

**MINUTES OF THE 62nd MEETING OF THE STATE ENVIRONMENT IMPACT
ASSESSMENT AUTHORITY (SEIAA) KERALA HELD ON 23-12-2016 AT 11.30 A.M
IN THE CHAMBER OF THE ADDITIONAL CHIEF SECRETARY TO
GOVERNMENT, ENVIRONMENT DEPARTMENT.**

Present:

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

The 62nd meeting of SEIAA and the 29th meeting of the Authority as constituted by the Notification No. S.O. 804 (F) dated 19-3-2015 was held from 11.30 a.m in the Chamber of the Additional Chief Secretary to Government, Environment Department, Thiruvananthapuram, on 23rd December 2016.

Item No.62.01 Confirmation of minutes of 61st SEIAA meeting

Confirmed

**Item No: 62.02 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.	Sri.Georgekutty, M.M., Janadhipathya SamrakshanaSam ithi, Noorommavu P.O., Anicadu, Pin-689589	Illegal quarrying in Pulikkamala, Anikkadu, Mallappilly Taluk, Pathanamthitta	To stop the illegal quarrying and protect the area from destruction	Application for EC is not received. The Authority decided to send the petition to District Collector, Pathanamthitta for necessary action.

2.	Poovathan Raghavan, S/o., Kunjikannan, Kallu Parambathu House, Kolavalloor Amsam Desham, Thalasserry, Kannur	Illegal quarrying in Mohanagiry Granite Quarry by Sri. KeeranKumaran, Reenalayam, East Valyayi, Muthiyanga P.O., Thalasserry, Kannur	To stop the illegal quarrying	The Authority decided to send a reply to the petitioner that the application for EC has been received and it is being examined (935/ SEIAA.) A copy of the petition will be forwarded to the DC, Kannur for enquiry.
3.	Sri. Francis John, Convenor, Sunnyppadi Crusher-Quarry Virudha Action Committee, Ullattil house, Alli, P.O., Mukkom. Kozhikkode-673602	Not to grant E.C to the applications of Sri. Varkey George, M.D., M/s Verve granite pvt. Ltd., and Reji George, M.D., M/s. V-tech Company	Not to grant E.C to the applications of Sri. Varkey George, M.D., M/s Verve granite pvt. Ltd., and Reji George, M.D., M/s. V-tech Company	The Authority decided to send a reply to the petitioner that application for EC has not been received and hence forwarded to DC, Kozhikkode for enquiry and for suitable action.
4.	Sri. Puthoor Kavil Velayudhan And Others, Sri. V. V. Ramayyar Memmoriyal Harijan Colony, Balusserry Grama Panchayath, Kozhikkode	Mass Complaint From The Residents Of Sri. V. V. RamayyarMemmoriyalHar ijan Colony, , Balusserry Grama Panchayath, Kozhikkode Against Quarrying Activity at Eramangalam, Oppoothikandy, Kariyanimala and Orukkinimala region	To stop the Quarrying Activity at Eramangalam, Oppoothikandy, Kariyanimala and Orukkinimala region	The Authority decided to send a reply to the party that application for EC has not been received. It is also decided that a copy of the petition will be sent to the DC, Kozhikkode for enquiry and suitable action.
5.	The Panchayath President, Purappuzha Panchayath Office, vazhithala P.O., Thodupuzha Pin-685583	Complaint against quarrying in Govt. Puramboke rock at Kodukuthi-Panakkachal-Santhigi hills	Not to grant E.C	The Authority decided to send a reply to the applicant informing that no application for EC has been received. District Collector, Idukki will also be informed for enquiry and suitable action.
6.	Sri. Haridasan Pulikkani, Kottasserry colony, Chirayil, O.O., Kondotty, Malappuram-673638	Complaint against granite quarry and crusher unit of Sri. KunnummalMannithodiKo yamu at Nediyrrippu, Kondotty, Malappuram	To cancel the E.C acquired through filing bogus statements	The Authority decided to conduct detailed examination and to consider in the next meeting.(File No.814/SEIAA)

7.	Sri. Sirajudheen, Convenor, Paristhithi Janakeeya Samithi, Kunnikkalakkathu House, PonnaniNagaram P.O., and others	Illegal sand mining from the stretches of Ponnani river	Not to grant E.C	The Authority decided to consider the complaint when application for EC is received and hence the party to be informed to approach District Collector, for suitable action
8.	Sri. T. N. Mukundan, Thadathil house, Veluppadam P.O., Varantharappilly, Thrissur-680311	Complaint Against M/S Malabar Developers, Kozhikkodu, Sri. O.Asheer, M/s Gold Touch Jewell World, Kozhikkod, Sri. A. K Nishad, M/s Prosor Developers, Kozhikkodu	Not to grant E.C to these building projects	The Authority decided to consider the complaint when the proposal is processed.(File No.1078/EC1/SEIAA/2 016)
9.	Sri. Venu Mulamthuruthy vettathu nechikkathil, Pyngarapilli P.O Ernakulam	Don't extent the validity period of EC. No.99/2015/OE, EC. No.44/2016/OE, 1032/SEIAA/EC3/267/16	Protection for Manakkamala, Kanayannur Taluk, Mulamthuruthy Gramapamchay ath, Ernakulam	The Authority decided not to extend the validity period.

The Authority decided that in future general complaints in cases where Environmental Clearance is not issued is not to be considered by SEIAA, and the Administrator was authorised to forward such complaints to District Collector for enquiry and suitable action with the approval of Chairman, SEIAA.

Item No: 62.03

Removal of Ordinary earth/Brick earth/ laterite building stone
Environmental Clearance issued-Applications for extension of
period of validity of Environmental Clearance.

Sl. No.	Name of Applicant	Date & Number of E.C.	Quantity to be removed M ³	Decision of SEIAA
1	Sri. P.A. Nishad	44/OE/2016&30-4-2016 File no, 1013/EC4/5190/2015/SE IAA	66066 m ³	The Authority decided to find out from the geologist how much has actually been removed and then place in the next meeting.
2	Sri. Boban Joseph	113/OE/2014&11-08- 2016,File No. 920/SEIAA/EC3/3858/2 015	4000m ³	The Authority decided to grant extension for six months
3	Smt. EliyammaVarky	68/2016/OE&30-04- 2016, File no.884/ SEIAA/EC3/3280/15	10000m ³	The Authority decided to grant extension of period for six months

4.	Sri. Bobby Paul	65/2016/OE&30-4-2016 File no.1035/SEIAA/EC3/446 /2016	20000 m ³	The Authority decided to examine the case thoroughly and place in the next meeting.
5	Sri. P.M. Yohanan	99/2015/OE& 25-11-20154 File no.798/SEIAA/ec3/2031/ 2015	9000m ³	The Authority decided to verify whether District Collector's NOC has since been received and place in the next meeting for a decision
6	Sri.K.C Thambi, Chettukuzhiyil (h) Thiruvaniyur P.O. Puthencruz, Ernakulam	28.01.2016& 04/02/16/OE Validity expired on 27.7.2016. already removed 250 metric tonns (103.88m ³)	2500m ³	Already approved the order of extension in 58 th SEIAA as item no.58.02 but not issued on time due to non availability of closed files hence decided to grant extension for 6 months
7.	V.K Rasheed Kannathu Parambil, Puunithura, Ponnuranni, Cochin Ernakulam	E.C No. 05dated 28-1-2016. File No. 829/SEIAA/EC3/2663/2 015 (Already approved the order of extension not issued on time.)	2000 m ³	The Authority decided to examine why the approved order for extension was not issued on time as the proposal was already approved the order of extension in the 55 th SEIAA as item no.55.03 but not issued on time due to non availability of closed files hence it is decided to grant extension for 6 months
8.	Sri. K. C. Thomas, Managing Director, Thomson Tiles(P) Ltd, Annallur, Thrissur-680734	E.C.No.108/2016/OE dated 01-06-2016. Validity expires on 31-12-2016 (File No. 631/SEIAA/EC1/4860/2 016)	1600m ³	The Authority decided to grant extension of period for six months
9.	Sri. Gangadharan, Pattilikkadan House, Nandipulam P.O., Thrissur-680312	E.C No.60/ 2015/ OE (File No. 780 /SEIAA/ EC1/1039/2014) dated 03.08. 2015 (One time extension has already granted)	2,000 m ³	The Authority decided to grant one more extension for six months.

