

**MINUTES OF THE 60<sup>th</sup> MEETING OF THE STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY (SEIAA) KERALA HELD ON 27-10-2016 AT 9.30 A.M IN THE CHAMBER OF THE ADDITIONAL CHIEF SECRETARY TO GOVERNMENT, ENVIRONMENT DEPARTMENT.**

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 60<sup>th</sup> meeting of SEIAA and the 27<sup>th</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 in the Chamber of the Additional Chief Secretary to Government, Environment Department, Thiruvananthapuram, on 27<sup>th</sup> October 2016.

**Item No. 60.01 Confirmation minutes of the 59<sup>th</sup> meeting of SEIAA**

**Confirmed.**

As introductory remarks Chairman Dr. K.P. Joy explained the problems SEIAA is facing at present such as financial strain, shortage of staff, need of a legal officer with Environment background and court cases etc. Member Secretary assured that he will do the needful to solve the problems. The Chairman also gave the details of online processing of applications which has already started.

**Item No 60.02 SEIAA – Petitions on Environmental Clearance and general complaints on illegal quarries and other environmentally degrading activities –**

Environmental Clearance (No.19/2016) was issued to Shri. Saji.K.Elias, vide proceedings No.553/SEIAA/EC3/ 4087/2014 dated 13-4-2016 of quarry project. Against the quarrying operations of Saji K.Elias, Shri.V.A.Bhaskaran, Maneed Village, Muvattupuzha, Ernakulam filed an Appeal No.136 of 2016 (SZ) before the National Green Tribunal. The Honourable.National Green Tribunal, vide its order dated 18/10/2016 directed the Chairman, SEIAA to make a request to the SEAC to inspect the site of Saji K.Elias forthwith. It was also ordered that the inspection report should be filed on 01-11-2016 at National Green Tribunal. As per the orders of the Chairman SEIAA, a letter was sent to the

Chairman, SEAC (on 20/10/2016) to authorise SEAC member/members to conduct inspection and submit report at the earliest so as to reach the NGT not later than 01.11.2016. One Mr.Roopesh Menon, General Secretary of Thiruvaniyoor Panchayat Committee dated on 17/10/2016 filed as petition for cancellation of EC No.19/2016, issued to Shri.Saji.K.Elias, Kuzhikkandathil House, Thriuvaniyoor, Ernakulam on allegation that the proponent violated certain conditions of Environmental Clearance. The Authority decided that the subject is subjudice already in the National Green Tribunal.

**Item No 60.03                      Removal of Ordinary earth/Brick earth/ laterite building stone Environmental Clearance issued-Applications for extension of period of validity of Environmental Clearance.**

<b>I. No.</b>	<b>Name of Applicant</b>	<b>Date &amp; Number of E.C.</b>	<b>Decision of SEIAA</b>
1	Shri.Suresh Kumar.K, Karthika, Kallumala.P.O, Thekkekara Village, Mavelikara, Alappuzha – 690110.	05.03.2016, 841/SEIAA/EC4/2802/2 015 (Six Months extension already issued)	The Authority decided to give extension for six months subject to the condition that no further extension will be given.
2	Shri. Mathew John Ettiyekkattu, Adooparambu, Moovattupuzha – 686661	30.04.2016 1026/EC3/146/SEIAA/2 016	The Authority decided to defer the case for detailed study and to place in the next meeting.
3	Sri.K.H.Shajahan Rawther, Valiya Karingattil Veedu, Erumakkad P.O, Vallena, Pathanamthitta	16.01.2016 936/EC4/3982/2015/SEI AA 16.1.2016	The Authority decided to defer the case for detailed study and to place in the next meeting
4.	Shri. Abdul Salam A.M Anthroliparambil Idapalli north Ernakulum	30.04.2016& 80/16/OE Validity expired on 29.10.2016	The Authority decided to defer the case for detailed study
5	Smt.Elcy Abraham Puthenparambil (H) Vazhakkala, Kakkanadu, Ernakulam	19.6.2015 &57/2015/ OE	The Authority decided to reject the proposal, as it is already extended for six months.
6	Smt.Marian George Vattasseril, Parambuzha.P.O., Kottayam – 686004.	30.01.2016 1013/EC4/5190/SEIAA	The Authority decided to defer the case for detailed study and to consider in the next meeting

7	Sri. K. C. Thomas, S/o K. T. Chakkappan, Kanichayi (H) Venthala, Palayamparambu P O.680741	E.C.No.62/2016/ OE dated 25-04-2016.	Decided to give extension for six months subject to the condition that no further extension will be given
8	Sri. Suresh Babu P.K., Thalassery House, Koorikuzhy P.O., Kaiplamangalam, Thrissur-680681	E.C.No.57/2016/OE dated 30-04-2016. Validity expires on 29-10-2016	Decided to give extension for six months subject to the condition that no further extension will be given
9	Sri. Johnson, V. K., Vallooran, Nalukettu P.O., Koratty, Thrissur	E.C.No.54/2016/OE dated 30-04-2016.	The Authority decided to re-examine the case and to consider in the next meeting.

**Item No.60.04 Environmental clearance for removal of ordinary earth in Re.Sy. Nos. 388/6-1, 13, 5 and 15 at Maadappally Village, Changanassery Taluk, Kottayam District, Kerala by Sri.E.K.K.Mohammed (File No.505/ SEIAA/EC4/3608/2014)**

Sri. E.K.K. Mohammed, Managing Partner, E.K.K. and Company, 2<sup>nd</sup> Floor, Municipal Building, A.M. Road, Perumbavoor, Ernakulam on 01-08-2014 has applied for Environmental Clearance for removal of 4000 m<sup>3</sup> of ordinary earth from 0.2053 hectare of land in Re. Sy. Nos. 388/6-1, 13, 5 and 15 at Maadappally Village, Changanassery Taluk, Kottayam District For road work of KSTP. The 39<sup>th</sup> meeting of SEAC held on 18/6/2015 recommended for 3500m<sup>3</sup> on condition that removal should be by forming terraces limiting the average depth to 2m. The 62<sup>nd</sup> meeting of SEAC held on 6<sup>th</sup> & 7<sup>th</sup> September 2016 reiterated its earlier decision.

The Authority resolved to ask the proponent whether the Environmental Clearance is still required as the road construction might be over by this time.

**Item No: 60.05 Environmental clearance for removal of ordinary earth in Sy.No.528/12, 529/7, 528/9-5, 529/8, 528/9-2, 528/9-3, 528/4-2, 528/4-3, 528/4-4, 528/9-1, 528/4-5, 529/5, 529/6, 528/9-4 at Pattimattom Village, Kunnathunadu Taluk, Ernakulam, Kerala by Sri. P.S.Seban (File No. 937.A/SEIAA/EC3/4019/2016)**

The proposal was considered in the 62<sup>nd</sup> SEAC meeting held on 6<sup>th</sup> & 7<sup>th</sup> September 2016. The Committee appraised the proposal based on the details provided by the applicant and noticed that large scale removal of earth is likely to cause lasting damage to the water regime of the locality. Therefore SEAC had taken a decision to recommend large scale removal of earth up to 2m depth only if consents are produced from the adjoining land

owners. In all other cases recommendations are made limiting the average depth of removal to 1 m. In the case under consideration the proponent has not produced consents from the adjoining land owners. The Tahsildhar has also reported that there is an ongoing case under Kerala Land Conservation Act and there are no conclusive recommendations for the removal of the earth. Therefore the Committee recommend to reject the proposal.

The Authority resolved to accept the recommendation of SEAC to reject the proposal.

**Item No: 60.06**                      **Environmental clearance for removal of ordinary earth in Sy. No. 47/P at Cheruthuruthy Village, Thalappilly Taluk, Thrissur District, Kerala by Sri. P. B. Sukumaran (File No. 975/SEIAA/ EC1/4548/2015)**

Sri. P. B. Sukumaran, Poikkadathu House, Chengallur P.O, Thrissur District Kerala – 680 312 has applied for Environmental Clearance for the removal of 2,000 m<sup>3</sup> of brick earth from an area of 0.1902 ha of land in in Sy. No. 47/P at Cheruthuruthy Village, Thalappilly Taluk, Thrissur District Kerala.

