

**MINUTES OF THE 61<sup>st</sup> MEETING OF THE STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY (SEIAA) KERALA HELD ON 30-11-2016 AT 9.00 A.M IN THE CHAMBER OF THE ADDITIONAL CHIEF SECRETARY TO GOVERNMENT, ENVIRONMENT & PLANNING DEPARTMENT.**

Present:

1. Prof. (Dr). K.P. Joy, Chairman, SEIAA
2. Smt (Dr). J. Subhashini, Member, SEIAA
3. Sri.V.S.Senthil. I.A.S. Member Secretary, SEIAA.

The 61<sup>st</sup> meeting of SEIAA and the 28<sup>th</sup> meeting of the Authority as constituted by the Notification No. S.O. 804 (F) dated 19-3-2015 was held from 9.00 a.m in the Chamber of the Additional Chief Secretary to Government, Environment and Planning Department, Govt:Secretariat, Thiruvananthapuram, on 30<sup>th</sup> November 2016.

**Item No. 60.01 Confirmation of minutes of the 60<sup>th</sup> meeting of SEIAA**

**Confirmed.**

In his introductory remarks, Chairman Dr.K.P.Joy expressed his concern for the repeated delay in receiving the minutes of SEAC which in turn delays the timely disposal of applications for Environmental Clearance. As per procedure prescribed for appraisal in Appendix V of EIA notification 2006, the Minute of SEAC meetings shall be finalised within 5 working days of the meeting and displayed in the website of the Authority. The approved minutes of the 63<sup>rd</sup> meeting of SEAC held on 4<sup>th</sup> October 2016 was given to SEIAA only on 22<sup>nd</sup> November 2016, that is, after 1 ½ months. It was decided to bring to the attention of SEAC that such delays in the submission of minutes on time automatically delay the decision of SEIAA. Member Secretary again assured that all the representations explaining the problems and needs of SEIAA submitted to the Govt will be positively answered soon.

**Item No: 61.02 SEIAA – Petitions on Environmental Clearance and general complaints on illegal quarries and other environmentally degrading activities (individual cases consolidated)**

Sl. No.	Petitioner and Address	Subject	Nature of complaint	Status of E.C application
1.	Secretary and President, Prakruthi Resident Association, Govt. Reg. No. T. 1933/08, Uchakkada, Valiyavila, Kattachalkuzhy, TVM .	Mass complaint against starting a new company for manufacture of raw materials	Not to grant E.C to the manufacture of raw materials in the land owned by Sri. Bernald Williams at Venganoor, Thiruvananthapuram	SEIAA decided to give a reply to the petitioner that the application for EC has not been received in the O/o SEIAA
2.	Sri. Haris, K. P., And Others Nediyruppu, Kondotty, Malappuram	Illegal quarrying by Sri. T.P. Abdul Hameed and Kolkadan Sabu in Sy. Nos. 250/1 and 251/1 in Block No. 36 at Nediyruppu, Kondotty, Malappuram owned by Sri. Kunnummal Basheer,	Not to grant E.C	SEIAA decided to give a reply to the petitioner that the application for EC has not been received in the O/o SEIAA
3.	Sri. C. S. Anwar Zadath, M/S. Inpack, Industrial Development Plot, Ayyankunnu, Mundoor, P. O., Thrissur Ph: 9447782145	Violation of E.C conditions and illegal mining in the Agricultural land at Ayyankunnu, Thangaloor Village by Preman, S/o Sreedharan, Vellaparambil (H) P.O.Mundoor, Thrissur.	Requested to initiate legal actions against the illegal excavations and transportation of O.E from the land assigned for agriculture purpose.	SEIAA decided to ask the concerned Tahsildar to examine whether alleging violation of EC condition was prima face noticed and report and SEIAA within one month.

**Item No: 61.03(A)**

**Removal of Ordinary earth/Brick earth/ laterite building stone Environmental Clearance issued-Applications for extension of period of validity of Environmental Clearance.**

Sl. No.	Name of Applicant	Date & Number of E.C.	Quantity to be removed M <sup>3</sup>	Purpose	Reason for delay	To be Extended up to (month & Date)
1	Mathew John Ettiyekkattu, Adooparambu, Moovattupuzha – 686661	30.04.2016 1026/EC3/ 146/SEIA A/2016	11,330m <sup>3</sup>	Agriculture Purpose	Unfavourable Weather Conditions (Village officer, Moovattupuzha certified that no earth has been excavated from the site)	Decided to give extension for six months subject to the