10	Sri. Basil George, Madappilly, Edathala P.O., Pookkattupady, Aluva-683561.	E.C No.53/ 2016/ OE (File No.942/SEIAA/EC1/410 3/15) dated 30.04. 2016	5,000 m ³	The Authority decided to give one more extension.
11.	Sri. P. A. Pauly, Pullikkal House Mannampettah, Varakkara P.O., Thrissur- 680302	E.C No.80/ 2016/ OE (File No.1022/SEIAA/EC1/02 8/16) dated 30.04. 2016	37,500 m ³	The Authority decided to grant extension of period for six months
12.	Sri. P.A. Nishad	EC.No.01/2016/OE(File No. 947/ec3/4116/2015) dated 27.01.2016	80000 m ³	The Authority decided to check how much has been removed so far as above and decide in the next meeting.
13.	Sri. P.A. Nishad	EC.No.01/2016/OE(File No. 949/ec3/4162/2015) dated 27.01.2016	80000 m ³	The Authority decided to check how much has been removed so far as above and decide in the next meeting.

Item No: 62.04

Environmental Clearance for removal of ordinary earth in Sy. No. 168/1, at Thazhakkara Village, Mavelikkara Taluk, Alappuzha District by Sri.Babu Divakaran (File No. 1045/SEIAA/EC4/840/2016)

Sri.Babu Divakaran, Thachayil Veedu, Thazhakkara P.O, Mavelikkara, Alappuzha – 690 102 has applied for Environmental Clearance for the removal of 5,000 m³ of ordinary earth from an area of 18.70 Ares of land in Sy. No. 168/1, at Thazhakkara Village, Mavelikkara Taluk, Alappuzha District for the purpose of house construction.

On 19-9-2016 the proponent submitted a representation to sanction the proposed quantity as 5000 m³ instead of 540 m³ as recommended by SEAC since the purpose of end use is for railway work. But the proponent has not produced Railway work order certified by Executive Engineer, Southern Railway.

The proposal was considered in the 59th meeting of SEIAA held on 27/09/2016. The minutes of the said meeting "On 19-9-2016 the proponent submitted a representation to sanction the proposed quantity of 5000 m³ instead of 540 m³ as recommended by SEAC in its 60th meeting held on 28th & 29th July 2016; since the end use is for railway work. But the proponent has not produced any document to prove the requirement for railway. If acceptable certificate of railway

authorities is produced the case may be referred to SEAC for recommendation on allowing more quantity".

On 15/10/2016 the proponent submitted a representation stating that he cancelled the railway work order and produced a new work order no-001/2016-17/CCIPL/TVM dated 15/04/2016 and sanction letter from Kerala Water Authority.

The proposal was considered in the 64th Meeting of SEAC held on 16th and 17th November 2016. The committee appraised the proposal and found that originally the SEAC recommended to remove 540m³ of earth for construction of a house based on the proceedings of the Geologist No. 442/15-16/MM/OE/DOA/242/16 dated 10.02.2016. But now as per the present rules and OMs, EC is not required for the removal of ordinary earth for the construction of dwelling unit. Hence the proponent doesn't require an Environment Clearance for removal of earth and hence the proposal may be delisted.

Therefore the Authority decided to delist the proposal as per the recommendation of SEAC and inform the party to approach DEAC for consideration of his representation dt.15.10.2016 with a new application.

Item No: 62.05

Environmental clearance for proposed mining project in Sy. Nos. 229/1, 229/13, 229/9, 229/9-1, 234/10, 234/11, 234/3, 234/4, 234/5, 234/6, 234/8-2, 234/9-1, 238/12, 238/13-2, 238/16-2, 238/17-2, 240/10, 240/11, 240/7, 240/7-1, 240/7-2, 240/8, 240/9, 241/10, 241/1-1, 241/1-2, 241/12-16, 241/12-17, 241/12-2, 241/13-1, 241/18, 241/2, 241/4, 241/5, 241/6, 241/7, 241/8, 241/8-1, 241/9-1, 242/1, 242/2, 242/4-2, 242/4-3, 242/5, 242/6, 242/7, 242/8, 245/4, 245/5, 245/6, 245/6-1, 245/6-2, 245/6-3 and 245/6-4 at Aruvikkara Village and Panchayath, Nedumangad Taluk, Thiruvananthapuram District, Kerala by M/s Travancore Blue Metal Industries (P) Ltd. (File No. 152/SEIAA/EC1/3072/2013)

Sri. P. V. Suresh Kumar, Director of M/s Travancore Blue Metal Industries (P) Ltd., vide his application received on 08-11-2013, has sought Environmental Clearance under EIA Notification, 2006 for the proposed mining project in Sy. Nos. 229/1, 229/13, 229/9, 229/9-1, 234/10, 234/11, 234/3, 234/4, 234/5, 234/6, 234/8-2, 234/9-1, 238/12, 238/13-2, 238/16-2, 238/17-2, 240/10, 240/11, 240/7, 240/7-1, 240/7-2, 240/8, 240/9, 241/10, 241/1-1, 241/1-2, 241/12-16, 241/12-17, 241/12-2, 241/13-1, 241/18, 241/2, 241/4, 241/5, 241/6, 241/7, 241/8, 241/8-1, 241/9-1, 242/1, 242/2, 242/4-2, 242/4-3, 242/5, 242/6, 242/7, 242/8, 245/4, 245/5,

245/6, 245/6-1, 245/6-2, 245/6-3 and 245/6-4 at Aruvikkara Village and Panchayath, Nedumangad Taluk, Thiruvananthapuram District, Kerala for an area of 9.2152 hectares.

Out of the total 26.2 hectares of land owned by the proponent, the lease area consists of 9.2152 hectares which is private land and the present land use is quarrying activities. The current proposal is for the new quarry and mineral specific and hence no alternate site was examined. The proposed quarry site is private owned land.

Date of submission of Application	30.10.2013 and submit the revised Form-1 and mining plan for an area of 12.0836 ha on 09.09.2016
Brief description of the project.	Quarry project with an area of Proposed new (9.2152 ha.) + existing mine within cluster area (2.8684 ha) and production capacity of 3,83,000 MTA
Extent of area in hectares	12.0836 hectares Proposed new (9.2152 ha.) + existing mine lease (4 Nos.) within cluster area (2.8684 ha)

The proposal was considered in the 22nd SEAC meeting held on 7th December 2013 and was deferred for site inspection directing the proponent to produce certain clarifications/documents before SEAC for further consideration of the proposal.

On submission of the clarifications by the proponent, the item was placed in 30th SEAC meeting held on 6th and 7th June 2014 considered the proposal under agenda item no. 30.56. The Committee verified the additional clarifications/documents submitted by the proponent, which were found to be satisfactory. Hence the proposal was recommended for environmental clearance stipulating usual conditions for mining projects, avoiding site inspection at present.

The application and recommendations of SEAC were examined by SEIAA in its 33rd meeting held on 24-09-2014. The Authority noticed that the project is for quarrying in 9.2152 ha. Project implementation period is 17 years. It is reported that though the expert team of SEAC visited the site on 10-12-2013, due to time constraints, it has been decided to visit the site at a later date. Report of the second site inspection is lacking without which the full impact assessment cannot be made. SEIAA decided to call for the report of the second visit, for which the case is referred to SEAC, to resubmit with all required documents.

Further to the decision of SEIAA in its 33rd meeting, the proposal was again considered by SEAC in its 35th meeting held on 17th and 18th October and the committee deferred the item for field visit to assess the ground reality. In the meantime the tenure of SEIAA ended and so the site inspection was not carried out.

Then the proponent filed W.P (C) No. 8403/2015, that the denial of EC to the petitioner infringes their fundamental right vested as per Arts. 14 & 19 of the Constitution of India. The Hon. High Court has passed the judgement dated 25th June 2015, that "...the petitioner shall approach the first respondent on 09-07-2015 and the first respondent shall give a date of hearing within one month from the date of appearance and dispose the same at any rate within one month from the date of hearing afforded".

The proposal was considered by SEAC in its 46th meeting held on 29th to 30th September 2015. The Committee found that the proponent has yet to submit the mining plan in accordance with the KMMC Rule, 2015 and the appraisal including field visit cannot be carried out since the proponent informed that the mining plan was not approved. Hence it was decided to intimate the facts to SEIAA to take a decision in accordance with the order of the Hon'ble High Court. On submission of the approved mining plan as per KMMC Rules 2015, the proposal was considered by SEAC in its 49th meeting held on 7/8-12-2015. Since the quarry is working in the neighbourhood of other quarries and Karamana river is flowing near the said quarries, the committee felt that field inspection is necessary to look into the cluster situation. Hence the item is deferred for field inspection.