The matter was considered in the 57<sup>th</sup> Meeting of SEAC held on 16<sup>th</sup> & 17<sup>th</sup> June, 2016 and deferred the item for the production of certificate to prove that the land is exempted from the purview of Kerala Conservation of Paddy Land & Wetland Act, 2008. On submission of clarification sought for, the proposal was again placed before 61<sup>st</sup> meeting of SEAC held on 11<sup>th</sup> August, 2016. Due to time constrain the committee deferred the proposal for next meeting.

Hence the proposal was considered in the 62<sup>nd</sup> meeting of SEAC held on 06<sup>th</sup> & 07<sup>th</sup> September, 2016. The committee appraised the proposal based on the details provided by the applicant and noticed that the proponent has not submitted necessary documents to prove that the land is exempted from the purview of Kerala Conservation of Paddy Land & Wetland Act, 2008. Hence the Committee recommended to *reject* the proposal.

Meanwhile the proponent has submitted a representation to SEIAA to relook the matter as the data bank is not yet completed by the Government. However brick earth can be mined from 'Nilam' only.

The Authority decided to refer the case back to SEAC to verify whether the Environmental Clearance is for the removal of brick earth or ordinary earth.

**Item No: 60.07**                      **Environmental clearance for removal of ordinary earth in B-10, Sy.No.49/9 at Myanagappally Village, Kunnathur Taluk, Kollam, Kerala by Sri. Alex.F (File No. 1044/SEIAA/EC3/742/2016)**

Sri. Alex.F, Secretary, Mynagappally Grama Panchayat, Mynagappally P.O, Kollam – 690 519 has applied for Environmental Clearance for the removal of 1904.68 m<sup>3</sup> ordinary

earth from an area of 2.90 Ares of land in B-10, Sy.No.49/9 at Mainagappally Village, Kunnathur Taluk, Kollam, Kerala.

The proposal was considered in the 62<sup>nd</sup> Meeting of SEAC held on 6<sup>th</sup>& 7<sup>th</sup> September 2016. 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 required amount of earth to ease the existing gradient.

The Authority decided to agree to the recommendation of SEAC to issue Environmental Clearance for removal of required amount of earth to ease the existing gradient.

**Item No: 60.08**                      **Environmental clearance for removal of ordinary earth in Re.Sy.No.204/1, 204/5 at Ikkaranadu North Village, Kunnathunadu Taluk, Ernakulam, Kerala by Sri. Jacob Varkey (File No. 1048/SEIAA/EC3/905/2016.)**

Sri. Jacob Varkey, Thottiyil Veedu, Kadamattomkara, Ikkaranadu – N, Ernakulam has applied for Environmental Clearance for the removal of ordinary earth from an area of 37.28 Are, of land in Re.Sy.No.204/1, 204/5 at Ikkaranadu North Village, Kunnathunadu Taluk, Ernakulam, Kerala .

The proposal was considered in the 62<sup>nd</sup> SEAC meeting held on 6<sup>th</sup>& 7<sup>th</sup> September 2016. 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 7000 m<sup>3</sup> of ordinary earth subject to the condition that removal should be in terraced manner limiting maximum depth of removal to 2m.

The Authority decided to issue Environmental Clearance for removal of 7000m<sup>3</sup> of ordinary earth subject to the condition that removal should be in terraced manner limiting maximum depth of removal to 2m.

**Item No: 60.09**                      **Environmental clearance for removal of ordinary earth in B/22, Sy.No.158/4, 5-2, 162/1, 2 at Arackappadi Village, Kunnathunadu Taluk, Ernakulam, Kerala by Sri. K.O.Joseph (File No.1049 /SEIAA/EC3/929/2016)**

Sri. K.O.Joseph, Urumath Veedu, South Vazhakkulam P.O, Ernakulam – 683 105 has applied for Environmental Clearance for the removal of ordinary earth from an area of 63.21 Ares of land in B/22, Sy.No.158/4, 5-2, 162/1, 2 at Arackappadi Village, Kunnathunadu Taluk, Ernakulam, Kerala .

The proposal was considered in the 62<sup>nd</sup> SEAC meeting held on 6<sup>th</sup> & 7<sup>th</sup> September 2016. 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 12000 m<sup>3</sup> of ordinary earth subject to the condition that removal should be in terraced manner limiting maximum depth of removal to 2m

The Authority decided to agree to the recommendation of SEAC and to issue Environmental Clearance for removal of 12000m<sup>3</sup> of ordinary earth subject to the condition that removal should be in terraced manner limiting maximum depth of removal to 2m.

**Item No: 60.10**                                **Environmental Clearance for removal of ordinary earth in B/22, Sy.No. 161/5,161/8-2 at Arackappadi Village,KunnathunaduTaluk, Ernakulam, Kerala by Sri. Kunju Muhammed (File No. 1050/SEIAA/EC3/930/2016)**

Sri. Kunju Muhammed, S/o Seethi, Muriyangara Veedu, West Vengola, Ernakulam – 683 556 has applied for Environmental Clearance for the removal of ordinary earth from an area of 32.39 Ares, of land in B/22, Sy.No.161/5,161/8-2 at Arackappadi Village, Kunnathunadu Taluk, Ernakulam, Kerala.

The proposal was considered in the 62<sup>nd</sup> SEAC meeting held on 6<sup>th</sup> & 7<sup>th</sup> September 2016. 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 6000 m<sup>3</sup> of ordinary earth subject to the condition that removal should be in terraced manner limiting maximum depth of removal to 2m.

The Authority decided to issue Environmental Clearance for removal of 6000m<sup>3</sup> of ordinary earth subject to the condition that removal should be in terraced manner limiting maximum depth of removal to 2m.

**Item No: 60.11**                                **Environmental Clearance for removal of ordinary earth in B/22, Sy.No.161/1-4,161/1-3-1 at Arackappadi Village, Kunnathunadu Taluk, Ernakulam, Kerala by Sri. Pareekunju (File No. 1051/ SEIAA/ EC3/931/2016)**

Sri. Pareekunju, S/o Sainudeen, Mundeth Arackakkudi Vettiyaattil, West Vengola, Ernakulam – 683 556 has applied for Environmental Clearance for the removal of ordinary earth from an area of 27.79 Are, of land in B/22, Sy.No.161/1-4, at Arackappadi Village, Kunnathunadu Taluk, Ernakulam, Kerala.

The proposal was considered in the 62<sup>nd</sup> SEAC meeting held on 6<sup>th</sup> & 7<sup>th</sup> September 2016. 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 5000 m<sup>3</sup>

of ordinary earth subject to the condition that removal should be in terraced manner limiting maximum depth of removal to 2m.

The Authority decided to accept the recommendation of SEAC to issue Environmental Clearance for removal of 5000m<sup>3</sup> ordinary earth subject to the condition that removal should be in a terraced manner limiting maximum depth of removal to 2m.

**Item No: 60.12**                      **Environmental Clearance for removal of ordinary earth in B/22, Re.Sy.No. 161/1-5, 3-2, 3-3, 3-4 at Arackappadi Village, Kunnathunadu Taluk, Ernakulam, Kerala by Sri. Kunjikochu (File No. 1052/SEIAA/ EC3/ 932/2016)**

Sri. Kunjikochu, S/o Sainudeen- Arackakkudi, Mundeth Vettiyattil, West Vengola, Ernakulam – 683 556 has applied for Environmental Clearance for the removal of ordinary earth from an area of 36.23 Are, of land in Re.Sy.No. 161/1-5, 3-2, 3-3, 3-4 at Arackappadi Village, Kunnathunadu Taluk, Ernakulam, Kerala.

