Cabling for telephone connection	-	Rs.46,880.00
Total	-	Rs.1,65,786.00

The meeting hall for SEAC may be furnished for which works may be arranged through SIDCO. Shifting may be effected incurring the actual cost as per labour department norms. Authority also decided to install CCTV for recording the activities of the office and for ensuring more transparency.

Item No. 52.03 **SEIAA – Petitions on Environmental Clearance and general complaints on illegal quarries and other environmentally degrading activities (individual cases consolidated)**

In the case of petitions in which applications for E.C have not been received, general decision will apply. In the case of complaints against the E.C issued veracity to be examined by the NGT under appropriate legal proceedings.

Item No. 52.04 **Removal of Ordinary earth/Brick earth/ laterite building stone Environmental Clearance issued-Applications for extension of period of validity of Environmental Clearance.**

It was decided to extend the period of validity of the E.Cs in the cases by six months. No further extension will be allowed. It was also decided that only one time extension need be given hereafter.

Item No. 52.05 **Environmental clearance for removal of ordinary earth in Sy.No.1908/A-1-4, 1908/a-1-4-1 at Kizhuvilam Village,**

**Chirayinkeezhu Taluk, Thiruvananthapuram District,
Kerala by Sri.Muhammed Rahim & Smt. Sheeba (File No.
503/SEIAA/EC1/3606/2014)**

The application of Sri. Muhammed Rahim & Smt. Sheeba, for the removal of 1530 m³ of ordinary earth from an area of 15.00&10.00 cents of land in Re. Sy. No. 1908/A-1-4,1908/a-1-4-1 at Kizhuvilam Village, Kizhuvilam Panchayath, Chirayinkeezhu Taluk, Thiruvananthapuram District was permitted to be withdrawn and file closed.

Item No. 52.06 Request from Mr. T.V. Eliyas, Managing Partner, M/s Krishnagiri Stone Crusher to reconsider the decision of rejection of EC (File No. 159/SEIAA/KL/3488/2014)

The matter was placed before SEAC in its 26th meeting held on 20th and 21st March 2014. The Committee decided to recommend for rejection of EC based on the following grounds:

- The quarry activity in the centre of the valley has altered the hydrological regime considerably leading to rapid lowering and depletion of ground water. The original land use is also affected by this activity.
- Canal network of Karappuzha is seen on the northern side of the valley for irrigating the fields but is not seen functional till date. However, when it may come to operation, having deep pits in the valley will be detrimental.

SEIAA in its 29th meeting held on 9th April 2014 under agenda item no. KLA/29.07 decided to reject EC for the project considering the recommendations of SEAC. Subsequently, the proponent has submitted a request to SEIAA to reconsider the decision, stating that the reasons for rejection are not known to them and that no opportunity was given to them for the submission of reply to the points of rejection. SEIAA, considering the request in its 30th meeting held on 9th May 2014 referred to SEAC to give a chance to hear from the proponent and to report to SEIAA on the matter. The committee deferred for the next meeting as per the request of the proponent. But the matter is not placed in any other meeting after 30th SEAC. Meanwhile the proponent has submitted the mining plan per KMMC rules 1967.

The proposal was again considered in the 53rd meeting of SEAC held on 25th and 26th February 2016. The proponent appeared before the committee in response to the letter issued to him by SEAC. The quarry is working even now. He also informed that three dwelling units

are situated within 100m from the quarry premises and the residents have promised to shift if EC is granted. He couldn't bring forth any valid argument or facts so as to reconsider the earlier recommendation of the Committee. Therefore the committee resolved to reiterate its decision to recommend to SEIAA for the rejection of the proposal EC.

The Authority decided to accept the above recommendation and to issue proceedings to close the working quarry.

Item No. 52.07 **Environmental clearance for the quarry project in Sy. Nos. 247/1-1,247/10,247/11-2 and 247/11-3 at Ayyampuzha Village & Panchayath, Aluva Taluk, Ernakulam District, Kerala by M/s Pynadath Stone Quarry (File No. 430/SEIAA/KL/2990/2014).**

The SEAC had called for baseline details of the project and the contour map showing level of canal, project area and its surroundings, which have been received. The proponent was addressed by SEAC asking for various details including the revised mining plan. The proponent has not responded yet. Hence the proposal was placed before 53rd SEAC held on 20-26th of February 2016 for appraisal. The Committee appraised the proposal further. It was found that the proponent has failed to submit essential additional details sought by SEAC. Therefore the Committee decided to recommend delisting the proposal.

Authority decided to accept the recommendation by SEAC to delist the proposal.

Item No. 52.08 **Environmental clearance for the granite building stone quarry project in Survey Nos. 253/2, 253/4-1, 253/4-2, 253/4-3, 253/4-4, 254/2, 255/7, 252/5, 252/6 and 252/7 at Rayamangalam Village, Kunnathunadu Taluk, Ernakulam District, Kerala by M/s Pavan Quarry and Aggregates Pvt. Ltd.(File No. 470/SEIAA/KL/3214/2014)**

The proposal was placed in the 53rd meeting SEAC for appraisal. The Committee after examining the mining plan, prefeasibility report, field inspection report and all other documents submitted decided to recommend for issuance of EC subject to general conditions in addition to the following specific conditions for mining.

1. The stream flowing on the western side shall not be disturbed.
2. The dust and other matter that make the water turbid shall be filtered by providing check dam or such mechanism.
3. Sprinkler shall be provided for the crusher unit.

4. The abandoned quarry must be protected by fencing and retained as RWH pit directing the clarified storm water into it for use in summer
5. The ultimate depth of mining shall not exceed 55m AMSL

Authority decided to accept the above recommendation and to grant EC subject to the specific condition insisted by SEAC and general condition for mining projects.

