

**MINUTES OF THE 54<sup>th</sup> MEETING OF THE STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY (SEIAA) DEPARTMENT OF SECRETARIAT, THIRUVANANTHAPURAM HELD ON 21-6-2016 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. V.S. Senthil. I.A.S. Additional Chief Secretary & Member Secretary, SEIAA.

The 54<sup>th</sup> meeting of SEIAA and the 21<sup>st</sup> 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 on 21-6-2016 in the chamber of the Additional Chief Secretary to Government (Environment, Planning & Economic Affairs Departments). (Member Secretary SEIAA).

**Item No. 54.01**                      **Confirmation of minutes of 53<sup>rd</sup> SEIAA meeting**  
Confirmed

**Item No. 54.02**                      **Action taken report on minutes of 53<sup>rd</sup> meeting of SEIAA held on 24-5-2016**

It was decided to meet the cost of 100 books on guidelines and orders on grant of environmental clearance, if the Directorate cannot foot the bill.

From next meeting onwards, statement of expenses incurred by SEIAA including those as per Proceedings No. 1293/EC2/2015/SEIAA dated 17.06.2016 shall be placed before the Authority with connected Bank Statement.

**Item No. 54.03**                      **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. 54.04                      Removal of Ordinary earth/Brick earth/ laterite building stone Environmental Clearance issued- Applications for extension of period of validity of Environmental Clearance.**

E.Cs are issued with validity for six months. Reasons like ‘Personal inconvenience’ cannot be grounds for further extension. Extension in such cases can be considered only in cases where the E.C could not be acted upon due to some unforeseen circumstances beyond the capacity of the applicant.

There must be some nexus between what has transpired and what is stated in the application as reason. It has already been decided that only one time extension will be given in these cases. Authority decided to reject the first four applications and to extend the period of validity in the fifth case by six months.

**Item No. 54.05                      Environmental clearance for removal of ordinary earth in Re Sy.386/1, 386/2 at Melarkkode Village, Aalathur Taluk, Palakkad District, Kerala by Sri. P. Ananthanarayanan                      (File                      No. 840(A)/SEIAA/EC1/2744/2015)**

55<sup>th</sup> meeting of SEAC held on 10/11/20-05-2016 recommended to delist the proposal since the proposed land is a ‘wetland’. Hence the application cannot be considered. Authority accepted the recommendation of SEAC and decided to reject the application.

**Item No. 54.06                      Environmental clearance for removal of ordinary earth in Block 45 in Re Sy.No.224/2, 224/24 at Aikkaranadu North Village, Kunnathunadu Taluk, Ernakulam, Kerala by Sri. Kunjamma                      (File                      No. 863/SEIAA/EC3/3065/2015)**

The Committee appraised the proposal based on the details provided by the applicant and decided to Recommend for issuance of Environmental Clearance for removal of 10,000 m<sup>3</sup> of ordinary earth subject to the condition that removal should be in terraced manner limiting the max depth to 2m. Authority decided to accept the recommendation and 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 10,000 m<sup>3</sup> out of 1116m<sup>3</sup> asked for, as per recommendations and specific conditions made by SEAC.

**Item No. 54.07**                                 **Environmental clearance for removal of ordinary earth in Sy.No.568/1A at, Aarakuzha Village, Muvattupuzha Taluk, Ernakulam, Kerala by Sri. Renji Joseph (File No. 878/SEIAA/EC3/3159/2015)**

Authority 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 5,000 m<sup>3</sup> out of 5483 m<sup>3</sup> as applied for as per recommendations and specific conditions made by SEAC.

**Item No. 54.08**                                 **Environmental clearance for removal of ordinary earth in Block - 49, in Sy. No. 41/2 at, Aikkaranadu South Village, Kunnathunadu Taluk, Ernakulam, Kerala by Sri. Paul Mathew (File No. 880/SEIAA/EC3/3261/2015)**

Authority 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 7000 m<sup>3</sup> as per recommendations and specific conditions made by SEAC.