The proposal was considered in the 62<sup>nd</sup> SEAC meeting held on 6<sup>th</sup> & 7<sup>th</sup> September 2016. 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 7000 m<sup>3</sup> of ordinary earth subject to the condition that removal should be in terraced manner limiting maximum depth of removal to 2 m.

The Authority decided to issue Environmental Clearance for removal of 7000m<sup>3</sup> of ordinary earth subject to the condition that removal should be in terraced manner limiting maximum depth of removal to 2m.

**Item No: 60.13**                      **Environmental Clearance for removal of ordinary earth in Sy.No. 162/3 at Ikkaranadu North Village, Kunnathunadu Taluk, Ernakulam, Kerala by Sri. Abraham (File No. 1057/ SEIAA/EC3/1038/2016.)**

Sri. Abraham, S/o Mathai, Chalakkattil House, Karukappilly P.O, Kolenchery Ernakulam – 682 322 has applied for Environmental Clearance for the removal of ordinary earth from an area of 0.48 ha of land in Sy.No.162/3 at Ikkaranadu North Village, Kunnathunadu Taluk, Ernakulam, Kerala.

The proposal was considered in the 62<sup>nd</sup> SEAC meeting held on 6<sup>th</sup> & 7<sup>th</sup> September 2016. 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 8000m<sup>3</sup> of ordinary earth subject to the condition that removal should be in terraced manner limiting maximum depth of removal to 2m.

The Authority decided to accept the recommendation of SEAC and to issue Environmental Clearance for removal of 8000m<sup>3</sup> of ordinary earth subject to the condition that removal should be in terraced manner limiting maximum depth of removal to 2m.

**Item No: 60.14**                      **Environmental Clearance for the stone quarry project in Sy. Nos. 179 and 1293 at Ayyankunnu Village, Iritty Taluk, Kannur District, Kerala by M/s Reena Metals (File No. 210/SEIAA/EC4/221/2014)**

The proposal was considered in the 61<sup>st</sup> Meeting of SEAC held on 11<sup>th</sup> August 2016. The Committee after examining the mining plan, prefeasibility report, Field Inspection Report and the other documents and details provided by the proponent decided to recommend for issuance of EC subject to the general conditions in addition to the following specific conditions that:

1. The approach road should be widened to satisfy local body rules
2. Top soil and over burden should be stored in the designated place only and provided with protective support walls. The OB stored adjacent to a seasonal stream on the southern side need proper management without it entering into the stream.
3. A catch water drain to be provided all along the lowest part and channelized into a RWH structure to be created on the lower slope.
4. Assurance that green belt will be provided around the periphery.
5. A separate plot should be set apart for preserving rare plants in the vicinity.

The proponent agreed to spend Rs 6 lakhs/ annum towards community welfare activities for a period of next 5 years and also agreed to implement schemes in consultation with the local body.

The Authority accepted the above recommendation and to issue Environmental Clearance on condition that the quarrying shall be started only after fulfilment of the specific condition No 1 and 5 as pre mining conditions, and compliance of this should be certified by a competent body.

**Item No: 60.15**                      **Environmental Clearance for the proposed quarry project in Re. Survey. No. 266/2 (pt) of Cherukavu Village, Kondotty Taluk, Malappuram District, Kerala application of Sri. P. K. Abdulla Koya, Managing Director, M/s Beta Granite Pvt. Ltd (File No. 216/SEIAA/EC1/274/2014)**

The proposal was placed before 54<sup>th</sup> meeting of SEAC held on 06/07-04-2016. The proponent along with the RQP was present in the meeting and RQP made a power point



presentation of the salient features of the project. The quarry is at present being operational on permit and hence there is violation. The Committee deferred the proposal for submission of revised Mining Plan in compliance of the earlier suggestions mainly on the 6<sup>th</sup> point of Field Inspection Report, which is as follows:

“This proposal need modification incorporating entire area under possession of the proponent with a proper mine operational plan. If the area is limited to south facing slope only, it may be difficult to accord sanction on account of +30 degree slope”.

On submission of the approved mining plan as per KMMC Rules-2015, the proposal was again considered in the 60<sup>th</sup> meeting of SEAC held on 28<sup>th</sup> and 29<sup>th</sup> July, 2016 and the RQP made a power point presentation of the salient features of the project. The committee appraised the proposal based on the mining plan, pre-feasibility report and all other documents submitted along with the Form I application. The proponent shall discuss about Rainwater Harvesting with Panchayath and submit enhanced CSR with specific plans. The item is deferred till the conditions met.

On submission of the above clarifications regarding RWH & CSR by the proponent the proposal was again considered in the 62<sup>nd</sup> SEAC meeting held on 6<sup>th</sup> & 7<sup>th</sup> September 2016. The Committee after examining the mining plan, prefeasibility report, field inspection report and all other documents submitted, Recommended for issuance of EC subject to general conditions.

But the Authority noticed the remarks of the 54<sup>th</sup> meeting of SEAC that the quarry is at present being operational on permit and hence there is a violation. The Authority decided to ask SEAC to inform what is the nature of violation.

**Item No: 60.16                      Environmental Clearance for the proposed Granite Building Stone quarry project in Sy. Nos. 197/2, 198/2, 203/3 and 369/1(P) at Koppam Village, Ottapalam Taluk (New Taluk – Pattambi), Palakkad District, Kerala by M/s Marath Enterprises and Crushers Pvt. Ltd. (File No. 310/SEIAA/KL/1693/2014)**

The proposal was considered by SEIAA in its 55<sup>th</sup> meeting held on 16<sup>th</sup> July 2016 and Authority found that the recommendation has been made without site inspection. Authority decided that site inspection by SEAC is necessary to verify the statements in the application and documents submitted by the proponent and to satisfy the sufficiency of the undertakings given therein. SEAC may be requested to make available the report within one month.

*“Authority as a general rule decided that site inspection is required for all quarries, in so far as small quarries are also causing serious environmental concerns”.*

Considerable effort should be taken by the committee for the appraisal of quarry if it should become fruitful and justified.

Hence the proposal is again returned to SEAC for site inspection report.

**Item No: 60.17**                      **Environmental Clearance for the proposed quarry project in Sy.No.267/1(pt), 267/2(pt), 269/1(pt), 270/1, 270/2(pt), 270/3(pt), 270/4(pt), 270/5(pt), 270/6(pt) & 276/1(pt) at Nediyruppu Village, Kondotty Taluk, Malappuram District by Sri.Muhammed Haneefa (File No. 730/SEIAA/EC1/02/2015)**

The proposal was first considered in the 57<sup>th</sup> Meeting of SEAC held on 16<sup>th</sup> & 17<sup>th</sup> June 2016. Further to the intimation of SEAC, the proponent along with the RQP was present in the meeting and RQP made a power point presentation of the salient features of the project. The Committee appraised the proposal based on the mining plan, pre-feasibility report and all other documents submitted along with the Form I application and recommended for issuance of EC for mining subject to the general conditions and to the specific condition that the depth of mining shall be limited to 70m. The proponent agreed to set apart Rs. 10 lakhs (non-recurring) and 5 lakhs per annum (recurring) for next 5 years for CSR activities for the welfare of the local community. He also agreed to spend this amount in consultation with the local Panchayath. The committee noted that this is a working quarry and proponent also admitted that the quarry is presently operational based on the permit. The committee found that it is a case of violation and this may be looked into by SEIAA.

The recommendation of the Committee with regards to the violation was made keeping in mind the decision of the Hon High court on 07.12.15 in WP© 34463 of 2015. In the above judgement Hon Court has struck down the provision to rule 12 of the Mining Rules. The committee was not aware of the decision of the Hon. Supreme Court in SLP 33130/15 pointed out by SEIAA. The Secretariat is seldom able to timely place such information before the Committee. However now on perusing the order the Committee is of the opinion that the above order cannot be interpreted as an order directing renewal permits without E.C. Moreover so long as the High Court Judgment on 07/12/15 is not stayed by the Supreme Court it prevails. The Committee pointed out the violation because the proponent himself admitted that the quarry was in operation without EC.