Field visit to the Quarry was carried out on 13.01.2016 by the sub-committee of SEAC, Kerala, comprising Dr. K. Harikrishnan and Sri. John Mathai . The representatives of the Proponent were present at the site at the time of site visit.

"The project is located at about 1.5 km south of Aruvikkara dam. This quarry lease area of 9.2152 ha falling in own land occupy the crestal and upper N & S slopes of a prominent hill ridge exposing hard rock. It is demarcated with pillars with distinctive numbers along with GPS coordinates. The lease area is yet to be developed. Adjacent to this lease area quarries are in operation on the eastern side and are owned by the proponent. In addition, Govt 'puramboke land' (reported as 0.4 ha and 1.47 ha) exposing hard rock, for which quarry lease has been taken by the same proponent, are seen with common boundary to this lease area. Another major quarry of Metarock Pvt Ltd is seen within 500 m of this unit for which EC has been recommended by SEAC Kerala. A crusher unit is functioning in the summit region. The rock type is a mixture of leucocratic gneiss and charnockite. Pockets of weathered rock with about 1 m thick over burden (OB) and top soil is seen interspersed with rock out crops. The entire drainage from the elevated land flows as sheet flow without any channelisation. Karamana river is within 500 m. RWH is not practised for the existing quarries. Rubber

is the dominant landuse while other trees like coconut, jack and cashew are also seen. Floral biodiversity is not observed as there is considerable disturbance on plantation. Dwelling units are not seen in the immediate vicinity of 100 m.

Based on an overall evaluation of the site, the quarry operations may be recommended with following conditions:

- 1. The proponent must submit the total lease area i.e., the present lease area, the area presently quarried and Govt. Poramboke proposed to be quarried. The total area along with that of Metarock ltd should be below 25 ha.*
- 2. The working quarries with very steep cliff like feature may be demarcated and fenced as danger zones with sign boards.*
- 3. Storm water drainage from the upper part must be channelised properly and let out through well-defined channels. Considering the topography catch water drain should also be provided. Water must be clarified such that silt does not reach the river. The present system of letting out water by the side of the main approach road appears inadequate.*
- 4. The RWH structure should be provided.*
- 5. The CSR need redrafting with inclusion of felt needs of the locality. Maintenance of the road on the northern side (in very bad condition and mostly used by the vehicle from this unit) should be included in CSR”.*

The proposal was considered by SEAC in its 52nd meeting held on 8/8-02-2016. The proposal was appraised by SEAC by considering Form-1, Prefeasibility Report, and Mining Plan, Field Inspection Report and other documents and details pertaining to the application. The sub-committee has reported illegal mining by the proponent from areas adjoining to the proposed area. Hence the proponent has committed a violation. Also two adjoining Purambokku bits for which the proponent has lease, are not seen included in the proposal. Hence the Committee recommended to take action against violation and also to direct the proponent to resubmit revised mining plan including the above Govt. Purambokku bits.

The proponent has submitted the following explanations on the findings of SEAC.

- 1. No mining has been done in the area under consideration.*
- 2. The site where quarrying is going on and which is pointed out as the case of violation has lease from 2010 .Operation of this quarry is not illegal as per the interim order dated 30-9-2015 of the Hon. Supreme Court in SLP No. 30103 /15 filed by Sri.T.K.Thomas.*

3. They do not propose to mine in the government Poramboke adjacent to their property, except where they have lease and for which mining plan is not necessary.
4. The committee has not found any adverse impact on environment which is the consideration of the committee a per the EIA notification.
5. No illegality in respect of the land involved in the application has been reported.

The matter was relooked by SEIAA in its 51st meeting held on 29-3-2016 and found that, in view of the Court orders the proponent is now eligible to apply for E.C for the new areas though he has lease in the adjoining area and mining carried out elsewhere under existing lease. As SEAC has not made any clear recommendations otherwise on consideration of the findings made in the 52nd meeting (52.01) the case was referred to SEAC for appraisal of the application with reference to the extent and Mining Plan as now applied for and subject to the result of SLP. No.30103 /15 of the Hon. Supreme Court in the event of the proponent submitting a notarised affidavit to the effect that no mining will be done in the government poromboke adjacent to their property where they do not have lease and where they have lease and quarrying is going on, the matter will be subject to the decision of the Hon. Supreme Court in the SLP No. 30103/2015 in which the Hon'ble Supreme Court has issued interim order to maintain statusquo as on 30.10.2015. the proponent is entitled to the benefit of the interim order.

56th meeting of SEAC held on 6-7 June, 2016 has considered the matter for hearing the proponent. The Proponent appeared before the Committee and submitted to reconsider the decision of the Committee taken in its 52nd meeting. After examining the details, the Committee members explained the proponent that from the environmental point of view, it is better to formulate a mining plan for all areas including lease areas. Therefore Committee informed the proponent that there was no reason to change its earlier decision.

The proponent had submitted the approved mining plan as per KMMC Rules-2015 for all his individual lease areas (4nos.) and a comprehensive form-1 application. In view of this the proposal was placed in the 60th meeting of SEAC held on 28th and 29th July, 2016 for appropriate decision. But due to time constrain the case was deferred to next meeting. In the meantime proponent has again submitted a single comprehensive mining plan and a revised form-1 seeking EC for a total area of 12.0836 ha. Nine Sy. Nos. are now newly added to the earlier proposal seeking EC for 9.2152ha.

Area	Ownership of Land	Status of Land
------	-------------------	----------------

(in ha.)		
0.5983	Govt. land with NOC from District Collector	No mining, valid mine lease validity up to 17/05/2020
0.3880	Govt. land with NOC from District Collector	No mining, valid mine lease validity up to 17/05/2020
0.4040	Govt. land with NOC from District Collector	Mining in progress with valid mine lease validity up to 17/05/2020
1.4781	Pvt. Own Land	Mining in progress with valid mine lease validity up to 27/07/2020
9.2152	Pvt. Own Land	Area for Environment Clearance as per the old application

Area (hectares)	Production (MTA)	Sy. Nos.
Proposed area = 9.2152 ha.	3,00,000	229/1, 234/3, 234/4, 234/5, 234/6, 234/8, 234/9, 234/10, 234/11, 238/12, 238/13, 238/16, 238/17, 229/9, 229/13, 240/7, 240/8, 240/9, 240/10, 240/11, 241/1, 241/2, 241/4, 241/5, 241/6, 241/7, 241/8, 241/9, 241/10, 241/12, 241/13, 242/1, 242/2, 242/4, 242/5, 242/6, 242/7, 242/8, 245/4, 245/5, 245/6
Cluster Area = 2.8684 ha. 4 Lease areas (1.4781 ha + 0.5983 ha + 0.4040 ha + 0.3880 ha)	83,000 (24,000 + 21,000 + 20,000 + 18,000)	231/1, 241/3, 245/7, 245/9, 245/11, 293/7, 294/1, 294/3, 294/18
Total Area = 12.0836 ha. (9.2152 ha + 2.8684 ha.)	3,83,000 (3,00,000 + 83,000)	

The proposal was considered in the 64th Meeting of SEAC held on 16th and 17th November 2016. The proponent and RQP attended the meeting and made a Power Point Presentation. The committee appraised the proposal based on the Mining Plan, Pre-feasibility Report and all other documents submitted along with Form.1.

The total area is 12.0836 ha out of which, 4 lease area (all having validity up to 2020) are there. Out of this quarrying is being done in two lease areas. Other two are undistributed. A crusher is associated with the quarry. Another quarry, Meta Rock, with Environment Clearance is working near to the quarry. The CSR is an amount of 18 lakhs per annum for recurring activities & 12 lakhs for non-recurring activities.

The committee decided to recommend the item with the following specific conditions in addition to the general conditions.

1. Steep cliff like feature may be demarcated and fenced as danger zones with sign boards.
2. Storm water drainage from the upper part must be channelized properly and let out through well-defined channels. Catch water drains should be provided and water must be clarified to avoid silt to reach the river. Avoid letting out water by the side of the main approach road.
3. The Rain Water Harvest structure should be provided.

The Authority accept the recommendation of SEAC and to issue EC on the submission of an affidavit that the above specific conditions shall be fulfilled before continuing with mining. 'No Cluster Certificate' should also be produced and CSR activity fully undertaken.