**Item No. 54.09**                                 **Environmental clearance for removal of ordinary earth in Block No 27 in Sy.No. 526/27 at, Pattimattom Village, Kunnathunadu Taluk, Ernakulam by Sri. Mebin Boban (File No. 881/SEIAA/ EC3/3362/2015)**

Authority 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 2,000m<sup>3</sup> as per recommendations and specific conditions made by SEAC.

**Item No. 54.10**                                 **Environmental clearance for removal of ordinary earth in Sy.No.80/2 Block No.83, in Re Sy.4B, Block No.83 Re.Sy.No.41/5 Block no.43 at Neyyattinkara Village, Neyyattinkara Taluk, Thiruvananthapuram District, Kerala by Sri. Col. Vijayakumar (File No. 882/SEIAA/EC1/3278/2015)**

Authority 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 160 m<sup>3</sup> as per recommendations and specific conditions made by SEAC.

**Item No. 54.11** **Environmental clearance for removal of ordinary earth in Sy. . 415/6, 415/7 at, Pattimattom Village, Kunnathunadu Taluk, Ernakulam District, Kerala by Sri. Jibu George (File No. 887/SEIAA/EC3/3288/2015)**

Authority decided to accept the recommendation and 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 10,000 m<sup>3</sup> out of 10000m<sup>3</sup> as applied as per recommendations and specific conditions made by SEAC that the removal should be in a terraced manner limiting average depth of removal to 1m.

**Item No. 54.12** **Environmental clearance for removal of ordinary earth in Sy.No. 57/1, 3A, 3C atManeedVillage, Muvattupuzha Taluk, Ernakulam, Kerala by Sri. Salim, B.M (File No. 891/SEIAA/EC3/3362/2015)**

Authority 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 30,000 m<sup>3</sup> as per recommendations and specific conditions made by SEAC.

**Item No. 54.13** **Environmental clearance for removal of ordinary earth in Sy. No.7/1, 7/2 at Thangalur Village, Thrissur Taluk, Thrissur District, Kerala by Sri. Preman V.S (File No. 893/SEIAA/EC1/3399/2015)**

Authority 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 20,000 m<sup>3</sup> out of 30,000 m<sup>3</sup> as asked for, as per recommendations and specific conditions made by SEAC.

**Item No. 54.14** **Environmental clearance for removal of ordinary earth in Sy.No.13/1, Block.19 at KalpettaVillage, Vythiri Taluk, Wayanad District, Kerala by Sri. Keloth Abooty (File No. 904/SEIAA/EC4/3465/2015)**

Authority decided to accept the recommendation, and 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 1200 m<sup>3</sup> out of 1200m<sup>3</sup> asked for as per recommendations and specific conditions made by SEAC.

**Item No. 54.15**                              **Environmental clearance for removal of Ordinary earth in Sy. No.259/9-1 at Thiruvalla Village, Thiruvalla Taluk, Pathanamthitta District, by Dr. Vivek Sasindran (File No. 904(A) /SEIAA/EC4/3491/2015)**

The proposal was considered in the 55<sup>th</sup> meeting of SEAC held on 10<sup>th</sup>, 11<sup>th</sup> and 20<sup>th</sup> of May, 2016. As per the notification of MoEF & CC No. S.O. 141 (E) earth work in connection with the foundation of buildings having approved building plan does not require Environmental Clearance. Therefore the Committee decided to recommend to delist the proposal. Authority decided to permit to withdraw the application.

**Item No. 54.16**                              **Environmental clearance for Housing Project (Sobha Rio Vista) in Sy. Nos. 159/28B (p) at Calicut, FerokePetta (Chandhakadavu), Feroke Village and Panchayath, Kozhikode Taluk, Kozhikode District, Kerala by M/s Sobha Developers Ltd. (File No. 371/SEIAA/KL/2611/2014)**

The 53<sup>rd</sup> meeting of SEAC held on 25/26-2-2016 had recommended to delist the case as the proponent has not yet responded to letter No.371/SEIAA/EC4/2611/2014 dated 19/1/15 in which the additional details called for by SEAC in its 33<sup>rd</sup> and 36<sup>th</sup> meetings. Before the recommendation to delist could be placed before SEIAA for decision, the proponent on 22-4-2016 submitted the clarifications sought by 33<sup>rd</sup> and 36<sup>th</sup> SEAC. The proposal was therefore placed in the 55<sup>th</sup> meeting of SEAC held on 10<sup>th</sup>, 11<sup>th</sup> and 20<sup>th</sup> of May, 2016. The Committee observed that the proposal was recommended to be delisted in the 53<sup>rd</sup> meeting of SEAC held on 25/26-2-2016 itself and the item can be considered only after a decision of SEIAA on the recommendation.

