

**MINUTES OF THE 63rd MEETING OF THE STATE ENVIRONMENT IMPACT
ASSESSMENT AUTHORITY (SEIAA) KERALA HELD ON 31-01-2017 AT 3.00P.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 63rd meeting of SEIAA and the 30th meeting of the Authority as constituted by the Notification No. S.O. 804 (F) dated 19-3-2015 was held from 3.00 p.m in the Chamber of the Additional Chief Secretary to Government, Environment Department, Thiruvananthapuram, on 31st January 2017.

Item No: 63.01 Confirmation of minutes of 62nd SEIAA meeting held on 23/12/2016.

Confirmed.

Item No: 63.02 .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 ³	Purpose	Reason for delay	Decision of SEIAA
1.	Sri.K.H.Shajahan Rawther ValiyaKaringattil Veedu, Erumakkad P.O, Vallena, Pathanamthitta	16.01.2016 936/EC4/3 982/2015/S EIAA Vaidity expired on 15/01/2017	44500m ³	Doubling of Track between Haripad and Ambalapuzha (Railway work) Certificates of Geologist & Village Officer	The validity expired on 15 th January 2017. But the extension order was issued to the proponent on 04.01.2017 During this said period (10 days) he was not able to remove the quantity of earth mentioned in the column 3(has produced	The Authority decided to give extension of period of validity for six months subject to the condition that no further extension will be given

					Certificate of Village Officer & Certificate of Southern Railway)	
2.	Sri. VijayaHari Prasad Mambrakizhakket hil Cheriyanadu.P.O Chengannur-689511	1014/SEIA A/EC3/519 2/2015/	6528M ³	Levelling the plot	Unfavourable Climate Condition (has produced Certificate of Village Officer)	The Authority decided to give extension of period of validity for six months subject to the condition that no further extension will be given
3.	Sri.Sunil Kumar Peratheril, Mavelikara.P.O Alappuzha	26.05.2015 Letter No.B2-6765/2014 dtd 19.5.2015 File No.797/SEI AA/EC3/1963/2015	9000m ³	For levelling the ground for the railway work	Unfavourable Weather Condition (Produced Certificate of Southern Railway)	The Authority decided to give extension of period of validity for six months subject to the condition that no further extension will be given
4.	Shri.V.K.Gregorio Kurian VadakkenVeedu, Erumeli, Pallikara	17/09/2015 918/SEIAA /EC3/3728/2015	10000m ³	For the purpose of Agriculture	Due to the KWA Pipe line works the proponent could not be able to remove the O.E (has produced Village Officer's Certificate)	The Authority decided to give extension of period of validity for six months subject to the condition that no further extension will be given
5.	Shri.K.I, Nasar KiliyankaIveedu, Kakkanad.P.O	1010/SEIA A/EC3/512 5/2015 The validity expired on 18/3/2017	10000m ³	For the Agricultural Purpose	The proponent got only 20 days before the validity date so he was not able to remove the OE. (Certificate	The Authority decided to give extension of period of validity for

					of Village Officer)	six months subject to the condition that no further extension will be given
6.	Shri.Preman. V.S S/o.Sreedharan, Vellaparambil(H) Mundoor,P.O., Thrissur	21.08.2015 893/SEIAA /EC1/3399/ 2015	8419m ³	For levelling the plot	For the renewal of EC because the validity period expired on24.01.2017Out of 20000m ³ the proponent removed11581m ³ . (Has produced Village Officer's Certificate)	The Authority decided to give extension of period of validity for six months subject to the condition that no further extension will be given
7.	Shri.Kelothu Abootty S/o Ibrahim KelothuVeedu, Kulivayal, Cherukkattoor.P. O., Vayanadu	25.08.2015 904/EC4/ 3465/2015/ SEIAA	1200m ³	Filling the Pit	The proponent got EC on 24.06.2013. He applied Permission to the Geology office of Meenagandi and they visited the place on 17.01.2017 But the Validity date of the EC is upto 24.01.2017 . So he was not able to remove the earth within these 7 days. [Produced Geologist's Certificate]	The Authority decided to give extension of period of validity for six months subject to the condition that no further extension will be given
9.	Salim B.M Bavaraparambil 2/47 Kalur.P.O, Ernakulam – 682017	891/SEIAA /EC3/3362/ 2015 Validity expired on 24.01.2017	30000m ³	Earth fill work at info park	Due to delay to get EC the proponent was not able to remove the OE within the specified time. [Neither produced the certificate of Village Officer nor of Geologist.]	The Authority decided to give extension of period of validity for six months subject to the condition that no further extension