It has been clarified in several decisions of SEIAA (in earlier minutes) that Environmental Clearance for quarrying of mining area less than 5 ha was made mandatory only after 27.2.2012. Thereafter up to January 2015, State Govt. had given exemption. Hence violation on account of want of Environmental Clearance arises only if it was a mining area of more than 5 ha, in which operation started before 27.2.2012. If not it would be contempt of Supreme Court Orders.

The Authority decided to defer the case for legal opinion in the light of the interpretation of SEAC.

**Item No: 60.18**                      **Environmental Clearance for the building stone quarry project in Sy. No. 288/1 at Koodal Village, Adoor Taluk, Pathanamthitta District, Kerala by Sri. Anwar Hussain Rawthar (File No. 733/SEIAA/ EC4/06/2015).**

The proposal was placed in the 62<sup>nd</sup> meeting of SEAC held on 6/7-9-2016. The Committee after examining the mining plan, prefeasibility report, field inspection report by Sri. John Mathai and all other documents submitted decided to Recommend for issuance of EC subject to following general conditions and specific conditions

1. All the boundary pillars must be erected permanently.
2. Catch water drain leading to a RWH must be provided on the southern periphery to channelize the storm water, clarify it and to conserve part of it for use in the site.
3. The approach road should be provided with good surfacing.

The Authority resolved to issue Environmental Clearance on condition that mining shall be started only after the fulfilment of the specific condition No 1 and 3 as pre mining conditions, and an affidavit should be given to this effect.

**Item No: 60.19**                      **Environmental Clearance for the Proposed Building Stone quarry project in Sy. No 217/2-2,217/2-3,217/2-1,218/3 at Parakkadavu Village, Aluva Taluk, Ernakulam District, Kerala by Sri K.M. Joy (File No. 843/SEIAA/EC3/2805/2015)**

The proposal was considered in the 61<sup>st</sup> Meeting of SEAC on 11<sup>th</sup> August 2016. The Committee after examining the mining plan, prefeasibility report, Field Inspection Report and the other documents and details provided by the proponent decided to recommended for issuance of EC. The Authority resolved to accept the recommendation of SEAC to issue Environmental Clearance on the following conditions in addition to general conditions.

1. The approach road should be widened to minimum of 6m width.
2. Considering the presence of steep cuttings and fragmented way of quarrying, it is to be emphasised that the future working will be from the elevated part following the top to bottom approach.
3. The steep cliff like faces to be marked as danger zones with proper fencing and sign boards. They can be exploited only with the advancement of benches.
4. The present practise of utilisation of the deep pit for RWH and fish culture can continue.

Authority noted that, as per the certificate issued by the district Geologist there are 8 other quarries working with short term permit/lease within 500m radius of the proposed area. Hence 'no cluster certificate' should be presented. The proponent should continue

quarrying only after presenting a certificate from a competent authority that the pre mining specific conditions No 1 and 3 have been fulfilled.

**Item No: 60.20**                      **Environmental Clearance for the quarry project in Sy. No. 575/1-2 & 569/1-1-16, 569/1-1-16-2 at Konnithazham & Iravon Village, Konni Panchayath, Konni Taluk, Pathanamthitta District, Kerala by Mr. N.Asokan, Managing Partner, M/s.A.S. Granites (File No. 890/SEIAA/EC4/3321/2016**

The proposal was considered in the 62<sup>nd</sup> meeting of SEAC held on 6<sup>th</sup> & 7<sup>th</sup> September 2016. Further to the intimation of SEAC, the proponent along with the RQP was present in the meeting and RQP made a power point presentation of the salient features of the project. The committee appraised the proposal based on the mining plan, pre-feasibility report and all other documents submitted along with the Form I application and decided to Recommend for issuance of EC subject to the general conditions and the specific condition that a revised CSR activities addressing the needs of the locality shall be submitted before the SEIAA.

Since the recommendation was made without site inspection, the Authority resolved to return the proposal to SEAC for conducting site inspection.

**Item No: 60.21**                      **Environmental Clearance for proposed Residential Project at Sy.No. 96/5C, 96/5A, 96/6,96/4A,96/5B, at Kotooly Village, Kozhikode Taluk and Kozhikode District, Kerala by Sri. E.A Siyad M/s Malabar Developers (P) Ltd (File No. 898/SEIAA/EC4/ 3459/2015)**

The proposal was considered in the 61<sup>st</sup> Meeting of SEAC held on 11<sup>th</sup> August 2016. The proposal was appraised by SEAC considering Form I, Form IA, Conceptual plan, field visit report and all other documents and details provided by the proponent as sought by SEAC during the appraisal process.

The proposal is recommended for issuance of Environmental Clearance with general conditions in addition to specific conditions as follows

1. Provisions should be provided to use the treated water to maximum possible in the site itself for horticulture and other purposes.
2. The land has many trees and endemic plant species which should be protected as far as possible
3. A green belt should be provided around the site.
4. A level difference of 20m was noticed from south to north side. The cutting and filling should be done with minimum disturbance to the nearby areas or roads. A well designed retention wall should be provided around the site to prevent slope failures.
5. Access width as per local body rules shall be provided.

The Authority resolved to issue Environmental Clearance on condition that the local body must ensure that the access road is built with required measurement laid as per their rules.

**Item No: 60.22**                                 **Environmental Clearance for the proposed quarry project in Sy. No. 114 at Thirumittacode 2 Village, Pattambi Taluk, Palakkad District by Mrs. Elsy Joseph, Managing Director for M/s Malayakam Granites Pvt. Ltd. (File No. 929/SEIAA/EC1/3895 /2015)**

It has been brought to the attention of SEAC through several decisions and recommendation (48.3) by SEIAA in the past that inspection of quarrying site is important in view of the special situation in Kerala such as population density, public resistance to mining, several litigations, public complaints and media attention due to the sensitivity of the issue.

The Authority resolved to send the proposal back to SEAC to conduct Site Inspection.

**Item No: 60.23**                                 **Environmental Clearance for the Proposed quarry project in Sy. Nos. 16,37/4,39/1a at Kolavallur Village, Thalassery Taluk, Kannur District, Kerala by Mr.Keeran Kumaran, (File No. 938/SEIAA/ EC4/4096/2015)**

The proposal was considered in the 61<sup>st</sup> Meeting of SEAC held on 11<sup>th</sup> August 2016. The Committee after examining the mining plan, prefeasibility report, Field Inspection Report and the other documents and details provided by the proponent decided to recommend for issuance of EC subject to the general conditions in addition to the following specific conditions that:

1. The entire quarry area should be fenced all around.
2. The approach road must be well laid and properly surfaced.
3. Working to be in the form of benches. Steep cliff like sections to be left as danger zones with proper sign boards.
4. Top soil and Over burden should be stored in a designated place on the lower slope away from the working area.
5. Catch water drain or similar mechanism to be provided along the lowest level of the quarry to collect and dispose storm water safely. It should be clarified before it is let out. The existing deep pit on the southern side can be maintained as RWH structure.
6. Assurance that green belt will be provided around the periphery.
7. Statutory facilities like drinking water, canteen, rest room etc. should be provided to the workers in the quarry.
8. The quarry should have sign boards displayed at appropriate places.
9. The C.S.R activity needs revision addressing the needs of the locality as suggested.

The Proponent agreed to spend Rs.9 lakhs (recurring)/year and Rs.8 lakhs (non-

recurring) expenditures towards community welfare activities during the next 5 years and to implement in consultation with the schemes of local panchayats. The Authority decided to accept the recommendation of SEAC and issue Environmental Clearance on condition that mining may be started only after the specific pre mining conditions 1,2,4,7 and 8 are fulfilled. An affidavit to this effect must be submitted.