The recommendation of SEAC for delisting the proposal was on the ground that the proponent failed to respond to the decision of SEAC in its 33<sup>rd</sup> and 36<sup>th</sup> meetings for additional details. It is seen that the decision to delist was on default of the proponent, which has since been cured. As of now the reason for the recommendation is non-existent as the replay has been obtained, which SEAC has not taken in to consideration. The queries raised were mainly on land and design/site plan related matters. Recommendation of KCZMA has also been received (not required). As per O/M No. 22-154/2015 – 1A/III dated 10/11/2015, of MoEF, SEAC need consider only a set of 15 specific environmental parameters. The O.M also states that the SEIAA/SEAC need not focus on the other issues

which are normally looked after by concerned local bodies/State Government Department/State Pollution Control Board.

Authority decided to bring the above O.M to the notice of SEAC for appraisal of the case, if there are no other grounds to sustain the earlier decision.

**Item No. 54.17**                      **Environmental clearance for proposed Apartment Project at Sy. No. 109/1A1, at Nellikode Village, Kozhikode Taluk & Municipality and Kozhikode District, Kerala by Sri. Rameshan P., M/s ULCCS IT Infrastructure (P) Ltd (File No. 831/SEIAA/EC4/2705/2015)**

The proposal was placed in the 51<sup>st</sup> meeting of SEIAA held on 29-3-2016. The Authority found that this is a 30 floor building with 99m height. Authority wanted to verify the parameters. Also conditions on green norms and e-waste management to be incorporated. After obtaining the clarifications from the proponent on structure and the environmental aspects the case may be placed before the Authority for final decision on grant of E.C.

As decided by 51<sup>st</sup> SEIAA, the proponent submitted clarifications, on all the points raised. Authority examined the documents and recommendations of SEAC. It was decided to grant EC to the project subject to usual Green conditions and the general conditions for building projects.

**Item No. 54.18**                      **Environmental clearance for the building project in Sy.Nos 158/3; 407/1-1 at Kazhakootam and Airooppara Villages and Kazhakootam Panchayath Trivandrum Taluk, Trivandrum District, Kerala by Sri. K. Sudhakaran, General Manager (Projects), KINFRA ANNEX (File No. 879/SEIAA/EC1/3222/2015)**

SEAC in its 55<sup>th</sup> meeting held on 10/11/20-05-2016 appraised the project based on Form 1, Form I A and conceptual plan and recommend to issuance of EC subject to the general conditions. Authority held that this being a Rs.422 Cr project in 10.2 ha site visit ought to have been conducted. It was decided that the Chairman and Member visit the site and submit a report to consider the recommendations.

**Item No. 54.19**                      **Environmental clearance for the quarry project in Sy.No.147/1(P), 155/2(P), 155/3(P), 154/16(P) and 154/17(P) at Vazhayoor Village, Vazhayoor Panchayath, Ernad Taluk, Malappuram District by Sri. Mohanan, M.E. (File No. 552/SEIAA/KL/4086/2014).**

The proposal was finally considered in the 55<sup>th</sup> meeting of SEAC held on 10/11/20-05-2016. The Committee appraised the proposal based on Form 1, Pre-feasibility Report and Mining Plan. On the basis of the feedback from the site inspection by subcommittee members it is observed that the quarry was in operation in violation of the rules. Hence, action against the said violation has to be initiated. The Committee recommended for the issuance of EC on completion of action against violation subject to certain specific conditions in addition to the general conditions. The Authority Resolved to refer the case back to SEAC to clarify the rule that has been violated by this working quarry of extent 1.2965 ha only.