2	Sri.K.H.Shajahan Rawther, ValiyaKaringattilVeedu, Erumakkad P.O, Vallena, Pathanamthitta	16.01.2016 936/EC4/39 82/2015/SE IAA (Validity expired on 15/7/2016 application for renewal submitted on 19/10/2016)	50,000m <sup>3</sup>	For Doubling the track between Haripad and Ambalappuzha-Earth Work(Railway)	Unfavourable Weather Conditions (Village officer, Kidangannoor& Geologist Pathanamthitta has Certified that the proponent has removed only 11,000 MT of earth so recommended for extension)	condition that no further extension will be given.
3.	Abdul Salam A.M Anthroliparambil Idapalli north Ernakulum	30.04.2016, 987/SEIAA /EC3/4805/ 2015 84/16/OE Validity expired on 29.10.2016	5000m <sup>3</sup>	Agriculture purpose, house construction, terracing the plot	Due to rain (Village officer, Vazhakkulam has Certified that that no earth has been excavated from the site so recommended for extension)	”
4	Marian George Vattasseril, Parambuzha.P.O., Kottayam – 686004.	30.01.2016 1013/EC4/51 90/SEIAA	15000 m <sup>3</sup>	Levelling the Plot	Unfavourable Weather Condition(Village officer, Pampady& Geologist Kottayam Certified that no earth has been excavated from the site)	”
5	Sri.Johnson, V.K., Vallooran, Nalukettu P.O., Koratty, Thrissur	E.C.No.54/ 2016/OE dated 30-04-2016. Validity expires on 29-10-2016	3,500m <sup>3</sup>	Railway work (Proponent requested to change the purpose of removal of OE to commercial purpose as the contract ended.	(Geologist, Thrissur has Certified that the proponent has removed only 1500 m <sup>3</sup> of earth so recommended for extension)	”

Item No. 61.03 (B)

**Removal of Ordinary earth/Brick earth/ laterite building stone  
Environmental Clearance issued-Applications for extension of  
period of validity of Environmental Clearance- Deferred by 60<sup>th</sup>  
SEIAA.**

Sl. No.	Name of Applicant	Date & Number of E.C.	Quantity to be removed M <sup>3</sup>	Purpose	Reason for delay	To be Extended up to (month & Date)
1	Sri. M. C. Biju, S/o M. A. Chandran, Machadan House, Thalavanikkara, Thalore, P. O, Thrissur-680306	E.C.No.137/2015 /OE dated 20-10-2015. Validity expired on 19-04-2016. One time extension has been granted & validity expires on 30-11-2016 (265/SEIAA/EC 1/1214/2014)	500m <sup>3</sup>	Brick manufacture	E.C certificate was not delivered due to death of his father (Application was by Sri. M. A. Chandran). Village Officer Certified that no earth has been removed from the site.	<b>Decided to give extension for six months subject to the condition that no further extension will be given.</b>
2	Sri.Abuthahir.P. K., Pandikadavath House, Karathodu, Oorakam Melmuri P.O., Malappuram-676519	EC No. 52/2016 dated 30-04-2016 validity expired on 29-10-16 (914/SEIAA/EC 1/3657/2015)	3,236 m <sup>3</sup>	PWD Road construction	Geologist Malappuram recommended for the extension of validity of E.C as the permit was given to him for extraction of 2500 m <sup>3</sup> only.	”
3.	The Geologist, Thrissur	EC No. 55/2016 dated 30-04-2016 validity expired on 29-10-16 Smt. Elcy George, Chittinappilly House, Karukutty P.O., Ernakulam-683576 (952/SEIAA/EC 1/4341/2015)	5000 m <sup>3</sup>	KLDC bund construction	Geologist Certified that no earth has been removed from the site as the proponent has not applied for permit for Quarrying in M & G Department	”
4.	The Geologist, Thrissur	EC No. 58/2016 dated 30-04-2016	7,500 m <sup>3</sup>	KLDC bund construction.	Geologist Certified that no earth has been	

		validity expired on 29-10-16 Sri. K.J. Vasudevan Nair, Kariat House, Chthilappilly P.O., Thrissur-680551 (1012/SEIAA/EC1/5189/2015)			removed from the site as the proponent has not applied for permit for Quarrying in M & G Department	”
5.	Sri. Babu Paul, S/o Chiriyankandathu Palu Mission Quarters, P.O., Thrissur.	688/SEIAA/EC1 / 5486/2014 dated 25-11-2015. 54 <sup>th</sup> SEIAA already granted one time extension validity expires on 24-14-16	5000 m <sup>3</sup>	Commercial	Delay in approval from Mining and Geology Department. Ayyanthole Village Officer certified that the proponent has removed only 1200m <sup>3</sup> of O.E	”
6	The Geologist, Ernakulam	883/SEIAA/EC3 / 3279/2015. E.C No. 69/2016 validity expires on 29-10-2016.	5000 m <sup>3</sup>	Railway work (Mulanthuruthy to Ernakulam)	Geologist, Ernakulam Certified that no earth has been removed from the site & hence recommended for extension.	”

**Item No: 61.04**

**Environmental Clearance for removal of ordinary earth in Block-24, Re.Sy.No.348/2 at Mulanthuruthy Village, Kanayannur Taluk, Ernakulam, Kerala by Sri.Sabu (File No. 1046/SEIAA/EC3/ 841/2016.)**

Sri.Sabu, S/o Mathew, PadathuPuthenpurayil House, Kizhumuri P.O, Ramamangalam, Ernakulam – 686663 has applied for Environmental Clearance for the removal of 15,000 m<sup>3</sup> of ordinary earth from an area of 75.70 Are, of land in Block -24, Re.Sy.No.348/2 at Mulanthuruthy Village, Kanayannur Taluk, Ernakulam, for house construction & railway work.

