

**APPROVED MINUTES OF THE 21ST MEETING OF THE
STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY
(SEIAA) KERALA, HELD ON 23.08.2013 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. Pradeep Kumar IAS
Principal Secretary to Government
Environment, Forest & Wild Life Department
Govt. of Kerala -Member Secretary, SEIAA
4. Sri. P. Sreekantan Nair
Director, Department of Environment
& Climate Change, Govt. of Kerala - Secretary, SEAC (Special Invitee)

The meeting was chaired by Dr. A.E. Muthunayagam. He welcomed all the members. During discussions, the Authority took the following decisions:

Item No. KLA/21. 01 Introductory Remarks by Chairman SEIAA

Chairman welcomed all members and informed that Mr. Pradeep Kumar, Member Secretary will be shortly leaving to take up his new assignment at Delhi, Govt. of India. He informed about the keen interest taken by the Member Secretary to improve the quality of operations in SEIAA. He appreciated the template/format introduced recently under his guidance and direction for preparing the appraisal report by SEAC for submission to SEIAA. SEIAA noted that the appraisal report in the new format has an annexure with the details of the project which provide additional inputs for one to understand the basis for the SEAC assessment. If such inputs are elaborate, the file reference shall be indicated in the annexure. Those interested may peruse the file in SEIAA office. SEIAA acknowledged the contributions of Member Secretary to SEIAA, thanked him and wished him all success in the new assignment.

Chairman pointed out the need for SEIAA to have good interaction with SEAC since the major responsibility of SEIAA is to grant Environmental Clearances based on the appraisals and recommendations of SEAC. SEIAA approved that Chairman SEIAA may invite SEAC Chairman to SEIAA meetings as and when required.

Chairman had requested Member Secretary to nominate a person in SEIAA Secretariat to assist him in discharging the functions as Chairman SEIAA. He also said that he plans to visit his assigned office in SEIAA Secretariat at least once in a week; normally on Tuesdays if he is in station. Member Secretary agreed and asked Director, DoECC to assign a suitable person. Director, DoECC assigned Dr. Ajayakrishnan, Environmental Officer as special officer to Chairman SEIAA with immediate effect.

SEIAA decided that all site specific and project specific conditions to be stipulated in the EC should be included and presented in the agenda notes and approved minutes. Conditions which apply to all proposals should be included in the general conditions. SEIAA directed that the existing general conditions may be reviewed and updated before next SEIAA meeting.

Chairman requested for details about the funds allotted and spent by SEIAA, including SEAC, for the first year since the establishment of SEIAA in 03.11.2011 till 31.03.2012 and for the second year from 01.04. 2012 till 31.03.2013. He also requested for the budget provided for SEIAA for the year 2013-14 and the actual expenditure during the first quarter of 2013-14. Member Secretary directed Director, DoECC who provides the secretarial assistance to give the details. This details shall be given in two weeks to SEIAA.

Regarding the preparation of the minutes of the SEIAA meeting the following revised procedure is approved by SEIAA with immediate effect.

- The draft minutes of the SEIAA meeting shall be prepared by Member Secretary and submitted to Chairman.
- Chairman SEIAA shall approve the above draft with or without modification in consultation with Member SEIAA.
- The SEIAA minutes approved by Chairman shall be circulated to all concerned and actions shall be initiated.
- The approved SEIAA minutes shall be confirmed in the following SEIAA meeting and uploaded to the web site of SEIAA with the approval of Chairman by OIC SEIAA Secretariat.

Item No. KLA/21.02 Confirmation of the minutes of 20th meeting of State Level Environment Impact Assessment Authority (SEIAA) Kerala

Confirmed the approved minutes with deletion of some comments on the change of assignments of persons in SEIAA Secretariat. Also the action regarding the publication of news item shall be presented in the SEIAA next meeting.

The specific condition no.7 under item No. KLA/12.08 proposal for EC of M/s Lulu Convention and Exhibition Centre Pvt. Ltd. which reads “Drinking water supply scheme agreed for people residing in Vypeen as part of the Corporate Social Responsibility must be initiated within 6 months period of initiation of construction activities of the project and should be fully commissioned before launching of the project” is modified as ‘Under the CSR activities as per Companies Bill 2011, the Vypeen drinking water scheme shall be implemented on priority as agreed to’.