						will be given provided the certificate from the concerned department is submitted
10	Smt.Kunjamma Mani , KaruthedathuVeedu, Ezhipramkara, Ernakulam	12/62015 G2- 12699/14 863/	10000m ³	Earth fill work at info park	The proponent is in UK with their daughter. So they could not be able to remove the OE No Certificate from Village Officer	The Authority decided not to give extension. The proponent may approach the DEIAA
11	Sri.T.V.Murali S/o VelayudhanThaivalappil (H) Varadiyam, Avanoor P.O. Thrissur - 680547	23.10.2014 648/SEIAA /EC1/5163/ 2014	1000m ³	To level the low lying areas in the same plot	Due to delay in getting Govt.Sanction (Produced the Certificate of Village Officer)	The Authority decided to give extension of period of validity for six months subject to the condition that no further extension will be given
14	Shri.Renji Joseph KurooreVeedu, Perumballoor.P.O , Muvattupuzha - 686673	878/SEIAA /EC3/3159/ 2015	5000m ³	Bricks making	For Extension (Certificate of Village officer Produced)	The Authority decided to give extension of period of validity for six months subject to the condition that no further extension will be given

The Authority also decided that the validity of the extension of EC will be from the date of Extension Order issued.

Item No: 63.02 .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 62nd SEIAA.)**

Sl. No.	Name of Applicant	Date & Number of E.C.	Quantity to be removed M ³	Purpose	Reason for delay	Decision of SEIAA
1	Sri.Nishad.P.A, Managing Partner P.A.Constructios, Shantipuram.P.O Kodungalloor, Thrissur-	947/EC3/416 0/SEIAA/201 5	80000m ³	Commercial Purpose	(Certificate of Geologist produced)	The Authority decided to give extension of period of validity for six months subject to the condition that no further extension will be given
2	Sri.Nishad.P.A, Managing Partner P.A.Constructios, Shantipuram.P.O Kodungalloor, Thrissur-	949/EC3/416 2/SEIAA	13600m ³	Commercial Purpose	(Certificate of Geologist Produced)	The Authority decided to give extension of period of validity for six months subject to the condition that no further extension will be given
3	Sri. P.M. Yohanand	99/2015/OE & 25-11- 20154 File no.798/S EIAA/ec3/20 31/2015	9000m ³	For levelling the land	Produced the Certificate of Village Officer Now he requested to remove the earth from a depth of 2 m instead of 1 m depth. Geologist Certified that 2000 MT has been removed as on 5/7/16	The Authority decided to give extension of period of validity for six months subject to the condition that no further extension will be given up to the depth of 1 m only
4	Sri. P.A. Nishad	44/OE/2016 &30-4-2016	66066 m ³	Agriculture purpose	Adverse climatic	The Authority decided to give

		File no, 1009Ni/EC4/ 5190/2015/S EIAA			condition (The proponent has produced letter from Geologist, Ernakulam (No. DOE/2699/ E2/16 dtd 24-10-2016 submitted to prove the same)	extension of period of validity for six months subject to the condition that no further extension will be given
5	Sri. Bobby Paul	65/2016/OE &30-4-2016 File no.1035/SEI AA/EC3/446/ 2016	7500 m ³	Levelling the plot	Due to delay in the correction of sy nos. in the EC .	The Authority decided to give extension of period of validity for six months subject to the condition that no further extension will be given