Item No: 62.06

Environmental clearance for proposed quarry project in Sy. Nos. 515/3, 517/1, 532/2,3,4,5,7,9,19,20,22& 30 at vellarada Village and Panchayath, Trivandrum Taluk, Trivandrum District, Kerala by M/s Bluemount sands and Aggregates Pvt. Ltd.(File No. 156/SEIAA/EC1/3247/2013)

Sri.Sajan Mani, Managing Director of M/s Blue Mount Sands & Aggregates Pvt. Ltd., vide his application received on 13-11-2013 and prima facie accepted on 20-11-2013, has sought Environmental Clearance under EIA Notification, 2006 for the proposed quarry project in Sy. Nos. 515/3, 517/1, 532/2, 3, 4, 5, 7, 9, 19, 20, 22 and 30 at Vellarada Village and Panchayath, Neyyattinkara Taluk, Thiruvananthapuram District, Kerala for quarrying of 90,000 MTA of building stone from an area of 1.5176 hectares.

The proposal was placed in 54th meeting of SEAC held on 6/7-04-2016 for hearing the proponent in compliance of the decision of the Hon'ble High Court.

The proponent has appeared before the committee and informed that he will operate the quarry only after getting the Environmental Clearance. The committee decided to defer the item for the submission of approved mining plan.

As he has not submitted the mining plan so far after the intimation vide letter no. 156/SEIAA/EC1/3247/2013 dtd. 20.07.2016 the proposal was considered in the 64th Meeting of SEAC held on 16th and 17th November 2016.

The committee observed that the proponent has not submitted the Mining Plan even three months after his request seeking more time for submission. Hence the Committee decided to recommend to delist the proposal.

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

Item No: 62.07

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.Mohanan, M.E. (File No. 552/SEIAA/KL/4086/2014)

Sri.Mohanan 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 proposal was considered in the 48th meeting held on 6th & 7th November 2015, again in the 55th meeting held on 10/11/20-05-2016, in the 60th meeting of SEAC held on 28/29 July 2016 and also in the 64th Meeting of SEAC held on 16th and 17th November 2016. The 55th meeting of SEAC observed that the quarry was in operation in violation of the rules.

54th meeting of the SEIAA held on 21-6-2016 noticed that,

'Resolved to refer the case back to SEAC to clarify the rule that has been violated by this working quarry'.

Thereon the 60th meeting of SEAC held on 28th & 29th July 2016 recommended violation proceedings since the quarry was in operation and remarked that SEIAA may take appropriate decision regarding initiation of violation proceedings. 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. The proposal was considered in the 64th meeting of

SEAC held on 16th & 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 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.

Therefore the Authority decided to defer the case for re-examination and take a decision in the next meeting.

Item No: 62.08

Environmental clearance for the quarry project in Sy. No. 133/6-1, 134/9-1, 134/9-2, 134/13, 135/2 and 135/4-1 at Manikkal Village, Nedumangadu Taluk, Thiruvananthapuram District by Sri. P. Vijayan Nair, for M/s Kunjikuzhi Stones (File No. 708/SEIAA/ EC1/5685/2014)

Sri. P. Vijayan Nair, Proprietor, M/s Kunjikuzhi Stones, ArunNivas, Kathikampara, Marangadu P.O., Nedumangadu, Thiruvananthapuram District vide his application received on 02/12/2014 has sought Environmental Clearance under EIA Notification, 2006 for the quarry project in Sy. No. 133/6-1, 134/9-1, 134/9-2, 134/13, 135/2 and 135/4-1 at Manikkal Village, Nedumangadu Taluk, Thiruvananthapuram District for an area of 1.7720 hectares.

On submission of documents regarding change of proponent's name the item was placed in 48th SEAC committee held on 6/7-10-2015. The committee deferred the proposal for submission of revised mining plan as per KMMC rule 2015. The committee also sought the clarification regarding the registration of the project as company or not. On verification it has been found that it is a quarry working on the basis of partnership deed.

On receipt of revised mining plan the proposal was considered by SEAC in its 52nd meeting held on 8/9-02-2016. The Committee after examining the Mining Plan, Prefeasibility Report, Field Inspection Report and all other documents submitted decided to recommend for issuance of EC subject to general conditions in addition to the following specific condition for mining.

1. Storage of explosives should be strictly done in accordance with relevant rules.
2. Adequate safety distance shall be provided from the nearby residential buildings.
3. Access road to the mining area should be maintained in good condition.
4. Adequate protective fencing should be provided at vulnerable points.

5. To the extent possible local Biodiversity Management Committee shall be involved in the environmental management/restoration activities.
6. Reclamation and eco-restoration should be done by planting native species.

The proposal was considered by SEIAA in its 51st meeting held on 29-03-2016 as Agenda item no. 51.20. The Authority found that there is mention in the inspection report that there are a few houses vulnerable in the vicinity of the mining area. It was therefore decided to direct the proponent to get a certificate of no residence within 100 meters of the boundary of the mining area from the Village Officer and to submit to the Authority. CSR amount to be specified. E.C to be granted after the above requirements is satisfied.

The proponent has submitted the certificate from Village Officer, Manikkal Village to prove there is no residence within 100 m of boundary of the mining area and he also provided the detailed CSR activities. The case was placed before 54th meeting of the SEIAA held on 21-6-2016 for appropriate decision on the grant of E.C.; while considering the matter it was noticed that,

The proposal was considered by SEIAA in its 51st meeting held on 29-03-2016 .The Authority found that there is mention in the inspection report that there are a few houses 'vulnerable' in the vicinity of the mining area. It was therefore decided to direct the proponent to get a certificate of no residence within 100 meters of the boundary of the mining area from the Village Officer and to submit to the Authority. CSR amount to be specified, E.C to be granted after the above requirements is satisfied. Accordingly the proponent submitted the certificate from Village Officer, Manikkal Village that there is no residence within 100 m of boundary of the mining area and he also provided the detailed CSR activities. The Authority held that the report that 'there are a few houses' vulnerable' in the 'vicinity' is ambiguous. It was decided to get clarification of SEAC whether the 'vulnerability' would affect security of the houses, and whether the houses beyond 100meters are 'vulnerable'.

The proposal was considered in the 60th Meeting of SEAC held on 28th & 29th July 2016. The proposal was appraised by SEAC considering Form I, mining plan and field visit report and all other documents and details provided by the proponent. As per the clarifications sought in the field visit report, the proponent submitted necessary documents.

SEIAA asked for a clarification from SEAC in its 54th meeting held on 21-6-2016 on the issue of perceived "vulnerability" of houses in the vicinity. SEAC discussed the matter and decided to inform SEIAA the rationale of its decision.

The SEAC felt that nearby houses are slightly vulnerable but vulnerability can be mitigated by providing fencing and therefore insisted the 4th item of the specific conditions which can mitigate such vulnerability.

59th meeting of SEIAA held on 27th September 2016 had considered the matter and observed that:

SEIAA in its 54th meeting held on 21-6-2016 asked for a clarification from SEAC on the issue of perceived "vulnerability" of houses in the vicinity. SEAC in the 60th meeting held on 28/29-7-2016 felt that nearby houses are 'slightly vulnerable' but vulnerability can be mitigated by providing fencing and therefore insisted the 4th item of the specific conditions recommended in the 52nd meeting on 8/8-2-2016. Authority resolved to refer the case to SEAC to suggest in terms of the assessed vulnerability, specific measures for mitigation in terms of the recommendations.

The proposal was again considered in the 64th Meeting of SEAC held on 16th and 17th November 2016. The committee verified the proposals and found that if the residential buildings are closer to the mining operations, there is a possibility of damage due to fly rocks. But in this case as stipulated in the KMMR 2015, it has been assured that, there is no such residential building within 100m. The Village Officer has also furnished a report in this regard. Therefore condition numbers 2 and 4 recommended in the 52nd meeting of SEAC are sufficient enough to safeguard against the vulnerability. Hence EC can be issued as recommended earlier.

Sri.Vijayan Nair, Proprietor and authorised signatory of M/s Kunjikuzhi Stones, vide letter No. Nil dated 03-10-2015, represented that they had a strategic change in operation of ^{the} our project in Sy. No. 133/6-1, 134/9-1, 134/9-2, 134/13, 135/2 and 135/4-1 at Manikkal Village, Nedumangadu Taluk, Thiruvananthapuram District, as it converted as a partnership firm.