The Authority also wanted SEAC to make unambiguous recommendations so as to avoid delay in disposing of the applications. Inspection Reports may give all the relevant details about the quarry including whether it is working on permit or lease and period of the permit/lease, and whether the mining area is a part of a homogeneous mineable area divided to small extents by breaking the homogeneous area into pieces of less than 5 hectares, instead of mining under a comprehensive mine plan for contiguous stretches of mineral and the ecological impacts of such break up.

**Item No. 54.20**                      **Environmental clearance for the building stone quarry project in Sy. No.21/1A1 at Kolayad Village and Panchayat, Thalassery Taluk, Kannur District, Kerala by Sri. V.K. Benny (File No. 628/SEIAA/EC4/4811/2014**

The proposal was placed in the 55<sup>th</sup> meeting of SEAC held on 10<sup>th</sup>, 11<sup>th</sup> and 20<sup>th</sup> of May 2016. The Committee appraised the proposal based on Form 1, Pre-feasibility Report and Mining Plan. The Committee recommend issuance of EC subject to the general conditions and a specific condition to provide proper silt traps for drainage water.

The Authority accepted the recommendation and decided to issue E.C subject to the specific condition suggested by SEAC and the general conditions for mining projects.

**Item No. 54.21**                      **Environmental clearance for the quarry project in Sy.No.168 at Anakkayam Village, Anakkayam Panchayat, Ernadu Taluk, Malappuram District,**

**Kerala-676122 by Sri. V. Hashim, Partner Ernadu Taluk, Malappuram Dist. for Pullanchery Granite Industries of Sri. T. V. Hashim, Partner (File No. 825/SEIAA/ EC1/2608/08/07/ 2015)**

The proposal was placed in 55<sup>th</sup> meeting of SEAC held on 10/11/20-05-2016. The Committee appraised the proposal based on Form I, Pre-Feasibility Report, and Mining Plan & Field Inspection Report. The Committee decided to recommend for issuance of EC with the general conditions subject to the following specific conditions.

Proper fencing and sign boards must be fixed all around

Desiltation/water clarification method should be practised before the water is let out. The deposited silt must be removed periodically

The top soil and overburden should be stacked in a designated place on the lower elevation. It must be preserved for the eco-restoration of the quarried area.

Authority accepted the recommendations and decided to issue Environmental Clearance subject to the specific conditions suggested by SEAC and the general conditions for mining project.

**Item No. 54.22                      Environmental clearance for the proposed expansion of Arctec Colors, Residential Apartment at Karyavattom in Re Sy.Nos.351/3-1, 351/3-3, 351/3-4, 351/3-2, Sy.No.3023/14-1, 14, 3023/14-1 at Uliyazhathura Village and Thiruvananthapuram Taluk, Thiruvananthapuram District, Kerala by Sri. Viju Varghese (File No. 827/SEIAA/EC1/2616/2015)**

The proposal was considered by SEAC in its 54<sup>th</sup> meeting held on 6-7/4/2016. The Committee decided that the details submitted by the proponent shall be verified by the Sub Committee consisting of Shri. S. Ajayakumar, Shri. P. Sreekumaran Nair & Shri. John Mathai. Hence the proposal was again considered by SEAC in its 55<sup>th</sup> meeting held on 10/11/20-06-2016 as Agenda item No. 55.06. The Subcommittee met on 06/05/2016 analysed the data supplemented. It was found that the revised plan of the project took in to consideration all the aspects raised in the earlier minutes. The Committee appraised the proposal based on Form I, FormI A, and Pre-Feasibility Report& Field Inspection Report. The Committee decided to recommend for issuance of EC with the general conditions.



Authority considered the recommendations. It was decided that green building and post clearance inspection conditions may be included in the E.C Revised C.S.R commitments to be obtained before issue of E.C.