The proposal was first considered in the 61<sup>st</sup> meeting of SEAC held on 11<sup>th</sup> August, 2016 and deferred for considering in next meeting. Hence the proposal was considered in the 63<sup>rd</sup> Meeting of SEAC held on 4<sup>th</sup> October 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 14000 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 the removal of 14000 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.

**Item No: 61.05                      Environmental Clearance for removal of Ordinary Earth in Sy.No.981/4A, 981/4B at Onakkur Village, Muvattupuzha Taluk, Ernakulam District, Kerala by Sri.K.G.Suresh (File No. 1056/SEIAA/EC3/ 1037/2016)**

Sri.K.G.Suresh, Kavanaparambil (Kattuthala House), Onakkur North P.O, Muvattupuzha, Ernakulam – 686 667 has applied for Environmental Clearance for the removal of 13,760 m<sup>3</sup> of ordinary earth from an area of 34.80 Are, of land in Sy.No.981/4A, 981/4B at Onakkur Village, Muvattupuzha Taluk, Ernakulam District, Kerala for levelling of plot.

The proposal was considered in the 63<sup>rd</sup> Meeting of SEAC held on 4th October 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 accept the recommendation of SEAC to issue Environmental Clearance for the removal of 6000m<sup>3</sup> of the Ordinary Earth subject to the condition that removal should be in a terraced manner limiting maximum depth of removal to 2m.

**Item No: 61.06                      Environmental Clearance for removal of Ordinary Earth in Sy.No.191/7, 191/9 at Ikkaranadu South Village, Kunnathunadu Taluk, Ernakulam District, Kerala by Sri.Georgekutty,K.K. (File No.1058/SEIAA/EC3/ 1047/2016)**

Sri.Georgekutty, K.K., S/o Kuriakose, Kunnath House, Kinginimattom P.O, Ernakulam – 682 311 has applied for Environmental Clearance for the removal of 1872 m<sup>3</sup> of ordinary earth from an area of 0.40.47 Are, of land in Sy.No.191/7 and 191/9 at Ikkaranadu South Village, Kunnathunadu Taluk, Ernakulam District, Kerala for construction of house.

The proposal was considered in the 63<sup>rd</sup> Meeting of SEAC held on 4<sup>th</sup> October 2016. Since the proposal is for the construction of building, it does not require Environmental Clearance as per OM No.L-11011/47/2011-1AII(M) dated 24.06.2013. Hence the committee recommend to delist the proposal and to inform the proponent accordingly.

The Authority decided to delist the proposal and to inform the proponent accordingly

**Item No: 61.07****Application for Environment Clearance for the quarry project of Kizhakethalackel Rocks in Sy. No. 65/1 Kumily Village - Ban on mining in ESAs - Decision of NGT (NB) in Appeal No. 29/2013 - Implementation of – (File No. 40/EC4/7084/SEIAA/2012)**

M/s Kizhakethalackel Rocks has applied for Environmental Clearance under EIA Notification dated 14-9-2006 for the proposed quarry project in 2.1651ha at Kumily Village, Kumily Panchayath, Peerumade Taluk, Idukki District, Kerala.

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

In view of the prohibition, the proposal of M/s Kizhakethalackel Rocks may also be delisted, to be revived with seniority in case MoEF exempts the site from the ESAs of the State.

The Authority decided to delist the proposal. It will be revived with seniority if in future MoEF exempts the site from the list of Ecologically Sensitive Area.

**Item No: 61.08****Application for Environmental Clearance for the proposed quarry project in Sy. No. 611/1A-303-147 at Keerampara Village and Panchayath, Kothamangalam Taluk, Ernakulam District, Kerala by Sri.Reji Kuriakose and Smt. Jeeva Reji (File No. 144/SEIAA/KL/2745/2013)**

Sri.Reji Kuriakose and Smt.Jeeva Reji, vide their application received on 07.10.2013, has sought Environmental Clearance under EIA Notification, 2006 for the proposed quarry project in Sy. No. 611/1A-303-147 at Keerampara Village and Panchayath, Kothamangalam Taluk, Ernakulam District, Kerala for an area of 3.2537 hectares. The project comes under Activity 1(a), (i) in the Schedule of EIA Notification 2006 and since it is below 50 hectares, it comes under B category. It is further categorized under Category B2, 1(a), (i) as per O.M. No. L-11011/47/2011-IA.II(M) dated 18<sup>th</sup> May 2012 and also decision taken vide Agenda item no. KLA/16.10 of 16<sup>th</sup> SEIAA meeting.

The quarry is in operation for the last several years (about 5 years) with four mining leases (for a cumulative area of 1.6795 hectares) issued by Mining & Geology Department, Govt. of Kerala.

In a representation of the project proposal submitted to SEIAA dated 28.11.2016, it is stated that vide letter dated 28-02-2014, the Chief Conservator of Forests & Field Director (Project Tiger), Kottayam addressed to The Principal Chief Conservator of Forests (WL) & Chief Wildlife Warden, Kerala, Thiruvananthapuram, a detailed inspection was conducted by a team consisting of the Wildlife Warden, Wildlife Division, Idukki regarding the study of impact of their quarrying operations to the Thattekkad Bird Sanctuary. After the detailed inspection, the said team submitted its report. As per the said report / letter it was stated that: *“the dust or sound from the quarry have no adverse impact on the Thattekkad Bird Sanctuary and its flora and fauna”*

The proposal was considered in the 63<sup>rd</sup> Meeting of SEAC held on 4th October 2016. The committee appraised the proposal based on the mining plan (KMMCR-2015), pre-feasibility report and all other documents submitted along with the Form I application and decided to recommend to reject the proposal as the proposed site is only 2.5 kms away from the Thattekkadu Bird Sanctuary and any quarrying operation will have far reaching adverse impact on the wildlife of the above protected area.