Item No. 52.09 Environmental clearance for the quarry project in Sy.No.320/2, 320/3 at Aikaranadu north Village, Kunnathunadu Taluk, Ernakulam District, Kerala by Sri.Joseph John for M/s Slabs Aggregates (File No. 519/SEIAA/KL/3823/2014)

The proposal was appraised in the 46th SEAC meeting held on 29th and 30th September, 2015. It was decided to defer the proposal for site inspection. Site inspection was conducted by the subcommittee comprising of Dr. E.A. Jayson, Dr. K.G. Padmakumar and Sri. P. Sreekumaran Nair on 02.12.2015. Based on an overall evaluation of the site, following points mitigations were suggested by the subcommittee:

1. *Protection wall is needed all along the quarry wherever deep cuttings are present.*
2. *Benches are not seen in the mining operations and this has to be strictly adhered.*
3. *Over burden is to be stored in the designated place and no compromise should be made on this point.*
4. *The whole area needs planting of trees to convert the area into a more acceptable landscape. For this indigenous species of trees need to be planted all around the quarry in the vacant spaces. This will also help in reducing the dust and sound pollution.*
5. *The drainage from the quarry is currently directed to the North corner and let out. The deposited silt must also be cleaned periodically.*
6. *Considering the topography, garland drains need not be insisted upon.*
7. *The approach road to the quarry from the main road is not maintained at all. This road must be maintained in good condition by the proponent. Buffer distance from the road near the quarry may not be required as it ends at the quarry.*
8. *The blasting time must be displayed and strictly adhered to. The PPV values must be less than 10 mm/sec. Steps to be taken to limit fly rock to the quarry area.*
9. *Dust suppression mechanism must be in place.*
10. *In the absence of perennial streams in the vicinity, ultimate depth of mine will depend on the possible benches in the lease area.*

The proposal was placed before 53rd SEAC held on 25-26 of February 2016, for appraisal.

3. *Part of the drainage from the quarry is currently directed to the old pit that acts as RWH structure. However part of it flows out as overland sheet flow. A lined catch water drain should be provided at the lower elevation leading to the abandoned quarry pit which is now RWH structure.*
4. *The water from the RWH structure should be let out only after clarification/desiltation for which a suitable structure is essential at the outlet. It may be important to provide a check dam in the outlet point of the channel to arrest all fine particles and to clarify water before it is let out. The deposited silt must also be cleaned periodically.*
5. *Considering the topography, garland drains need not be insisted upon.*
6. *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.*
7. *In the absence of perennial streams in the vicinity, ultimate depth of mine will depend on the possible benches of 5m width and 5m height in the lease area.*
8. *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 listed in the biodiversity assessment and the promised activity under CSR may be added”.*

The proposal was placed before SEAC for further appraisal. The Committee after examining the mining plan, prefeasibility report, field inspection report and all other documents submitted decided to recommend for issuance of EC subject to general conditions in addition to the following specific conditions 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. Over burden must be stored in the designated places and provided with protective support walls.
3. Part of the drainage from the quarry is currently directed to the old pit that acts as RWH structure. However part of it flows out as overland sheet flow. A lined catchwater drain should be provided at the lower elevation leading to the abandoned quarry pit which is now RWH structure.
4. The water from the RWH structure should be let out only after clarification/desiltation

for which a suitable structure is essential at the outlet. It may be important to provide a check dam in the outlet point of the channel to arrest all fine particles and to clarify water before it is let out. The deposited silt must also be cleaned periodically.

5. 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.

The Authority examined the conditions proposed by the inspection team and SEAC and decided to issue E.C with all the conditions proposed by the inspection team as well as general conditions for mining projects.

Item No. 52.11 **Environmental clearance for the quarry project in Sy. No. 164/2, 164/1-36, 164/1-111 and 164/1-113 at Ayyampuzha Village, Aluva Taluk, Ernakulam District, Kerala by Sri. Paulson P. Varkey – Managing Partner, Ernakulam District for MP Sands (File No. 560/SEIAA/KL/4121/2014)**

The Committee considered the Project in its 53rd meeting based on field inspection report received and made suggestions. The proponent shall take abundant precautions to prevent damage to life and property of the nearby dwelling units. The Committee after examining the mining plan, prefeasibility report, field inspection report and all other documents submitted decided to recommend for issuance of EC subject to general conditions in addition to the following specific conditions for mining projects.

1. Protective fencing must be provided along the boundary of the lease area.
2. Over burden is to be stored in the designated places and provided with protective support walls.
3. The drainage from the quarry must be channelized with proper desiltation and clarification mechanism and led into a RWH structure. Only clarified water is to be let out of the area.
4. It is necessary to provide garland drains on the upper part and catch water drains at the lower levels of the lease area to safely dispose the storm water.
5. The approach road to the quarry from the main road is a narrow road which must be widened and maintained in good condition by the proponent.
6. The blasting time must be displayed and strictly adhered to. Steps to be taken to limit fly rock to the quarry area.