**Item No: 60.24**                                      **Environmental Clearances for the quarry project in Sy. No. 380/3-2, 164/1-26, 164/1-151, 164/1-93, 164/1-31, 164/1-80, 164/1-32, 164/1-29, 164/1-79, 164/1-38, 164/1-101, 164/1-91, 164/1-92, 164/1-19, 164/1-90, 368/3, 368/4, 164/1-95, 164/1-108, 164/1-148, 164/1-156, 164/1-157, 164/1-158, 164/1-159, 164/1-160, 164/1-161, 379/1-2, 379/6, 379/7-2, 164/1-39, 164/1-149, 164/1-30 and 380/3, Ayyampuzha Village, Ayyampuzha Panchayat, Aluva Taluk, Ernakulam District, Kerala State by Mr. Joseph Jacob, Managing Director M/s Poabs Granite Products Pvt. Ltd. (File No. 961/SEIAA/EC3/4471/2015)**

The proposal was placed in the 58<sup>th</sup> Meeting of SEAC, Kerala, held on 28<sup>th</sup> & 29<sup>th</sup> June, 2016. Further to the intimation of SEAC, the proponent along with the RQP was present in the meeting and RQP made a power point presentation of the salient features of the project. The committee appraised the proposal based on the mining plan, pre-feasibility report and all other documents submitted along with the Form I application. The Committee decided to **defer** the item for field visit. The proponent was also agreed to set apart Rs 12 lakhs (non-recurring) and 11 lakhs (recurring) per year for next 5 years for the welfare of the local community. The proponent also agreed to spend this amount in consultation with the local panchayath.

The Authority noted the recommendation of 61<sup>st</sup> meeting of SEAC to issue Environmental Clearance subject to general conditions. The Authority decided to return the proposal back to SEAC for suggesting specific conditions also. It has also been resolved to verify by SEAC whether this is a cluster quarry. Since there are two other quarries working within 500m<sup>3</sup> received 'No cluster' Certificate should also be provided.

**Item No: 60.25**                                      **Environmental Clearance for the quarry project in Sy. No. 120/1-23 at Erumely village Erumely Panchayath, Kanjirappally Taluk, Kottayam District, Kerala by Mr.K.V.Abraham (File No. 963/EC4/14473/2015/SEIAA)**

The proposal was considered in the 62<sup>nd</sup> SEAC meeting held on 6<sup>th</sup> & 7<sup>th</sup> September 2016. The Committee after examining the mining plan, prefeasibility report, field inspection report by Sri. John Mathai and all other documents submitted decided to Recommend for issuance of EC subject to general conditions along with the following specific conditions.

- 1) Should be fenced all around.
- 2) The approach road needs widening and surfacing even though it is located

within the estate.

- 3) The limited patch of natural vegetation seen in the upper part adjacent to the proposed lease area should be preserved as such.
- 4) A small plot should be set apart for the rehabilitation of rare plants seen in the area.
- 5) The entire quarry should be provided with catch water drain. The storm water from the upper slopes to be channelized into the drain and clarified before it is let out.
- 6) A RWH structure should be created for the storage of rain water.

The proponent agreed to set apart Rs 9 lakhs (non-recurring) and 13 lakhs (recurring) per year for a period of next 5 years for the welfare of the local community. The proponent also agreed to spend this amount in consultation with the local panchayath. The Authority resolved to issue Environmental Clearance on condition that quarrying should be started only after fulfilling the pre mining specific conditions No. 1, 2 and 4. An affidavit should be given for this.

**Item No: 60.26**

**Environmental Clearance for the quarry project in Sy. No 781/23-1,781/1-23-1 pt, 781/1-23-2,at Athikayam Village, Naranamuzhi Panchayath, Ranni Taluk, Pathanamthitta District, Kerala by Sri.Alexander V.John (File No.1002/EC4/5032/ 2015/ SEIAA)**

The proposal was considered in the 61<sup>st</sup> Meeting of SEAC held on 11<sup>th</sup> August 2016. Further to the intimation of SEAC, the partner along with the RQP was present in the meeting and RQP made a power point presentation of the salient features of the project. The committee appraised the proposal based on the mining plan, pre-feasibility report and all other documents submitted along with the Form I application. On examination of the satellite image of the proposed quarry it is seen that there are two other quarries within 500m radius of the proposed quarry - one is M/s Manimalethu Crusher Industries (file no.121/SEIAA/EC4/ 2200/2013) and another is M/s Kavumkal Granites (file no. 621/SEIAA/EC4/4775/2014) for which EC has been recommended by SEAC. However certificate from District Geologist, Pathanamthitta states that there are no quarries within 500m radius of the proposed quarry. And also the proponent and RQP have not verified this fact. Hence explanation has to be sought from parties concerned for misrepresenting the facts. It is also essential to ascertain whether a cluster situation exists. The proposal is returned to SEIAA for further actions. The proposal shall be considered only after getting necessary directions for SEIAA in this regard. In the light of all these facts, the Authority decided to defer the case for detailed study.

**Item No: 60.27**

**Environmental Clearance for Building Plan in Sy. No.534/10 & 534/10-2 at Thiruvanvandoor Village and Thiruvanvandoor Panchayath, Chenganoor Taluk, Alappuzha District, Kerala by Sri.Reji.K.J for**

**Dr.K.M.Cherian, Institute of Medical Sciences. (File No. 1008/SEIAA/ EC3/5102/2015)**

The proposal was considered in 59<sup>th</sup> SEAC meeting held on 11<sup>th</sup>&12<sup>th</sup>, July, 2016. The committee **deferred** the item that the proponent was asked to submit the following additional documents and to inform the proponent regarding this.

1. The land falls in the flood plain of Pamba River with the river at a distance of 70 m. The high flood level is reported to be confined to the river banks. However, the main hospital block should be at least 100m distance from the Pamba river.
2. The ground level of the block/ approach road level must be elevated at least by 1 m from the present level to avoid inundation in case of a flood like condition.
3. Considering the general slope of the site towards north, Storm water management plan with connectivity to nearby drain should be provided. The storm water should not be directly discharged into the river.
4. The basement floor planned for parking involves excavation. The excavation should be limited to 2 m considering the shallow water table condition. The excavated earth with a high content of sand must be used internally.
5. RWH facility be enhanced to 600KL
6. Mechanism for waste treatment and disposal was explained. But it should not entrain the river or the local shallow aquifer. Plan should be submitted.
7. Maximise use of solar energy. The detailed plan with quantity to be given.
8. Additional land has been acquired for parking and other ancillary facilities. The precise plan of parking facility with number of vehicles and traffic movement plan should be provided.

The proponent submitted the clarification on 23/07/2016.

The proposed project is registered with the Indian Green Building Council. *As per the OM No. 19-58/2011-1A.111 dated 27/06/2011 of MOEF notification, the proposal for EC in respect of building construction which have obtained Green building rating(pre-certification or provisional certification) under the rating programme of GRIHA,IGBC including LEED India etc by integrating high level of environmental norms in to their building plans, shall get priority for their consideration, out of turn, by the expert appraisal committee/State Level Expert Appraisal Committee, as the case may be.* The proponent submitted the Indian Green Building Council certificate.

The proposal was considered in 60<sup>th</sup> SEAC meeting held on 28<sup>th</sup> & 29<sup>th</sup>, July, 2016. The Committee decided to **defer** the item to submit enhanced parking plan. The proponent submitted the clarification on 09.08.2016. The proposal was considered in the 61<sup>st</sup> SEAC meeting held on 11<sup>th</sup> August, 2016. The Committee after examining the Form I, Form IA, Conceptual plan, Field Inspection Report and the other documents and details provided by the proponent, decided to deferred the item for verification of the clarifications submitted and further appraisal by a subcommittee consisting of Sri. S. Ajaya Kumar, Sri. P.Sreekumaran Nair and Sri. John Mathai.