For obtaining environment clearance for all development projects including quarry projects located within 10 km radius of Wildlife Sanctuaries and National Parks, the procedure to be followed in such cases is explained by MoEF vide O.M. dated 02-12-2009 and 30-03-2015.

In the instant case, to comply with the above requirement as prescribed in the above mentioned O.M., the application for Wildlife Clearance is submitted online at MoEF and the acknowledgement is submitted at SEIAA on 13-10-2015.

Further, the Wildlife Warden, Wildlife Division, Idukki has submitted the copy of the study report of (i) National Institute of Rock Mechanics (ii) Research Centre for Environment and Social Sciences (RECESS). As per the said reports it was stated that: *“the functioning of the quarry is not creating harm to the flora and fauna of the Thattekkad Bird Sanctuary”*.

Further, on reply (dated 05-12-2013) received on another RTI query, it was reported by Wildlife Warden, Wildlife Division, Idukki, stating that there is increase in the number of birds for the last 5 years. .

The matter may be referred back to SEAC for a scientific and detailed examination to ascertain the impact of the quarry operation with respect to Thattekkadu Bird Sanctuary.

**Item No. 61.09**

**Environmental clearance for the quarry project in Sy. No. 65/1, 3, 5, 6, 7, 10, 12, 13, 74/4, 5 and 6 at Nellanad Village and Panchayath, Nedumangadu Taluk, Thiruvananthapuram District by Sri. Abdul Salam Pookunju, M/s Aaraamam Rock (P) LTD. (File No. 624/SEIAA/KL/4807/2014)**

Sri. Abdul Salam Pookunju (Managing Director), M/s Aaraamam Rock (P) Ltd., 5/714, Nellanadu P.O., Keezhayikonam, Venjaramoodu, Thiruvananthapuram District, Kerala-695606 vide his application received on 09.10.2014, has sought Environmental Clearance under EIA Notification, 2006 for the quarry project in Sy. Nos. 65/1, 3, 5, 6, 7, 10, 12, 13, 74/4, 5, 6 at Nellanad Village

&Panchayat, Nedumangadu Taluk, Thiruvananthapuram District, Kerala. The project comes under Category B2 as per the O.M. No. J-13012/12/2013-IA-II (I) dtd. 24.12.2013 of Ministry of Environment and Forests, since the area of the project is below 25 hectares.

The proposal was first considered by SEAC in its 45<sup>th</sup> meeting held on 11/12-09-2015. The Committee observed that the mining plan is not in accordance with the existing rules. During the presentation the proponent informed that this is a working quarry with valid lease for 1.25ha out of total 4.86ha. A crusher unit is associated with the project. The Committee found that there are court cases regarding the project. NGT in its order dated 31.3.15, ordered not to renew licence without EC. The proponent informed that the division bench of Hon'ble High Court of Kerala has quashed the NGT order since he had a valid lease for quarrying. The judgement is not seen provided with the application. The Committee observed that water storage facility provided is not adequate and should be enhanced and it is desirable to leave the North portion of the proposed area without mining.

Hence the Committee deferred the item for field visit. On receipt of the field inspection report the proposal was again considered by SEAC in its 46<sup>th</sup> meeting held on 29/30-09-2015 and deferred the item for submission of revised mining plan and letter of intent as per KMMCR-2015 and documents/details mentioned in the 45<sup>th</sup> SEAC meeting. It was decided to consider the field inspection report after receipt of the above documents. On receipt of the same the proposal was again considered in the 59<sup>th</sup> meeting of SEAC held on 11<sup>th</sup> & 12<sup>th</sup> July 2016. The Committee appraised the proposal based on the clarifications sought for by the SEAC and decided to recommend for issuance of Environmental Clearance for mining subject to the general conditions along with the specific condition that:

*“Approach road should be maintained with statutory minimum width and proponent shall take steps to maintain it properly”.*

The proponent agreed to set apart Rs.11 lakhs (non-recurring) and 17 lakhs per annum (recurring) for next 5 years for CSR activities for the welfare of the local community. The proponent also agreed to spend this amount in consultation with the local Panchayath.

The proposal was considered by SEIAA in its 58th meeting held on 08- 09-2016. Authority noted that, the SEAC has observed ‘part of the proposed land is already under mining, and there are court cases regarding the project. NGT in its order dated 31.03.15 ordered not to renew licence without EC. The proponent informed that the Division Bench of Hon'ble High Court of Kerala has quashed the NGT order since he had a valid lease for quarrying. The judgement is not seen provided with the application.’

Authority decided to obtain copies of the judgment referred to above and the existing lease/permit to ascertain the duration of mining that has taken place and extent.