The proponent also represented that, it has been resolved that Sri. Nitheesh Babu, B. S., S/o Babu Pillai K., 621 (7/426), Vilayil Veedu, Kuthirakulam, Pirappancode P.O., Manickal, Thiruvananthapuram, Kerala, is the Managing Partner of the firm and he is authorized to make necessary correspondence with statutory Authorities including SEIAA, in respect of the said project. The proponent has produced copy of partnership deed, photo ID proof of Sri. Nitheesh Babu, B.S, resolution by partners regarding authorized signatory. And hence the proponent requested to make changes in the application form and related documents wherever it is necessary.

The Authority decided to accept the request of the proponent and to make changes in the application form and related documents wherever it is necessary and to issue EC as recommended by SEAC in its 52nd & 64th meeting, on condition that all the specific conditions have been strictly implemented before continue^{ing} with mining and an affidavit to this effect should be submitted.

Item No: 62.09

Environmental clearance for the Proposed quarry project in Sy. Nos. 16/2/1pt, 16/2/2pt, 17/4 pt, 20/1, 20/2, 20/3, 17/5 pt, 17/7 at Ozhalapathy Village, Vadakarapathy Panchayath, Chittur Taluk, Palakkad District, Kerala by Sri. K. P. Davis (File No. 849/SEIAA/EC1/2861/2015)

Sri.K. P. Davis Managing Partner, M/s KGP Granites, Ravanankunnupara, Nattukal P.O, Palakkad District-6778554, vide his application received on 24-07-2015 has sought for Environmental Clearance under EIA Notification, 2006 for the quarry project in Sy. Nos. 16/2/1pt, 16/2/2pt, 17/4 pt, 20/1, 20/2, 20/3, 17/5 pt, 17/7 at Ozhalapathy Village, Vadakarapathy Panchayath, Chittur Taluk, Palakkad District, Kerala for an area of 4.4081 hectares.

The proposal was considered in the 64th Meeting of SEAC held on 16th and 17th November 2016. The Committee verified the additional clarifications 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 the item subject to the general conditions.

The Authority decided to grant EC subject to the general conditions and on the basis of an affidavit that the following specific clarifications mentioned in the inspection report have been fulfilled.

- Top soil and Over burden should be stored in a designated place on the lower slope away from the working area (on the eastern side) and provided with protective support walls.
- A catch water drain to be provided all along the lowest part and channelized into the existing pit. Being a rain shadow region, efforts must be directed to maximise RWH.
- Assurance that green belt will be provided around the periphery.
- Statutory facilities like drinking water, canteen, place to rest etc. should be provided to the workers in the quarry.

- The quarry should have sign boards displayed at appropriate places.
- The CSR activity needs revision as suggested in the meeting.

Commitment to take up CSR activities in consultation with the local body by incurring a recurring expenditure of Rs 10 lakhs per annum and a non-recurring expenditure of Rs 11 lakhs may be noted in the EC.

Item No: 62.10 **Environmental clearance for the quarry project in Sy. No. 1/1 at Payavoor Village, Thaliparamba Taluk, Kannur District, Kerala by Payyavoor Granites, Thaliparamba Taluk, Kannur Dist For Granite Building Stone Quarry of Payyavoor Granites.(File No. 866/SEIAA/EC4/3096/2014)**

Payyavoor Granites, Payyavoor Village, Thaliparamba Taluk, Kannur District-670633 vide his application received on (date of application), has sought Environmental Clearance under EIA Notification, 2006 for the quarry project in Sy. No. 1/1 at Payavoor Village, Thaliparamba Taluk, Kannur District-670633 Kerala for an area of 1.95 hectares.

The proposal was considered in the 64th Meeting of SEAC held on 16th and 17th November 2016. On the basis of the request made by the proponent for delisting the item, the committee decided to recommend to delist the proposal.

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

Item No: 62.11 **Environmental clearance for the quarry project in Sy. No. 148/6, 145/6, 145/5, 145/9, 145/3, 148/3, 145/7, 148/4, 145/6-1, 148/10, 145/8, 145/3-1, 145/2, 146/8, 150/1-1, 148/9 at Ezhumattoor Village, 158/3, 159/14-1, 159/15 at Kottangal Village, Mallappally Taluk and Pathanamthitta District, Kerala-686661 by Sri. K.A. Thomas, Mallappally Taluk, Pathanamthitta Dist.For M/s T.M. Constructions of Sri. K.A. Thomas. (File No.899/SEIAA/EC4/ 3460/2015)**

Sri.K.A. Thomas, Managing Partner, MML No. XX/466, Muvattupuzha, Ernakulam Kerala-686661 vide his application received on 25/08/2015, has sought Environmental Clearance under EIA Notification, 2006 for proposed quarry Project at Sy. No. 148/6, 145/6, 145/5, 145/9, 145/3, 148/3, 145/7, 148/4, 145/6-1, 148/10, 145/8, 145/3-1, 145/2, 146/8, 150/1-1, 148/9 at Ezhumattoor Village, 158/3, 159/14-1, 159/15 at Kottangal Village, Mallappally Taluk, Pathanamthitta District, Kerala-686661 for an area of 4.5491 hectares at his own patta land. Capacity of production is 121423 MT per Annum.

The proposal was considered in the 64th Meeting of SEAC held on 16th and 17th November 2016. 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 the item subject to the following specific conditions in addition to the general conditions.

1. The areas with top soil and OB in excess of 2 m seen close to the road are to be avoided while quarrying.
2. The approach road is narrow and need to be widened and surfaced for the movement of heavy vehicles.
3. 100M clear distance from quarrying area and residential buildings shall be strictly observed.
4. The CSR is modified for an amount of 7 lakhs per annum for recurring activities & 6 lakhs for non-recurring activities.

SEIAA noticed the observation of 60th meeting of SEAC held on 28th & 29th July 2016 that there are complaints about the method of working and the time of operation in the past. Also in the inspection report it is noted that dwelling units are seen within 100 m on the north eastern side close to the road.

Therefore the Authority authorised SEIAA Chairman and Member to inspect and verify the above aspects and method of working of the quarry.

Item No: 62.12

Environmental clearance for the Proposed quarry project in Sy. Nos. 172(pt) at Kodyathoor Village, Kozhikode Taluk, Kozhikode District, Kerala by Sri.O.Sivarajan (File No. 917/ SEIAA/EC4/ 3671/ 2015)

Sri.O.Sivarajan M/s Palickaparambil Granite Works, Odamannil House, Mukkam P.O, Kozhikode district Kerala State -673602, vide his application received on 14-09-2015 has sought Environmental Clearance under EIA Notification, 2006 for the quarry project in Sy. Nos. 172(pt) at Kodyathoor Village, Kozhikode Taluk, Kozhikode District, Kerala by Sri.O.Sivarajan for an area of 3.9271 hectares. The land belongs to Rosamma sebastain and Rose Merry Joseph who have given consent to O.Sivarajan Permit No.17/2016-17/GS/CRPS-DOZ/M.698/16 Dated 13.06.2016 to 12.06.2017. The proposed project is for quarrying of 57,127m³/ of building stone.

The proposal was considered in the 64th Meeting of SEAC held on 16th and 17th November 2016. 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 recommended the item subject to the following specific conditions in addition to the general conditions.

1. The entire quarry area should be fenced all around.
2. The approach road negotiating the upper slopes must be well laid and properly surfaced.
3. Steep cliff like sections to be left out as danger zones with proper sign boards.
4. Adequate structures must be provided to reduce the velocity of storm water. In addition, garland drains and catch water drain and RWH structure are to be provided.

The Authority decided to grant EC after obtaining 'no cluster certificate'. The proponent should give an affidavit that quarrying shall be continued only after fulfilling the above conditions.

Item No: 62.13

Environmental clearance for the proposed quarry project in Sy. Nos. 251/1, 251/1-1 & 251/1-2 at Pazhayakannummel Village, Chirayinkeezhu Taluk, Thiruvananthapuram District, Kerala application of Sri. K. A. Jaleel (File No. 985/ SEIAA/ EC1/4652/2015)

Sri.K. A. Jaleel, Machu Veedu, Mylakkadu P.O., Kollam District - 691 571, vide his application received on 11.11.2015, has sought Environmental Clearance under EIA Notification, 2006 for the quarry project in Sy. No. 251/1, 251/1-1 & 251/1-2 at Pazhayakannummel Village, Pazhayakannummel Grama Panchayat, Chirayinkeezhu Taluk, Thiruvananthapuram District, Kerala. The lease area consist of 2.30 hectares, which is private land. The proposal is for quarrying of 57.127 m³ /annum of building stone.

The proposal was last considered in the 64th Meeting of SEAC held on 16th and 17th November 2016. 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 the item subject to the following specific conditions in addition to the general conditions.