Item No. KLA/21. 03

Action taken report on the decisions of the 20th SEIAA Meeting

Noted.

Item No. KLA/21. 04

Application for obtaining environmental clearance for the proposed quarry project in Sy. Nos. 23/2, 23/2-1, 24, 24/1, 24/2 and 24/3 at Moonilavu Village, Moonilavu Panchayath, Meenachil Taluk, Kottayam district, Kerala by M/s P.V. Granites (File No. 73/SEIAA/KL/168/2013)

The Authority discussed the report on site inspection submitted by Director, DoECC further to his visit to the site on 23.07.2013. It was observed that some locations in the site that remained undisturbed in January 2013 are now seen quarried as on 23rd July 2013. The same was confirmed by the personnel related to PV granites, available at the site on 23rd July 2013 who informed that blasting have been conducted for quarrying as a part of trial blast study.

The Authority noted that as per O.M. No. J-11013/41/2006-IA.II(I) dated 19th August 2010, wherein it is stated that: 'No activity relating to any project under this Notification including civil construction, can be undertaken at site without obtaining prior environmental clearance except fencing of the site to protect it from getting encroached and construction of temporary shed(s) for the guard(s)' and observed that the proponent has undertaken activities which are not permissible without prior Environmental Clearance.

Considering the above the Authority decided that the application should be processed only after initiating violation proceeding as per the 12th December 2012 orders from MoEF and reporting to the State Government/ District Magistrate, as the case may be. Hence it was decided to issue notice to the proponent to file affidavit within 60 days that violation has occurred and shall not be repeated, with directions to stop the quarrying activities with immediate effect.

SEIAA requested Director, DoECC to take urgent action with due approval in file from Chairman SEIAA. SEIAA noted the W.P.(C) No 11892/2013 filed before the Hon.High Court of Kerala and wanted the status to be assessed. The observations and action taken by SEIAA shall also be filed before the High Court.

Item No. KLA/21. 05

Application for obtaining environmental clearance for the proposed I.T. Building Project in Re-Sy. No. 758/2 (Part) at Muringur Thekkumuri Village, Koratty Grama Panchayath, Mukundapuram Taluk, Thrissur District, Kerala by M/s Infoparks Kerala (File No. 83/SEIAA/KL/324/2013)

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 in addition to the General Conditions stipulated for non-mining projects:

1. The depth of excavation shall be limited to 3 meters or the level of water table whichever is less.
2. Sufficient set back distance of the project site shall be left from the KSEB tower line as specified by KSEB norms.
3. Storm water drainage to be managed without causing inundation / traffic disruption on the public road to the east of the project site.
4. Amount should be earmarked for CSR components as per the provisions of Companies Bill, 2011.

The number and specification of the recharge pits to augment recharge of ground water shall be defined while granting the Environmental Clearance based on inputs received from SEAC.

Item No. KLA/21. 06 **Application for obtaining environmental clearance for the proposed quarry project in Sy. Nos. 575/1-3-6-2 and 581/1-5-7, at Konni Thazham Village, Konni Grama Panchayath, Kozhencherry Taluk, Pathanamthitta District, Kerala by M/s Chengalathu Quarry Industries (File No. 77/SEIAA/KL/172/2013)**

After detailed discussions on the proposal, clarifications provided by Secretary SEAC and analyzing the appraisal report & site inspection report of SEAC the proposal is **approved for issuance of Environmental Clearance** stipulating the following specific conditions in addition to the General Conditions stipulated for mining projects:

1. Removed overburden shall be stacked and provided with a protective wall to avoid washing down of all fine material depleting the OB stock and polluting the nearby canal and fresh water.
2. Steep cut slope presently made at the base of the hill shall be abandoned till the working face from the top is lowered sufficiently so as to reduce the overall steepness to less than 45°. This area should be declared as a dangerous zone isolating it by fencing.
3. The work has to be initiated from the uppermost part where the slope is less. Haulage lines and approach has to be made fresh.
4. Spent oil from DG sets should be disposed off as per Hazardous Waste (Management & Handling) Rules, 1989 and 2003 and sent to stores for disposal through authorized agents.
5. Amount should be earmarked for CSR components as per the provisions of Companies Bill, 2011.

The SEAC appraisal report recommended that the mining should be limited to Pit-1, without providing the basis for it. SEIAA decided that OIC SEIAA Secretariat shall obtain a note from SEAC indicating the basis and put it up to Chairman SEIAA who shall approve or reject with necessary consultations in SEIAA. Accordingly this shall be included as the 6th specific condition.

Item No. KLA/21. 07

Application for obtaining environmental clearance for the proposed Information Technology Development Centre Project in Sy. Nos. 84, 86, 90, 91, 93, 98 and 144 at Puthencruz Village and Grama Panchayath, Kunnathunadu Taluk, Ernakulam District, Kerala by M/s Cognizant Technology Solutions Pvt. Ltd. (File No. 85/SEIAA/KL/326/2013)

After detailed discussions on the proposal, clarifications provided by Secretary SEAC and analyzing the appraisal report & site inspection report of SEAC the proposal is **approved for issuance of Environmental Clearance** stipulating the following specific conditions in addition to the General Conditions stipulated for non-mining projects:

1. The original width of Kadamprayar river as per cadastral map should be restored and maintained for free flow of flood water.
2. 10 m buffer set back from the edge of the Kadambrayar river on either side should be left as a buffer zone and planted with native species.
3. Underground floor should be avoided to prevent inundation.
4. CSR should be specifically for improving the career prospects of locals with skilled, semi-skilled and unskilled capabilities and amount should be earmarked for the same as per the provisions of Companies Bill, 2011.
5. The strip of land between the road and the boundary of the project site at its south and also at SW corner should only be used for landscaping including planting of trees.
6. The level of structures, approach road and open parking must be above the maximum flood level.
7. The company should provide energy efficient public transport system.
8. Enhance the RWH capacity to at least as specified in KMBR.
9. E waste management procedures should be adopted as per relevant Rules.

Item No. KLA/21. 08

Application for obtaining environmental clearance for the proposed quarry project in Survey Nos. 161/1, 163/3, 4, 177/1, 2, 7 at Alakodu Village and Panchayath, Thodupuzha Taluk, Idukki District, Kerala by M/s St. Martin Granites (File No. 90/SEIAA/KL/1050/2013)

The Authority observed that the proponent has provided copy of possession certificate for Sy. No. 177/2-1 instead of Sy. No. 177/2 and hence it was decided that EC may be issued for the area in Sy. Nos. 161/1, 163/3, 163/4, 177/1, 177/2-1 and 177/7. After detailed discussions on the proposal, clarifications provided by Secretary SEAC and analyzing the appraisal report & site inspection report of SEAC the proposal is **approved for issuance of Environmental Clearance** stipulating the following specific conditions in addition to the General Conditions stipulated for mining projects:

1. Quarrying should be limited to Survey numbers 161/1, 163/3, 163/4, 177/1, 177/2-1 and 177/7 and the extent of area of 3.1662 ha. in the proposal, and should not be extended to any other part in the area later.

2. Amount should be earmarked under CSR every year for social welfare and insurance of the inhabitants of the nearby Harijan colony in addition to the area of health and education, as per the Companies Bill, 2011.
3. Sufficient set back distance as per KSEB guidelines to be maintained from the KSEB tower line.
4. Siltation tanks located on the slopes are to be supported with strong retaining walls.
5. Overburden stock should be supported to prevent down slope movement and vegetative cover of indigenous species to prevent erosion should be provided.
6. Fencing and retaining wall should be provided as safety measures to avoid any adverse impacts associated with overburden removal.
7. A buffer distance of 100 m is to be kept from the nearest settlement.
8. Native species should be planted at the end-use for eco-restoration.
9. Spent oil from DG sets should be disposed off as per Hazardous Waste (Management & Handling) Rules, 1989 and 2003 and sent to stores for disposal through authorized agents.

Item No. KLA/21.09 **Application for obtaining environmental clearance for the proposed Housing Project in Sy. No. 259/11-1 at Thiruvalla Village & Taluk, Pathanamthitta District, Kerala by M/s Skyline Builders (File No. 82/SEIAA/KL/323/2013)**

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 in addition to the General Conditions stipulated for non-mining projects:

1. The excavation shall not be beyond 3 m from the level of M.C. Road.
2. Cutting on the western side shall be provided with a strong retaining wall.
3. Provision to be made to enhance the rain water storage as per the provisions of KMBR.
4. Provisions to be made for recharge pits having a depth of 6 m below ground level to penetrate the hard laterite layer and to direct the storm water to these pits and let out only the excess quantity for efficient ground water recharge. The number of recharge pits shall be specified at the time of issuing EC based on the recommendations of SEAC.
5. CSR activities primarily to be extended to the nearby school.

Item No. KLA/21.10 **Application for obtaining environmental clearance for the proposed quarry project in Sy. Nos. 160/4, 160/5, 161/7, 161/8-1, 161/8-2, 161/8-5, 160/1, 160/1-1, 160/1-2, 160/1-3, 160/1-4, 160/2, 160/6, 160/3 and 160/7 at Thottappuzhessery Village, Thottappuzhessery Panchayath, Thiruvalla Taluk, Pathanamthitta district, Kerala by M/s Shanio Metal Crushing Unit (File No. 75/SEIAA/KL/170/2013)**

After detailed discussions on the proposal, clarifications provided by Secretary SEAC and analyzing the appraisal report & site inspection report of SEAC the proposal is **approved**

for issuance of Environmental Clearance stipulating the following specific conditions in addition to the General Conditions stipulated for mining projects:

1. 100 m buffer distance to be maintained for quarrying from the boundary of the temple.
2. Green belt development should involve indigenous species.
3. Afforestation should be done compensating for the number of species likely to be destroyed due to quarrying.
4. Spent oil from DG sets should be disposed off as per Hazardous Waste (Management & Handling) Rules, 1989 and 2003 and sent to stores for disposal through authorized agents.
5. Amount should be earmarked for CSR components as per the provisions of Companies Bill, 2011.

Item No. KLA/21.11 **Report on the status of processing of the applications for Environmental Clearance by SEIAA Secretariat** (vide GoI letter no. J-11013/5/2013-IA.I dt. 22.04.2013)

SEIAA noted the report sent to MoEF with the approval of Member Secretary.

Item No. KLA/21.12 **Any other item with the approval of Chairman**

Item No. KLA/21.12.01 **Orders of NGT dt. 5th and 14th August 2013**

The Authority decided to follow the orders of National Green Tribunal dated 5th and 14th August 2013 while considering the applications for Environmental Clearance regarding the mining activity or removal of sand from river beds, beaches or on other coastal areas. The Authority noted the communication sent to all District Collectors/Chairman KSPCB/Director, Mining and Geology Department/Director, CESS/Director, Urban Affairs/ Director of Panchayath requesting for ensuring strict compliance of the directions of the NGT and further decided to address the same to the Industries Department and SEAC Kerala.

Item No. KLA/21.12.02 **Affidavit filed before the Hon. High Court of Kerala on W.P.(C) no. 17404/2013**

Noted.

Item No. KLA/21.12.03 **Application for obtaining environmental clearance for the proposed Phase 1 development of Smart City (Kochi) in Survey Nos. 666/10 pt, 640/1, 2 pt, 4 pt, 5, 641/1 pt, 10, 25 pt, 29, 30 at Kakkanad Village, Kanayannur Taluk, Ernakulam District, Kerala by Smart City (Kochi) Infrastructure Pvt. Ltd. (File No. 105/SEIAA/KL/1692/2013)**

SEIAA which approved the proposal for granting EC as agenda item no. KLA/20.09 in its 20th meeting held on 19th July 2013 decided to finalize appropriate specific conditions for the project in its next meeting. Accordingly, after detailed discussions on the proposal, the proposal

is **approved for issuance of Environmental Clearance** stipulating the following specific conditions in addition to the General Conditions stipulated for non-mining projects:

1. RWH has to be ensured as per KMBR/KPBR.
2. Reclamation of paddy fields should not be made.
3. 15.5% of energy should be saved by alternate energy sources as proposed.
4. Left over treated sewage water should be recycled for non drinking purpose with temporary storage.
5. Green area development should involve only indigenous plants.
6. Parking facility has to be enhanced as per KMBR provisions.
7. Amount should be earmarked for CSR components as per the provisions of Companies Bill, 2011.

Item No. KLA/21.12.04 **Hon. Supreme Court of India Record of Proceedings in RE: Vembanad lake, Kerala Special leave petition (Civil) No. 24390-24391 of 2013 order dated 01.08.2013**

Noted.

Meeting ended with thanks to Chair.

Submitted to Chairman SEIAA by Member Secretary SEIAA.
Approved by Chairman SEIAA on 29th August 2013.