As per the minutes the proponent has submitted the copies of the judgement referred to above and the copy of the mining lease having validity up to 17th may 2018

The Authority decided to grant Environmental Clearance upto 17<sup>th</sup> May 2018 on condition that mining shall be continued only after fulfilling the following conditions of the inspection report.

1. *Fencing should be provided all around the lease area.*









**Pathanamthitta District, Kerala by Sri. K.V. Mathew, M/s  
Kachanathu Minerals and Metals Pvt. Ltd.  
(File No. 765/SEIAA/EC4/505/2015)**

Sri. K.V. Mathew, M/s Kachanathu Minerals and Metals Pvt. Ltd., KachanathuEbenezar Trade Center, V/114, Angadi P.O., Ranny, Pathanamthittavide his application received on 18-02-2015 has sought Environmental Clearance under EIA Notification, 2006 for the quarry project in Sy. Nos. 135/2-3, 135/7,135/7-1,135/6,135/2-2,135/2, 135/2-1, 167/1, 167/1-1, 167/5, 167/2-2, 167/2-13 of Block 27 at Ezhumattoor Village, Mallappally Taluk, Pathanamthitta District, Kerala for an area of 4.9808 hectares. The project comes under Category B, Activity 1(a), (i) as per the Schedule of EIA Notification 2006 (since it is below 50 hectares) and as per O.M. No. L-11011/47/2011-IA.II(M) dated 18<sup>th</sup> May 2012 of Ministry of Environment and Forests. It is further categorized as Category B2 as per the O.M. No. J-13012/12/2013-IA-II (I) dt. 24.12.2013 of Ministry of Environment and Forests, since the area of the project is below 25 hectares. The extent of area in hectares is 4.98.08. There is an associated crusher unit with the quarry.

The SEAC last considered the proposal in 59<sup>th</sup> meeting held on 11/12-07/2016 appraised the proposal based on Form 1, Pre-feasibility Report and Mining Plan and field inspection report there is an associated crusher unit with the quarry and inspection report and recommend to issuance of EC subject to the general conditions and the following specific conditions.

1. Fencing should be provided all around the lease area.
2. RWH structure should be provided at the site. An old pit located on the lowest level can be used for this purpose. Clarified water from the upper slope should be channelized into it.
3. Over burden must be stored in a designated place at a lower elevation after the restoration of existing pits

The SEAC also suggested that the validity certificate of lease/permit should be produced to SEIAA. The Authority decided to accept the recommendation of SEAC to issue Environmental Clearance on condition that valid permit should be produced to SEIAA and also that the above specific conditions are fulfilled before continuing with mining. An Affidavit to this effect should be submitted by the project proponent.

**Item No: 61.16                      Environmental clearance for Township and Area  
development                      Project in Sy. Nos. 671/1, 674/1, 675/4 at  
Kakkanad Village, Kanayanoor Taluk, Ernakulam District,  
by Sri.Thankachan Thomas for M/s Prestige Hill Side Gate  
Way.  
(File No. 588/SEIAA/KL/4504/2014)**

Sri.Thankachan Thomas, Sr. Vice President, No: 32, Bay Pride Mall, Marine Drive, Cochin, vide his application received on 09-09-2014 and has sought environmental clearance under the EIA Notification, 2006 for the Township and Area development Project, M/s Prestige Hill Side Gate Way in Sy. Nos. 671/1, 674/1,675/4 at Kakkanad Village, Kanayanoor Taluk, Ernakulam District, Kerala.It is interalia, noted that the project comes



The 60<sup>th</sup> meeting of SEIAA held on 27-10-2016 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,

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

The Authority decided to return the proposal to SEAC for site inspection report at the earliest.

**Item No: 61.18                      Environmental clearance for the Proposed Township Project at Sy. Nos. 15/1 & 33/1 at Kodenchery Village, Kozhikode Taluk & Kozhikode District, Kerala by Sri.Anwar Sadath (File No. 909/SEIAA/EC4/3588/2015)**

Sri.Anwar Sadath, Director, M/s Calicut Landmark Builders & Developers (India Pvt. Ltd. Landmark World, N.H.17 Bypass, Kozhikode, Kerala-673014) vide his application received on 07/09/2015, has sought Environmental Clearance under EIA Notification, 2006 for proposed “Township” Project Sy Nos. 15/1 & 33/1 at Kodenchery Village, Kozhikode Taluk & Kozhikode District, Kerala. It is inter alia, noted that the project comes under the Category B, 8(a) of Schedule of EIA Notification 2006. No forest land is involved in the present project.

The height of the proposed building is 59.70m and the total plot area of the proposed project is 78,268.98m<sup>2</sup> and the total built-up area is 1, 45,000m<sup>2</sup>. The project site falls within ESA villages.