The proposal was again considered in the 62<sup>nd</sup> SEAC meeting held on 6<sup>th</sup> & 7<sup>th</sup> September 2016. The Committee appraised the proposal based on the details provided by the applicant and decided to Recommend for issuance of Environmental Clearance subject to the



general conditions and the specific condition that the parking facility shall be enhanced as committed in the revised plan. The Authority decided to accept the recommendation of SEAC on the condition that all the general and specific conditions should be strictly implemented.

**Item No:60.28**                      **Approval of Terms of Reference (ToR) for the EIA study for the Common Biomedical Waste Treatment facility at Survey Nos. 4410/2.2,2.3, 4411/1& 2.2 Peringamala Village, Nedumangadu Taluk & Trivandrum District, Kerala by Dr. A. V. Jayakrishnan, State President, M/s Indian Medical Association Goes Eco-friendly (IMAGE) (File No. 1059/SEIAA/EC1/1083/2016)**

The application was considered in the 62<sup>nd</sup> meeting of SEAC held on 06/07-09-2016. The Committee appraised the Terms of Reference (ToR) and decided to suggest the standard ToR issued by MoEF for similar projects for conducting the EIA study.

The Authority resolved that the Terms of Reference (ToR) suggested/approved by SEAC may be communicated to the project proponent.

**Item No: 60.29**                      **Environmental Clearance for Master Plan development of an IT/ITES SEZ township (“Infopark Phase-2 Campus”) project by INFOPARKS KERALA (Fully owned by Govt. of Kerala) Survey Nos. 79, 80, 82, 83, 84,85, 86, 87, 88, 89, 90, 91, 92, 93, 96, 97, 98, 102, 103,104, 144, 145, 146 in Puthencruz Village in Block 37 in Vadavucode Puthencruz Grama Panchayat and Survey Nos.365, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377,378, 379, 380, 381, 384 in Kunnathunadu Village in Block 36 in Kunnathunadu Grama Panchayat Kunnathunadu Taluk, Ernakulam District, Kerala by Sri. Mr. Hrishikesh Nair Chief Executive Officer, M/s Infoparks Kerala (1061/EC3/149/SEIAA/2016)**

The Authority resolved that the Terms of Reference (ToR) approved by SEAC may be communicated to the project proponent

**Item No: 60.30**                      **Environmental Clearance for the proposed quarry project in Sy. No. 279/5 at Kuthanur I Village, Alathur Taluk, Palakkad District, Kerala by Tomy Joseph, Additional Director for M/s Immanuel Crushers & Mines Pvt. Ltd (File No. 934/SEIAA/EC1/3911/2015)**

The proposal was considered in the 60<sup>th</sup> meeting of SEAC held on 28<sup>th</sup>& 29<sup>th</sup> July 2016. The Committee after examining the mining plan, prefeasibility report, field inspection report and all other documents submitted, recommended for issuance of EC subject to the general conditions and the specific condition that the CSR activity needs revision addressing the needs of the locality. The proponent agreed to spend Rs 25 lakhs expenditure towards

community welfare activities for a period of next 5 years and also agreed to implement these schemes in consultation with the local body.

The Authority noted the remarks of the 57<sup>th</sup> meeting of SEAC held on 16<sup>th</sup> & 17<sup>th</sup> June 2016 that the quarry is in operational phase based on quarry permit and there could be possible violation for quarrying using this permit. The Authority decided to send the proposed file back to SEAC for recording the nature of violation.

**Item No. 60.31                      Environmental Clearance for the quarry project in Survey No. 1853/1, 1854, 1855, 1856, 1857, 1858, 1860/1 of Pazhayannur Village, Thalappilly Taluk, Thrissur District, Kerala by Sri. A. G. Madhavan, Managing Director, M/s Nila Metals Pvt. Ltd. (File No. 900/SEIAA/EC1/3461/2015)**

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 1 and mining plan. The CSR activities proposed are not realistic. The Committee Recommended to issue EC on production realistic CSR suitable for the locality before the SEIAA.

On production of more realistic CSR by the proponent before SEIAA, the proposal was considered in the 54<sup>th</sup> meeting of SEIAA held on 21-06-2016. Authority decided to conduct a site inspection by Chairman and Member SEIAA before deciding on accepting the recommendations of SEAC, as SEAC has not been conducted the same.

As per the decision of the 54<sup>th</sup> meeting of SEIAA on 21-6-2016, the Chairman and Member SEIAA along with the Administrator visited the quarry site of M/s Nila Metals (Pvt) Ltd, at Vellappara, Pazhayannoor, Thalappally Taluk on 31-08-2016. The site inspection report is as follows:

*“The quarry is working on short term permit on extended period. It was started in 12/2014. It was working on the status quo order of the Hon’ble Supreme Court in the SLP filed by permit quarry owners. They had valid permit as on 9.1.2015, for 190 cents. It is being continued in 100 cents now. But extent of land applied for Environmental Clearance is 2.8936 ha. The proponents informed that no litigations are pending against the quarry. The nearest dwelling unit 350 meters away. No Government land is involved. They have 6.070 ha of land at site, out of which 2.8936 ha only is proposed for mining. The land belongs to two companies Nila aggregates (14 acres) and Nila quarry (13.2 acres). Quarrying is not started in these lands. It is reserved for mining later. Road to the quarry from the PWD road (about 2km) is a private road. The 9 meter road is maintained by the proponents. The firm is a private limited company of four persons. Quarrying is now stopped as the permit has expired, and they have applied for short term permit for 2 months.*

*It was found that a new concrete building is under construction within 100 meters of the mining area, which was explained as workers shed. No other issues which impede grant of Environmental Clearance was noted.*

*E.C as recommended by SEAC may be granted subject to the following specific conditions:*

1. *The Survey Number 1860/1 in which the construction of the workers shed is going on shall be fully excluded from the mining area and minimum distance of 100 meters from the periphery of the mining area shall always be kept to the building. Quantity of rock to be quarried shall be reduced to the above extent.*
2. *The watercourse on the boundary of the quarry shall be maintained as such and depth of mining at that side shall be restricted to the level of maximum water flow during monsoon.*
3. *Green belt shall be developed around the area and native trees shall be planted in the unutilised land available.*
4. *The temporary sheds nearer to the quarry, where workers are housed should be demolished.*

The Authority resolved to approve the proposal and issue Environmental Clearance on condition that the specified condition No 1 and 4 has been fulfilled before starting mining. An affidavit to the effect that the above conditions shall be fulfilled should be executed”.

**Item No.60.32**

**Environmental Clearance for the proposed expansion of Jubilee Mission Medical College & Research Institute in Sy. Nos. 666/1, 666/2, 681, 669/1, 669/2, 669/3, 2245/2, 2245/3, 669/4, 669/4, 671/6, 671/1, 2247/1, 2247/6, 2245/4, at Chembukkavu Village and Trissur Taluk, Thrissur District, Kerala by Sri. Francis (File No. 779/SEIAA/EC1/ 997/2015)**

The proposal was first considered in 47<sup>th</sup> meeting of SEAC held on 13-14 October 2015. The committee deferred the proposal for field inspection and for submission of more realistic CSR. Accordingly the field inspection has been undertaken by the subcommittee on 19/12/2015. The details of the site inspection are extracted below:-

*“This is a fully functional institute with many blocks dedicated to different activities of a Medical college. The expansion sought for is for one particular block ie Block 4 where area is to be increased from ~14000 sq.m to ~21000 sq.m. The work is in progress. The construction/expansion without EC can be viewed as violation though not in the strict sense. It is clarified that the permit for the construction was obtained earlier*

*Overall evaluation shows that the Institute has,*

1. *A number of buildings are seen in the campus giving a congested appearance. This is being overcome by demolition/conversion of existing structures into high rise buildings. The present expansion is part of such a strategy.*
2. *Own source of water with few open wells, bore well and ponds as source. The overall requirement is totally met from own sources. Additional sources are available for further development. Water treatment plant is in place for the last 10 years.*
3. *Sewage treatment plant is functional in the campus with a capacity to recycle 8 lakh lpd.*
4. *The biomedical waste is being treated in-sit . The incinerator facility with two units has a capacity of 250 kg/hour. The height of the chimney is 57 m to prevent mixing of air at lower level. Shredding and autoclaving units are also functional.*
5. *Organic waste is used for generation of biogas. However, feeding of the waste to*

*the biogas plant needs to be mechanised.*

6. *Separate entries are there and space has been provided for internal traffic and parking.*

*Considering these factors the EC to the institute may be recommended.”*

However the proponent has not submitted more realistic CSR, on receipt of the Inspectional report, the proposal was considered by SEAC in its 52<sup>nd</sup> meeting held on 8/9-02-2016. The Subcommittee observed that the construction work is almost over, and to that extent it is a case of violation. The Committee recommended to SEIAA for action against violation and issuance of EC on completion of above proceedings stipulating over and above the general conditions a specific condition to mechanize the feeding to the biogas plant. The proponent should also submit more realistic CSR to SEIAA.