**Item No. 54.23**                      **Environmental clearance for Masonry Stone Mine (quarry) Project in Sy.no.186/1A2, 186/1A/4/5 at Neriya Mangalam Village, Kavalangad Panchayat, Kothamangalam Taluk, Ernakulam district, Kerala by Shri. K.M. Abdul Rasheed – Managing Director, Ernakulam District, for Ever-One Properties India Pvt. Ltd. (File No. 838/SEIAA/EC3/2716/2015).**

The 55<sup>th</sup> SEAC held on 10<sup>th</sup>, 11<sup>th</sup> and 20<sup>th</sup> of May appraised the proposal based on Form I, Pre-Feasibility Report & Mining Plan. The Committee decided to recommend for issuance of EC with the general conditions subject to the following specific conditions:

1. The quarry must be developed in a planned way following the top to bottom approach.
2. Over burden is to be stored in the designated places and provided with protective support walls.
3. The drainage from the proposed quarry must be channelized in such a way that the Kaliyar River is not influenced in any adverse manner. It is necessary to provide catch water drains at the lower levels of the lease area to safely dispose the storm water.
4. Proper desiltation traps and clarification mechanism (sedimentation pond) must be provided.
5. The approach road to the quarry from the main road must be maintained in good motorable condition by the proponent.
6. Rain water harvesting as proposed in a 5,500 KL pond should be carried out.
7. A more realistic CSR to be produced before the SEIAA.

Authority wanted a community oriented realistic CSR to be proposed by the proponent for issue of the Environmental Clearance with the above specific conditions and usual general conditions for mining projects.

The Authority also decided to put in an effective mechanism for post E.C compliance monitoring. The compliance Reports being submitted by the project proponents shall be examined and level of compliance ensured. Details of the monitoring mechanism to be discussed in the next meeting of SEIAA.

**Item No. 54.24**                      **Environmental clearance for the proposed quarry project in Sy. Nos. 571/1A/34-5, 571/1A/34-4,571/1A/34-4-1, 571/1A/12, 571/1A/12-56, 571/1A/13-137, 571/1A/12/54/127, 571/1A/54-1,571/1A/54-2 at Konni Thazham Village, Konni Panchayath, Konni Taluk, Pathanamthitta District, Kerala by Sri. Jacob Thomas (File No. 870/SEIAA/EC4/3101/2015)**

The proposal was placed in the 55<sup>th</sup> meeting of SEAC held on 10<sup>th</sup>, 11<sup>th</sup> and 20<sup>th</sup> of May 2016. The Committee appraised the proposal based on Form 1, Form I A and Mining Plan. The Committee decided to recommend to issue Environmental Clearance on production of realistic CSR schemes for the locality before the SEIAA. The proponent submitted realistic CSR as called for.

Authority found that this being a major quarry site inspection was necessary. Decision on the recommendation of SEAC, to be taken after a site visit by SEIAA.

**Item No. 54.25**                      **Environmental clearance for the Proposed quarry project in Sy. No.413/4A Pt at Payyanad Village, Manjeri Municipality, Eranad Taluk, Malappuram District, Kerala by Sri. V.P. Shareef (FileNo.850/SEIAA/EC1/2862/2015)**

The proposal was placed in the 51<sup>st</sup> meeting of SEIAA held on 29-03-2016. On the proposal to issue E.C after taking violation proceedings, Authority maintained that in view of the interim order of the Hon. Supreme court to maintaining ‘status quo’, and as the mining area of the quarry is less than 5 ha violation proceedings would not be attracted, if it comes within the purview of the Government order (Ind. Dept.) on mining without E.C.

As the recommendation is without site inspection Authority decided to depute the Chairman and Member for site inspection and to ascertain whether it is a working or new quarry. Accordingly Chairman and Member of SEIAA visited the quarry site in Survey No. 413/4A at Payyanad Village, Manjeri Municipality, Ernad Taluk, Malappuram District of Sri. V.P. Shareef on 30/05/2016. Authority considered the report of site inspection and decided to grant E.C subject also to the additional conditions proposed by SEIAA.