The proposal was considered in the 58<sup>th</sup> meeting of SEIAA held on 8<sup>th</sup> September 2016. The minutes of the said meeting are as that the-“The proposal was considered in the 59<sup>th</sup> Meeting of SEAC held on 11/12-7-2016. This project is in Kodenchery Village in Kozhikode Taluk, which is an ESA Village as per the direction No.F.No.1-4/2012-RE (Pt.) dated 13.11.2013 of the, MoEF, Government of India. In para 9(c) of the said statutory decision, buildings and construction projects of 20,000 m<sup>2</sup> area or above are prohibited in ESAs. The present project involves construction of four buildings having a total built up area of 1, 45,000 m<sup>2</sup>. Since this area far exceeds the permissible limit of construction in ESA Village the Committee recommended to reject the proposal. On 23-08-2016, the proponent submitted a representation to reconsider the proposal and has undertaken that “we are ready to fix the area of construction of each individual building to less than 20,000 sq.m and the area of the project to less than 1,50,000 sq.m and revise our plan accordingly.”

The Authority found that the project is a category 8(b) project but appraised under Category 8(a) conditions. To be referred to SEAC for reappraisal as 8(b).

The proposal was considered in the 63<sup>rd</sup> Meeting of SEAC held on 4th October 2016. The suggestion of SEIAA is to appraise the project as 8(b). Only proposals for townships and area development covering an area more than 50 ha and or built up area more than 1,50,000 sq. m fall under such category. The present proposal is not such a project & hence it cannot be categorized as 8 (b). Hence the Committee decided not to change its earlier decision in the matter. This may be brought to the attention of SEIAA for further decision.



The Authority decided to agree to the recommendation of SEAC and to delist the proposal.

**Item No: 61.21**                      **Rejection letter issued for the proposed building stone quarry project in Sy. Nos.138/(pt), 370/3(pt), 836(pt), 837(pt), 838(pt), 839(pt), 847(pt) at Killimangalam Village, Thalappilly Taluk, Thrissur District, Kerala by Sri. K. R. Viswanathan.-Request for Amendment. (File No.855/SEIAA/EC1/2979/2015)**

Sri. K. R. Viswanathan, Managing Partner, M/s Chelakkara Granite, Kannimangalath House, Ooramana P.O., Ernakulam-686663, has applied for Environmental Clearance stone quarry project in Sy. Nos.138/(pt), 370/3(pt), 836(pt), 837(pt), 838(pt), 839(pt), 847(pt) at Killimangalam Village, Thalappilly + Taluk, Thrissur District for an area of 4.1132 hectares.

55<sup>th</sup> meeting of SEIAA held on 16-07-2016 considered the proposal and the Authority noted that forest land is only 50 meters away from the lease area. SEAC incorporated it as a condition for recommending the case, whereas it ought to have been made a condition for rejecting the application. Authority rejected the proposal as it failed to satisfy the uniformly adopted criterion of having the minimum distance of 100 meters from the boundary of forest land.

Accordingly the matter was informed to the proponent vide letter No. 855/SEIAA/KL/2979/2014 dated 19-09-2016. Now the proponent represented that as per the revised approved mining plan they have submitted to SEIAA, the survey numbers included in the project are 138/(pt), 836(pt), 837(pt), 839(pt) and 847(pt) at Killimangalam Village, Thalappilly Taluk, Thrissur District for an area of 4.2649 hectares. They have also submitted revised Form 1 and requested to make needful changes in the rejection letter as per the revised Form 1 and revised approved mining plan.

The Authority decided to return the case to SEAC for re-appraisal in the light of the revised Form 1 and revised mining plan.

**Item No: 61.22**                      **Environmental clearance for the building stone quarry project in Sy. No. 328/2-1, 2-2, 3,6, 326/1-2,1-1,2, 325/2,4,5, 301/34,37 at Chadayamangalam village, Kottarakkara (Taluk), Kollam District, by Sri. Shaji. S (File No. 752/SEIAA/EC4/301/2015)**

Sri.Shaji.S, Thekkuvilamelathil, Kudavattoor (P.O), Kottarakkara (Taluk), Kollam vide his Form 1 application dated 24/01/2015, has sought Environmental Clearance under EIA Notification, 2006 for quarry project in Sy. No. 328/2-1, 2-2, 3, 6, 326/1-2, 1-1, 2, 325/2,4,5, 301/34, 37 (Patta and Puramboke) at Chadayamangalam village, Kottarakkara (taluk), Kollam district, Kerala for an area of **4.6725 ha**.

The request was considered in the 59<sup>th</sup> meeting of SEIAA held on 27-09-2016 and agreed to modify the E.C issued on submission of revised Form.1 by the proponent with the survey numbers as included in the approved Mining Plan as per KMMC Rules 2015 as appraised by SEAC for issue of the E.C.

But due to some genuine doubts SEIAA has not issued the erratum and decided to consider in the next meeting after detailed examination. On examination it is confirmed that SEAC has appraised the proposal as per the revised mining plan (Survey numbers **328/3, 328/2-1 (P), 328/2-2 (P), 326/1-1, 326/1-2, 326/2 (P), 325/2, 325/4 and 325/5** for an area of **3. 43. 10 ha.**). The E.C certificate was also issued for an area of **3. 43. 10 ha.** But the Sy. Nos. mentioned in the E.C certificate was not correct. Rectification of Sy.Nos in the E.C certificate will not result any changes in the approved mining area (**3.43.10 ha**).

The Authority decided to issue erratum regarding survey numbers.