Item No:63.03

Environmental clearances for the quarry project in Sy. No. 93/1 pt, 94 pt, 95 pt, 96 pt, at Perakamanna Village, Eranad Taluk, Malappuram District, by Sri. A.M. Mohamed Ali, Managing Partner, M/s Mubaraq Granites (File No.902/SEIAA/EC1/3463/2015)

Sri. A. M. Mohamed Ali, Managing Partner, M/s Mubaraq Granites, West Chathallur P.O., Othayi, Edavanna, Malappuram, Kerala-676541, vide his application received on 25-08-2015, has sought Environmental Clearance under EIA Notification, 2006 for the quarry project in Sy. No. 93/1 pt, 94 pt, 95 pt, 96 pt of Perakamanna Village, Edavanna Taluk, Malappuram 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 considered by SEIAA in its 58th meeting held on 08-09-2016. Authority decided that this being a working quarry, the details of the existing lease/permit to ascertain the duration of mining that has taken place and extent should be submitted.

As per the minutes the proponent has submitted the copies of mining lease having validity up to September 2017.

The proposal was last considered in the 61st meeting of SEIAA and the Authority decided to give Environmental Clearance upto September 2017 on condition that mining shall be continued only after fulfilling the above specific conditions suggested by SEAC, and an affidavit to this effect should also be submitted.

The proponent vide his letter dated 19-12-2016 has requested that a valid Environmental Clearance is required to renew the mining lease for five years. Hence the validity of Environment Clearance may be extended for 5 years.

The Authority decided to issue Environmental Clearance for 5 years with validity from the date of issuance of EC.

Item No: 63.04 **Approval of Terms of Reference for EIA study Environment Clearance for Integrated I.T. Township project at Sy. Nos. 340/3, 334/1, 344, 345/3, 339/1, 337, 87/5 of Marthakkara Village, Puthur Panchayat and Sy. Nos. 204/4, 204/8, 204/1, 204/2, 204/5, 203/28, 203/30, 203/33, 203/34, 203/36, 203/37, 203/38, 203/39, 203/40, 203/41, 203/42, 203/44 of Ullur Village, Thrissur Corporation, Thrissur Taluk & District, Kerala by Sri.Siyad C.A (File No.1078/EC1/SEIAA/2016)**

Sri Siyad C.A, Director M/s Malabar Developers Pvt. Ltd his application received on 3.11.2016 has sought for terms of reference for EIA study Environment Clearance for Integrated I.T. Township project at Sy. Nos. 340/3, 334/1, 344, 345/3, 339/1, 337, 87/5 of Marthakkara Village, Puthur Panchayat and Sy. Nos. 204/4, 204/8, 204/1, 204/2, 204/5, 203/28, 203/30, 203/33, 203/34, 203/36, 203/37, 203/38, 203/39, 203/40, 203/41, 203/42, 203/44 of Ullur Village, Thrissur Corporation, Thrissur Taluk & District.

The proposal was considered in the 65th meeting of SEAC held on 6th December 2016. The Committee appraised the Terms of Reference (ToR) and decided to approve the draft ToR.

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

Item No: 63.05 **Environmental clearance for proposed Govt. Medical College Idukki in Sy. Nos. 161/1 in Cheruthoni of**

Idukki Village, Vayathope Panchayath, Thodupuzha Taluk, Idukki District, Kerala of Dr. PGR Pillai, Special Officer for new Medical Colleges, Government of Kerala. (File No. 748/SEIAA/KL/ 221/2014)

Dr. PGR Pillai, Special Officer for new Medical Colleges and Authorized Signatory of proposed Govt. Medical College at Idukki vide his application received on 19.01.2015 and has sought environmental clearance under the EIA Notification, 2006 for the project in Sy. No.161/1 in Cheruthoni of Idukki Village, Vayathope Panchayath, Thodupuzha Taluk, Idukki 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 proposal was considered in the 40th, 42nd, 53rd, 60th, 63rd&65th meeting of SEAC held on 29/5/2015, 2/7/2015, 25/26-2/2016, 28/29-7/2016, 4/9/2015 & 6/12/2016 respectively. The proposal was appraised by SEAC considering Form I, Form IA, field visit report and all other documents and details provided by the proponent as sought by SEAC during the appraisal process. Though omitted out in the Form I application, it is observed that the project site falls in Idukki Village which is categorised as an ESA Village in the Western Ghats by the MoEF & CC. Construction activity as proposed in the application is prohibited in such areas. Hence the Committee decided to recommend to reject the proposal.

The Authority accepted the recommendation of SEAC to reject the proposal.

Item No.63.06 Environmental clearance for removal of ordinary earth in Sy. Nos. 313/1-1 & 313/1-2 at Edamulackal Village and Edamulackal Panchayath, Punalur Taluk, Kollam District, Kerala by Smt. Mini Rajan (File No 1011/SEIAA/EC3/5175/15)

Smt. Mini Rajan, Kodyattu House, Ayoor, Edamulackal, Kollam-691533, has applied for Environmental Clearance for the removal of 1,800 m³ ordinary earth from 19.35 Ares of land comprised in Sy No. 313/1-1, 313/1-2 of Edamulackal Village, Edamulackal Grama Panchayath, Punalur Taluk, Kollam District for the purpose of filling the land to use for agricultural purpose.

The proposal was considered in the 58th Meeting of SEAC held on 28th & 29th June 2016. As per the notification of MoEF & CC No. S.O. 141 (E) earth work in connection with

the foundation of buildings having approved building plan does not require Environmental Clearance. Therefore the SEAC Committee decided to recommend to delist the proposal.

The proposal was considered in the 57th Meeting of SEIAA held on 26th August 2016 decided to accept the recommendation of SEAC to delist the proposal.

Now as per a letter submitted by the proponent on 6-01-2017, she explains that EC is necessary to get sanction from the Mining and Geology as the removal of Earth is for commercial purpose. The proponent submitted a letter dated 16/10/2016 that she received from the office of SEIAA stating that the foundation of the buildings having approved building plan does not require EC. She produced this order before the Mining & Geology Office of Kollam. But the District Geology Department did not consider their request on the ground that Environmental Clearance is necessary for the commercial exploitation of soil. The Hon'ble High Court Order is quoted here. WP © No.23251/2016(F) “*Hence a mere digging for construction of a building would not require an EC; If there is no commercial exploitation of the excavated earth carried out*”.

In the application for the removal of OE the proponent has mentioned that the OE to be removed is for commercial purpose and the end use is for the leveling the land for agricultural purpose. The Authority decided to return the proposal to SEAC for re-appraisal in the light of the High Court Order and the applicant's request.

**Item No.63.07 Compliance Audit on Adherence to Environmental Laws
by Hospitals – Prior EC by Hospitals**

The Principal Accountant General (E&RSA), Kerala has written to SEIAA Ref: ESCP-3/CA-AEL/Hospitals/2016-17 vide Audit Requisition dt.09.01.2017 with a list of 21 hospitals to confirm whether those hospitals have applied for prior EC, with a performa to be filled in by the respective hospitals and return to AG at the earliest. Accordingly, the Performa has been sent to 21 hospitals for submitting the details asked for. On receipt of the details, if any of the hospitals has constructed built up area above 20,000 sq.m. violating the Environmental Protection Act (1986) and EAA Notification 2006, action need to be initiated against them for illegal construction.

The Authority decided that reply to the audit enquiry may be furnished after verifying the records.

**Item No: 63.08 Environmental Clearance issued for removal of ordinary
earth land comprised in Survey No.1244/1 of Killannur**

Village, Thrissur Taluk, Thrissur District – requesting for re-examine the EC

Sri. K. A. Francis, ChiriyangandathKarakkada House, P.O. Ollur (Marathakkara), Edakkunni, Thrissur District Kerala – 680 306 has applied for Environmental Clearance for the removal of 25,000 m³ of ordinary earth from an area of 1 ha of land in in Sy. No. 1244/1 at KillannurVillage, Thrissur Taluk, Thrissur District.

SEAC in its 57th meeting held on 16/17- 06/2016 appraisedthe proposal based on the details provided by the applicant and decided to Recommend for issuance of Environmental Clearance for removal of 9000 m³ of ordinary earth subject to the condition that removal should be in terraced manner limiting maximum depth of removal to 1m.

The Authority in its 56th meeting held 23rd July 2016 approved for issuance of Environmental Clearance on usual conditions stipulated in O.M No. L.11011/47/2011-IA.II(M) dated 24-6-2013 of the Ministry of Environment & Forests, for removal of 9000 m³ of ordinary earth .

Now Sri.K.A.Francis, the project proponent has complained that the district Geologist refused to give quarrying permit for extracting ordinary earth from the site. The Geologist has written that this office inspected the applied site and that it is a virgin hillock and the eastern part and the upper portion of the hillock is completely covered by pineapple plantation.

The Geologist expressed the view vide his letter 16/12/2016that the Environmental Clearance issued from SEIAA may be re-examined.

The Authority decided not to re-examine the EC issued. The issuance of EC is independent of the decision of the Geologist to issue quarrying permit.

Item No: 63.09

General Items

- 1) Site inspection: -SEIAA, in several earlier minutes, has recommended that site inspection is mandatory for appraisal of quarry projects taking into account the special situation in Kerala. However it seems that SEAC is reluctant to do site visit of projects returned to SEAC, thereby creating inordinate delay in disposing the proposals and creating difficulties for the project proponents. In such a situation the Authority decided that

SEIAA may conduct site inspection provided SEAC has recommended the proposal for issue of EC without site inspection.

2) Shortage of Project Assistants – Appointment of Athira Vijayan & Dr.K.Sreedharan :-

In order to solve the acute shortage of Project Assistants in the Office, the Authority decided to make use of the services of Athira Vijayan & Dr.K.Sreedharan who are well experienced and were working with DoECC for more than one year, by appointing them on daily wages. The 35th, 41st, 42nd, & 51st Minutes of SEIAA have authorised the Administrator to renew contract/ employ on daily wages when there is an acute shortage of staff.

As already decided the Accountant Sri.G.Ramchandran Pillai is allowed to continue working from the date of expiry (11.01.2017) of his contract. The office attendant Sri.R.Sreerajis also allowed to continue on daily wages after a break of few days. The Authority ratified the action.

- 3) Salary of Advocates:- Two Advocates, Adv.Jaju Babu & Adv.Alex George who appear for SEIAA to defend and won the case against the Quo warranto Writ Petition (No.12356/2015 filed by Sri.C.R.Neelakantan) challenging nominations of Chairman & members is not yet paid. Chairman wanted that at least 50% of the fee may be paid as advance to them till the Govt. sanction has come in the light of SEIAA Minutes 40.40, 54.32. In 40.40 **“It was resolved that the fees of the above Advocates may be met by the Authority as sanctioned by Government in G.O(Rt.) 97/2015/Env dt.10.07.2015”**.
- 4) Review and monitoring of DEIAA & DEAC: -DEIAA & DEAC have started functioning and issued E.Cs in some districts. The Authority decided to ask DEIAA to send copies of E.Cs to SEIAA. A letter to District Collector should be sent for this purpose.
- 5) Violation cases:- In view of the increasing number of violation cases show cause notice/stop memo may be issued as soon as the decision is taken without waiting for the confirmation of the minutes.
- 6) Online training :- The absence of Project Assistants in SEIAA office it was decided to give online training to our Data Entry Operators so that the pending online files can be transferred to SEAC without further delay.
- 7) Entitlements to Chairman & Member: -In a reply to a letter that 31st March 2017 written to Member Secretary by Chairman/Member, the Administrator was asked to explain

why the decision of the 37th meeting of SEIAA to give entitlements to the Chairman and Member was not yet implemented.

The meeting came to a close by 4.30 P.M

The next SEIAA meeting is scheduled on **22nd February 2017.**

Sd/-
Dr.K.P.Joy
Chairman

Sd/-
Dr.J.Subhashini
Member

Sd/-
Shri.V.S.Senthil I.A.S
Member Secretary