1. The approach to the quarry should be provided with an all weather road. The maintenance of it should be the responsibility of the proponent.

2. In the non-quarry area a separate plot may be set apart for the conservation of rare species in the vicinity.
3. A catch water drain should be provided all along to manage the storm water from the upper slopes of the quarry area. The storm water should be clarified, a part of it stored by providing a RWH and the remaining water after desiltation and clarification to be safely disposed into the stream.
4. The house belonging to Mohammed Mustafa, T P House is apparently seen within 100 m of the quarry area. However it was stated by the proponent that it is beyond 100 m. A fresh measurement is to be done and if found within 100 m, the boundary of the quarry area to be shifted accordingly. The details of the measurement are to be reported to the committee with the plan of the quarry showing the location of the houses and approach road.
5. Revised CSR activities for meeting the local needs to be furnished.

The Authority decided to send the proposal back to SEAC for confirmation whether the house belonging to Muhammed Mustafa is confirmed to be out of 100 m for consideration to issue EC.

Item No: 62.14

Environmental clearance for Housing Project (Sobha Rio Vista) in Sy. Nos. 159/28B (p) at Calicut, Feroke Petta (Chandhakadavu), Feroke Village and Panchayath, Kozhikode Taluk, Kozhikode District, Kerala by M/s Sobha Developers Ltd.(File No. 371/SEIAA/EC4/2611/2014)

Sri.Ramakrishnan Prabhakaran, Deputy Managing Director & Authorized Signatory of M/s Sobha Developers Ltd., vide his application received on 09.06.2014 and has sought environmental clearance under the EIA Notification, 2006 for the Residential cum Commercial project in Sy. Nos. 159/2B at Feroke Village, Kozhikode Taluk, Kozhikode District, Kerala. The height of the proposed building is 87 m and the total plot area of the proposed project is 14802.337 m² and the total built-up area is 58542.09 m². Total project cost is Rs.180 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 before 36th meeting of SEAC held on 31st October 2015. Committee defer the item for want of the following clarifications.

1. Safe design for mechanical support to prevent slope failure must be provided.
2. The quantity of earth to be removed and transported out of the site must be provided.
3. Dependable yield of wells must be provided. Bore wells are not advised in the area due

to presence of saline water bodies in the vicinity.

4. Ventilation with mechanical exhaust system must be provided in the vehicle parking area
5. Maintain the internal width of drive way to be at least 7 m with at least 3 m distance between drive way and proposed building. The gradient of the drive way must facilitate smooth movement of vehicles especially fire fighting equipments.
6. A barrier to be provided to a depth of at least 4 m from ground level by the side of RWH facility to isolate it from STP/fuelling station on the eastern side. Considering the fresh water scarcity the RWH must have a capacity to store at least one month fresh water need of the project”

The proponent on 22-4-2016 submitted the clarifications sought by 33rd and 36th SEAC before placing the case in SEIAA. The proposal was again placed in the 55th meeting of SEAC held on 10th, 11th and 20th of May, 2016. The committee observed that the proposal was recommended to delist in the 53rd meeting of SEAC held on 25/26, February 2016. And the item can be considered only after a decision of SEIAA on the above recommendation.

The recommendation of SEAC for delisting the proposal was on the ground that the proponent failed to respond to the decision of SEAC in its 33rd and 36th meetings for additional details. After the decision in 53rd meeting held on 25/26-02-2016, the details called for were furnished on 22/04/2016. As the matter was not brought to the consideration of SEIAA before 22/04/2016, it was proposed to bring the matter of submission of details by the proponent to the notice of SEAC before the matter is placed before SEIAA. However the SEAC in its 55th meeting held on 10/11-20-05-2016 stick to its stand to have the decision of SEIAA as its earlier recommendation to delist the application.

It is seen that the decision was on default of the proponent, which has been cured. As of now the reason for the recommendation is non-existent as the replay has been obtained, which SEAC has not taken in to consideration. The queries raised were mainly on land and design/site plan related matter. Recommendation of KCZMA, - which was called for by SEAC – had also been received (not required). As per O/M No. 22-154/2015 – 1A/III dated 10/11/2015, of MoEF, SEAC need consider only a set of 15 specific environmental parameters. The O.M also states that the SEIAA/SEAC need not focus on the other issues which are normally looked after by concerned local bodies/state Government Department/State Pollution Control Board. The matter was placed in the 54th meeting of SEIAA held on 21-6-2016. Authority decided to bring the

above O.M to the notice of SEAC for appraisal of the case, if there are no other grounds to sustain the earlier decision.

The proposal was again placed in the 60th meeting of SEAC held on 28/29-7-2016. The proposal was appraised by SEAC considering Form I, Form IA, Conceptual Plan and the other documents and details provided by the proponent. The proposal was recommended for issuance of EC subject to general condition in addition to specific condition as follows;

1. Dependable yield of well must be reported to SEIAA
2. Mechanism must be installed at the site to prevent the mixing of harvested rain water and waste water.
3. Excavated earth from the site shall be completely used internally. No part of it shall be taken out of the project site.
4. Proper ventilation shall be provided in the vehicle parking area.

The proposal was placed in 59th meeting of SEIAA held on 27-09-2016. The Authority examined the whole case in the light of the recommendations. It is seen that recurring amount given in the CSR undertaking is Rs. 12, 36,500 whereas schemes worth only Rs.10, 97,500 have been proposed. The Authority decided that the trees uprooted at the site shall be replanted in the proposed green belt as a part of greening initiatives. Proponent must furnish the entire CSR undertakings rectifying the discrepancy, to be approved by SEIAA for consideration for E.C. The proponent has submitted revised CSR undertakings before SEIAA.

The Authority decided to issue EC subject to the production of an affidavit that all the specific and general conditions shall be fulfilled.

Item No: 62.15

Environmental clearance for the residential cum commercial project in Sy. Nos. 220/13-2, 220/13-1, 220/13- 1, 220/7, 220/8-1, 220/8-2, 220/14, 221/1, 221/1-1, 221/1-2, 221/1-3 at Pangappara Village & Pangappara Panchayath, Thiruvananthapuram Taluk, Thiruvananthapuram District, Kerala by Sri. Joyis Jose, General Manger; LADDER (File No. 896/SEIAA/EC1/3457/2015)

Sri.Joyis Jose, General Manger; Kerala Land Reforms and Development Co-operative Society Limited (LADDER), vide his application received on 24.08.2015 and has sought environmental clearance under the EIA Notification, 2006 for the Residential cum Commercial

project in Sy. Nos. 220/13-2, 220/13-1, 220/13- 1, 220/7, 220/8-1, 220/8-2, 220/14, 221/1, 221/1-1, 221/1-2, 221/1-3 at Pangappara Village and Pangappara Panchayath, Thiruvananthapuram Taluk, Thiruvananthapuram District, Kerala.

The proposal was again considered in the 60th meeting of SEAC held on 28th & 29th July 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. The Committee recommended the proposal for issuance of Environmental Clearance with general conditions in addition to the specific conditions that,

1. Rainwater storage capacity shall be enhanced to 380 KL.
2. Sewage effluent disposal shall be in compliance with BIS specifications for land disposal.
3. Material Recovery Facility (MRF) shall be provided considering waste generation for 10 days.

CSR obligations have not been undertaken.

The proposal was considered by SEIAA in its 59th meeting held on 27th September 2016. Authority noted that application is for the prior environmental clearance for the proposed capital hill flat cum commercial project at Pangappara, Trivandrum. Total built up area is 35112.69 m². But the expected cost is stated to be 82 lakhs. The Authority doubted the veracity of the cost estimated. Also there is no CSR undertaking. Field visit report has also not been furnished. Authority decided to refer the case to SEAC for clarifications on the above and for field visit report.

Hence the proposal was considered in the 64th Meeting of SEAC held on 16th and 17th November 2016. The Committee observed that the cost estimate is Rs 82 crs as indicated in the application, the field inspection report was misplaced; the subcommittee has furnished a copy of the same which is incorporated in the file. As regards CSR, it is applicable only to institutions coming under Companies Act. However in the case of mining proposals considering the environmental disturbance they are causing, we insist on commitments from proponents to plough back substantial amounts for the welfare of the local communities. In the case of building proposals unless they are incorporated companies we insist only on strict environmental safe guard measures and green building protocols. The field inspection report is now incorporated in the agenda notes.

The Authority decided to grant EC on submission of revised CSR agreement and on submission of an affidavit that all the general and specific condition shall be strictly implemented.