**Item No: 61.23**                      **Environmental Clearance issued for the building stone quarry project, M/s Valorangal Quarry 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 to Sri.Sivasankaran, P. – Request for Amendment. (File No. 857/SEIAA/EC1/2981/2015)**

Sri.Sivasankaran P, S/o Kunhiraman Nair, Pothalakkal House, Naduvath P.O Wandoor (via) Malappuram has applied for Environmental Clearance for the proposed building stone quarry project, M/s Valorangal Quarry in Sy. Nos. 318/1/1, 318/1/2, 318/3 (pt), 318/4, 319/1 (pt), at Thiruvalli Village, Nilambur Taluk, Malappuram District.

The 52<sup>nd</sup> meeting of SEAC held on 08/09-02-2016 recommended the proposal for issuance of E.C based on the Mining Plan, Prefeasibility Report, field inspection report and all other documents submitted along with the Form I application with some specific conditions and general conditions stipulated for mining projects. 54<sup>th</sup> meeting of SEIAA held on 21/ 06/2016 accepted the recommendations of SEAC and approved for the issuance of E.C with additional conditions suggested by the SEAC team. Accordingly the Authority issued the E.C No. 118/2016 dated 17-08-2016.

Now the proponent represented that, when he approached the M&G Department for lease certificate, the Director of M&G has informed him about the error in survey number mentioned in E.C. **In the E.C, instead of 319 (pt), it is mentioned as 319/1 (pt)** and this was due to an inadvertent error in the base document submitted by him. So the proponent has made necessary corrections in the mining plan and the newly approved mining plan was submitted in the office of SEIAA along with a request to rectify the above error in survey number in the E.C issued.

It has been noted the E.C was approved and prepared by the Authority as per the appraisal and recommendation of SEAC. The recommendation of SEAC is based on Form 1 application submitted by the project proponent.

This is a signed document by the project proponent. Therefore if any of the items mentioned in Form 1 is changed, the Authority can take a decision only on the basis of fresh recommendation of the project by SEAC based on the revised Form 1 to be submitted by the project proponent.

The Authority decided to ask the proponent to submit new application with revised Form I, and the proposal to be returned to SEAC and for re-appraisal.

**Item No: 61.24**                      **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, KonniPanchayath, KonniTaluk, Pathanamthitta District by Sri. Jacob Thomas (File No. 870/SEIAA/EC4/3101/2015)- Application for erratum)**

Sri. Jacob Thomas, M/s Plakkattu Granite Industries Pvt Ltd., Payyanamon P.O, Konni, Pathanamthitta District- 689692, vide his application received on 05-08-2015 has sought Environmental Clearance under EIA Notification, 2006 for the quarry project in Sy. Nos. 1/1at KonniThazham Village, KonniPanchayath, KonniTaluk, Pathanamthitta District, Kerala for an area of 3.5723 hectares.

The proposal was considered in the 60<sup>th</sup> meeting of SEIAA held on 27-10-2016. The Authority decided for further verification and to place it in the next meeting.

On verification 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 E.C. No.158/2016 dated 30/09/2016. SEIAA cannot incorporate the survey numbers mentioned in the possession certificate without appraisal and recommendation from SEAC.

The recommendation of SEAC is based on Form 1 application submitted by the project proponent.

This is a signed document by the project proponent. Therefore if any of the items mentioned in Form 1 is changed, the Authority can take a decision only on the basis of fresh recommendation of the project by SEAC based on the revised Form 1 to be submitted by the project proponent.

Further as per the condition No. xi of the E.C issued to the project proponent it is stated as below,

“In the case of any change (s) in the scope of the project, the project would require a fresh appraisal by this Authority”.

Hence the Authority decided to call for new application with Form I, PFR and approved mining plan from the proponent for reappraisal by SEAC.

The Authority also decided to correct the expiry date in the Environmental Clearance as 29/09/2021 instead of 29/9/2016.

**Item No: 61.25**                      **Amendment in Environmental Clearance issued for the proposed expansion of Artech Colors, Residential Apartment at Kariyavattom 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)**

EC No 117/2016 (Proceedings No.827/SEIAA/EC1/2616/2015 dated 1-8-2016) was issued to Sri.Viju Varghese for expansion of Artech colours Residential Apartment at Kariyavattom in Re Sy No 351/3-1, 351/3-3, 351/3-4, 351/3-2 and Sy No 3023/14-1, 14

and 14-1 at Uliyazhathura Village in Thiruvananthapuram Taluk. Later the proponent informed that the number of floors for the proposed building is G + 19 and not 19 as stated in the Form I and requested to issue erratum notification. The proposal was considered in the 60<sup>th</sup> meeting of SEIAA held on 27/10/2016. The Authority decided to defer the case for detailed examination. On further examination it was found that in all drawings it is shown as G+19 but not in Form I. Form I is a signed document by project proponent on the basis of which SEAC appraised earlier. Therefore the Authority can take a decision only on the basis of re-examination by SEAC.

Hence the Authority decided to return the case for reappraisal by SEAC based on a revised Form 1 and other documents.