The proposal was considered by SEIAA in its 51<sup>st</sup> meeting held on 29-03-2016. The Authority decided to initiate violation proceedings. Considering the situation that the EIA notification is being violated with impunity and applications for E.Cs are being submitted after the projects are progressed considerably, the Authority decided to alert the Government agencies such as LSGIs, K.S.E.B, K.S.P.C.B etc. and also to put up boards at the site depicting the violation. Advertisements through media will also be given on the effects of violation of EIA notification and taking up of activities without obtaining prior environmental clearance.

Pursuantly, SEIAA issued show cause notice to the proponent; vide letter No. 779/SEIAA/EC1/997/2015 dated 01-06-2016. The proponent requested vide letter No nil dated 12-08-2016, to grant two more weeks to prepare a detailed reply to the show cause notice.

Thereon the proponent submitted the detailed explanation before SEIAA on 19-10-2016. And requested to accept their explanation, because they have stopped all the work on the building awaiting EC. The proponent also submitted an Affidavit undertaking that they *'shall not carry out any work on the building until the EC is issued for the new block'*.

Violation is initiated only in respect of hospital building which requires E.C. There is the O.M. No. S.O. 3252 (E) dated 22.12.2014 of the MoEF specifically requiring prior E.C for the hospital building attached to Medical College projects. The project for which E.C is being considered by SEIAA is not exceptional for the purview of EIA notification. SEAC has not only not recommended the hospital project for E.C but has recommended to initiate violation proceedings based on which is the show cause notice issued. The explanations furnished by the proponent are irrelevant. The Authority noted that the action proposed in the show cause notice dated 01-06-2016 is to be confirmed decided to initiate credible action against violation.

**Item No.60.33**

**Environmental Clearance issued for the quarry project in Sy. No. 1982 at Vellikulangara Village, Mattathur Panchayath, Chalakkudy Taluk, Thrissur District by Sri. Mathew M Pathrose, Managing Partner, M/s Blue Mountain Granites, Vellikulangara P.O. Chalakkudy, Thrissur - 680699. (File No. 626/SEIAA/EC1/4809/2014) - Application for Erratum.**

Sri. Mathew M Pathrose, Managing Partner, M/s Blue Mountain Granites, Vellikulangara P.O., Chalakkudy, Thrissur – 680699 vide his application received on 09/10/2014 has sought Environmental Clearance under EIA Notification, 2006 for the quarry project in Sy. No. 1982 at Vellikulangara Village, Mattathur Panchayath, Chalakkudy Taluk, Thrissur District for an area of 3.0352 hectares.

48<sup>th</sup> meeting of SEAC held on 6<sup>th</sup> and 7<sup>th</sup> November 2015 recommended the proposal for issuance of E.C. The proposal was considered in the 47<sup>th</sup> meeting of SEIAA held on 07.01.2016. The Authority approved the recommendations of SEAC and issued EC; vide letter No. 626/SEIAA/EC1/4809/2014 dated 05-02-2016, accordingly.

Now the proponent represented vide letter dated 10-08-2016 that, the name printed on the EC certificate is **Mathew P Pathrose** instead of *Mathew M Pathrose*. Hence he requested to rectify the mistake in the certificate.

The Form 1, PFR and approved mining plan, the name given by the proponent is Mathew M Pathrose. However due to some oversight Mathew P Pathrose was entered in the Agenda and minutes of SEAC. On verification it is found that the proponent also repeated the same mistake in some documents submitted in the Authority. Hence directed the proponent to submit an affidavit before the Authority. Now the proponent submitted the Affidavit stating that his name is **Mathew M Pathrose** instead of **Mathew P Pathrose**. He declared that **Mathew M Pathrose** and **Mathew P Pathrose** are one and same persons and the difference in his name do not constitute any difference in his identity.

The mistake was only a typographical error. Hence an erratum may be issued to the proponent.

The Authority resolved to allow the request after verification.

**Item No.60.34**

**Request for amending the specific conditions- Environmental clearance issued for the quarry project in Sy. No. 1982 at Vellikulangara Village, Mattathur Panchayath, Chalakkudy Taluk, Thrissur District by Sri. Mathew M Pathrose, Managing Partner, M/s Blue Mountain Granites, Vellikulangara P.O., Chalakkudy, Thrissur - 680699. (File No. 626/SEIAA/ EC1/4809/2014)**

Sri. Mathew M Pathrose, Managing Partner, M/s Blue Mountain Granites, Vellikulangara P.O., Chalakkudy, Thrissur – 680699 vide his application received on 09/10/2014 has sought Environmental Clearance under EIA Notification, 2006 for the quarry project in Sy. No. 1982 at Vellikulangara Village, Mattathur Panchayath, Chalakkudy Taluk, Thrissur District for an area of 3.0352 hectares.

48<sup>th</sup> meeting of SEAC held on 6<sup>th</sup> and 7<sup>th</sup> November 2015 recommended the proposal for issuance of E.C 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. The mandatory buffer distance

- must be left by the side of forest teak plantation, road and HT line.
2. Over burden must be stored in the designated places and provided with protective support walls.
  3. The RWH structure and water clarification mechanism provided must be maintained throughout. Periodic desiltation is mandatory.
  4. Steps should be taken to limit fly rock within the lease area.

The proposal was considered in the 47<sup>th</sup> meeting of SEIAA held on 07.01.2016. The Authority approved the recommendations of SEAC and issued EC accordingly with a special condition that *'considering proximity to forest land a buffer distance of 100 meters shall be maintained from the boundary of the land possessed by the proponent. If it is not maintained always, the E.C shall be liable to be withdrawn'*.

The proponent requested via letter No nil, dated 23-02-2016 to amend the specific condition,

1. Minimum distance from the Extra High Tension (HET) electrical transmissions.
2. Minimum Distance from the forest land.

The proponent represented that unless and otherwise the modifications made in the EC certificate, they will lose large project area and money.

The above specific conditions suggested in the EC by the SEAC/SEIAA are very relevant for the sustainable environmental management.

The Authority resolved not to entertain such requests.

**Item No: 60.35**

**Environmental Clearance issued 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/12/54/124, 571/1A/54-1,571/1A/54-2 at KonniThazham Village, Konni Panchayath, Konni Taluk, Pathanamthitta District by Sri. Jacob Thomas (File No. 870/SEIAA/EC4/3101/2015)- Application for erratum.**

The 55<sup>th</sup> meeting of SEAC held on 10<sup>th</sup>, 11<sup>th</sup> and 20<sup>th</sup> May 2016 recommended for issuance of EC. Based on the recommendations of SEAC, and field visit report of SEIAA on 8.7.2016, the 57<sup>th</sup> SEIAA meeting held on 26/08/2016 issued EC vide letter no.870/SEIAA/EC4/3101/2015 dated 30/09/2016(ECNo.158/2016).

