

Minutes of the Joint Meeting of SEIAA and SEAC held in the Conference Hall of DoECC on 30.12.2024 at 2 PM in Hybrid mode

Present:

1. Dr H. Nagesh Prabhu IFS (Retd), Chairman, SEIAA, Kerala
2. Dr Ajayakumar Varma, Chairman, SEAC, Kerala
3. Sri. K. Krishna Panicker, Member, SEIAA
4. Dr Rathan U. Kelkar IAS, Member Secretary, SEIAA
5. Sri. Suneel Pamidi, Secretary, SEAC
6. Dr. A.V. Raghu, Member, SEAC
7. Sri. Sheik Hyder Hussain IFS(Retd), Member, SEAC
8. Sri. Ajithkumar, Member, SEAC
9. Dr A. Bijukumar, Member, SEAC
10. Er. Dileepkumar, Member, SEAC
11. Sri. Harikumar A.S., Administrator, SEIAA
12. Dr Jude Emmanuel, Environmental Scientist, SEIAA
13. Smt. Babitha A., Legal Officer, SEIAA
14. Smt. Sreeja Raj S.R., Environmental Officer, SEIAA

The joint meeting of the State Environment Impact Assessment Authority and the State Environment Appraisal Committee held on 30.01.2024 at 2.00 pm in the Conference Hall of DoECC. The meeting, which was conducted in a hybrid mode, was chaired by Chairman SEIAA. The Chairman welcomed the participants and gave brief on the purpose of the meeting. The meeting deliberated on the listed agenda items and took decisions on the following agenda items:

1. Action to clear the backlog of proposals pending for more than 365 days.

As per the Parivesh 1 portal, 73 files are pending at various stages, for more than 365 days as of 23.01.2024. It is noted that the proposals are pending for further consideration of SEIAA and SEAC, for different reasons. This pendency has been adversely commented by MoEF&CC in all its review meetings. It is noticed that the backlog of files has to be cleared on priority basis and there should be a concerted effort from all sections of the Authority. Therefore, joint meeting took the following decisions:

- a. The SEIAA/SEAC shall verify the pending status of the proposals once in every month and expedite the required actions to clear the pendency. The SEIAA Secretariat shall take necessary actions to provide the pending list with remarks stating the pendency

before the Authority/Committee meeting. The pendency position will be reviewed in the joint meeting proposed to be held once in 3 months.

- b. Those applications pending for presentation/ hearing, due to failures on part of the project proponent shall be rejected at the risk and cost of the project proponent after providing one opportunity with 15 day's time, with acknowledgement.
- c. Those applications that are long pending for want of judgement / clarifications / documents / direction from Hon'ble Courts or any other departments /agencies should be placed before the Authority as a physical agenda to delist the application according to its merit. On submission of the satisfying supporting documents by the project proponent, such application will be again enlisted on its merit for further appraisal.

2. Modus Operandi for the re-appraisal of DEIAA issued ECs as per the OM dated 28.04.2023

In the meeting, discussed the modus operandi to expedite the reappraisal of applications received based on OM dated 28.04.2023 and the common concerns raised by the stakeholders who are holding ECs issued by DEIAA. The members discussed the matters such as requirement of the public hearing and EIA report for cluster conditions occurred after the possession of EC, CCR from IRO, MoEF&CC Bangalore, CER proposals, submission of HYCRs, etc. On deliberation it is decided as following:

- a. **Cluster Condition, Public Hearing and EIA Study:** Those projects that come under cluster condition after the possession of ECs have to obey the orders of the NGT dated 13.09.2018 and the subsequent OM of MoEF& CC dated 12.12.2018. If the project area is more than 5 ha by considering the other project(s) within 500m radius, the project proponent has to submit ToR application for the EIA study. However, if any of the projects in the cluster that had conducted an EIA study and public consultation for the cluster, they shall not require fresh EIA study and public hearing. As per notification, *“the individual lease holders in cluster can use the same Environment Impact Assessment or Environment Management Plan for application for environmental clearance. The cluster Environment Impact Assessment or Environment Management Plan shall be updated as per need keeping in view any significant change.”* Therefore, the project proponent should ensure that the proposed project, its impact, and the mitigation measures are included in the cluster EIA/EMP.