**Item No.54.26**                      **Item No. 54.26                      Environmental clearance for the quarry project in Sy.No.133/6-1, 134/9-1, 134/9-2, 134/13, 135/2 and 135/4-1 at Manikkal Village,**

**Nedumangadu, Taluk, Thiruvananthapuram District  
by Sri. P. Vijayan Nair, for M/s Kunjikuzhi Stones (File  
No. 708/SEIAA/KL/5685/2014)**

The proposal was considered by SEIAA in its 51<sup>st</sup> meeting held on 29-03-2016. The Authority found that there is mention in the inspection report that there are a few houses 'vulnerable' in the vicinity of the mining area. It was therefore decided to direct the proponent to get a certificate of no residence within 100 meters of the boundary of the mining area from the Village Officer and to submit to the Authority. CSR amount to be specified, E.C to be granted after the above requirements is satisfied.

Accordingly the proponent submitted the certificate from Village Officer, Manikkal Village that there is no residence within 100 m of boundary of the mining area and he also provided the detailed CSR activities.

The Authority held that the report that 'there are a few houses' vulnerable' in the 'vicinity' is ambiguous. It was decided to get clarification of SEAC whether the 'vulnerability' would affect security of the houses, and whether the houses beyond 100meters are 'vulnerable'.

**Item No.54.27**

**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 withdrawing the application for correction of Sy.Nos in Environment Clearance certificate -reg. (File No.835/EC4/2713/2015/SEIAA)**

As per proceeding No.835/EC4/2713/2015/SEIAA dated.03.02.2016, Environmental Clearance has been granted for the quarry project of Sri. Charles Mathew, Palathara House, Thuruthy P.O, Changanassery, Kottayam – 66 001, in Sy.No.402/1, 403/1 and 403/2 in Chengalam East Village, Kottayam Taluk for an area of 20.0766 ha. He has requested to correct the Sy.No.'402/1' as 403/2-2. The 52<sup>nd</sup> meeting of SEIAA held on 29-4-2016 decided to effect the correction.

Subsequently Sri. Charles Mathew submitted a representation dated 23-5-2016 for withdrawing the application submitted for correction of Sy.Nos. mentioned in the E.C order. Authority approved the request.

**Item No. 54.28**

**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-Rejected-Review Petition (File No. 793/SEIAA/EC4/1851/2015)**

The proposal was considered in the 53<sup>rd</sup> meeting of SEAC held on 25<sup>th</sup> and 26<sup>th</sup> February 2016. It was decided to recommend to SEIAA for issuance of EC after completing action against violation and subject to five specific conditions which specifically include the following;

‘The proponent shall resolve the issue of dwelling unit located within 100 mtrs away on the eastern side of the project site’.

The Inspection Report clearly indicated the existence of a dwelling unit within 100 meters on the eastern side. Authority therefore decided to reject the proposal. Accordingly the application was rejected vide proceedings No.793/EC4/1851/2015/SEIAA dated.01.06.2016 and intimated to the proponent.

On 14.06.2016 Sri. M.K. Rasheed submitted a review petition informing that the dwelling unit, presence of which was the reason for rejection of his application has since been demolished. This fact has since been certified by the village Officer, Thidanad, Kottayam District. Authority assessed that there is no provision to ‘review’ the decision of SEIAA. The decision was maintainable as on 29-4-2016 the date of decision by SEIAA in the 52<sup>nd</sup> meeting. The petitioner may make fresh application to the District Collector, Kottayam for disposal by DEAC/DEIAA.

**Item No.54.29 Request for NOC/E.C for Stone Crusher Unit (FileNo.739/EC4/2016/SEIAA)**

The Authority in its 51<sup>st</sup> meeting held on 29-3-2016 discussed the case regarding the NOC for stone crusher units. The Authority estimated that it is not empowered to issue NOC as requested for. Govt. may be requested to issue a general circular, clarifying the position. The above said decision is applicable in these cases. Position to be intimated to the parties concerned.