**Item No: 61.26                      Environmental Clearance issued for the proposed Commercial Complex (Hotel, Convention Centre & Shopping Mall) project in Survey Nos. 1888/2-6, 1888/4-2, 1888/1-3, 1890/1, 1888/12-1-1, 1888/12-2, 1888/1-2-1, 1888/1-2, 1888/1-1-1, 1888/12-3, 1888/1-1, 1888/1-2-4-1, 1888/1-1-2, 1882, 1888/1-2-2, 1888/1-2-6, 1888/2-2, 1888/2-3 and 1888/2-4 at Kadakampally Village, Thiruvananthapuram Municipal Corporation, Thiruvananthapuram Taluk and District, application of Sri. Nishad, M. A., Director, M/s LULU International Shopping Mall Pvt. Ltd.– Request for Amendment. (File No.1047/SEIAA/EC1/899/2016)**

Sri.Nishad M.A., Director, M/s LULU International Shopping Mall Pvt. Ltd., 34/1000, NH-47, Edappally, Kochi applied for prior E.C for the proposed Commercial Complex (Hotel, Convention Centre & Shopping Mall) in Sy. Nos. 1888/2-6, 1888/4-2, 1888/1-3, 1890/1, 1888/12-1-1, 1888/12-2, 1888/1-2-1, 1888/1-2, 1888/1-1-1, 1888/12-3, 1888/1-1, 1888/1-2-4-1, 1888/1-1-2, 1882, 1888/1-2-2, 1888/1-2-6, 1888/2-2, 1888/2-3 and 1888/2-4 at Kadakampally Village, Thiruvananthapuram Corporation/Taluk& District.

The 58<sup>th</sup> meeting of SEAC held on 28/29-06-2016, appraised the proposal based on Form 1, Form I A, EIA report, site inspection report and other details provided by the proponent and recommended for issuance of EC for the construction project subject to the general conditions and the specific conditions.

The 58<sup>th</sup> meeting of SEIAA held on 08-09-2016, approved for the issuance of integrated E.C to the proposed Commercial Complex (Hotel, Convention Centre & Shopping Mall) project of M/s Lulu International Shopping Mall Pvt Ltd, at Kadakampally Village, Thiruvananthapuram Taluk and District with the additional conditions, green conditions, general conditions for buildings and the specific condition during construction and operational phase as decided in the 56<sup>th</sup> meeting held on 23-07-2016.

Accordingly E.C has been issued to the proponent on 07-10-2016. Now the proponent represented vide letter dated 20-10-2016 that, there are some corrections in the EC certificate and requested to issue an amended E.C. The following are the corrections noted by the proponent:

1. The Pincode of the applicant is wrongly mentioned as 688007 instead of 682024.
2. In Village address, the Pincode is wrongly mentioned as 688029 instead of 695029.
3. The Municipal Corporation Address is Zonal Office of Municipal Corporation of Thiruvananthapuram, Kadakampally, Thiruvananthapuram, Kerala-Pincode: 695029, Ph: 0471 2741897 instead of Kachani-Aruvikkara, Vattitoorkavu, Nettayam, Thiruvananthapuram, Kerala-695013, Tel:0471- 2320821.
4. In page number 3 and 6 of E.C., it is written as “The project site is near coastal zone which is influenced by sea water during high tide”. Requested to modify as “The project site is near T.S Canal, which is a tidal influence water body”.
5. There are 2 errors in the survey numbers mentioned in the E.C. the correct survey numbers are 1888-2-6-1 and 1888-1-3-1 instead of 1888-2-6 and 1888-1-3.

The recommendation of SEAC is based on Form 1 application submitted by the project proponent. This is a signed document by the project proponent. Therefore if any of the items mentioned in Form 1 is changed, the Authority can take a decision only on the basis of fresh recommendation of the project by SEAC based on the revised Form 1 to be submitted by the project proponent.

The Environmental Clearance Certificate is prepared in the Authority, on the basis of the Form 1 application, EIA Report and other supporting details provided by the applicant and as per the recommendation of SEAC. The above mentioned mistakes in the E.C certificate was entered from the details furnished in the application itself.

The recommendation of SEAC is based on Form 1 application submitted by the project proponent. It is pertinent to note that the last page of Form 1 Application which is quoted as below,

*“I hereby given an undertaking that the data and information given in the application and enclosures are true to the best of my knowledge and belief and I am aware that if any part of the data and information submitted is found to be false or misleading at any stage the project will be rejected and clearance given, if any to the project will be revoked at our risk and cost”.*

This is a signed document by the project proponent. Therefore if any of the items mentioned in Form 1 is changed the Authority can take a decision only on the basis of fresh recommendation of the project by SEAC based on the revised Form 1 to be submitted by the project proponent.

The new survey numbers mentioned now by the project proponent vide their letter, the authority do not have the supporting documents to verify several items such as the land use (Wet land or Dry land), CRZ Status of the land involved in the new survey numbers, Extent of land, Land abutting the water body and hence the involvement of flood plain & due to the addition of new survey number, there may be change in the cost of the project.

Further as per the general conditions No. xi of the E.C issued to the project proponent it is stated as below,

*“In the case of any change(s) in the scope of the project, the project would require a fresh appraisal by this Authority”.*

In view of the above, the Authority decided to return the proposal to SEAC for a re-appraisal of the project.

The meeting came to an end on 12.45 P.M.

The next meeting will be held 21/12/2016.

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

**Dr. J. SUBHASHINI**  
**Member**

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