- b. ***Environmental Management Plan (EMP) and Corporate Environment Responsibility (CER)***: For all the projects that are not in cluster condition, the EMP shall be site-specific prepared by a NABET Accredited Consultants with adequate mitigation measures to abate all possible environmental impacts (applicable to all building stone quarry projects). The CER should be prepared as per the guidelines published on the website of SEIAA and should be part of the EMP with all supporting documents.
- c. ***Certified Compliance Report (CCR)***: All the project proponents should submit the CCR from the IRO, MoEF&CC Bangalore along with the application form, The SEIAA/SEAC Secretary shall address the Regional Director, IRO, MoEF&CC, Bangalore to issue CCR to the projects that obtained EC from various DEIAAs.
- d. All the project proponents should submit a Certificate from the Mining and Geology Department stating the resource extracted, the balance quantity available and Scheme of Mining for the remaining period.
- e. As per the OM dated 15th January 2024, re appraisal of all the DEIAA approved projects shall be done and fresh EC shall be issued within the stipulated time. Hence the Member Secretary, SEIAA may be requested to convene a meeting of all District Collectors (Chairman, DEIAA) and concerned Revenue Divisional Officer/ Sub Collector holding charge of Member Secretary DEIAA, to expedite the procedures laid down in the SOP as part of the reappraisal and issuance of fresh ECs. Further the Chief Secretary may be requested to include this as one of the agenda items in one of the upcoming District Collectors conferences.

3. Constitution of 2nd SEAC in Kerala

In the meeting, it was discussed about the necessity of a 2nd SEAC for the reappraisal of DEIAA issued EC applications. It is observed that on an average about 200 applications are processed per month in addition to court cases, RTI, complaints, etc. The processing, scrutinizing and appraisal of EC applications are highly technical jobs and need adequate technical staff in the Directorate or SEIAA Secretariat. Currently with the limited technical staff and other logistic facilities in the SEIAA Secretariat, it is practically not possible to constitute a second SEAC. Further under the existing circumstance of financial crunch in the state, the required infrastructure and financial supports are not available to function efficiently even for the existing SEAC.

Under the prevailing circumstances, the meeting decided to request state government to strengthen the existing SEIAA Secretariat with sufficient technical staff for the efficient functioning of SEIAA and SEAC, leading to speedy disposal of the application including DEIAA applications. A realistic proposal to strengthen the SEIAA Secretariat shall be submitted to the Government at the earliest. A suggestion to earmark a portion of the processing fee remitted by the project proponent in the Treasury, to meet the expenditure for strengthening the SEIAA Secretariat shall also be included in the proposal. A draft proposal prepared in consultation with SEAC shall be placed in the next SEIAA meeting.

4. Rehabilitation of mined out and abandoned quarries

The meeting discussed the requirement of feasible plans for the rehabilitation of mined out and abandoned quarries. The SEAC Chairman intimated that the Committee discussed the matter in its earlier meeting and the draft plan prepared is under circulation among members. The Plan will be submitted before SEIAA after approval of SEAC.

5. Travel allowance, Dearness allowance and Honorarium to Chairman and members of SEIAA and SEAC

Upon enquiry, Administrator SEIAA has informed that the proposal submitted by Authority has been returned back and Member Secretary, SEAC has instructed to submit a revised proposal. Chairman SEAC had expressed his deep concern that even after 2 years of this SEIAA taking charge, such an important issue adversely affecting the functioning of SEIAA/SEAC, is yet to be addressed in spite of repeated requests. Chairman SEIAA requested Administrator SEIAA to prepare a self-contained revised proposal for consideration of government, quoting the rates prevailing in neighboring states in a tabular form. Chairman SEIAA promised to provide this data from neighboring states. The draft revised proposal shall be submitted to Chairman SEAC and Member SEIAA within 15 days and Chairman SEAC is requested to prepare a consolidated final proposal in consultation with Member, SEIAA and other members SEAC and place it in the next Authority meeting for follow up.

Sd/-

Dr Nagesh Prabhu IFS (Retd)
Chairman, SEIAA, Kerala