**Item No. 54.30 Complaint against E.C issued (37<sup>th</sup> SEIAA) for the removal of 2400 m<sup>3</sup> of O.E from an area of 0.404 Ha of land in Sy.No.90/6A at Chalisserry Village, Chalisserry Panchayat, Pattambi Taluk, Palakkad for KLDC Bund construction (File No. 400/EC1/SEIAA/2016)**

A complaint dated 19.02.2016 was registered by Sri. K.P. Ramesh, Kollazhiparambil, Pattisiery P.O, Thanneerkkotta and 80 others against the EC issued to

remove 2400 m<sup>3</sup> of ordinary earth from the land owned by Aabdul Latheef and Smt. Rabia Abdul Latheef, Pattathil House, Thanneerthodu P.O, Palakkad – 679536. The complaint was considered by SEIAA in its 51<sup>st</sup> meeting held on 29.03.2016 and decided that the Chairman and Member may conduct enquiry in case of complaints of violation of Environmental Clearance conditions. Chairman and Member of SEIAA visited the plot on 29.05.2016.

They have reported that no environmental problems will be created by removing 2400 m<sup>3</sup> earth from the plot nor will there be any drinking water shortage in the area. Authority decided to reject the petition as baseless and to inform the petitioner

**Item No. 54.31    Constitution of DEIAA/DEAC-Comments of SEIAA on draft notification –Response of MoEF, Government of India (File No.4195/E2/2015/SEIAA)**

Ministry of Environment & Forest has published a draft notification No. S.O. 2588 (E) dated 22/09/2015 in its website, for comprehensive amendment of the EIA notification No. S.O. 1533 (E) dated 14/09/2006. The amendment seeks to delegate the powers for grant of environmental clearance to a special system at District level for category B2 projects in the schedule to the notification. The 42<sup>nd</sup> and 43<sup>rd</sup> meetings of SEIAA deliberated the suggestions and the 43<sup>rd</sup> meeting held on 16-10-2015 approved detailed remarks on the draft to be furnished to MoEF. However, vide notification No.S.O.141 (E)dated 15/1/2016 and SO.190 (E) dated 20/1/2016, MoEF constituted DEIAA and DEAC. 48<sup>th</sup> meeting of SEIAA examined S.O.No 141(E) dated 15.01.2016 and raised certain queries regarding cluster situation and engaging of Accredited Consultants for preparation of EIA report and presentation before SEIAA. MoEF responded vide letter No.22-37/2016 1A-111 dated 8.6.2016.

Authority perused the clarifications given by MoEF. The clarification may be conveyed to SEAC in response to the decision the 48<sup>th</sup> meeting of SEAC held on 06/07/-11-2015, to do away with the system of Accredited Consultants attending presentation/representing project proponents and insisting presence of RQP (for quarries) and Architects (for building in B2 category projects) may be communicated to SEAC for implementing its contents.

**Item No. 54.32    Quo Warranto Writ Petition No; 12356/2015 filed by Sri. C.R. Neelakantan challenging nominations to the SEIAA/SEAC- Judgment – (File no. 1647/EC2/2015/Envl.)**



Authority found that site inspection has not been conducted and hence Chairman and Member SEIAA to visit the site before deciding on accepting the recommendations of SEAC

**Item No.54.36                      Environmental clearance for the Proposed Building Stone quarry project in Sy. No 36/3 (pt), 37/1(pt), 37/2(pt), 37/3(pt) at Morayoor Village, Kondotty Taluk, Malappuram District, Kerala by Sri. E. A. Abdul Karim. (File No.853/SEIAA/EC1/2977/2015)**

The 50<sup>th</sup> committee decided to defer the item for production of revised mining plan as per KMMC rule 2015 and revised social responsibility proposal. The proponent has submitted the same and hence the proposal was placed in the 52<sup>nd</sup> meeting of SEAC held on 8/9-02-2016. The Committee recommended for issuance of EC subject to specific conditions in addition to the general conditions stipulated for mining projects. The proposal was placed in the 51<sup>st</sup> meeting of SEIAA held on 29-03-2016. As the recommendation was without site inspection, Authority decided to depute the Chairman and Member for site inspection and to ascertain whether it is a working or new quarry. Site visit was conducted by SEIAA team on 30/5/2016. It has been reported that it is a private land owned by Malabar Aggregates Private Limited and the proposal is for a new quarry and mineral specific. It was a working quarry on permit for one year, but not working since one year. The team recommended to specify the following additional specific conditions:

1. Future quarrying must be done scientifically with benches in a planned manner.
2. Existing deep pits seen as a result of unscientific mining should be filled with overburden and displaced top soil.
3. Approach road to the quarry and the main haulage road new to be developed with a minimum width of 6 m.
4. Fencing should be provided all around the lease area with sign board.
5. Storm water drainage from the quarry must be let out only after clarification.
6. The nearby dwelling units of the proponent should be demolished.
7. Mining should be cautiously done without the possibility of landslides.
8. The remaining deep pit must be maintained as RWH structure.
9. Dust suppression mechanism should be provided.
10. Eco-restoration must be done with native species.
11. The proponent should submit an affidavit to ensure that the specific and general condition shall be strictly implemented.

The Authority accepted the recommendations of SEAC and the additional conditions suggested by the SEIAA team and to issue E.C accordingly.

**Item No.54.37**                      **Environmental clearance for the Proposed – M/s Valorangal Building Stone quarry project in Sy. Nos. 318/1/1, 318/1/2, 318/3 (pt), 318/4, 319/1 (pt), at Thiruvalli Village, Nilambur Taluk, Malappuram District, Kerala by Sri. Sivasankaran, P (File No. 857/SEIAA/EC1/2981/2015)**

The proposal was considered by SEAC in its 52<sup>nd</sup> meeting held on 8/9-02-2016 and recommended for issuance of Environmental Clearance with specific conditions, in addition to the general conditions stipulated for mining projects. The proposal was placed in the 51<sup>st</sup> meeting of SEIAA held on 29-03-2016. As the recommendation was without site inspection, Authority decided to depute the Chairman and Member for site inspection and to ascertain whether it is a working or new quarry. Accordingly the Chairman and Member visited the site on 30/05/2016.

*It was reported that the quarry was in operation since last 8 years with a short term quarrying permit issued by Mining & Geology Department. The team recommend to specify the following additional specific conditions:*

- 1. Fencing should be done with barbed wires all around the lease area. The worked out area with very steep cliff like feature may be demarcated as danger zones with sign board.*
- 2. Future quarrying must be done with benches in a planned manner.*
- 3. Storm water drainage from the quarry must be let out only after clarifications.*
- 4. Quarry pits should be filled with over burden and quarry waste and the remaining deep pits seen must be maintained as a RWH structure.*
- 5. CSR needs redrafting with inclusion of felt needs of locality. It should ensure employment of the local people.*

*Reclamation and eco-restoration should be done by planting nature species  
An affidavit should be submitted by the project proponent to ensure that the specific and general conditions will be implemented immediately and effective monitoring should be done within three months to see that the project proponent has strictly adhered to these conditions.*



The Authority accepted the recommendations of SEAC and the additional conditions suggested by the SEIAA team and to issue E.C accordingly.

**Item No. 54.38                      Environmental Clearance for extraction of sand from Valapattanam river, Kannur, Granted – Appeal No.36/2016 filed by Sri. M.P. Muhammad Kunhi – Orders of NGT (SZ) – (File 439/EC4/2016/SEIAA)**

The Authority took note of the observations and categorical directions to SEIAA by the Hon. National Green Tribunal (SZ) Chennai in the order dated 10-5-2016 in Appeal No.36/2016 filed by Sri. M.P. Muhammad Kunhi filed against the Environmental Clearance issued in proceedings No.571/SEIAA/KL/4230/2014 dated.17.12.2015.

Authority decided that for compliance with the directions of the Hon'ble NGT, the position obtaining in the state for mining of river sand as per the provisions of the 'Kerala Protection of River Banks and Regulations and Sand Mining Act 2001, and conditions in the Supreme Court Judgment in Deepak Kumar .Vs . State of Haryana on extent of mining area and depth of mining may be referred to the Authority's Standing Counsel for legal advice on the course of action.

Sd/-  
Prof. (Dr). K.P. Joy,  
Chairman, SEIAA

Sd/-  
Dr. J. Subhashini,  
Member, SEIAA

Sd/-  
Sri.V.S.Senthil. I.A.S.  
Member Secretary, SEIAA