Item No: 62.16

Environmental clearance for the Residential project Block No.212 in Re-Survey No. 27, Village Thiruvalla, Thiruvalla Taluk, Pathanamthitta District, Kerala by Sri.Shajith,K(File No. 925/SEIAA/EC4/3891/2015)

Sri.Shajith,K., (Assistant General Manager), M/s Skyline Builders, 41/349 B, Skyline House, Rajaji Road, Cochin, Kerala-682035 vide his application received on 23-09-2015, has sought Environmental Clearance under EIA Notification, 2006 for proposed Residential project at Block No.212 in Re-Survey No. 27 Village Thiruvalla, Thiruvalla Municipality, Thiruvalla Taluk, Pathanamthitta District, Kerala. Plot area of 0.8090 ha (8,090 sq.m.), Total Built-up area = 44,928 sq. m, Total Nos. of Apts. = 203 Apartments.

The proposal was last considered in the 63rd Meeting of SEAC held on 4th October 2016. The committee appraised the proposal based on the Form I, Form IA and all other documents submitted along with the application and site inspection report. The Committee recommended the proposal for issuance of EC subject to the general conditions along with the following specific conditions:

1. The storm water, after providing proper filtration mechanisms, shall be directed to deep pits inside the project area which can serve as RWH structure.
2. The deep pits should have a minimum capacity of 900 KL.

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 earmarked CSR activities shall be undertaken.

Item No: 62.17

Environmental clearance for the proposed housing project in Survey nos. 38 & 39 at Sasthamangalam Village Trivandrum Taluk and Trivandrum District, application of Sri. Roy Peter, Partner for M/s Prime Property Developers (File No. 962/SEIAA/KL/EC1/4472/2015)

Sri. Roy Peter, Partner of M/s Prime Property Developers, 3rd Floor, Temple Square, Ambalamukku Junction, Kowdiar P.O., Trivandrum, Kerala-695003, vide his application dtd. 21-10-2015, has sought environmental clearance under the EIA Notification, 2006 for the

housing project in Survey Nos. 38 & 99, Sasthamangalam Village, Trivandrum Corporation, Trivandrum Taluk & District, Kerala. Total Plot Area=0.48511 ha. (4,851.14 sq.m.), Total Built-up Area = 24,426.90 sq. m, Total No. of Apts. = 110 Apartments, Land & Machinery costs Rs.42 crores.

The proposal was considered in the 64th Meeting of SEAC held on 16th and 17th November 2016. The committee appraised the proposal and verified the field inspection report of the Sub Committee. Based on the Conceptual plan, Form.1, all other documents submitted with the proposal and the field visit report, the committee recommended the proposal subject to the following specific condition in addition to the general conditions.

1. Sufficient space for Material Recovery Facility for storing non-biodegradable waste is to be provided.
2. The quantity of solar energy to be produced to be indicated. The area earmarked for keeping solar energy battery to be clearly earmarked.
3. The dependence on public water distribution system shall be limited to drinking water needs only.

The Authority decided to grant EC on the above specific conditions in addition to the general conditions. The proponent should give an affidavit that all the specific and general conditions shall be strictly implemented and the earmarked CSR activities shall be undertaken before EC is served.

Item No: 62.18

Environmental clearance for the proposed Housing project ("The Nature by Heera") in Survey nos. 275/2, 275/2-1, 275/2-2, 275/9, 275/10, 275/11, 275/12 at Attipra Village Trivandrum Taluk and Trivandrum District, application of Dr. A. R. Babu, Managing Director for M/s Heera Construction Co. Pvt. Ltd. (File No. 969/SEIAA/EC1/4479/2015)

Dr. A. R. Babu, Managing Director, M/s Heera Construction Company Pvt. Ltd., Heera Park, M. P. Appan Road, Vazhuthacaud, Thiruvananthapuram, Kerala-695014, vide his application received on 27-10-2015, has sought environmental clearance under the EIA Notification, 2006 for the proposed Housing Project ("The Nature by Heera") by M/s Heera Construction Co. Pvt. Ltd. in Survey Nos.

275/2, 275/2-1, 275/2-2, 275/9, 275/10, 275/11, 275/12 at Attipra Village, Trivandrum Corporation, Trivandrum Taluk & District, Kerala.

Extent of area (in hectares)	Total Plot Area = 2.2076 ha.
Expected cost of the project	Rs. 152 Crores

The proposal was first placed in 59th meeting of SEAC held on 11th and 12th July, 2016 and deferred the item for field visit.

The subcommittee consisting of Sri. S. Ajayakumar, Sri. John Mathai and Sri. Sreekumaran Nair conducted the site inspection of the project of Sri. A.R. Babu, Managing Director, M/s Heera Construction Company Pvt. Ltd., Heera nature at Manvila, Attipra village on 30.9.2016. The report is as follows:

There is considerable difference in the contour plan submitted earlier and cross section drawing submitted on direction by SEAC during the presentation. The representatives could not explain the discrepancy. During the site visit, it was found that earthwork excavation to a depth of 5.7 m is already done presumably based on an earlier building permit received from local body. The proposal may be recommended based on the following conditions.

- a. Minimum 5 m gap should be provided between 4 main blocks to facilitate adequate wind flow.*
- b. Rain water storage capacity should be enhanced to 3000KL.*
- c. Considering the elevated nature of the plot, dependable source of water must be provided*
- d. Roadside drainage should be provided by the proponent on his own cost till the available road side drainage which is about 600 m away. Storm water recharge pits of adequate capacity should be constructed. Its plan should be submitted.*
- e. Solid waste disposal system and sewage disposal system should be provided in house*
- f. Width of the access road is only 7.5 m. It is argued that there is another road abutting rear side of the plot and therefore the proposal may be permitted. However, on inspection, this rear side road is joining the front side road and*

therefore cannot be considered as a separate road. A project of this size needs at least 10 m wide road. Therefore the area of the building may be limited considering the capacity of the 7.5 m wide access road. A road having 7.5m width can accommodate about 24000 m² of area as per Kerala Municipal Building Rules. A local wayside market gathering affects smooth traffic flow and relocation of market founds inevitable as the width of road is extremely inadequate to contain even existing traffic flow. Therefore, the committee may consider limiting the building area to 24000m² (twenty four thousand square metres only).

In the note file of this file, a noting is seen that a pond is existing in the cadastral map. SEIAA may take cognizance of this matter.

The proposal was considered in the 64th Meeting of SEAC held on 16th and 17th November 2016. The committee verified the proposal and the field verification report and observed that, considering the hustle-bustle of the local wayside market, the available road width of 7.5 m is extremely inadequate to contain the existing traffic flow. Hence the committee decided that it is better to reduce the built up area to 24000m². Hence the Committee recommended to SEIAA either to reject the proposal or to suggest the proponent to resubmit it with the following changes.

- 1) The built up area must be reduced to 24,000m².
- 2) Minimum 5 m gap should be provided between 4 main blocks to facilitate adequate wind flow.
- 3) Adequate rain water harvesting provisions should be provided
- 4) Roadside drainage should be provided by the proponent on his own cost up to the existing road side drainage which is about 600m away.
- 5) Solid waste disposal system and sewage disposal system should provided

The Authority decided to send the proposal back to SEAC for clear recommendation particularly examining how the first 2 conditions can be fulfilled and also considering the points raised in the Inspection Report.

Item No: 62.19

Environmental Clearance for the proposed housing project ("Heera Atmosphere") in Sy. Nos. 2659/A3, 2659/B, 1501, 1501/1, 1502/A, 1503, 1499, 1500, 1502/B, 2659/A2, 2659/A1, 1498, 1498/1, 1498/1-1, 1487, 1504/1, 1504/8-5, 1496/B1-2-1, 1496/A2-3-1, 1496/B1-2-4, 1496/B-1, 1496/A-2, 1496/B-1-2-2-1, 1489/1-1, 1488/6, 1488/7, 2671/1-2-1, 2671/1-1, 1495/1 at Kowdiar Village, Trivandrum Taluk and District. Application of Dr. A. R. Babu, Managing Director for M/s Heera

Construction Co. Pvt. Ltd. (File No. 970/SEIAA/EC1/4480/2015)

Dr. A. R. Babu, Managing Director, M/s Heera Construction Company Pvt. Ltd., Heera Park, M. P. Appan Road, Vazhuthacaud, Thiruvananthapuram, Kerala - 695014, vide his application received on 27/10/2015, has sought environmental clearance under the EIA Notification, 2006 for the housing project in Survey Nos. 2659/A3, 2659/B, 1501, 1501/1, 1502/A, 1503, 1499, 1500, 1502/B, 2659/A2, 2659/A1, 1498, 1498/1, 1498/1-1, 1487, 1504/1, 1504/8-5, 1496/B1-2-1, 1496/A2-3-1, 1496/B1-2-4, 1496/B-1, 1496/A-2, 1496/B-1-2-2-1, 1489/1-1, 1488/6, 1488/7, 2671/1-2-1, 2671/1-1, 1495/1 at Kowdiar Village, Thiruvananthapuram Taluk & District, Kerala.