Item No. 52.13

Environmental clearance for the quarry project in Sy. Nos. 364/16/40, 364/10/42, 364/11/43, 364/16/11, 364/16/27, 364/16/25, 364/16/32, 364/16/8, 364/16/37, 364/16/48, 364/17/18, 364/17/16, 364/16/4/30, 364/16/5/5, 364/16/6/6, 364/16/7/7, 364/16/8/34, 364/16/9/38, 364/21/22P and 364/21P at Mulayam Village, Nadathara Panchayath, Thrissur Taluk & District by Sri. Jenny John, Managing Director, M/s Valakkavu Granite Pvt. Ltd., Vattappara, Valakkavu (Via.), P.O., Mulayam, Thrissur - 680751. (File No. 608/SEIAA/EC1/4635/2014)

53rd meeting of SEAC held on 25/26-02-2016 examined the revised mining plan and field inspection report. The inspection team had made the following points for consideration:

1. *Bench formation has been adopted recently. Main haulage is from the upper part on the southern side.*
2. *Over burden is partly stored in the western side but not in a planned manner. It must be stored in the designated places and provided with protective support.*
3. *The drainage from the quarry is currently directed to the North corner and let out. The deposited silt must also be cleaned periodically.*
4. *RWH pond must be provided at the lowest elevation in the North corner and can be in conjunction with the desiltation mechanism.*
5. *Considering the topography, garland drains need not be insisted upon.*
6. *The approach road to the quarry from the main road is not maintained at all. This road must be maintained in good condition by the proponent. Buffer distance from the road near the quarry may not be required as it ends at the quarry.*
7. *The blasting time must be displayed and strictly adhered to. The PPV values must be less than 10 mm/sec. Steps to be taken to limit fly rock to the quarry area.*
8. *Dust suppression mechanism must be in place.*
9. *In the absence of perennial streams in the vicinity, ultimate depth of mine will depend on the possible benches in the lease area.*
10. *Good growth of vegetation is seen all around the quarry including bamboo sp. which must be maintained till the entire life of quarry."*

The Committee after examining the mining plan, prefeasibility report, field inspection report and all other documents submitted decided to recommend for issuance of EC subject to the general conditions on mining in addition to the following specific conditions:

1. Over burden is partly stored in the western side but not in a planned manner. It must be stored in the designated places and provided with protective support.
2. The drainage from the quarry is currently directed to the North corner and let out. The deposited silt must also be cleaned periodically.
3. RWH pond must be provided at the lowest elevation in the North corner and can be in conjunction with the desiltation mechanism.
4. The approach road to the quarry from the main road is not maintained at all. This road must be maintained in good condition by the proponent. Buffer distance from the road near the quarry may not be required as it ends at the quarry.
5. The blasting time must be displayed and strictly adhered to.
6. Dust suppression mechanism must be in place.

Authority decided to accept the above recommendations and to grant E.C subject to all the conditions proposed in the Inspection Report including the ones adopted by SEAC as the specific conditions, and the general conditions for mining projects.

Item No. 52.14 Environmental clearance for the building stone quarry project in m Sy. Nos. 781/1-16, 781/1-21-126, 781/1-22, 781/1-26Pt, 781/1-28-D2, 781/1-28-20, 781/1-28-22, 781/1-28-24, 781/1-30 and 781/32 at Athikayam Village, Ranni Taluk, Pathanamthitta District, Kerala by Sri. KuriakoseSabu (File No. 621/SEIAA/EC4/4775/2014)

The proposal was placed in the 53rd meeting of SEAC held on 25th and 26th February 2016. The Committee after examining the mining plan, prefeasibility report, field inspection report and all other documents submitted decided to recommend for issuance of EC subject to general conditions in addition to the following specific conditions for mining.

1. The exact area to be quarried as per the mine plan should be demarcated on the ground, provided with permanent boundary pillars and fenced. The coordinates of the boundary pillars should be documented and displayed.
2. Considering the steep disposition of the land and it occupying the upper slope, the operation should necessarily begin from the top most part.
3. Benches should be formed along the contours and not across it as it will lead to formation of deep pits that are not desirable in the upper slope

The proposal was placed before 53rd SEAC for appraisal. The Committee appraised the proposal in the light of the field inspection report. It was found that there is a case of violation. It was decided to recommend for issuance of EC after completing action against violation subject to the following specific conditions in addition to general conditions applicable for mining proposals.

1. Fencing should be provided all around the lease area.
2. Top soil and Over burden should be stored in a designated place on the lower slope away from the working area and provided with protective support walls.
3. Ultimate depth of mine must be limited to the stream bed level seen in the vicinity.
4. The seasonal stream should be provided with protective embankments to prevent entry of quarry waste. It should also be provided with low level check dams at least at two places to arrest silt being washed down stream. Periodic desiltation is essential.
5. The approach road is narrow and presently not maintained for movement of heavy vehicles. This should be taken up on priority basis.

CSR activity must be submitted before the Authority.

Requirement of E.C for quarries having area less than 5ha was introduced only in 2012 consequent to the order dated 27-2-2012 of the Hon. Supreme Court in Deepak Kumar case. Thereafter the state Government granted time till 2/2015 to function without E.C in respect of quarries having permit. On the question of need of E.C for the existing quarries the Hon. High Court of Kerala interalia observed as follows in the orders issued on 23-3-2015 in W.P no 31148/14 filed by Kerala River Protection Council:

‘As far as quarrying by private individuals are concerned, the District Collectors have to examine the right of such persons to carry out such mining operations. District Collector has to issue necessary clarification/ clearance only after being satisfied that such mining operations are in accordance with the MMCR 2015 as well as observations made by the Court’.

In the judgment dated 15-7-2015 in W/A No. 1514/15 filed by Sri.M.K. Najeeb, a Division Bench of the Hon. High Court has held that the proviso to Rule 12 in respect of quarries which has valid permit as on January, 2015 have to be read in accordance with the law as has been noticed and laid down in the judgment. When it has been held by the Division Bench that no mining operation can be undertaken without obtaining environmental clearance subsequent to the dates as mentioned above, no mining operation can be carried out

order on that day by the Hon. Supreme Court in Deepak Kumar's case. Thereafter govt. granted time till 2/2015 to function without E.C in respect of working quarries. Hon: Supreme Court has ordered status quo on 30-10-2015 in SLP. No. 30103/15 filed by Sri. T. K. Thomas.

