

**APPROVED MINUTES OF THE 17TH MEETING OF THE
STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY
(SEIAA) KERALA, HELD ON 07.04.2013 AT THE
DIRECTORATE OF ENVIRONMENT AND CLIMATE CHANGE**

The following persons were present:

1. Dr. A.E. Muthunayagam - Chairman, SEIAA
Former Secretary to Government of India
2. Dr. K.P. Joy - Member, SEIAA
Former Director, School of Environmental Studies
of M.G. University and Kannur University
3. Shri. James Varghese IAS - Member Secretary, SEIAA
Principal Secretary to Government
Environment, Ports & Fisheries Department
Govt. of Kerala
4. Sri. P. Sreekantan Nair - Secretary, SEAC (Special Invitee)
Director, Department of Environment
& Climate Change, Govt. of Kerala

The meeting was chaired by Dr. A.E. Muthunayagam. He welcomed all the members. The Authority discussed the agenda items one by one and took the following decisions:

Item No. KLA/17. 01 Remarks by Chairman and Members of SEIAA

The Authority noted that SEIAA secretariat is presently working under the supervision and guidance of Shri. Sreekantan Nair, Director, DoECC with only two supporting staff; one staff addressing all technical matters and the other the administrative matters, both deputed from DoECC. This is far from satisfactory for the effective functioning of SEIAA. The Authority was informed that no full time staff is approved by the Government of Kerala till date though SEIAA was constituted as early as October 2011. SEIAA also noted that no proposal is yet sent from DoECC to the Government of Kerala for approval of permanent staff though this issue was addressed quite a few times in the authority meetings over a long period. Further the Authority directed in its earlier meeting that an organisational chart of SEIAA secretariat be prepared indicating the structure, the officials, the distribution of work load, the deployment of manpower, the manpower requirements in different categories, etc. The Authority regretted that such a report is not yet made available to the authority by the SEIAA secretariat. OIC-SEIAA secretariat informed that a request for additional manpower for the entire DoECC including the requirement of SEIAA, a new activity added on to the DoECC, was prepared but not processed with the Government.

The Authority directed that the organisational chart of SEIAA secretariat be prepared on a priority basis. The work load and its distribution among the sections of the secretariat be defined and the manpower requirement in different categories be prepared with justification and submitted to Principal Secretary, Ministry of Environment, Government of Kerala in two weeks with a copy to members of SEIAA. Director DoECC who is the OIC of the SEIAA secretariat agreed to generate the required proposal.

Further the Authority decided that SEIAA may approach the Chief Minister who is also the Minister for Environment Department and seek special approval for the personnel required for SEIAA, if necessary. Pending government approval, special approval from Minister may also be obtained to recruit suitable personnel on daily wages against these posts for a period of maximum 3 months to solve the acute shortage of man power. Based on the work load estimated, the Authority suggested that the manpower required for SEIAA secretariat to attend to all activities of SEIAA and SEAC, be limited to 10 in number in different categories in phase 1. This can be reviewed after one year and additions can be made in Phase 2, if the work load demands. The Authority requested the Member Secretary who is the Principal Secretary to Government of Kerala to expedite the man power approval process.

The Authority observed that the proposals received for EC can be grouped under two categories; the first one relating to constructions and associated developments and the second one relating to mining. The Authority noted that the conditions to be imposed on different project proponents to ensure safety and environment protection come under two categories; the first one is General conditions which are common to all projects in a category and the second one is Specific conditions which are site specific and vary depending up on the measures to mitigate adverse environment impacts. SEIAA suggested that SEAC should now establish two different formats, one for appraising the construction proposals and the other for appraising mining proposals.

While appreciating the improvements in the format of the mining project appraisal by SEAC, SEIAA desired that SEAC must assess and specifically indicate in all mining proposal appraisal reports that the Environment Management Plan and the proposals for Eco-restoration submitted by the proponent are satisfactory or not. This shall be in addition to appraisal and specific recommendation on all other environment parameters. While discussing improvement in the appraisal process the Authority suggested that SEAC should establish the conditions which will cause rejection of EC to any proposal under the construction category and under mining category, define the environment parameters to be assessed and to establish the permissible levels in each one of them and against such established parameters the project proposal must be assessed. In cases of adverse impacts on environment, measures to mitigate the adverse impacts should be specified. Necessary formats may be established by SEAC to incorporate these parameters and accelerate the appraisal process.

The Authority noted the processing delays in the secretariat for issuing EC to the project proponents after the approval of EC by the SEIAA. The Authority directed the SEIAA Secretariat to issue the same EC within a week of the approval EC by SEIAA.

SEIAA observed that many of the specific conditions stipulated for mining projects were applicable to all mining projects and so decided to add the following in the General Conditions of Environmental Clearance for mining projects:

- i) Explosives should be stored in magazines in isolated place specified and approved by the Explosives Department.
- ii) Norms of Kerala State Pollution Control Board should be adhered to regarding distance criteria of residences, roads, rivers and worship places.
- iii) 200 m buffer distance should be maintained from forest boundaries till eco-zone is declared.
- iv) Noise reduction measures as per KSPCB norms to attain noise standards should be implemented.
- v) Quarrying activities should be limited to day time as per KSPCB guidelines.
- vi) Garland drains should be provided with clarifiers.

Item No. KLA/17. 02 **Confirmation of the minutes of 16th meeting of State Level Environment Impact Assessment Authority (SEIAA) Kerala**

Confirmed the approved minutes with a minor change in agenda item KLA/16.09 adding at the end of first paragraph in this item “This shall supersede earlier decisions of SEIAA on violation proceedings”.

Item No. KLA/17. 03 **Action taken report on the decisions of the 16th SEIAA Meeting**

Regarding KLA/16.09, the OIC SEIAA reported that both reporting of the violation and requesting proceedings against violations are contained in the communication sent to the Principal Secretary by the Chairman SEIAA to accelerate the process. All other actions reported in the agenda notes were noted.

Item No. KLA/17. 04 **Application for environmental clearance for the Quarry Project in Sy. Nos. 1/3, 1/4, 1/5, 1/7, 8/2, 8/4, 9/1, 9/2, 9/3, 9/7, 8/3 and 8/2-1 at Ramapuram Village, Ramapuram Panchayath, Meenachil Taluk, Kottayam District, Kerala by M/s Cochin Blue Metal Industries (Pvt.) Ltd. (File No. 67/SEIAA/KL/7904/2012)**

After detailed discussions on the proposal, clarifications provided by Secretary SEAC and analyzing the appraisal report of SEAC the proposal is **approved for issuance of Environmental Clearance** stipulating the following specific conditions:

1. During the excavation, levelling and site development works, the site should be sprinkled with water at regular intervals to ensure that all the rock benches and ledges and quarry access roads are kept damp at all times.
2. All the rainwater falling in the area should be collected in the storm water storage tank.
3. All the roads under the control of the proponent should be tarred.
4. Delay detonator should be used.

Item No. KLA/17. 05

Application for obtaining environmental clearance for the proposed quarry project in Sy. Nos. 288/1 part and 251/1 part, Block 32 of Koodal Village, Kalanjoor Panchayath, Adoor Taluk, Pathanamthitta district, Kerala by M/s Vajra Rock Mining Industries (File No. 80/SEIAA/KL/182/2013)

After detailed discussions on the proposal, clarifications provided by Secretary SEAC and analyzing the appraisal report of SEAC the proposal is **approved for issuance of Environmental Clearance** stipulating the following specific conditions:

1. Barren waste land should be converted to productive land by planting indigenous trees yielding edible fruits.
2. A safe buffer distance of 200 m should be left from the boundary of nearby forest without conducting mining activities.
3. A buffer distance of 15 m to be kept undisturbed from the boundary of the nearest quarry as proposed by the Mining & Geology Department.
4. The mining activity may be limited to elevation between MSL 270 and MSL 190 up to the depth specified in condition no. (xvi) of General Conditions, whichever is at higher altitude.

Item No. KLA/17. 06

Application for environmental clearance for the proposed Institute of Medical Sciences and Multi-Speciality Hospital Project in Survey Nos. 225/2, 225/3-1, 225/2/2, 226/5/1/2, 226/5/1/3, 226/5/1/4, 226/5/1/1, 226/5/2, 189/1-2, 189/2, 224/4, 224/5, 397/1-2 and 397/1-3 at Koovappady Village and Panchayath, Kunnathunadu Taluk, Ernakulam District, Kerala by M/s Sree Narayana Gurukulam Charitable Trust (File No. 54/SEIAA/KL/7582/2012)

After detailed discussions on the proposal, clarifications provided by Secretary SEAC and analyzing the appraisal report of SEAC the proposal is **approved for issuance of Environmental Clearance** stipulating the following specific conditions:

1. Water quality should be continuously monitored in the storages and potability should be ensured.
2. Minimum vertical and horizontal set back distances should be provided from the High Tension tower line as per KSEB guidelines and critical facilities should not be placed below it.
3. The abandoned quarry in the south-central part of the land has to be developed, used as storage for rain water harvesting and protected with fencing/compound wall.
4. Approval from KSPCB should be obtained for Biomedical & hazardous waste management.
5. Safety measures should be implemented as per Fire & safety regulations
6. STP should be installed as per KSPCB guidelines.
7. Time day meter (for power consumption) for STP should be installed and due exercises of check by KSPCB should be ensured.

Item No. KLA/17. 07**Appeal No. 29 of 2013 filed by Mr. Sanju George, Managing Partner, M/s Kizhakethalackel Rocks, before the National Green Tribunal at New Delhi (File No. DoECC/E4/2411/2012)**

The Authority discussed in detail the draft statement of facts prepared by the Secretariat on the averments made in the appeal and approved it with minor modifications. Authority also directed that the following specific points shall be included in the response from SEIAA along with a clarification on the organisation structure, functions of SEIAA and SEAC and operational procedure being followed.

1. The project site of the appellant comes within the ESZ-1 and the appellant himself has not challenged it.
2. Though the appellant is carrying out mining activities in other places over years, as far as the present application for EC for mining in the proposed site is concerned, his application for EC is only an application for new license for mining in a new site.
3. As per WGEEP report NO new licence to be given for quarry and sand mining in ESZ-1.
4. As per the direction dated 20.09.2012 of the National Green Tribunal, "as and when the ministry (SEIAA in this case) considers applications for granting EC in respect of areas falling in ESZ-1, while taking decisions, they shall adhere to the WGEEP report, if the same has not been varied till date". It is pointed out that the WGEEP report has not been varied till date.

Based on the above, the Authority has taken the decision in this case to reject EC for appellant's application in compliance with the direction from National Green Tribunal dt. 20.09.2012.

It is decided that the SEIAA secretariat may prepare the response and submit it to the concerned legal authorities after approval of Member Secretary SEIAA. The SEIAA members may be kept informed of the action taken.

Item No. KLA/17. 08**Any other item with the approval of Chairman**

None.

Item No. KLA/17. 09**Report on the status of processing of the applications for Environmental Clearance by SEIAA Secretariat**

Noted.

Item No. KLA/17. 10**Concluding remarks by Member Secretary**

None.