Extent of area (in hectares)	2.2703 hectare (22,703.62 sq. m.)
Expected cost of the project	Rs. 269 Crores

The proposal was first placed in 59th meeting of SEAC held on 11th and 12th July, 2016 deferred the item for field visit. The subcommittee consisting of Sri. S. Ajayakumar, Sri. John Mathai and Sri. Sreekumaran Nair conducted the site inspection of project of Sri. A. R. Babu, Managing Director, M/s Heera Construction Company Pvt. Ltd. Heera Atmosphere, Kowdiar village on 30.9.2016. The report is as follows:

- 1. The SEAC meeting has directed the proponent to provide adequate drainage capacity. The proponent has submitted drawings showing garland drains. These drains are to be developed and connected to existing drain of limited capacity. However, these road side drains should be increased in size to hold the peak rain flow and to avoid flooding of the road. Storm water /run off estimation to justify garland drain cross section and gradient to avoid scouring velocity is found inevitable. The public drain of entire catchment find its way to proponents property and unhindered flow is to be ensured to maintain easement right*
- 2. Solid waste disposal system and sewage disposal system should be provided in house.*
- 3. A project of this size needs at least 10 m wide road. There are two roads giving access to this site. The road leading to Kesavadasapuram have width ranging from 5.0 to 5.2 m and the one leading Muttada- Marappalam road is having a width of 5.2 to 5.7. Therefore, the committee may consider limiting the area of the building. A road having 6 m width can accommodate about 18000 m² of area as*

per Kerala Municipal Building Rules. Therefore, considering two such roads giving access to the plot, the committee may consider limiting the building area to 36000m²(Thirty six thousand square metres only).

The proposal was considered in the 64th Meeting of SEAC held on 16th and 17th November 2016. The committee found that cadastral map attached is of Madathuvilakom village while the proposal is in Kowdiar village. SEIAA may verify before issuing EC. On examining the proposal and the field inspection report the Committee noted that a project of the proposed size should have a minimum of 10 m wide access road. Therefore decided to recommend to SEIAA either to reject the proposal or to suggest to the proponent to resubmit it with the following changes.

1. The built up area to be limited to 36000m².
2. Provide adequate solid waste disposal measures.
3. The cadastral map of the proposed area shall also to be produced.

The Authority decided to send the proposal back to SEAC for clear recommendation. It has been brought to the attention of SEAC in several earlier minutes too, not to give ambiguous recommendation like this.

Item No: 62.20

Environmental Clearance for proposed Hospital Project in Sy. Nos. 16/1, 17/1, 17/4, 17/5, 21/9, 21/11, 22/5, 22/6, 22/8, 22/12 at Edakkad Village and Edakkad Panchayath, Kannur Taluk, Kannur District, Kerala by Sri. E.K.AbdulHameed for Genesis Institute of Medical Science Pvt. Ltd.(File No. 971/EC4/4482/2015/SEIAA)

Sri. E.K. Abdul Hameed, Genesis Institute of Medical Science Pvt. Ltd, Ground Floor, JR Complex, Talap, Kannur – 670 004 vide his application received on 28/10/2015 and has sought environmental clearance under the EIA Notification, 2006 for the Residential cum Commercial project in Sy. Nos.16/1, 17/1, 17/4, 17/5, 21/9, 21/11, 22/5, 22/6, 22/8, 22/12 at Edakkad Village and Edakkad Panchayath, Kannur Taluk, Kannur District, Kerala.

The total plot area is 6.0026Acres and the proposed total built up area is 30618.57 sq.m.

Building construction started with build up area of 18373.54sq.m and now management decided to extend building plan to 30618.57 sq.m.

Extent of area in hectares	2.429 Hectors
----------------------------	---------------

Land cost	3,85,00,000
Total Cost	181,78,60,000

The proposal was last considered in the 64th Meeting of SEAC held on 16th and 17th November 2016. The proponent had commenced the constructions of a 350 bed hospital having an area of 18373.54 m² in 2011 with building permit no.A-880/11 dated 28.11.2011 from Edakkad Panchayath. Subsequently the management has changed the building plan to an area of 30,618.5789 m² which requires Environment Clearance. Enhanced parking plan provided is satisfied. The proponent has submitted revised CSR but the amount allotted for 5 years is too less. SEIAA may direct the proponent to enhance the amount to 15 lakh/ year.

Based on the Conceptual plan, Form.1 and all other documents submitted along with the application the committee decided to recommend the item subject to the following specific condition in addition to the general conditions. The waste water discharge to the public drains shall be minimal and that too after observing strict treatment protocols.

SEIAA discussed the case in detail and decided that vertical expansion of a building construction project as a case of violation under EIA Notification 2006. As per EIA Notification, 2006, for a building construction project prior environment clearance is required before the commencement of construction activities. The word used is 'prior' meaning thereby environmental clearance is required prior to the start of construction work. As per EIA Notification, no construction work, preliminary or otherwise, relating to the setting up of the project may be undertaken till the environmental clearance is obtained. This provision lays the importance of construction phase of a building construction project including the foundation works.

Ministry of Environment & Forests, Govt. of India vide O.M.no.J-11013/41/2006-IA II (1) dated 19-08-2010 clarified the activities which can be undertaken without prior environment clearance and they are as follows:-

- a) Fencing of the site to protect it from getting encroached.
- b) Construction of temporary sheds for the guards.

In the case of high rise buildings, the structural designs of the foundation is worked out considering the static and dynamic load including the wind load for the whole building considering all floors. Accordingly the foundation work is constructed for the full building. There are lots of environmental impacts involved with the foundation work of a building

construction project. Therefore, a building construction project originally conceived with the built up area 30618.57 m² but constructed only 17,392 m² and with G+3 floors and the project proponent claim that the built up area of the construction of the building is less than 20,000m² and therefore have not violated the provision of EIA Notification, 2006 is incorrect.

The project proponent while constructing the foundation of the building constructed the foundation of the building as per the structural design for the entire building with the built up area of 30618.57 m² and therefore it is a wilful violation on the part of project proponent. In other words, a project proponent who have carried out substantial construction and wilfully limited the construction to a built up area less than 20,000 m² is a deliberate attempt to circumvent the provision of EIA notification 2006. This is a case of vertical expansion, that is, construction vertically upwards and which is not permissible. In such a scenario environmental conditions like water and energy conservation etc. which the regulatory authority need impose while granting Environmental Clearance cannot be retrofitted to the floors of the building which is already constructed. If such a claim as recommended by the SEAC is approved, for all high-rise building construction projects, environmental clearance is not required till such time, the building reaches the built up area up to 20,000 m² and which is illegal and ultravires to the provision of EIA notification 2006.

In the project of file no 436/SEIAA/EC4/2996/2014 (M/S Malabar High View Builders Private Ltd- Calicut) the view expressed above is reflected. The project proponent has constructed 19243.12m² (which is less than 20,000 m²) of built up area but intended to construct 20809 m². But the SEAC recommended the project as a case of violation and SEAA approved the recommendations and initiated violations proceedings against project proponent. (Minutes of 59th Meeting SEIAA held on 27/9/2016 item no.59.15) .If so why SEAC is taking a non-uniform approach for different projects? In the view of the above, the project is to be considered as a case of violation under the provisions of EIA notification 2006.

Therefore the Authority decided to initiate violation procedure by issuing stop memo and to direct the District Collector to initiate proceedings in accordance with law.

Item No: 62.21

Environmental clearance for the proposed Residential cum Commercial Building Project in Sy. No. 103/4 at Ulloor Village and Panchayath, Thiruvananthapuram Taluk, Thiruvananthapuram District, Kerala application of Sri. Viju Varghese, DGM (MEP), M/s Artech Realtors Pvt. Ltd. (File No. 980/SEIAA/EC1/4572/2015)

Sri.Viju Varghese, DGM (MEP), M/s Artech Realtors Pvt Ltd, