

MINUTES OF THE 66th MEETING OF THE STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY (SEIAA) KERALA HELD ON 07.04.2017 AT 9.30 AM AT HARITHASREE HALL, STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY (SEIAA) KERALA.

Present:

1. Prof. (Dr). K.P. Joy, Chairman, SEIAA
2. Dr. J. Subhashini, Member, SEIAA
3. Sri.James Varghese. I.A.S. Additional Chief Secretary & Member Secretary, SEIAA.

The 66th meeting of SEIAA and the 33rd meeting of the Authority as constituted by the notification No. S.O. 804 (F) dated 19-3-2015 was held at Harithasree Hall, State Environment Impact Assessment Authority, Kerala on 07th April 2017, from 9.30 A.M. Chairman Dr.K.P.Joy, welcomed the members particularly the new Member Secretary, Sri.James Varghese I.A.S.

Item No : 66.01 Confirmation of minutes of 65th SEIAA meeting

Confirmed.

Item No : 66.02 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	Decision of SEIAA
1	Secretary Pambadi Grama Panchayat, Kottayam District	Complaint against Environmental Clearance & Extension against the removal OE of Shri.Marian George File No.1013/EC4/5190/2015/SEIAA	Petitioners requested to cancel the EC & Extension order	SEIAA cannot review its own orders unless there is deliberate concealment and /or submission of false or misleading information or data.

Item No : 66.03 Environmental clearance application for removal of ordinary earth from Re Sy. No 526/24-1 (Block 27) at Pattimattom Village and Kizhakambalam Panchayat, Kunnathunad Taluk, Ernakulam

District, Kerala by Sri. T.J. Chacko (File No 850A/SEIAA/EC3/2948/2015)

Sri. T.J. Chacko, S/o of Joseph, Thaiparambil House, Erumathala, Keezhmadu (kara) Chunangamvely Aluva East, Ernakulam – 683 112 has applied for Environmental Clearance for the removal of 10,000 m³ Ordinary Earth from an area of 19.41 Ares (0.1941) ha of land in Re Sy. No 526/24-1 (Block 27) at Pattimattom Village and Kizhakambalam Panchayat, Kunnathunad Taluk, Ernakulam District.

The proposal was placed in the 68th meeting SEAC held on 20th& 21st February 2017. 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 3,000 m³ of ordinary earth subject to the condition that removal should be in terraced manner limiting maximum depth cutting to 2m.

The Authority decided to accept the recommendation of SEAC to issue Environmental Clearance for the removal of 3000 m³ of the Ordinary Earth subject to the condition that removal should be in terraced manner limiting maximum depth cutting to 2m.

Item No : 66.04 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, Thrissuur District Kerala – 680 312 has applied for Environmental Clearance for the removal of 2,000 m³ 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 57th Meeting of SEAC held on 16th& 17th 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 considered again in the 62nd meeting of SEAC held on 06th & 07th 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 submitted a representation to SEIAA to reconsider the matter as the data bank is not yet completed by the Government. However brick earth can be mined from 'Nilam' only.

The proposal was again considered in the 60th meeting of SEIAA, held on 27th October 2016. 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.

The proposal was placed in the 68th meeting SEAC held on 20th & 21st February 2017. As per the records the land comes under the purview of Kerala Conservation of Paddy Land & Wetland Act, 2008. SEAC noted that the removal of brick earth from the land will change the nature of the land. This will attract the provisions of the above Act. Therefore the Committee found that there is no reason to change its earlier decision.

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

Item No : 66.05 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.

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 Committee decided to recommend to delist the proposal.

The proposal was considered in the 57th Meeting of SEIAA held on 26th August 2016 and accepted 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 to the Mining & Geology Office of Kollam. But the District Geology Department did not consider their application on the ground that the 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*".

The proposal was again considered in the 63rd meeting of SEIAA, held on 31st January 2017. The Authority noticed that, 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.

The proposal was again placed in the 68th meeting SEAC held on 20th & 21st February 2017. The Committee was of the opinion that there is no need for change in its earlier recommendation.

In the light of the Hon'ble High Court Order WP © No.23251/2016(F) the Authority noted that exploitation of earth as noted in their application is for commercial purpose and

hence require EC and that, EC is also required for transportation of the removed earth. Hence the Authority again decided to refer the case back to SEAC with a copy of the High Court Order for reappraisal.

Item No: 66.06 Application for obtaining environmental clearance for the proposed quarry project in Sy. No. 288/1 part, Block 32 of Koodal Village, Kalanjoor Panchayath, Adoor Taluk, Pathanamthitta district, Kerala by M/s Mavalan Granites Private Limited (File No. 81/SEIAA/KL/183/2013)

M/s Mavalan Granites Private Limited has applied for obtaining Environmental Clearance under EIA Notification dated 14-09-2006 for the proposed quarry project at Koodal Village, Kalanjoor Panchayath, Adoor Taluk, Pathanamthitta district, Kerala. The proposed quarry site is Govt. land on lease in the name of M/s Mavalan Granites Private Limited. The proposed project is for quarrying of 72,000 MTA of building granite stone from an area of 1.1908 hectares of land. The expected life of mine will be 7.72 years. The project comes under Activity 1(a) in the Schedule of EIA Notification 2006 and since it is below 50 hectares, it comes under B category. Vide para 3 of O.M. No. L-11011/47/2011-IA.II (M) dated 18th May 2012; The land for the quarry project is government land on lease to M/s Mavalan Granites (P) Ltd. for mining operation for an area of 5.2377 ha. (4.0469 ha + 1.1908 ha). The project is for expansion of existing quarry project with Mine lease and Environment Clearance for an area of 4.0469 ha and for an additional area of 1.1908 ha. The mine lease from Mining and Geology Department for the area of 4.0469 ha is valid up to 02/08/2023. The area of 1.1908 ha was working with mine lease during the time when application was submitted. This mine lease was expired on 12/02/2016. There is no quarry operation in this area now. The NOC from Government for the government land (4.0469 ha + 1.1908 ha) is valid for 12 years from 26/01/2016.

The targeted production of mine will be 4,50,000 TPA. The estimated project cost will be Rs. 2 Crores. The expected life of mine will be of about 10 years. The mining operation will be carried out by opencast semi-mechanized method as per the approved Mining Plan. Nearest house is about 309 m towards NW side. There was a case (Case No. 303 of 2013 which was pending before the National Green Tribunal (NGT), Southern Zone, Chennai) at the time when the application was submitted on 30/01/2013. This case was dismissed by the Chennai Bench of NGT vide Order dt. 11.08.2016 and there is no case pending now.

The proposal was considered in the 13th SEAC meeting held on 2nd March, 2013. The major observation made by the Committee regarding this proposed project was that the proponent is seeking Environmental Clearance for two contiguous lease areas of same survey numbers as two separate units. Hence the Committee was of the opinion to consider it as a single unit which shall then be treated as Category B1. Considering this, it was decided to forward the proposal to SEIAA to seek expert opinion in the matter. As per the letter no. 81/EC4/183/2013/SEIAA dated on 06/07/2015 SEIAA intimate the proponent for requirement of approved mining plan for permit /lease for mining of minor minerals has been

made mandatory as per rule 9/33 of the Kerala Minor Mineral Concession Rules, 2015, which condition has been upheld by the Hon: High Court of Kerala in the common judgement dated 23-03-2015 in W.P.31148/2014 and connected cases. The 35th meeting of SEIAA held on 09/04/2015 has resolved that approved mining plan as per the KMMC Rules-2015 approved by the competent authority would be mandatory in all applications for environmental clearances for quarry projects, including cases pending for appraisal, pending decision of the SEIAA, to be appraised by SEAC with reference to approved mining plan to make additional recommendation if any.

The proposal was placed in the 64th meeting of SEAC, Kerala, held on 16th& 17th November, 2016 and decided to defer the item for site inspection and submission of combined mining plan. Field visit to the Quarry project site of M/s Mavanal Granites, Koodal village, Pathanamthitta district, was carried out on 03.12.2016 by the sub-committee of SEAC, Kerala, comprising Dr.Keshav Mohan and Sri. John Mathai.

Based on an overall evaluation of the site and considering the fact that the site is an extension of the working area, issuance of EC was recommended subject to the production of a combined mine plan. This will ensure that resources are not blocked unnecessarily.

The proposal was again considered in the 66th meeting of SEAC, Kerala, held on 19th December, 2016. The Committee decided to call for a revised Mining Plan combining the existing quarry and the proposed additional area of 1.1908 ha. Subsequently the proponent has submitted Form I and revised combined Mining Plan.

The proposal was finally placed in the 68th meeting SEAC held on 20th& 21st February 2017. The Committee appraised the proposal based on Form I, Pre-feasibility Report, revised Mining Plan, field inspection report of the Sub Committee and all other documents submitted with the proposal and decided to Recommend for issuance of EC subject to general conditions in addition to the following specific condition.

- 1. If any plant species endemic to Western Ghats are noticed in the area they shall be properly protected in situ or by transplanting to an appropriate location inside the lease area.*

The proponent agreed to set apart Rs.7 lakh (non-recurring) and Rs.8 lakh per annum (recurring) for CSR activities for the welfare of the local community in consultation with the local Panchayat.

On 3/4/2017 the proponent has submitted a notarized affidavit to state that the additional land under consideration is not a working quarry. The NOC for the additional land is also obtained.

The Authority decided to issue Environmental Clearance subject to the general conditions and the above specific conditions. The proponent should submit an affidavit stating that the above condition shall be strictly implemented.

Item No: 66.07 Environment Clearance for the proposed mining projects of Sri. Tinson John, M/s Aiswarya Granites, at Elamadu Village, Kottarakkara Taluk – Judgment in W.P No. 15854/16 – Implementation of reg.(File No. 129/EC3/2013/SEIAA)

Application for environmental clearance for 3 adjacent quarry projects of M/s Aiswarya Granites, in Elamadu Village, Kottarakkara Taluk, Kollam District is under consideration of SEIAA since 2013. There were complaints regarding change of land use ie. from rubber cultivation to quarrying. SEIAA in its 44th meeting held on 13.11.2015 decided to get the report of SEAC on a number of specific issues related to quarries such as the legality and admissibility of possession of land to be used for mining to be confirmed, Whether the land assigned for rubber cultivation could be used for quarrying, N.O.C from revenue authorities for quarrying in Government land involved, to be produced etc.

As to legality of land utilisation for quarries the findings of SEAC (51st meeting held on 18.01.2016) on the legality and admissibility of the land to be used for mining is to be confirmed, whether the land assigned for rubber cultivation could be used for quarrying.

1. NOC from Revenue Authorities for quarrying Government Land.
2. Assurance from the proponent to be obtained that only the land comprised in the survey Nos. and in the extent as allowed therein will be used for mining.

The above aspect may be decided by SEIAA on taking a final decision on the proposals submitted by the proponent.

The committee decided to concur with the recommendation of the Sub Committee regarding the classification of the proposal as B2.

Since prima facie some infirmities with respect to the processing of application by the District Geologist, Kollam and also with respect to the issuance of Certificates by the revenue authorities have come to the notice of the committee, the committee decided to inform SEIAA that its earlier decision to recommend for EC in respect of file No. 127/SEIAA/KL/2367/2013 is valid subject to receipt of proper clarifications from Revenue Authorities.

The Committee also observed that the same clarifications are required for taking further action on proposals dealt in file nos. 128/SEIAA/KL/2368/2013, 129/SEIAA/KL/2370/2013 and also a revised mine plan for the above 2 proposals in accordance to the KMMC Rule 2015.

In pursuance of the decision in the 48th meeting, the Authority vide letter no.129/EC3/2013/SEIAA dated.27.02.2016, referred the issue of utilisation of patta land for rubber cultivation, for rock quarrying to the District Collector, Kollam for report.

Authority in its 58th meeting held on 08.09.2016 examined the received interim report from the District Collector, Kollam furnished on letter no.129/EC3/2013/SEIAA dated.27.02.2016, seeking clarification on the issue of utilisation of patta land for rubber

cultivation, for rock quarrying. It was also noted that the very patta conditions stipulate that, *'The existing customary rights of Government and public in roads, paths, rivers, stream channel etc. through or bordering the land, and the right of Government in mines and quarries, subjacent to the said land are reserved and are no way affected by the grant'*. This legal position has been further clarified by the Hon:High Court of Kerala in the judgment dated.02.11.2015 in W.P.No.32207/2015 filed by M/s K.K. Rocks. Authority wanted to ascertain how far the patta conditions override or bar the mining of minor minerals as per KMMC rules in such lands. It was decided to examine whether E.C could be granted on environmental conditions, subject to settlement by the revenue authorities, of land related issues as to the nature of the land and permissibility of mining in the land; the E.C to be operational only if the decision is in favour of mining as applied for. If not, E.C will stand cancelled. It was decided by SEIAA in its 58th meeting held on 08.09.2016 to grant provisional E.C in the above line in file No. 127/EC3/2013/SEIAA, and to refer the other two proposals to SEAC for recommendations on issues other than land related matters.

The proposal was placed in the 68th meeting SEAC held on 20th & 21st February 2017. In view of the communication from the District Collector, Kollam vide his letter No. L12-27543/15 dt.07.02.17 (Page 924 of the C.F.), the Committee decided to **recommend to reject** the applications for Environmental Clearance in file no.129/EC3/2013/SEIAA.

The Authority decided to accept recommendation of SEAC to reject the proposal as per the 68th minutes of SEAC.

Item No:66.08 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.RejiKuriakose 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 18th May 2012 and also decision taken vide Agenda item no. KLA/16.10 of 16th SEIAA meeting.

The item was considered in 21st SEAC meeting held on 4th November 2013 as no. 21.08. The Committee found that Thattekkad Bird Sanctuary is located at 2.5 km which is in proximity of the project site and was apprehensive about the noise and dust that may be generated during mining activity that may disturb the migratory birds visiting the sanctuary. To this end the proponent stated that a noise study was conducted earlier to study the impact of landing/turning of flight towards the tunnel in the run way wherein the flight takes a turn above the sanctuary and as per the said study, such activities does not have much adverse impact on the sanctuary. Moreover, as per the observation in the said study, the birds could

cope up with the change due to adaptation capability, since blasting is done in pre-fixed timings.

As per the O.M. No. J-11013/41/2006-IA-II(I) (part) dated 20th August , 2014 consideration of development projects located within 10 km of National Park and Sanctuaries seeking environmental clearance under EIA notification, 2006 should be in accordance with the O.M.

On the ground that, this involves a question of jurisdiction (i.e. category A) the case was placed before SEIAA on 09.04.2015. SEIAA found that being within 10km of protected area this is category A, whereas the proponent submitted clarification on 02.04.2015 that MoEF has amended the EIA notification dispensing with general conditions if mining area is less than 5 ha. And that SEIAA, Kerala is competent to give E.C. in this case. This case is pending since 10/2013.

The proposal was again considered in the 63rd 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.

Hence SEIAA in its 62nd meeting decided to refer the proposal back to SEAC for a scientific and detailed examination to ascertain the impact of the quarry operation with respect to Thattekkadu Bird Sanctuary in the light of the study report of Wildlife Warden, Wildlife Division, Idukki.

The proposal was placed in the 68th meeting SEAC held on 20th& 21st February 2017. After examining all the facts of the proposals the Committee is of the opinion that the presence of a quarry in such proximity to the Wild Life Sanctuary is not conducive to the long term survival of the world famous Thattekkad Bird Sanctuary. Hence the Committee found no reason to change its earlier recommendation.

The Authority decided to accept recommendation of SEAC to reject the proposal as per the 63rd & 68th minutes of SEAC.

Item No: 66.09 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)

Sri. P.K. Abdulla Koya has applied for Environmental Clearance vide application received on 17.01.2014 for the building stone quarry project of M/s Beta Granites (P) Ltd. from 4.5466 hectares of land in Sy. No. 266/2 (P) at Cherukavu Village, Ernad Taluk, Malappuram District, Kerala for the purpose of extraction of minor minerals. 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 18th

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) 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 in the 25th meeting of SEAC and deferred for site visit.

Subsequently, a subcommittee of SEAC consisting of Dr. N.G.K. Pillai, Chairman SEAC, and Sri. John Mathai, Member SEAC inspected the site on March 2014 and made the following recommendations.

1. *Superimpose the cadastral map of the quarry area and area in possession on the google image so that the boundaries of the quarry are clearly visible and assessment of the area can be done with greater precision.*
2. *Present method of quarrying is crude and to be replaced planned quarrying with top to bottom approach. The old type of quarrying has resulted in the formation of steep faces in an already steep slope.*
3. *Mechanism for storm water management with well laid channels, silt traps and other clarification mechanisms.*
4. *RWH facility to be planned on the lower slopes.*
5. *Stacking and storage of soil and overburden.*
6. *This proposal need modification incorporating entire area under possession of the proponent with a proper mine operational plan. If the area is limited to the south facing slope only, it may be difficult to accord sanction on account of +30 degree slope”.*

On submission of the additional clarifications the proposal was placed in 30th meeting of SEAC held on 6th and 7th June 2014. The Committee verified the additional clarifications/documents submitted by the proponent, which were found to be satisfactory and hence the proposal was recommended for environmental clearance stipulating usual conditions for mining projects.

Accordingly, the proposal was placed for consideration in the 32nd SEIAA meeting held on 22nd August 2014. The Authority returned the proposal to SEAC for detailed examination and report on the documents as stated in the site inspection report. Hence the item was placed in SEAC in its 35th meeting held on 17th and 18th October, 2014. The committee assessed the ground realities based on the field inspection report and deferred the item for the production of above clarifications, 1 to 6 above within 30 days from the date of receipt of communication. The proponent has submitted the additional clarifications on the above items on 08.01.2015. In the mean time the tenure of SEIAA has expired. On reconstitution of SEIAA, as per G.O (Ms) 15/2014/Envvt dated 28.11.2014, intimated the proponent (ltr dated 28.07.2015) to submit Approved Mining plan as per KMMCR-2015. The proponent has submitted the Mining plan on 19.09.2015.

Thereon the proposal was placed before 54th meeting of SEAC held on 06/07-04-2016. They reported that the quarry is at present being operational on permit and hence there is

violation. On submission of the approved mining plan as per KMMC Rules-2015, the proposal was again considered in the 60th meeting of SEAC held on 28th and 29th 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 62nd SEAC meeting held on 6th & 7th 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.

The proposal was considered in the 60th meeting of SEIAA, held on 27th October 2016. The Authority noticed the remarks of the 54th 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.

The proposal was placed in the 68th meeting SEAC held on 20th & 21st February 2017. As regards the question of violation, the Committee is of the view that in the light of the Hon'ble High Court judgement on 07.12.15 the functioning of the quarry at the time of inspection was a violation. The Committee is not aware of any Supreme Court order staying the above High Court Judgement. If there is any specific Supreme Court order permitting such mining, action against violation need not be initiated.

Now the proponent has submitted an affidavit stating that they have not operated or extracted since the instruction from the inspection team. As per the Order No.31/2016-17/GR/DOM/M-1502/2016 dated 24/6/2016 from the Mining & Geology Department the date of expiry of permit is 23/6/2017.

The Authority decided to issue EC after ascertaining from the Director of Mining & Geology Department regarding the present status of the quarry, i.e. whether working or not since the date mentioned in the affidavit, after inspection within a month.