Now the proponent represented vide letter dated 19/10/2016 for amendment in environment clearance. "The letter states that in the environment clearance order the expiry date mentioned is 29/09/2016 and this is wrong. The date should have been 29/09/2021. Further, there is an error in Sy.nos.mentioned in the order. As per our possession certificate the Sy.nos are-571/1A/34-5, 571/1A/34-4, 571/1A/34-4-1, 571/1A/12/54-1, 571/1A/12/54-2, 571/1A/12/1, 571/1A/12-56, 571/1A/13-137, 571/1A/12/54/127.In view of the above the proponent requested to correct the errors and issued EC at the earliest."

It is noted that the Sy. Nos as per the approved Mining Plan and Form 1 submitted by the proponent (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/12/54/124, 571/1A/54-1, 571/1A/54-2) are same as given in the EC No. 158/2016 dated 30/09/2016.

The Authority decided for further verification and to place it in the next meeting.

**Item No.60.36**                      **Amendment in Environmental Clearance issued for the proposed expansion of Arctect 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 55<sup>th</sup> meeting of SEAC held on 10, 11 and 20 May 2016 considered the project and recommended for the issuance of EC. The 54<sup>th</sup> meeting of SEIAA held on 21-06-2016 considered the proposal and approved the recommendations of SEAC and issued E.C (No. 827/SEIAA/EC1/2616/2015 dated 01-08-2016-E.C No. 117/2016) accordingly. The height of the proposed building is 57.00 m, No. of floors 19, the total plot area of the proposed project is 5784.00 m<sup>2</sup> and the total built-up area is 27207.98 m<sup>2</sup>.

Now the proponent represented vide letter No. nil dated 29-08-2016 that the number of floors for the proposed building project is written as 19 in the Form-1, basic information and certain other documents submitted, but it was a mistake and the actual number of floors is G+19 (20 floors) and it is clearly indicated in the drawing provided by them.

Hence they requested to issue a revised EC with the No. of floors G+19 by correcting the mistake from their part.

On verification of the entire application submitted by the proponent, it is revealed that the approved drawings in Page 54 of the application and the floor plans in Page No. 55-59 as well as the area statement given in Page No. 52, the number of floors is correctly mentioned as G+19.

The Authority resolved to defer the case for detailed examination.

**Item No:60.37**                      **Environmental Clearance for the quarry project in Sy.No.302/6, 302/7.1, 302/7.2, 302/8, 302/1.2, 298/15, 298/14, 298/16, 298/13, 298/12, 302/2.2, 301/1, 301/2, 302/5.1 and 302/5.2.2 at Thiruvaniyoor Village, Kunnathunad Taluk, Ernakulam District, Kerala by Sri.Saji K. Alias. (Owner) for M/s Mariyem Industries (File No. 553/SEIAA/EC4/4087/2014)**

Environmental Clearance (No.19/2016) was issued to Shri. Saji.K.Elias, vide proceedings No.553/SEIAA/EC3/ 4087/2014 dated 13-4-2016, for quarry projects. Against

quarrying operations. Shri.V.A.Bhaskaran, Maneed Village, Muvattupuzha, Ernakulam filed an Appeal No.136 of 2016 (SZ) before the National Green Tribunal. The Honourable.National Green Tribunal, vide its order dated 18/10/2016 directed the Chairman, SEIAA to make a request to the SEAC to inspect forthwith. It was also ordered that the inspection report would be filed on 01-11-2016 at National Green Tribunal. Owing to the urgency of the matter, as per the orders of the Chairman SEIAA, a letter was sent to the Chairman, SEAC ( on 20/10/2016) to authorise SEAC member/members to conduct inspection and submit report at the earliestso as to reach the NGT not late than with a copy of the 01.11.2016 NGT order.

The Authority noted the action taken by the Chairman- pursuant to the order of National Green Tribunal (NGT) dated 18/10/2016. The Authority decided to send the Inspection Report of SEAC to NGT in sealed cover. It was ordered that the inspection report would be filed on 01-11-2016 at National Green Tribunal. As per the orders of the Chairman SEIAA, a letter was sent to the Chairman, SEAC ( on 20/10/2016) with a copy of the court order to authorise SEAC member/members to conduct inspection and submit report at the earliest so as to reach the NGT not late than 01.11.2016 as per the NGT order.

**Item No: 60.38**

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

Sri.R. Madhoosudanan Nair, Managing Partner of M/s. Chithara Crushers Metals, Ramya Nivas, Pulimoodu Lane, Vattiyoorkavu (PO), Trivandrum – Kerala vide his application received on 29.06.2015, has sought Environmental Clearance under EIA Notification, 2006 for the quarry project. 54<sup>th</sup> meeting of SEAC held on 06/07-04-2016 made their reflection on the query raised by 48<sup>th</sup> SEIAA and stated that the quarrying was carried out on the basis of permits issued by Govt for much smaller areas. Hence it could not be considered as violation. The 53<sup>rd</sup>meeting of SEIAA held on 24-05-2016 considered the proposal and Authority noted that mining in more than 5ha without E.C in the same location though under several permits invites violation proceedings. It was decided to initiate violation proceedings and to inform the District Collector. Stop Memo to be issued.

Hence the SEIAA decided to take action against proposal under violation procedure and issue of E.C only after completion of the violation procedure and also to delist the application for E.C pending receipt of evidence for credible action under the Environment (Protection) Act -1986 for the violation.



Now the proponent submitted a representation and furnished that there is no residential areas within 100 m of quarrying area and there is no such violation of EIA notified quarrying area. Also represented that the Gologist, Kollam had issued 12 quarrying permits for extracting granite building stone in Sy.No.385/3, 387/4 of Mankode village, Kottarakkara Taluk, Kollam District from 19/11/2008 onwards.

The Authority decided to continue with credible follow up action against violation after verifying the records.

**Item No: 60.39            Disbursement of pending payment**

Two Project Assistants viz Shri. Vinod Gopal and Smt. Dhanya working in the office of the SEIAA did not accept their salary. Shri. Vinod Gopal did not accept salary for the months July, August and September 2016 and Smt. Dhanya did not receive salary for the month of August 2016. Non acceptance of wages creates problems to the Accountant and therefore the Authority was compelled to issue an office order (No. 1570/EC2/2016/SEIAA dated 17/09/2016) to discourage such practices that declined payments can be disbursed only with the consent of the Authority. Now, Shri. Vinod Gopal and Smt. Dhanya have submitted that they are willing to accept the pending payment.

The Authority noted that the tone and tenor of request for the disbursement of the refunded amount due to the contract appointees is inappropriate and disagreeable. However, Authority decided that the remuneration due may be drawn as arrears and dispersed in terms of the office order.

**Item No: 60.40            Request for extension of contract period of Project Assistants**

Two Project Assistants on contract has submitted an application for extension of contract period.

The Authority decided to examine the matter in the light of the orders and circulars issued by the Finance Department.

**Item No: 60.41            Posting of two Project Assistant on contract basis**

The Authority resolved to await the decision of Govt in the matter at present and to re-distribute the work among available staff.

**Item No: 60. 42**

**Ratification of expenses of Chairman, SEIAA to participate in the regional conference on Environment held on 22<sup>nd</sup> and 23<sup>rd</sup> October 2016 at Chennai.**

On invitation from National Green Tribunal, United Nations Environment Programmes, Tamil Nadu Dr.Ambedkar Law University and Southern State Pollution Control Board, administrative sanction was given to Chairman, SEIAA vide order No.1780/EC2/2016/SEIAA dated 20/10/2016 to attend the Regional Conference on Environment on 22<sup>nd</sup> and 23<sup>rd</sup> October, at Chennai.

The Authority ratified the action and decided to obtain the sanction of Government.

The meeting ended at 2.00 P.M.

Dr. K.P. JOY  
**Chairman**

Dr. J. SUBHASHINI  
**Member**

Sri.V.S. SENTHIL.I.A.S  
**Member Secretary**