Authority decided to accept the above recommendations except on violation proceedings and to grant E.C subject to the specific conditions recommended by SEAC and the general conditions on mining projects.

Item No. 52.17 **Environmental clearance for the quarry project in Sy.No.164/1- 35,164/1-28, 164/1-45, 164/1-44, 164/1-41 Ayyampuzha village, Aluva (Taluk), Ernakulam district, Kerala by Sri. C. John Kachappilly, Udaya rocks quarry (File No. 761/SEIAA/KL/438/2015)**

The proposal was appraised in the 53rd meeting of SEAC for appraisal. It was revealed that the quarry is in operation and dwellings are more than 150mtrs away and another quarry is functioning beyond 500 mtrs away in the southern side. The Committee recommended for issuance of EC after completing action against violation and subject to general conditions.

As the information given is insufficient, Authority decided to get details from SEAC on the recommendation for initiating violation proceedings against the working quarry. having mining area less than 5ha. The case is deferred for consideration with the above information and basic details of the project.

Item No. 52.18 **Environmental clearance for the building stone quarry project in Sy. No. Sy.No. 249, 249/1, 249/2, at Kondoor Village-, Meenachil Taluk-, Kottayam District- by Sri. M.K. Rasheed (File No. 793/SEIAA/EC4/1851/2015)**

The proposal was considered in the 53rd meeting of SEAC held on 25th and 26th February 2016. The Committee appraised the proposal in the light of the field inspection report, Form -I, Mining Plan and other details furnished by the proponent. It was decided to recommend to SEIAA for issuance of EC after completing action against violation and subject to the following specific conditions:

1. Top soil and Over burden should be stored in a designated place on the lower slope away from the working area and provided with protective support walls.
2. The water draining into the valley will need clarification once the quarry is in

The Authority decided to accept the above recommendations and to grant E.C subject to the specific condition by SEAC and the general conditions on mining projects and after obtaining the certificate of non cluster situation to be issued by the concerned district Geologist and to be produced by the proponent.

Item No.52.20 **Environmental clearance for the quarry project in Sy. Nos. 182/1, 184/1, 185/2 and 186/5 at Nediyruppu Village & Panchayath, Kondotty Taluk, Malappuram District by Sri. K.M. Koyamu, Managing Partner, M/s Chirayil Granite Industries (File No. 814/SEIAA/EC1/2485/2015)**

The proposal was considered by SEAC in its 53rd meeting held on 25/26-02-2016. The Committee after examining the mining plan, pre-feasibility report, field inspection report and all other documents submitted found that the quarry has been illegally functioning. One of the Sub Committee members who undertook the field inspection also confirmed that the quarry has been in operation. Hence the Committee decided to recommend for issuance of EC subject to general conditions in addition to specific conditions for mining. It was decided to recommend action against violation and issuance of EC thereafter subject to specific conditions given below:-

1. Additional pits shall be provided at lower most part for directing drainage from the quarry with a silt trap or other suitable mechanism for clarification of water.
2. Outer fencing and sign boards must be provided.

The site inspection report reveals that it is an existing quarry; requirement of E.C for quarries having area less than 5 ha was introduced only after 27-02-2012 consequent on the order on that day by the Hon. Supreme Court in Deepak Kumar's case. Thereafter Govt. granted time till 2/2015 to function without E.C in respect of working quarries. Hon: Supreme Court has ordered status quo on 30-10-2015 in SLP. No. 30103/15 filed by Sri. T. K. Thomas.

Authority decided to accept the above recommendations and to grant E.C subject to the specific condition by SEAC and general conditions on mining projects. It was also decided to apprise SEAC of the findings of the Hon. High Court of Kerala and the stay order of the Hon. Supreme Court on prior EIA clearance for working quarries.

Item No. 52.21 Environmental clearance for the quarry project in Survey. No. 8/9, at Alakkodu Village, Thodupuzha Taluk, Idukki District, Kerala by Mr. U.I. John, Managing Partner, M/s Marthoma Granites (File No. 817/EC3/2489/SEIAA /2015)

The proposal was placed in 47th meeting of SEAC held on 13-14 of October 2015. Further to the intimation of SEAC, the authorised person and the consultant attended the meeting and the consultant made a brief PowerPoint presentation. This is a working quarry with mine lease and NOC. A crusher unit is associated with the quarry. Annual production is 17500MTA. The lowest and highest elevation of the proposed area is 85m AMSL and 180m AMSL respectively. The Committee deferred the item for field visit by subcommittee concerned. But no field visit has been undertaken.

In the meantime, Standing Counsel of SEIAA in the NGT (SZ) informed that in Application No.168/2015 filed in the NGT, the Tribunal has passed strict order against this quarry imposing compensation of 10 % of their turnover from 2008 and a cost of Rs.25000/- to be paid to the applicant-SEIAA has been directed to delist the application as it was received only in 2015. The Counsel has advised to launch criminal action against proponent and not to process the application.

The proposal was considered in the 53rd meeting of SEAC held on 25th and 26th February 2016. SEAC considered the proposal, the Secretary brought to the notice of SEAC the directions of NGT vide its order 21/12/15. The committee therefore decided to recommend for delisting of the proposal and initiate action as per the direction of the Honourable NGT.