Item No:66.10 Environmental clearance for the quarry project in Sy. No. 3/1-1, 1-2, 1-3 at Mookkannoor village, Aluva Taluk, Ernakulam District, Kerala by Sri. Shaju P.V. – Managing Partner, M/s. Palissery Granites, Ernakulam District for M/s. Palissery Granites (File No. 673/SEIAA/KL/5352/2014)

Sri.Shaju P.V.,Managing Partner, M/s. Palissery Granites, Ernakulam District. vide his application received on (07/11/2014), has sought Environmental Clearance under EIA Notification, 2006 for the existing quarry project in Sy. No. 3/1-1, 1-2, 1-3 at Mookkannoor village, Aluva Taluk, Ernakulam District, Kerala by Sri. Shaju P.V. – Managing Partner, M/s.

Palissery Granites, Ernakulam District, Kerala for an area of 1.6225 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 18th 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 lease area consists of 1.6225 hectares, which is own land. The proposed project is for quarrying of 250 tpd of building stone. Distance of the mining area from the nearest human settlement is recorded as more than 268 m.

The proposal was placed in the 53rd meeting of SEAC Meeting, Kerala, held on 25th and 26th February, 2016. Further to the intimation, the proponent and RQP attended the meeting and RQP made a brief presentation. They informed that the Quarry is working now. So it's a case of violation. Hence the Committee DEFERRED the item for field visit for investigating the land use pattern and submission of revised CSR. The proponent was instructed to clarify the reason for revision of the project area.

The site visit was conducted by Subcommittee of SEAC on 15.07.2016, comprising Dr. K.G. Padmakumar and Sri. John Mathai and recommended for the issue of EC after considering certain points placed before SEIAA.

The proposal was considered in the 60th meeting of SEAC, Kerala, held on 28th and 29th July, 2016. The Committee after examining the mining plan, prefeasibility report, field inspection report and all other documents submitted decided to ask the proponent to submit the following additional documents/assurances as required by the inspection report.

1. *The steep cliff like faces to be marked as danger zones with proper fencing and sign boards.*
2. *100 m distance to be left from the temple boundary. The boundary pillars of the proposed quarry to be relocated on the ground with changes in the mine plan. Adequate measures to be ensured.*
3. *The central part of the worked out pit has to be left out due to distance restriction. The proponent shall explore the possibility whether it can be used as a RWH structure.*
4. *Top soil and over burden need proper storage area on the lower part on the southern side and to be provided with protective embankments.*
5. *The approach road needs widening and surfacing.*
6. *Quarry operations should be avoided during the days of the Temple festival.*
7. *Details of CSR and land document may be verified from the application.*

Subsequently the proponent submitted the documents/clarifications sought by 60th SEAC. Hence the proposal was again placed in the 68th meeting SEAC held on 20th & 21st February 2017. The Committee appraised the proposal based on Form I, Pre-feasibility Report, revised Mining Plan, field inspection report of the Sub Committee and all other

documents submitted with the proposal and decided to **Recommend for issuance of EC** subject to general conditions in addition to the following specific conditions.

1. *If any plant species endemic to Western Ghats are noticed in the area they shall be properly protected in situ or by transplanting to an appropriate location inside the lease area.*

The proponent should give an undertaking committing to spend a recurring amount of Rs.5 lakhs and a non-recurring amount of Rs.5 lakhs towards the welfare of the local community in consultation with the local Panchayat.

The Authority decided to issue Environmental Clearance subject to the general conditions and the above specific condition. The proponent should submit an affidavit stating that the quarry was not working after December 2016 after the period of permit, whichever is earlier and that all the conditions required in the inspection report have been fulfilled.

Item No: 66.11 Environmental clearance for the quarry project in Sy. No. 358/1A1A1A at Padichira Village, Sultan Bathery Taluk, Wayanad District, Kerala by Sri.Mr.Binoj.K.Baby for M/s.Pulpally Stone Crushers(File No. 824/EC3/2607/SEIAA/2015)

Sri.Mr.Binoj.K.Baby, Pulpally Stone Crushers, Sasimalai P.O, Sultan Bathery Taluk, Wayanad District, Kerala vide his application received on 07.07.2015, has sought Environmental Clearance under EIA Notification, 2006 for the quarry project in Sy. No. 358/1A1A1A at Padichira Village, Sultan Bathery Taluk, Wayanad District, Kerala for an area of 1.52 hectares of private land. 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 18th 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 proposal was considered in the 48th SEAC meeting held on 06th and 07th November, 2015 and deferred the item for Field Inspection to assess the ground realities including the drainage pattern and production of following documents/details such as the cadastral map of the area, details of application submitted for wild life clearance, revised Mine plan as per KMMC Rule 2015, a detailed biodiversity report of the proposed area with IUCN status of various species, and a more realistic need based CSR proposal.

Subsequently, Site visit was conducted on 23.6.2016 by subcommittee consisting of Sri S Ajayakumar, Dr P S Harikumar and Dr George Chackachery. The proponent was present during the site visit. The proponent informed the Committee that the cadastral map of the area was submitted to SEAC. The site inspection recommended that

- 1) The application needs to be further considered only after receiving the revised mining plan as per KMMC 2015

- 2) Fencing should be provided all around the quarry
- 3) No proper drainage is available. A well-defined drainage should be provided with facility for clarification pond. After clarification only the water should allowed to discharge
- 4) Overburden should be stored at a designated place
- 5) Application shall be submitted to get wild life clearance
- 6) A realistic CSR should be submitted

The issue of EC may be considered only after fulfilling the above conditions and specify other general conditions specific for mining activity.

Now the proponent has submitted the documents/clarifications sought by SEAC in its Sub Committee and hence the proposal was placed in the 68th meeting SEAC held on 20th & 21st February 2017. The Committee appraised the proposal based on Form I, Pre-feasibility Report, revised Mining Plan, field inspection report of the Sub Committee and all other documents submitted with the proposal. The Committee decided to Recommend for issuance of EC subject to general conditions in addition to the following specific conditions.

1. *If any plant species endemic to Western Ghats are noticed in the area they shall be properly protected in situ or by transplanting to an appropriate location inside the lease area.*

The proponent agreed to set apart Rs.7 lakh (non-recurring) and Rs.7 lakh per annum (recurring) for CSR activities for the welfare of the local community in consultation with the local Panchayat.

The proponent states that a small portion of the proposed Mining Lease area is a working Quarry with a valid Mining permit, over an area of 9.7 Ares (24 cents) valid upto 28.9.2017. They requested that they do not have the EC and on account of the recent order of the Honorable Supreme court of India, they have presently stopped all mining operations in the Permit area. They will be able to resume operations in the Quarry only after obtaining the EC and the execution of the Mining Lease, over the area.

The Authority decided to issue Environmental Clearance subject to the general conditions and the above specific condition. The proponent should submit an affidavit stating that the quarry was not working after December 2016/ after the period of permit, whichever is earlier and that all conditions suggested by inspection team have been implemented.

Item No:66.12 Environmental clearance for the proposed china clay mining project in Sy. Nos. 427/1, 1-1, 1-2, 2, 4 & 5 at Melthonnakal Village, Trivandrum Taluk, Trivandrum District, Kerala by Sri.Chandrasekaran for M/s EICL limited (File No. 940/SEIAA/EC1/ 4098 /2015)

Sri.Chandrasekaran R. (DGM-Mines English India Clay Limited) Melthonnakal (PO) Thiruvananthapuram, Kerala-695317, vide his application received on 06.10.2015, has sought Environmental Clearance under EIA Notification, 2006 for the quarry project in Sy. Nos. 427/1, 1-1, 1-2, 2, 4 & 5 at Melthonnakal Village, Trivandrum Taluk, Trivandrum District, Kerala. The project comes under Category B, Activity 1(a), (i) as per the Schedule of EIA Notification 2006 and as per O.M. No. L-11011/47/2011-IA.II(M) dated 18th May 2012 of Ministry of Environment and Forests. The lease area consists of 2.8999 hectares, which is private land having production capacity 25000 TPA.

The proponent has submitted the approved mining plan under rule 22 of MCR-1960. According to the G.O.(Ms) No. 07/08/ID dated 16.01.2008 and G.O.(Ms) No. 68/08/ID dated 20.05.2008, the mining plan approved by Indian Bureau of Mines is valid for china clay mining since it is classified as a minor mineral. 58th Meeting of SEAC held on 28th& 29th June, 2016 appraised the proposal based on the mining plan, pre-feasibility report and all other documents submitted along with the Form I application and deferred the item for field visit.

Field visit to the Quarry project sites of *M/S English India Clay Ltd*, Melthonnakkal Village, Chirayinkizhu Taluk, Thiruvananthapuram district, Kerala was carried out on 19.08.2016 by the sub-committee of SEAC, Kerala, comprising Sri. P. Sreekumaran Nair and Sri. John Mathai. Considering the fact that the two projects are nearly adjacent to each other and under the same management, a common report was given.

The Inspection team reported that the projects can be recommended after considering the following

- A combined plan of entire plot under EICL in cadastral scale indicating a) individual quarries leases with the status like working, refilled, yet to be exploited, b) plant area, office area and other ancillary facilities c) RWH structures and d) space left for other purposes. Indicate the main roads also
- Letter from DGMS permitting EICL to work as a single unit to be provided
- Total area of all lease holds with in 500 m radius
- Storm water management plan with the layout of catch water drains leading to RWH. The entire rainwater falling in the total plot of EICL and the water being pumped out of working pits may be directed into the two unlined open RWH structures so as to enhance groundwater recharge of the region
- At least 7.5 m width of tree belt to be provided on the north and east boundary as a dust suppression mechanism considering the wind direction
- An area of at least 1 ha to be dedicated for preserving rare local species of plants and trees that is likely to be lost during quarry operation.
- Considering the impoverished nature of the refilled material, it needs to be provided with additional organic matter that is available in the form of biodegradable waste/sludge
- Details of treatment of water to be provided

- A detailed write up of proposed CSR with recurring and non recurring expenditure to be provided.

Hence the proposal was again considered in the 62nd meeting of SEAC, Kerala, held on 06th&07th September, 2016. The Committee after examining the mining plan, prefeasibility report, field inspection report and all other documents submitted decided to defer the item for the production of the following additional documents

- A combined plan of entire plot under EICL in cadastral scale indicating a) individual quarry leases with the status like working, refilled, yet to be exploited, b) plant area, office area and other ancillary facilities c) RWH structures and d) space left for other purposes. Indicate the main roads also
- Copy of the letter from DGMS permitting EICL to work as a single unit to be provided
- Total area of all lease holds with in 500 m radius
- A detailed write up of proposed CSR with recurring and non recurring expenditure to be provided.

Subsequently the proponent submitted the documents/clarifications sought by 62nd SEAC.

The proposal was again placed in the 68th meeting SEAC held on 20th& 21st February 2017. The Committee verified the additional documents submitted by the proponent and found satisfactory. Based on the Mining plan, Form.1, all other documents submitted with the proposal and the field visit report, the Committee decided to Recommend for issuance of EC subject to the general conditions.

The mine is not working, the lease is a fresh one. The proponent requested that only after obtaining environmental clearance the mine will become operational. The lease is valid for a period of 20 years from the date of execution. The lease deed execution will be done only after the issuance of environmental clearance.

On examination of the file the Authority found that there are two representations/complaints about the projects one by Janasakthi Action Council and the other by Thanal and in a joint meeting held on 16.03.2016 at the Chamber of District Collector, Thiruvananthapuram certain conditions were laid down. Hence the Authority decided to return the proposal back to SEAC for clear-cut recommendation after ascertaining whether those conditions of District Level meeting have been implemented., if found pertinent.

Item No: 66.13 Environmental clearance for the proposed china clay mining project in Sy. Nos. 434/6, 8, 9, 15, 16, 17,482/11, 483/2, 6 and 484/1, 2 at Melthonnakal Village, Trivandrum Taluk, Trivandrum District, Kerala by Sri.Chandrasekaran for M/s EICL limited (File No. 941/SEIAA /EC1/4099/2015)

Sri.Chandrasekaran R. (DGM-Mines English India Clay Limited) Melthonnakal (PO) Thiruvananthapuram, Kerala-695317, vide his application received on 06.10.2015, has sought Environmental Clearance under EIA Notification, 2006 for the quarry project in Sy. Nos. 434/6, 8, 9, 15, 16, 17,482/11, 483/2, 6 and 484/1, 2 at Melthonnakal Village, Trivandrum

Taluk, Trivandrum District, Kerala. The project comes under Category B, Activity 1(a), (i) as per the Schedule of EIA Notification 2006 and as per O.M. No. L-11011/47/2011-IA.II(M) dated 18th May 2012 of Ministry of Environment and Forests. The proposed project site falls within N: 8⁰37'40" N to 8⁰37'50" N and E76⁰51'5"E to 76⁰51' 10" E. The lease area consists of 2.6588 hectares of new field, which is private land having production capacity 40540 TPA.

The proponent has submitted the approved mining plan under rule 12(3) of MCDR-1988. According to the G.O.(Ms) No. 07/08/ID dated 16.01.2008 and G.O.(Ms) No. 68/08/ID dated 20.05.2008, the mining plan approved by Indian Bureau of Mines is valid for china clay mining since it is a minor mineral. The 58th Meeting of SEAC held on 28th & 29th June, 2016 appraised the proposal based on the mining plan, pre-feasibility report and all other documents submitted along with the Form I application and deferred the item for field visit.

Field visit to the Quarry project sites of *M/S English India Clay Ltd*, Melthonnakkal Village, Chirayinkizhu Taluk, Thiruvananthapuram district, Kerala was carried out on 19.08.2016 by the sub-committee of SEAC, Kerala, comprising Sri. P. Sreekumaran Nair and Sri. John Mathai. The Proponent Sri R. Chandrasekharan along with his team was present at the site at the time of site visit. Considering the fact that the two projects are nearly adjacent to each other and under the same management, a common report is given.

Visiting team reported that the projects can be recommended after considering the following.

- A combined plan of entire plot under EICL in cadastral scale indicating a) individual quarries leases with the status like working, refilled, yet to be exploited, b) plant area, office area and other ancillary facilities c) RWH structures and d) space left for other purposes. Indicate the main roads also
- Letter from DGMS permitting EICL to work as a single unit to be provided
- Total area of all lease holds with in 500 m radius
- Storm water management plan with the layout of catch water drains leading to RWH. The entire rainwater falling in the total plot of EICL and the water being pumped out of working pits may be directed into the two unlined open RWH structures so as to enhance groundwater recharge of the region
- At least 7.5 m width of tree belt to be provided on the north and east boundary as a dust suppression mechanism considering the wind direction
- An area of at least 1 ha to be dedicated for preserving rare local species of plants and trees that is likely to be lost during quarry operation.
- Considering the impoverished nature of the refilled material, it needs to be provided with additional organic matter that is available in the form of biodegradable waste/sludge.
- Details of treatment of water to be provided
- A detailed write up of proposed CSR with recurring and non recurring expenditure to be provided.

The proposal was considered in the 62nd meeting of SEAC, Kerala, held on 06th & 07th September, 2016. The Committee after examining the mining plan, prefeasibility report, field inspection report and all other documents submitted decided to defer the item for the production of the following additional documents

- A combined plan of entire plot under EICL in cadastral scale indicating a) individual quarry leases with the status like working, refilled, yet to be exploited, b) plant area, office area and other ancillary facilities c) RWH structures and d) space left for other purposes. Indicate the main roads also
- Copy of the letter from DGMS permitting EICL to work as a single unit to be provided
- Total area of all lease holds within 500 m radius
- A detailed write up of proposed CSR with recurring and non recurring expenditure to be provided.

Subsequently the proponent submitted the documents/clarifications sought by 62nd SEAC. Hence the proposal was again placed in the 68th meeting SEAC held on 20th & 21st February 2017. The Committee verified the additional documents submitted by the proponent and found satisfactory. Based on the Mining plan, Form.1, all other documents submitted with the proposal and the field visit report, the committee decided to Recommend for issuance of EC subject to the general conditions.

M/s EICL, the proponent of the proposals under item No.68.19 & 68.20 has agreed to set apart Rs.72 lakh (non-recurring) and Rs.50 lakh per annum (recurring) for CSR activities for the welfare of the local community in consultation with the local Panchayat.

The proponent is having multiple leases in contiguous area in the locality for mining china clay. Many of the leases are obtained prior to 2006 when the MoEF notification dated 27.01.1994 was in force. According to the above notification, mining of major minerals with leases in more than 5 ha required environment clearance and at that point in time china clay was classified as a major mineral. The proponent was mining china clay from a contiguous area of more than 5 ha though the areas of individual leases were less than 5 ha. Hence the company has failed to comply with the conditions of MoEF Notification dtd. 27.01.1994 and to that extent there is violation. This is brought to the attention of SEIAA for taking suitable decision before EC is granted as recommended above.

On 04/04/2017 the proponent submitted that their mine has a valid lease & permits and is working. It is operated under deemed extension clause 24 (A) (6) of Mineral Concession rules, 1960.

On examination of the file the Authority found that there are representations and complaints about the projects one by Janasakthi Action Council and other by Thanal and in a meeting held on 16.03.2016 at the Chamber of District Collector, Thiruvananthapuram certain conditions were laid down. The Authority decided to return the proposal back to SEAC for unambiguous recommendation about the nature of violation after verifying the

complaints by Janasakthi and Thanal and ascertain whether the conditions of the District Level meeting have been implemented, if they are found pertinent.

Item No:66.14 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)

Sri. Joseph Jacob, Managing Director M/s Poabs Granite Products Pvt. Ltd. Kuttoor P.O., Thiruvalla, Kottayam District, Kerala-689106., vide his application received on 27/10/2015, has sought Environmental Clearance under EIA Notification, 2006 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 for an area of 15.0589 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 18th 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 lease area consists of 15.0589 hectares, which is private own land. The proposed project is for quarrying of 3,00,000 MTA of building stone. Distance of the mining area from the nearest human settlement is recorded as more than 218 m.

The proposal was placed in the 58th Meeting of SEAC, Kerala, held on 28th & 29th June, 2016 and deferred for field visit. The site visit was conducted by Subcommittee of SEAC on 15.07.2016, comprising Dr. K.G. Padmakumar and Sri. John Mathai and recommended for the issuance of EC. According to the report the proposed project is an extension of an existing quarry for which EC has been granted.

The proposal was again considered in the 61st SEAC meeting held on 11th 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.

The proposal was placed in the 60th meeting of SEIAA, held on 27th October 2016. The Authority noted the recommendation of 61st 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 500m³ received 'No cluster' Certificate should also be provided.

The proposal was placed in the 68th meeting SEAC held on 20th & 21st February 2017. The Committee Member Sri. John Mathai who is familiar with the area informed that the proposal does not attract the "cluster" criterion and hence the Committee decided to inform the SEIAA accordingly and also to add the following specific condition.

1. *If any plant species endemic to Western Ghats are noticed in the area they shall be properly protected in situ or by transplanting to an appropriate location inside the lease area.*

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 decided to give a detailed note to AG / Legal department to seek legal opinion whether mining in lease areas without EC also comes under the scope of violation. The Authority decided to get the legal opinion at the earliest before the issuance of EC.

Item No: 66.15 Environmental clearance for the proposed quarry project in Sy.Nos.1107/1P, 1108/P, 1109/2P, 1110/2P, 1117/2P, 1118/1P, 1119/1P & 1121/3P at Perumbilavu Village, Thalappilly Taluk, Thrissur District, Kerala by Sri. P. K. Jaleel, Managing Partner for M/s Best Granites (File No. 964 / SEIAA / EC1 / 4474 / 2015)

Sri. P. K. Jaleel (Managing Partner), M/s Best Granites, Kadangode, Thippillissery P.O., Thalappilly Taluk, Thrissur District, Kerala-680 519 vide his application received on 27-10-2015, has sought Environmental Clearance under EIA Notification, 2006 for the quarry project in Survey Nos. 1107/1P, 1108/P, 1109/2P, 1110/2P, 1117/2P, 1118/1P, 1119/1P & 1121/3P in Perumbilavu Village, Thalappilly Taluk, Thrissur 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 land use classification as per revenue records is private own land with native plantation. The current proposal is for the Existing quarry with pit area of 6.3911 hectares and mineral specific. The proposed project is for quarrying of 6,00,000 MTA of building stone.

The 58th Meeting of SEAC, Kerala, held on 28th & 29th June, 2016, appraised the proposal and decided to defer the item for site inspection. Field visit to the Quarry project site of M/s Best Granites in Perumbilavu Village, Thalappilly taluk, Thrissur District, Kerala by Sri. P K Jaleel was carried out on 18.07.2016 by the sub-committee of SEAC, Kerala, comprising Dr. E A Jayson and Sri. John Mathai. They reported that the project is located close to the inter district boundary on the western part of Kadangod hill with approach from Kothachira- Kadangod road. Boundary pillars of the proposed quarry are erected and

numbered displaying GPS values. The northern boundary is very close to the district boundary. Adjacent land mostly belongs to the proponent. The rock type is variants of charnockite. The active quarry zone of Kadangod hill lies to the east of this area. Part of the proposed lease area has already been worked. In the area not opened yet, pockets of OB and top soil are noted and are under rubber plantation. Dwelling units are seen close to 100 m. A temple is located about 100 m to the north of this area. Based on an overall evaluation of the site, following aspects may be considered before it is recommended for EC:

- A clear distance of 100 m to be left from the temple and dwelling units.
- The boundary of actual quarry area to be limited to the elevated part and western part leaving the eastern side where the thickness of top soil and OB is more than 2 m.
- Mandatory distance from the district boundary is to be given. The rock marks and boundary pillars marking the district boundary must be left intact.
- The top soil and OB should be stored in a designated place to be used for the eco restoration old pits.
- A catch water drain is to be provided on the lower part linking it with a RWH structure to manage the storm water. The water from the quarry area will need further clarification before it is let out.
- There is a need to provide restroom and other facilities at the site.
- The approach road will need widening and proper maintenance.
- Assurance that green belt will be provided around the periphery.
- The commitment on CSR activity should be verified.

The proposal was placed in the 63rd meeting of SEAC, Kerala, held on 04th 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 defer the item for the production of following;

The Committee directed to recommend subject to the following specific conditions.

- The boundary of the actual quarry area has to be limited to the elevated part and western part leaving the eastern side where the thickness of top soil and OB is more than 2 m. A fresh plan to be submitted excluding the above portion.
- A clear distance of 100 m, will be kept as a buffer zone from the quarry edge to the temple and dwelling units.
- The approach road should be maintained and widened properly.
- The Green belt shall be provided around the periphery.

The proponent has submitted the documents / clarifications sought by 63rd SEAC held on 04th October, 2016. Hence the proposal was placed in the 68th meeting SEAC held on 20th & 21st February 2017. The Committee appraised the proposal based on the Mining Plan, Pre-feasibility Report, field visit report and all other documents submitted along with Form1.

The Committee decided to Recommend for Issuance of EC subject to the following specific conditions in addition to the general conditions.

1. *The boundary of the actual quarry area has to be limited to the elevated part and western part leaving the eastern side where the thickness of top soil and OB is more than 2 m as shown in the revised Sketch submitted by the proponent.*
2. *If any plant species endemic to Western Ghats are noticed in the area they shall be properly protected in situ or by transplanting to an appropriate location inside the lease area.*

The proponent agreed to set apart Rs.8 lakh (non-recurring) and Rs.7 lakh per annum (recurring) for CSR activities for the welfare of the local community in consultation with the local Panchayat.

The Authority decided to give a detailed note to AG / Legal department to seek legal opinion whether mining in lease areas without EC also comes under the scope of violation. The Authority decided to get the legal opinion at the earliest before the issuance of EC.

Item No: 66.16 Environmental clearance for the proposed quarry project in Sy.Nos. 1246/4, 1246/5,1246/9,1246/14,1246/15, 1246/18, 1248/1, 1248/2, 1247/3P, 1249/2, 1249/3, 1249/4, 1249/6, 1250/1, 1251/7, 1251/8, 1251/9P, 1251/10P, 1253/2, 1253/5, 1253/6, 1293/2 at Kadangode Village & Panchayath, Thalappilly Taluk, Thrissur District, Kerala by Sri. P. K. Jaleel, Managing Partner for M/s Best Granites (File No. 967/SEIAA/EC1 /4474/2015)

Sri. P. K. Jaleel (Managing Partner), M/s Best Granites, Kadangode, Thippillissery P.O., Thalappilly Taluk, Thrissur District, Kerala-680519, vide his application received on 27-10-2015, has sought Environmental Clearance under EIA Notification, 2006 for the quarry project in Survey Nos. 1246/4, 1246/5,1246/9,1246/14,1246/15, 1246/18, 1248/1, 1248/2, 1247/3P, 1249/2, 1249/3, 1249/4, 1249/6, 1250/1, 1251/7, 1251/8, 1251/9P, 1251/10P, 1253/2, 1253/5, 1253/6, 1293/2 at Kadangode Village & Panchayat, Thalappilly Taluk, Thrissur 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 present land use is rocky land. The land use classification as per revenue records is private own land with native plantation. The current proposal is for the Existing quarry with pit area of 9.9878 hectares and mineral specific. The proposed project is for quarrying of 3,00,000 MTA of building stone.

The proposal is for expansion of existing quarry (0.3642 ha) and the existing quarry is working with mining lease issued by Mining and Geology Department for an area of 0.3642 hectares and the mining lease is valid up to June, 2017 and the copy of mining lease is attached.

The 58th Meeting of SEAC, Kerala, held on 28th & 29th June, 2016 appraised the proposal and decided to defer the item for site inspection. Field visit to the Quarry project site of M/s Best Granites in Kadangod Village, Thalappilly taluk, Thrissur District, Kerala by Sri. P. K. Jaleel was carried out on 18.07.2016 by the sub-committee of SEAC, Kerala, comprising. They reported that based on an overall evaluation of the site, following aspects may be considered before it is recommended for EC:

- Map showing all lands in possession, other quarries and the proposed quarry lease area within this land.
- The certificate that the land is not assigned for special purposes.
- Top soil and Over burden should be stored in a designated place or used for the eco restoration old pits.
- In the northern part an ephemeral stream is seen which is fed by the storm water from the quarry area. The water from the quarry area will need further clarification before it is let out into this stream.
- The low lying area close to the old crusher unit should be converted into a large sized RWH structure
- Assurance that green belt will be provided around the periphery. A separate plot should be set apart for preserving rare plants in the vicinity.
- The commitment on CSR activity should be verified.

The Kadangod hill falling partly in Thrissur district and partly in Palakkad district is an area with many quarries and having further potential for quarry development. A comprehensive appraisal of the area with public consultation may be required in future as more and more projects are likely to come up in the area.

The proposal was placed in the 63rd and finally in the 68th meeting SEAC held on 20th & 21st February 2017. The Committee verified the additional documents submitted by the proponent and found satisfactory. The Committee appraised the proposal based on the Mining Plan, Pre-feasibility Report, field visit report and all other documents submitted along with Form1 and decided to Recommend for issuance of EC subject to the following specific condition in addition to the general conditions.

1. *If any plant species endemic to Western Ghats are noticed in the area they shall be properly protected in situ or by transplanting to an appropriate location inside the lease area.*

The proponent agreed to set apart Rs.13 lakh (non-recurring) and Rs.13 lakh per annum (recurring) for CSR activities for the welfare of the local community in consultation with the local Panchayat.

The Authority decided to give a detailed note to AG / Legal department to seek legal opinion whether mining in lease areas without EC also comes under the scope of violation. The Authority decided to get the legal opinion at the earliest before the issuance of EC.

Item No:66.17 Environmental clearance for the Commercial project “Ozone Mall” in Sy. Nos. 4/2B, 146/1 and 146/7 at Pathaikkara Village, Perinthalmanna Municipality, Perinthalmanna Taluk, Malappuram District, Kerala by Sri. A.K. Abdul Aziz, M/s INOA Properties & Developers L.L.P. (File No. 864/SEIAA/EC1/3073/2015)

Sri. A.K. Abdul Aziz, Managing Partner, M/s INOA Properties & Developers L.L.P., 107/41, 3rd floor, City Castle, East Fort Jn., Thrissur, Kerala, vide his application received on 04.08.2015 and has sought environmental clearance under the EIA Notification, 2006 for the Commercial project “Ozone Mall” in Sy. Nos. 4/2B, 146/1 and 146/7 at Pathaikkara Village, Perinthalmanna Municipality, Perinthalmanna Taluk, Malappuram District, Kerala. It is *interalia*, 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 29 m and the total plot area of the proposed project is 9816 m² and the total built-up area is 24765.364 m². Total project cost is Rs. 56,25,89,500/-. The proponent has stated that there is no litigation pending against the project and /or land in which the project is proposed to be set up.