Specific directions of the NGT (SZ) is Application No. 168/2015 filed by Sri. Mathew Thomas against the quarry are the following:

“24. Accordingly we are of the considered view that 7th respondent must be imposed with an obligation to pay compensation for the damage caused to the environment under “Polluter Pays” principle. We direct the 7th respondent to pay amount equivalent to 10% of the annual turnover for a period of eight years from 2008 to till date and the said amount shall be deposited with the Chairman of the Kerala State Pollution Control Board, who shall keep the said amount in a separate account called “Environmental Protection Fund. Idikki” which shall be used for the protection of environment to be decided by the Board.

The 7th respondent shall pay an amount of Rs. 25,000/- towards cost to be payable to the applicant”.

In view of the categorical findings and directions of the Hon. NGT, the Authority decided to delist the application. Stop Memo to be issued to the quarry. . District Collector, Idukki to be directed to launch prosecution proceedings against Sri. U.I. John, Managing Partner, Marthoma Granites, Edevetty P.O., Thodupuzha, Idukki District-685588, for violation Environmental (Protection) Act and EIA notification 2006.

Pollution Control Board may be directed to get the penalty amount imposed by NGT (SZ) (10% of annual turnover of the quarry for 8 years from 2008). Scheme for utilisation of the penalty as received may also be submitted to SEIAA before implementation.

Item No. 52.22 Environmental clearance for the quarry project in Sy.No.97/1(p), 97/2(p) & 97/4(p) at Malayattoor Village, Malayattoor Neeleswaram Grama Panchayath, Aluva Taluk, Ernakulam District, Kerala by Sri. Manoj Antony for M/s. Surya Rock Product (File No. 821/SEIAA/EC3/2546/2015)

The proposal was placed before 53rd SEAC for appraisal. The Committee after examining the mining plan, prefeasibility report, field inspection report and all other documents submitted the Committee found that the quarry has been in operation illegally as observed in the Field Inspection Report. Hence, the Committee decided to recommend for issuance of EC with the following specific conditions suggested by the subcommittee of SEAC in field inspection report noted below:

1. *Over burden is to be stored in a designated place in the lower part to avoid slope failure or mud flow and provided with protective support walls.*
2. *The drainage from the quarry must be channelised with proper desiltation and clarification mechanism. RWH structure must be created for the collection of part of the rainwater.*
3. *It is necessary to provide catch water drains at the lower levels of the lease area to safely dispose the storm water. Only clarified water is to be let out of the area.*
4. *The approach road to the quarry is a narrow public road which must be and maintained in good condition by the proponent.*
5. *The blasting time must be displayed and strictly adhered to. It is better to limit blasting to two times a day when the traffic density is least. The PPV values must be less than 10 mm/sec. Steps to be taken to limit fly rock to the quarry area.*

6. *Tree cover seen all around the quarry must be maintained till the entire life of quarry.*

Authority considered the recommendations and decided to accept them to grant E.C subject to the above specific conditions and general conditions for mining projects.

Item No. 52.23 **Environmental clearance for the Proposed – M/s Valorangal Building Stone quarry project in Re. Survey. No. 6/1 of Vettilappara Village, Eranad Taluk, Malappuram District, Kerala by Sri.Hisham, E. C. for Building Stone Quarry of M/s. ThomarapparaBric& Metals (File No. 856/SEIAA/EC1/2980/2015)**

53rd meeting of SEAC held on 25th and 26th February 2016 appraised the proposal . It was decided to recommend the project subject to the general conditions on mining of minor minerals. . The proponent should strictly adhere to the modified CSR submitted by him.

Authority decided to accept the recommendations of SEAC and to grant E.C to the quarry.

Item No. 52.24 **Extension of Environmental Clearance for construction of M/s Sobha Developers Ltd, Sobha city in Survey nos. 218,217,534 to 544,546 to 556 at Kolazhy/ Adat Panchayath, Puzhakkal, Guruvayoor road, Thrissur district, Kerala (File No. 245/EC1/2014/SEIAA)**

M/s Sobha Developers Ltd, Sobha city, Puzhakkal P. O, Guruvayoor road, Thrissur district, Kerala was granted Environmental Clearance by MoEF, Government of India on 17th April 2008 for Construction of an integrated complex. On 26-02-2014, the proponent requested that the construction of the project is under progress and the validity of the clearance may be extended for two years for completion of the work.

The proposal was placed in the 47th meeting of SEAC held on 13-14 October 2015 and the Committee decided to seek the clarification regarding whether the project has any deviations from the original proposal for which EC was issued by MoEF and if so the details are to be provided for further consideration of the proposal and hence it was deferred.

The proponent has reported vide the letter dated 6-1-2016 that there are no deviation or changes in the project configuration from the original proposal for which the environmental clearance was issued by MoEF and the project was taken up based on the

configuration and the condition mentioned in the EC. Then the proposal was again considered by SEAC in its 52nd meeting held on 8/9-02-2016.

The Committee observed that the notification of MoEF & CC dated 29/4/2015 deals with the procedure for extension of the validity of EC. As per the above notification, the proponent has to apply for extension of validity of EC at least within 90 days of the expiry of the validity of EC. But in the present case the validity of EC expired on 16/4/2013 and the proponent has submitted the application only on 26/02/14 well after 90 days. Therefore the Committee recommended to delist the proposal.

The matter was considered by SEIAA in its 51st meeting held on 23-03-2016. The Authority decided to accept the above recommendation and to delist the proposal.

Thereon the proponent represented that they were not informed about the application date and hence to reconsider their application for extension of validity and to extend the validity up to 01-09-2017.

Authority considered the representation of the proponent. Decision of SEIAA is not based on the date of application but date of E.C originally granted by MoEF. In this case validity expired on 16-04-2013 and the application is post facto. However there is no environmental issues involved and it is not an illegal construction. Hence the Authority decided to refer the matter to SEAC for review of the earlier decision and for recommendations.

Item No. 52.25 Environmental clearance for proposed building Application for Prior Environment Clearance for Life Science Park at Thonnakkal in Sy. No. 187, 188, 192 in Veiloor Village, Thiruvananthapuram Taluk, Thiruvananthapuram District (File No. 851/SEIAA/ECI/2967/2015)

The proposal was considered by SEAC in its 53rd meeting held on 25/26-02-2016. The proposal was appraised by SEAC considering Form I, Form IA, Conceptual plan, Field Inspection Report and the other documents and details provided by the proponent. The proposal was *recommended* with specific conditions put forward by Expert Committee in field inspection report noted below.

1. It is reported that >40,000 cu.m of excess ordinary earth is likely to be generated at the site. The exact quantity need to be worked out. It can be allotted to the Govt. projects like Highway development.
2. Dependable sources of water must be developed. Yield test of such sources should be communicated.
3. Therefore sufficient green cover should be maintained by planting endemic trees as soon as possible.
4. The project plans to enter into tie up with authorised contractors for the disposal of different kinds of waste. It may be better to create facility/mechanisms for the disposal of these wastes within the campus itself. Source level treatment should ensure in campus itself rather than done throughout source.

Authority examined the recommendation in detail. Disposal of major wastes such as hazardous wastes, bio-medical wastes, e-wastes etc. is adopting the centralised treatment and disposal facility. In such cases disposal of wastes shall be in accordance with the rules governing collection, treatment and disposal.

Authority decided to accept the above recommendations as above and to grant E.C subject to the specific condition by SEAC and general conditions for building projects.

Item No. 52.26 Environmental Clearance for quarries situated in ESA Villages - Applications delisted – Judgement on W.P.No.6040/2016 filed by Sri. Sunil Kumar (File No.211/EC4/2014/SEIAA)

SEIAA in its 49th meeting held on 05.02.2016 decided to delist 10 applications for quarrying in ESA Villages. This includes the application of M/s S.K.G Granites & Quarries Ltd in Aruvappulam Village, Konni, Pathanamthitta Dist.. Accordingly proceedings No.211/SEIAA/EC4/250/2014 dated.02.04.2016 has been issued .

Meanwhile M/s Delta Aggregates & Sands (Pvt.) Ltd, Chittur Village, Pathanamthitta District another affected party filed W.P. 6919/16 claiming that the mining area has been excluded as per the draft notification on ESAs of Kerala issued by Ministry of Environment & Forest. This claim was accepted in the Judgement dated.01.03.2016 *ex parte*, and directed to consider the applicaion as though the petitioner's area fall within non ESA and to issue

are deferred to assess the real environmental impacts owing to ordinary sand (കരമണൽ) mining at the respective places based on EIA report for issuance of environmental clearance for removal of ordinary sand.

In none of such cases, the District Collectors have submitted the report of the Expert Committee. While so, one Sri. P.L. Mohanan an applicant (Kuttoor Village, Thiruvalla Taluk) who had been directed to obtain the report of the district level expert committee as per G.O (Ms) 132/14/1D dated 22/09/2014 filed W.P No. 3974/2016 alleging delay in disposal of his application submitted on 26-3-2015. On submission of the Government Pleader that the case is pending before the SEIAA the Hon; High court on 29-3-2016 disposed of the Writ Petition directing that, 'if a recommendation has already been received by the 4th respondent, the Authority shall take a decision in the matter within a period of two months from the date of receipt of copy of the judgment.

The Authority reconsidered the stand on these applications. SEIAA now does not have jurisdiction to entertain applications for mining of minor minerals in extents less than 5ha. The District Environment Impact Assessment Authority has since been constituted by MoEF. It has an Expert Committee almost similar to that proposed in G.O (Ms) 132/14/1D dated 22/09/2014. The Authority therefore decided that such applications need not be retained any further awaiting the report of the expert committee as per G.O (Ms) 132/14/1D dated 22/09/2014. All the pending applications for extraction of ordinary sand (കരമണൽ) may be forwarded to the concerned District Collectors (Chairmen, DEIAA) for consideration for grant of E.C as per the EIA procedure for DEIAA/ DEAC.

Item No. 52.28 **Environmental clearance for removal of ordinary earth in Sy.No. 394/5, 6, 8, 7, 3, 9, 12, 10, 2, 11, 14, 4, 13, 1, 15, 19, 397/1, 398/5, 9, 3, 397/2, 3, 4, 397/12, 13, 14, 15, 16, 17, 18, 19, at Kidanganoor Village, Kozhencherry, Pathanamthitta – 689532 by Sri. K.H. ShajahanRawathar (File No. 936/SEIAA/EC4/3982/2015)**

Environmental Clearance with specific conditions was issued vide proceedings No.936/EC4/2015/SEIAA dated.13.01.2016 for removal of ordinary earth from Sy. No. 394/5, 6, 8, 7, 3, 9, 12, 10, 2, 11, 14, 4, 13, 1, 15, 19, 397/1, 398/5, 9, 3, 397/2, 3, 4, 397/12, 13, 14, 15, 16, 17, 18, 19, at Kidanganoor Village, Kozhencherry, Pathanamthitta – 689532 by Sri. K.H. Shajahan Rawathar. A petition dated.23.03.2016 from one Sri.Salim Rawther,

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 nativespecies.

The proposal was considered in the 51st meeting of SEIAA held on 29-3-2016. Considering the revelation in the site inspection report that there are several dwelling units in the vicinity, Authority authorised the Chairman to visit the site and report. It may also be clarified whether it is a working or new quarry. As decided, Chairman and the Member, SEIAA visited the quarry site on 20-4-2015. The inspection team reported as follows:

“This is a working quarry on permit since 2002 with an area of 4.3242 ha. and with production Capacity of 1,25,000 MTA. As per of the Field Inspection Report of SEAC, four other quarry pits are seen within 500 m, but the total area is unlikely to exceed 25 ha., although the applicant mentions in this application that there are only two quarries with total area of 1.344 ha.in operation within 500 m. radius. The quarry site is partially developed at above 1 k.m south east of Nedukunnam. The lands occupy the flunks of prominent hillock exposing hard rocks. Although boundary pillars are erected and numbered and the respective GPS coordinates are given in the pillars, the pillars are not joined by barbed wires. Hence the possibility of accidents likely to occur cannot be ruled out. On one side, quarry pit is very deep and on the other side an old pity is used as RWH structure. Steep cuttings are seen on the elevated side. There is no channelization for entire drainage from the elevated land and sloping part. There is no water clarification mechanism. Biodiversity is not considerably disturbed. Dwelling units are not seen with 100 meters.

However, based on an overall evaluation, the quarry operation is recommended with the following specific conditions in addition to other conditions recommended by SEAC.

1. *‘No cluster certificate’ should be provided.*
2. *Fencing of the whole area should be done by barbed wires.*
3. *Quarry pits should be reclaimed up to ground level.*
4. *The road leading to the quarry should be properly maintained.*
5. *An affidavit by the proponent to rectify the above conditions should be produced before starting mining work”.*

Authority decided to grant E.C subject to the specific conditions proposed by SEAC and the above additional conditions stipulated by SEIAA, in addition to the general conditions for mining projects.

Item No.52.31

Environmental clearance for the quarry project in Sy. Nos. 431/3-1Pt, 431/3-2Pt, 436/4-1, 436/5, 438/4Pt, 438/5Pt, 438/6Pt, 438/9 Pt, at Pampady Village, Pampady

**Panchayath, Kottayam Taluk, Kottayam District, Kerala by
Smt. Mariamma Mathew (File No.
840/SEIAA/EC4/2718/2015)**

The proposal was placed in the 52nd meeting of SEAC held on 8/9-02-2016. 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 the decided to recommend for issuance of Environmental Clearance, with following specific conditions in addition to the general conditions stipulated for mining projects.

1. Storm water pumped out of the active pit and let out into the valley must be provided with a mechanism to clarify water. Periodic de-siltation is also mandatory.
2. Top soil and Over burden should be stored in a designated place on the lower slope.
3. The steep cuttings seen in the quarry must be fenced and provided with danger signs.
4. Considering the presence of many dwelling units in the vicinity, though beyond 100m, dust suppression mechanism should be in place.
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 proposal was considered in the 51st meeting of SEIAA held on 29-3-2016. Considering the revelation in the site inspection report that there are several dwelling units in the vicinity, Authority authorised the Chairman to visit the site and report. It has also to be clarified whether it is a working or new quarry. As decided, Chairman and the Member, SEIAA visited the quarry site on 20-4-2015. The details are given below:

“This is a working quarry project on lease with an area of 3.3366 ha, of which 0.64 ha is mined from 2008 onwards having a production capacity of 1,25,000 MTA. The lease period expires on 2020. There is no other quarry is seen in operation within 500 meters. The land falls within the gently undulated terrain exposing hard rock. Although boundary pillars are erected and numbered, it is not fenced by barbed wires with the likely hood of accidents occurring in the already excavated deep pits. Mining is unscientific with no bench formation. Drainage from the elevated area is not channelized with the result that pits are filled with water. Steep cuttings are seen in the eastern part of the quarry. The area is considerably disturbed probably damaging the Biodiversity. Several dwelling units are seen beyond 100 m., but dense settlement is seen along the main road. The crusher and associated structures are located on the southern side. The depth of mined pits is about 25 meters.

However, based on overall evaluation, E.C may be issued with the following specific condition in addition to the conditions imposed by SEAC.

1. *Deep pits occurred due to mining should be reclaimed up to ground level.*
2. *Fencing should be done all around the area with barbed wires.*
3. *Dust Suppression system should be in place.*
4. *In order to rectify the loss of Biodiversity active eco restoration should be done.*
5. *An affidavit by the proponent to rectify the above conditions should be given before starting mining”.*

Authority decided to grant E.C subject to the specific conditions proposed by SEAC and the above additional conditions stipulated by SEIAA, in addition to the general conditions for mining projects.

Item No. 52.32

Request for amendment of Environmental Clearance granted to 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. RamadasKamath, U.(File No. 647/SEIAA/EC1/4949/2013)

The proposal was recommended by SEAC in its 49th meeting held on 7th & 8th December 2015, accordingly SEIAA has approved the recommendations of SEAC in its 48th meeting held on 23.01.2016 and issued E.C (E.C No. 13/2016 dated 16-02-2016) based on the recommendations made by SEAC.

Now the proponent has represented that the earlier plan for the proposed building was G+10 floors. As the Airport Authority of India has approved for a maximum height of 94.48 m for their proposal they modified the building plan to G+14 floors with a maximum height of 70m without changing the total built-up area specified in the E.C.ie, 376,369.96 m².