The proposal was placed in the 55th SEAC Meeting, Kerala, held on 10th, 11th & 20th May, 2016 and deferred the item for field visit by a team consisting of Sri. Ajayakumar, Dr. Hari Krishnan, Dr. Khaleel Chovva and Sri. John Mathai. The Committee expressed concerns about the stability of site and the proponent was requested to provide more clarity regarding the steps taken for ensuring the same. The Committee suggested a yield test for the well and also to provide clarity regarding storm water management and waste water and solid waste disposal.

Site inspection was conducted on 10.11.2016 by the sub-Committee of SEAC consisting of Sri S Ajayakumar and Sri John Mathai and they reported that the project can be recommended with the following clarifications:-

1. Specific details of excavation, quantity for internal use, quantity to be taken out and use of the earth to be taken out to be revised.
2. Stability of the steep cutting is to be ensured for which a revised drawing is to be submitted. Mechanism for the disposal of excess water likely from the interface of rock and overburden is to be indicated. A detailed write up/ explanatory note on the design of retaining walls, lateral strengthening, damp proofing and insulation should also be included.
3. Details of enhanced RWH facility within the campus (~800 KL).
4. Recharge pits to be given on the southern side within the site. Storm water must be led into these pits to recharge the aquifer and only excess to be drained out. Connectivity with the external drain is to be ensured.
5. The yield of the wells within the site to be estimated and reported
6. Details of maximum use of solar energy with quantity.
7. Details regarding the mechanism of solid waste segregation and disposal
8. Green belt is to be planned especially on the northern side where rocky outcrops are noted. Use of reflective glasses on the exterior walls to be minimised.

As per the minutes of 55th SEAC, the proponent has also submitted details regarding sewage treatment plant, biogas plant, drawings regarding structural stability and clarifications of queries raised during the field visit.

The proposal was considered in the 65th meeting of SEAC, held on 06th December, 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 Committee decided to defer the proposal for the production of the water yield test result so as to ensure that the adequacy of the source of water. Subsequently the proponent has submitted the documents/clarifications sought by 65th SEAC.

The proposal was placed in the 68th meeting SEAC held on 20th& 21st February 2017. 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 and decided to Recommend for issuance of EC subject to the general conditions in addition to the following specific conditions.

1. *Stability of the steep cutting is to be ensured in accordance with the revised drawing furnished*
2. *Enhanced RWH facility within the campus (~800 KL) in accordance with the details given by the proponent.*
3. *Recharge pits to be given on the southern side within the site. Storm water must be led into these pits to recharge the aquifer and only excess to be drained out. Connectivity with the external drain is to be ensured.*
4. *Maximum use of solar energy to be ensured.*
5. *Mechanism of solid waste segregation and disposal as per the details furnished*
6. *Green belt is to be planned especially on the northern side where rocky out crops are noted.*
7. *Use of reflective glasses on the exterior walls should be minimised.*

The proponent has not committed any amount towards CSR. The SEIAA may obtain commitment from the proponent for spending a suitable amount towards CSR activities.

The Authority decided to grant EC with the above specific conditions in addition to the general conditions subject to the production of an affidavit that all the general and specific conditions shall be strictly implemented. The proponent should submit details of CSR amount before the issuance of EC.

Item No: 66.18 Environmental clearance for proposed 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)

Dr. A. V. Jayakrishnan, State President, M/s Indian Medical Association Goes Eco-friendly (IMAGE), IMA State Headquarters, Anayara Post, Thiruvananthapuram Taluk, Thiruvananthapuram District, Kerala, vide his application received on 20.06.2016 has sought 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. It is interalia, noted that the project comes under the Category B, 7(da) of Schedule of EIA Notification 2006.

The probable service area for the proposed project at Thiruvananthapuram spreads over six revenue districts and has varying size and treatment specialization of health care establishments. The proposed CBMWTF is envisaged to cover an area of 150Km radius from its proposed location, Palode near Thiruvananthapuram.

The 62nd meeting of SEAC held on 06/07-09-2016 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 60th meeting of SEIAA resolved that the Terms of Reference (ToR) suggested/approved by SEAC may be communicated to the project proponent. The proponent has submitted EIA report.

The 66th meeting of SEAC, Kerala, held on 19th December, 2016. appraised the proposal based on Form1, Form 1 A and all other documents submitted with the proposal. The Committee observed that the proposed site is in an ESA village where there is prohibition for setting up biomedical waste treatment plants envisaged in the application. Hence decided to recommend to reject the application.

Now the proponent submitted a request to Secretary, SEAC regarding the proposed project (CBWTF) at Palode not coming under the purview of Kasthuri Rangan Report. The request is attached in the C.F.

The proposal was again placed in the 68th meeting SEAC held on 20th & 21st February 2017. The Proponents were explained the provisions of the MoEF Notification F. No. 1-4/2012 - RE (Pt.) dated 13 .11.2013 which effectively prohibits the establishment of the proposal in a ESA village. Peringamala is a notified ESA Village and hence the Committee explained to the proponents its inability to recommend the proposal.

The Authority decided to accept recommendation of SEAC to reject the proposal as per the 66th and 68th minutes of SEAC.

Item No: 66.19 Environmental clearance for the proposed Residential Project in Sy. Nos. 198/2, 198/16, 198/17, 205/26, 25/24/p, 200/2, 200/3, 199/p, 198/7, Thrissur Municipal Corporation, Thrissur Village, Thrissur. Application of Sri. T S Kalyanaraman (Managing Director), M/S Kalyan Jewellers India Pvt Ltd (File No. 1060/SEIAA/EC1/ 1108/2015)

Sri. T. S. Kalyanaraman (Managing Director), M/S Kalyan Jewellers India Pvt Ltd, vide his application received on 16.06.2016, has sought Environmental Clearance under EIA Notification, 2006 for the project in Sy. No. 198/2, 198/16, 198/17, 205/26,25/24p, 200/2, 200/3, 199/p, 198/7 at Thrissur Village, Thrissur Corporation, Thrissur Taluk, Thrissur

District, Kerala It is interalia, 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 70 m and the total plot area of the proposed project is 6712.98 m² and the total built-up area is 34,484.534 m². Total project cost is Rs. 98.36 Crores. The proponent has stated that there is no litigation pending against the project and /or land in which the project is proposed to be set up.

The proposal was placed in the 59th meeting of SEAC, Kerala, held on 11th and 12th July, 2016. The Committee appraised the proposal based on Form 1, Form I A and Conceptual Plan and decided to defer the item for field visit. Site inspection was conducted on 10.11.2016 by the sub-Committee of SEAC consisting of Sri S Ajayakumar and Sri John Mathai in the presence of the proponent.

The proposal with the field inspection report was considered in the 66th meeting of SEAC, Kerala, held on 19th December, 2016. The Committee appraised the proposal based on Form I, Form I A, Conceptual Plan, field inspection report of the Sub Committee and all other documents submitted with the proposal. The Committee decided to defer the proposal for the submission of the following details/ clarifications from the proponent.

1. *Entry and exit shall be allowed only through farthest opening from the road junction to avoid congestion due to queuing at the junction. A modified plan to this extend shall be submitted to SEAC*
2. *Specific details of excavation, quantity to be taken out and use of the earth to be taken out including that of the demolished structure.*
3. *Details of RWH facility within the campus.*
4. *Recharge pits to be given within the site. Storm water must be led into these pits to recharge the aquifer and only excess to be drained out. Connectivity with the external drain is to be ensured.*
5. *Details of maximum use of solar energy with quantity.*
6. *Details regarding the mechanism of solid waste segregation and disposal*
7. *A map showing enhanced parking space and traffic management plan.*
8. *Storm water management plan to be submitted*
9. *Separate space for material Recovery Storage (MRS)*

The proponent submitted the documents/clarifications sought by 66th meeting of SEAC. Hence the proposal was placed in the 68th meeting SEAC held on 20th & 21st February 2017. 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. The Committee decided to Recommend for issuance of EC subject to the general conditions in addition to the following specific conditions.

- *Entry and exit shall be allowed only through farthest opening from the road junction to avoid congestion due to queuing up at the junction.*
- *RWH facility to be provided in accordance with the details given by the proponent.*

- *Recharge pits to be given within the site. Storm water must be led into these pits to recharge the aquifer and only excess to be drained out. Connectivity with the external drain is to be ensured.*
- *Details of maximum use of solar energy as furnished by the proponent..*
- *Solid waste segregation and disposal to be as per the plan furnished*
- *Enhanced parking space and traffic management plan to be as per the details furnished.*
- *Separate space for material Recovery Storage (MRS) to be provided*

The proponent agreed to set apart Rs.25 lakh over a period of 3 years towards the CSR activities for the welfare of the local community in consultation with the local Panchayat.

The Authority decided to grant EC with the above specific conditions in addition to the general conditions subject to the production of an affidavit that all the general and specific conditions shall be strictly implemented and the CSR amount of Rs.25 lakhs over a period of three years shall be increased to a realistic level.

Item No: 66.20 Environmental clearance for the quarry project in Sy.No. 147/1(P), 155/2(P), 155/3(P), 154/16(P) and 154/17(P) at Vazhayoor Village, Vazhayoor Panchayath, Ernad Taluk, Malappuram District by Sri.Mohanana, M.E. (File No. 552/SEIAA/KL/4086/2014)

Sri.Mohanana M. E., Owner, High Grip Granites, Edakkat House, Karadparamba P.O., Malappuram (D) vide his application received on 22/08/2014 has sought Environmental Clearance under EIA Notification, 2006 for the quarry project in Sy. No. 147/1(P), 155/2(P), 155/3(P), 154/16(P) and 154/17(P) at Vazhayoor Village, Vazhayoor Panchayath, Ernad Taluk, Malappuram District for an area of 3.6055 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 18th 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) dated 24.12.2013 of Ministry of Environment and Forests, since the area of the project is below 25 hectares.

The land use classification as per revenue records is private own land. The lease area consists of 3.6055 hectares, which is private land. The current proposal is for the existing quarry with mineral specific. Hence no alternate site was examined. The proposed project is for quarrying of 660,000 MTA of building stone.

The proposal was first considered by SEAC in its 48th meeting held on 6-7 Nov 2015. As per the application, the proponent has sought EC for an area of 3.6055 Ha. But the certified Mining Plan is for 1.2965 only and the proponent informed at the meeting that he requires EC for the area specified in the Mining Plan only. The Committee is of the opinion that the ultimate depth of the quarry should be limited to the 20m AMSL.

The Committee deferred the item for field inspection

The sub-committee of SEAC consisting of Dr. Khaleel Chovva and Dr. P.S. Harikumar visited the quarry project on 27-3-16. The inspection recommended for issuance of Environmental Clearance with the following specific conditions, in addition to the general conditions stipulated for mining

1. Benching method should be strictly practiced. The quarry should be continued only after:-
2. Proper fencing and sign boards must be fixed all around
3. The approach road should be maintained properly. Entry of large vehicles may be restricted.
4. The top soil and overburden should be stacked in a designated place on the lower elevation. It must be preserved for the eco-restoration of the quarried area”.

The proposal was again considered in 55th meeting of SEAC held on 10/11/20-05-2016. The Committee appraised the proposal based on Form 1, Pre-feasibility Report and Mining Plan. On the basis of the feedback from the site inspection by subcommittee members it is observed that the quarry was in operation in violation of the rules. Hence, action against the said violation has to be initiated. The Committee decided to recommended for the issuance of EC on completion of action against violation subject to the following specific conditions in addition to the general conditions.

1. Benching conditions should be strictly practiced. It is observed that presently quarrying is carried out without properly following the mining plan and any further quarrying shall be by strictly following benching methods.
2. Proper fencing and sign boards must be fixed all around.

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

The case was placed before 54th meeting of the SEIAA held on 21-6-2016 and the Authority Resolved to refer the case back to SEAC to clarify the rule that has been violated by this working quarry of extent 1.2965 ha only. The Authority also wanted SEAC to make unambiguous recommendations so as to avoid delay in disposing of the applications.

Hence the proposal was considered in the 60th meeting of SEAC held on 28th& 29th July 2016 and recommended that SEIAA may take appropriate decision regarding initiation of violation proceedings. Thereon the proposal was considered in 59th meeting of SEIAA held on 27th September 2016 and the Authority observed that:

The Authority noted that not only the status quo order of the Supreme Court is subsisting, but it is also further clarified by the Hon’ble Court on 07-12-2015 that ‘the State of Kerala shall pending further orders from this Court renew all existing permits for a period of one year and status quo order shall not be interpreted to mean that the same is an impediment for such renewal’. Even after the Authority pointed out the orders of the Supreme Court, SEAC reiterated the need for violation proceedings. In the light of the orders of the

Hon. Supreme Court, SEAC may clarify as to the nature of the violation in this case and how the violation subsists in the face of the orders of the Supreme Court. The rule violated is not quoted. Authority decided to refer the case to SEAC to give clear findings on the recommendation made, within one month.

Authority also wanted the details of the land holding whether it is on lease or permit, period of lease/permit, commencement thereof to be indicated in the basic details in the agenda notes.

The proposal was again considered in the 64th Meeting of SEAC held on 16th and 17th November 2016. The proponent submitted the additional clarifications and on verification of the same the Committee found that the land is a private land with permit. As regards the question of violation, the Committee is of the view that in the light of the Hon'ble High Court judgement on 7.12.15 the functioning of the quarry at the time of inspection was a violation. The Committee is not aware of any Supreme Court order staying the above High Court Judgement. If there is any specific Supreme Court order permitting such mining, action against violation need not be initiated.

As per the new Rules, Lease/permit to the quarries are issued by the Department of Mining & Geology only after the receipt of environmental clearance from concerned Authority.

The Committee found that the land is a private land. The quarry was in operation with a valid permit from the Department of Mining & Geology (Permit No.54/2015-16/GR/DOM/M-784/2015, dt.14.10.2015, valid upto 13.08.2016). The proponent also submitted an NOC from Pollution Control Board and Panchayat, permitting the quarry operation. Authority in several such cases has exempted such quarries from violation proceedings if valid lease/permit is there. The proponent has submitted the permit certificate with a validity date upto 13.08.2016. The Authority in its 65th meeting held on 22/3/2017 decided to confirm whether the quarry was operated even after the Hon'ble Supreme Court verdict. An affidavit to this effect should be obtained and placed in the next meeting for a decision.

The proponent has filed a writ petition © 11230 of 2017 for interim relief from the court that the petitioner may be allowed to proceed with quarrying activities as if there is deemed EC, pending disposal of the writ petition with the cost of the proceeding. Now he has submitted an affidavit stating that he had carried out quarrying operation only within the above permit area of 1.25 area till 13.08.2016 up to which he had got quarrying permit from DMG and that he has not carried out any mining activities in that area after 13/08/2016. Therefore there is no need to initiate violation proceedings.

Sri.M.E.Mohanan, the Proprietor of this quarry vide his letter dated.06.04.2017 has informed SEIAA that he is withdrawing the case filed in the High Court.

The Authority decided to grant EC subject to the following specific conditions in addition to the general conditions subject to the production of an affidavit that all the general and specific conditions shall be strictly implemented in addition to the conditions suggested by the inspection team. The CSR activities as mentioned in the application should also be implemented.

1. Benching conditions should be strictly practiced. It is observed that presently quarrying is carried out without properly following the mining plan and any further quarrying shall be by strictly following benching methods.
2. Proper fencing and sign boards must be fixed all around.

Item No: 66.21 Environmental clearance for the quarry project in Sy.No.164/1-35,164/1-28, 164/1-45, 164/1-44, 164/1-41 Ayyampuzha village, Aluva (Taluk), Ernakulam district, Kerala by Sri. C. John Kachappilly, Udaya rocks quarry (File No. 761/SEIAA/KL/438/2015)

Sri. C. John Kachappilly, Chully P.O., Thanicode, Ernakulam – 683581 vide his application dated on 9/2/2015 has sought Environmental Clearance under EIA Notification, 2006 for proposed expansion of building stone quarry in an area of 4.62165 Ha at Ayyampuzha Village, Aluva Taluk, Ernakulam District by M/s. Udaya Rock Products in Sy. No. 164/1-35, 164/1-28, 164/1-45, 164/1-44, 164/1-41 Ayyampuzha village, Aluva (taluk), Ernakulam district, Kerala. 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 18th 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 total mine area consists of 4.62165 hectares, which is own land. The proposed project is for quarrying of 96782 m³ per annum of building stone. Distance of the mining area from the nearest human settlement is recorded as approximately 500 m.

Hence, the proposal was placed before 53rd SEAC for appraisal. It was informed that the quarry is in operation and dwellings are more than 150mtrs away and another quarry is functioning beyond 500 mtrs away in the southern side. The committee decided to recommend for issuance of EC after completing action against violation subject to general conditions.

The proposal was considered in the meeting of 52nd SEIAA held on 29-04-2016. As the information given in the minutes of 53rd SEAC is insufficient, Authority decided to get details from SEAC on the recommendation for initiating violation proceedings against the working quarry having mining area less than 5ha.

The proposal was placed in the 60th meeting of SEAC held on 28/29-07-2016. The committee appraised the proposal based on the mining plan, pre-feasibility report and all other documents submitted along with the Form I application. Committee recommended violation proceedings on the ground that the proponent himself admitted that quarry is in operation.

The Authority decided to accept the recommendation of SEAC to take action for violation proceedings.

Item No : 66.22 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 Fr.Francis Pallikunnath (File No. 779/SEIAA/EC1/ 997/2015)

Fr.Francis Pallikunnath, Director, Jubilee Mission Medical College & Research Institute, Bishop Alappat Road, Jubilee Mission P.O, Thrissur – 680005, vide his application received on 23/03/2015 has sought environmental clearance under the EIA Notification, 2006 for the Residential cum Commercial project 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, Trissur District, Kerala. It is interalia, noted that the project comes under the Category B, 8(a) of Schedule of EIA Notification of MoEF dated 19/09/2006. No forest land is involved in the present project.

The height of the proposed building is 57.05 m and the total plot area of the proposed project is 1,01,808.62sq.m.and the total built-up area is 1,17,901.25sq m. Total project cost is Rs. 76.15 Crores.

The proposal was first considered in the 47th 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 inspection report noted that;

“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. The overall evaluation, in brief shows that the institution 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.*

Considering certain conditions suggested by the report the EC to the institute may be recommended.”

On receipt of the Inspectional report, the proposal was considered by SEAC in its 52nd 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

The proposal was considered by SEIAA in its 51st meeting held on 29-03-2016. The Authority decided to accept the recommendation of SEAC 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 the show cause notice was issued.

In exercise of the powers delegated to SEIAA as per S.O 637 (E) and 638 (E) dated 28-2-2014, of the Ministry of Environment & Forests, Government of India and in due compliance with the instructions for action under the Environment (Protection) Act, the violation having been established, the State Environmental Impact Assessment Authority vide letter no.779/SEIAA/EC1/997/2015 dt.16.01.2017 issued and directed that in terms of para 5(iv) (a) of the above O.M and as the violation is on account of carrying out construction without valid EC, all construction activities of M/s 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 and 2245/4 at Chembukkavu Village and Trissur Taluk, Thrissur District, shall be and is hereby suspended at the existing level till Environmental Clearance is obtained for the project.

The District Collector, Thrissur will enforce the above orders. On 15.02.2017 SEIAA issued a request to the District Collector of Thrissur required to furnish an action taken report in connection with the violation proceedings of M/s.Jubilee Mission Medical College & Research Institute, Thrissur.

On the basis of the Stop Memo received from SEIAA M/s.Jubilee Mission Medical College & Research Institute, Thrissur submitted a request dated.15.03.2017 for obtaining environmental clearance for their Hospital Complex and they clarify some construction activities mentioned below:-

1. The total built-up area mentioned in the application is 1,17,901.25 sq.m
2. Their Hospital Complex includes medical college, nursing college, nursing school, hostels, accommodation for doctors & staff etc and the total built-up area of the campus is the total of all these facilities. Also, it proposes to expand the existing facilities.

3. The existing hospital is in operation since 1951. Therefore, some of the buildings in the camps are constructed and occupied prior to the coming in to effect of EIA Notification , 2006.
4. As per the Gazette Notification dated 22/3/2014 by MoEF, education institution, hostels etc are exempted from the purview of EIA Notification,2006.
5. The total built-up area mentioned in the application includes the built-up area of building constructed prior to 14/09/2006 and is also includes the built –up area of buildings which are exempted from the purview of EIA Notification.

In view of the above submissions, they have requested that they may be given an opportunity for submission of a revised application which will clarify the status of built-up area of all buildings (existing & proposed) within their campus.

The Authority decided to inform the proponent to submit revised form 1, Form 1A, conceptual plan and other documents regarding the actual status of construction.

Item No:66.23

Environmental clearance for the quarry project Johnson Rocks 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.AlexanderV.John (File No.1002/EC4/5032/ 2015/ SEIAA)

Sri.Alexander.V.John, Managing Partner, Valiyaveetil House, Thottabhogom P.O, Thiruvalla, Pathanamthitta District,Kerala,689541 vide his application received on 13/04/2012has sought Environmental Clearance under EIA Notification, 2006 for the quarry project in Sy. No. 781/23-1,781/1-23-1 PT,781/1-23-2,70/1,2 PT,72PT at Athikayam Village, Naranamuzhi Panchayath, Ranni Taluk, Pathanamthitta District, Keralafor an area of 7.6190 hectares. The project comes under Category B2, Activity 1(a), (i) as per the Schedule of EIA Notification 2006 (since it is below 25 hectares) and as per O.M. No. L-11011/47/2011-IA.II(M) dated 18th 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 proposal was considered in the 61stMeeting of SEAC held on 11th August 2016. 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

The proposal was considered in the 60th meeting of SEIAA held on 27th October 2016. On 14/12/2016, the proponent submitted the necessary documents to clarify that there is no quarry in operational phase, within 500 meter radius of the proposed project site as the quarry projects existed around their site has stopped working since March 2013.

There is vide public agitation against the functioning of the three quarries (M/s Manimalethu Crusher Industries file no.121/SEIAA/EC4/2200/2013, M/s Kavumkal Granites file no. 621/SEIAA/EC4/4775/2014 & the proposed quarry, Johnson Rocks which are all located in the same region,

Since SEAC has not recommended the proposal for EC due to misrepresentation of facts and also in the light of public protest, the Authority decided to send the proposal back to SEAC for unambiguous recommendation within one month.

Item No : 66.24 Judgement of the Hon'ble Mr.Justice A.K.Jayasankaran Nambiar W.P.(C) No.21092 of 2016 (J) in favour of Sabu Kuriakose, S/o Uthappen Kuriakose, Kavumkal Granite (P) Ltd, Vechoochira, Ranni (Pathanamthitta District)

Shri. Sabu Kuriakose submitted an application on 20.06.2015 for a quarry project in Athikkayam Village, Ranni (Pathanamthitta District). The SEAC in its 49th meeting held on 07.12.2015 considered the proposal and deferred for field inspection. Field inspection was conducted on 30.01.2016. The SEAC in its 53rd meeting (25.02.2016) decided to recommend for issuance of EC on certain conditions. The proposal was considered by SEIAA in its 52nd meeting held on 29.04.2016. The Authority also examined and discussed the complaints received by SEIAA against Chembanmudi Hills of Athikkayam Village (Ranni) including the quarry of the proponent. Considering the allegations made in the complaints and the filed inspection report that the operation of the quarry was closed due to public agitation, SEIAA decided to defer the case pending a site inspection by Chairman and Member (SEIAA). Although the Member and Chairman visited the quarry, on account of the disturbances which were going on around the quarry, they could not complete their mission. It is noted in the note file that order may be issued for violation proceedings as it is above 5 ha as admitted by the proponent, after placing in the SEIAA meeting.

Aggrieved by the delay in getting EC, the proponent filed WP(C) No.21092/16 in the Hon'ble High Court with a request to order that he has obtained deemed EC. The Hon'ble HC vide judgment dated 09.03.2017 granted the request of the petitioner and directed the 1st respondent (SEIAA) to consider the objections of the respondents 5-7 after hearing together with the petitioner. Accordingly, they were invited for hearing scheduled at 11 am on 07.04.2017.

Only the petitioners attended the hearing held on 07.04.2017. The proponent was absent. Hence it was decided to give one more chance for hearing, which is scheduled on 11.30 am on 28.04.2017.

Item No: 66.25 General Items

- 1) **Appointment of Audit firm for internal audit of accounts of the financial year 2016-17 in State Environment Impact Assessment Authority - Annual Audit of Accounts 2016- 17 – Proposal received from M/s. GSPU & Associates Trivandrum – Professional fee including Service Tax claimed Rs.103500/- Sanction- requesting - reg.**

The finalization of Accounts, Statutory Audit of accounts and the computerization of Accounts is most essential for placing the accounts at the time of audit of Accountant General Kerala and for accurate information of Accounts and finance to the Authority is needed.

M/s GSPU & Associates a leading Chartered Accountant firm have submitted their proposal for appointment as Auditors for auditing the accounts of 2016-17 along with the demand statement of professional fee.

It was decided to invite quotation/revised proposal from other firms also.

- 2) **Honorarium to Chairman and Members of SEIAA and SEAC- Request to give- Retrospective Effect**

As per G.O. (MS) No. 02/2017 Evt dated 16.03.2017 Government are pleased to accord sanction to enhance the honorarium to Chairmen of SEIAA and SEAC and has enhanced the sitting fee to Chairmen and Members of SEIAA and SEAC. On scrutiny of the above order the date of implementation of enhancement has not been mentioned probably due to oversight. The present Chairmen of SEIAA and SEAC and Members of SEIAA and SEAC have been functioning with effect from 27.03.2015 ie. with effect from the date of reconstitution of SEIAA and SEAC as per G.O (P) No.02/2015 dated 27/3/2015. Since the entitlements to the Chairmen/Members of SEIAA/SEAC do not entail any additional expenditure to the State Government by giving retrospective effect since the SEIAA is receiving processing fees along with the applications for Environmental Clearances which is remitted in the State Treasury. Authority decided to take up the matter with the Government to give retrospective effect to the above orders.

- 3) **Providing Staff- DEIAA/DEAC**

Government vide GO(RT.) 37/2014/Evt dt.20.03.17 issued permission to SEIAA to engage one Project Assistant with degree in Environmental Science and one Data Entry Operator in each in every district for DEIAA in connection with data processing, subject to the conditions stipulated in G.O(P) No.28/16/Fin dated 26.02.2016 and expenses should be met from the budgetary allocations being made to SEIAA, since the processing fee collected is remitted in Government Treasury.

It was decided to bring the contents of the letter to the attention of DEIAA and to direct them to appoint the persons at District Level.

4) SEIAA – Writ Petitions against SEIAA- impleadment as respondent –reg. It was decided that the Advocate General

Of late, writ petitions are being filed in the High Court of Kerala and the Supreme Court, impleading the Chairman, State Environment Impact Assessment Authority to represent the Authority. It was decided that the Advocate General and Green Tribunal may be requested that in cases where the Chairman, State Environment Impact Assessment Authority is impleaded as respondent in litigation in court. the respondent may be got amended by substituting with the Authority/Member Secretary, State Environment Impact Assessment Authority, ‘Devikripa’, Pallimukku, Pettah.P.O., Thiruvananthapuram – 24 instead of the Chairman.

5) Vinod Gopal – Project Assistant – Letter No.A1/485/2016/Envvt dt.18.02.2017

Shri.Vinod Gopal was engaged in SEIAA as Project Assistant on contract basis for two years on 11-11-2014 (first in DoECC and later after one year in the SEIAA). He was relieved on 10/11/2016 on completion of his contract along with 5 other Project Assistants in the office of SEIAA vide G.O.A1/485/16/Envvt dt.16.11.2016.

The additional chief Secretary vide Letter No.A1/485/2016/Envvt dt.18.02.2017 gave permission to extend the period of contract to Vinod Gopal for a further period of one year by following **all rules and procedures**. It was decided to write to Government in reply to the Additional Chief Secretary’s letter No.A1/485/2016/Envvt dt.18.02.2017, the various reasons (already communicated to Govt. vide Letter no.1293/EC2/2016/SEIAA dt.09.02.2017 & Letter dt.18.01.2017) why his contract cannot be renewed as per rules and procedures and also in the light of /the recent Government Order (MS) No.3/2017/Envvt dt.01.04.2017 for restructuring the staff pattern of SEIAA & SEAC.

6) Engaging a Standing Counsel for SEIAA

As there are increase in number of cases in the court related to SEIAA, Authority decided **to request Government to engage a Standing Counsel exclusively for SEIAA** in the High Court for dealing with court cases.

The meeting ended at 1.30 pm.

Next meeting is scheduled on 28th April 2017 at 9.30 am at Harithasree Hall of SEIAA Office.

Sd/-
Dr. K.P. JOY
Chairman

Sd/-
Dr. J. SUBHASHINI
Member

Sd/-
Sri.JAMES VARGHESE.I.A.S
Member Secretary