The proponent has also produced the copy of approval from Airport Authority of India. There is no change in the environmental parameters adopted for grant of E.C. Authority agreed to modify the E.C with number of floors of the proposed building to be G+14, without change to other terms and conditions of the E.C

Item No.52.33 **Complaint filed by PayanithadamJanakeeya Samara Samithi, Mattom, P. O., Thrissur against cutting of Laterite Stone in Sy. No. 351/1 at EdavallyVillage and Panchayath, Chavakkad Taluk, Thrissur by Smt. Ancy Thomas, W/o Sri. C. S. Thomas, Chittilappilly House, Mattom P.O., Thrissur-680602- E.C. issued- (File No. 775/SEIAA/EC1/721/2015)**

Authority decided to obtain a report on the complaint from the District Collector Thrissur.

Item No.52.34 **Environmental clearance for removal of ordinary earth in Block 9 in Sy. No. 581/8-21, 574/1, 10, 11, 12 at Kakkanad Village, Kanayannoor Taluk, Ernakulam District, Kerala by Sri.Rajesh Jacob (File No. 1040/SEIAA/EC3/581/2016)**

Approved for issuance of Environmental clearance on usual conditions for mining of brick earth/ 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 35,000 m³.

Item No. 52.35 **Removal of ordinary earth for Public Works- Application of Sri. P.A.Pauly, Pulikkal House, Mannampattah, Varakkara. P.O, Thrissur(File No. 1022/ SEIAA/EC1/028/2016)**

Authority decided to sanction 50% of the quantity applied for and to issue 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 in cases of extraction of ordinary earth for important public works, as there is serious complaints of delay in clearing the applications and resultant stoppage of works and delay in project execution and hike in project cost. District Collectors may ensure that the quantity of O.E removed does not exceed the limit as per the E.C.

Item No. 52.36. **Environmental Clearance for Seven applications of removal ordinary earth for construction of Pathikkalkadavu bridge connecting Venniyode and Kurumani across VenniyodeValiyapuzhaKottathara Grama Panchayat in Wayanad District (File No.1022.A/SEIAA/EC4/81/2016)**

The following applications for E.C for removal of ordinary earth at Kuppaditharra Village, Vythiri Taluk, Wayanad District for construction of Pathikkalkadavu bridge connecting Venniyode and Kurumani across Venniyode Valiyapuzha Kottathara Grama Panchayat in Wayanad District are pending:

SI No	Name and Address of Applicant	Sy. No	Extent	Proposed quantity for removal of Earth	Recommended by PWD
1	Sri. C.J. Mathai, Chirattakkattil, Kuppadithra Village, Kottathra P.O, Venniyode, Kalpaetta	265/6	0.0405 ha	1960 m ³	1960 m ³
2	Sri. A.T. antony, Aarichalil Veedu, Arambatta, Pozhuthana, Kalpetta	248/5	0.7400 ha	3000 m ³	1240 m ³
3	Sri. Scariya A.S., Ambattupadavil, Kottathra P.O., Kalpetta	267/6	0.0607 ha	2000 m ³	796 m ³
4	Sri. E.N. Kuttappan, Edathamaravalppil veedu, Madakunnu P.O, Wayanad	122/3	0.5421 ha	1487 m ³	1487 m ³
5	Sri. T.V. Thomas, Thumbukal, Arambattakunnu P.O, Wayanad	248/3	0.4647	298 m ³	298 m ³
6	Sri. Koovakkal, George, Koovakkal House, Arambattakunnu P.O, Wayanad	91/4	0.2813	1509 m ³	1509 m ³
8	Smt. Ammu, Thazhechundankodu, Mechana, Kottathra P.O., Wayanad	72/pt	0.1416	9172 m ³	9172 m ³

budgetary allocation under '3435-04-104-99-Plan' (Rs.75 lakhs this year) through the Member Secretary, instead of by the DoECC was not approved. The existing financial constraint cut out the positive benefits of all the other actions and sustains the delay. Government have been moved for apportioning the proceeds of processing fee between SEIAA and Government as 1:1 ratio, the fee to be collected by SEIAA. Member Secretary wanted to work out a rough annual budget for SEIAA to claim the required share from the processing fee being remitted to Government. Together therewith, the Controlling Authority in respect of the budget head '3435-04-101-99-Plan' of the Environment Department may be proposed to be vested with the Member Secretary of SEIAA, as in the case of budget heads in respect of Pollution Control Board and Bio diversity Board, so that the delay in release of funds and re-appropriation of the funds intended for SEIAA by Directorate of Environment & Climate Change without the knowledge of the Authority can be avoided.

Item No.52.38 **Environmental Clearance – Quarry project at Survey Nos.403/2-2, 403/1, 403/2, Chengalam East Village, Akalakkunnam Panchayat, Kottayam Taluk and Kottayam District for an area of 2.0766 hectares- Typographical error in the Sy.Nos. in Form I – Request for correction in Environment Clearance-reg. (File No.835/EC4/2713/2015/SEIAA)**

Authority decided to correct the Survey Nos.in the E.C issued as 403/2-2, 403/1 and 403/2 instead of Survey Nos. 402/1, 403/1 and 403/2 as now appearing in the E.C proceedings.

Item No. 52.39 **Environmental Clearance (E.C) - Proposed Quarry project at Survey Nos. 229/1, 229/13, 229/9 & others in Aruvikkara Village & Panchayat, Nedumangad Taluk, Thiruvananthapuram District, Kerala – Referred to SEAC – Objections – reg:-**

The representation dated 22-4-2016 and earlier petitions of the project proponent were considered by SEIAA. As requested for, the proponent may be heard in the next meeting of the Authority. Notice to be issued.

The meeting concluded at 11.30 a.m. It was decided to hold the next meeting of the Authority at 9.30 a.m on 24-05-2016.

Dr. K.P. JOY

Chairman

Dr. J. SUBHASHINI

Member

Sri. P. MARA PANDIYAN. I.A.S

Member Secretary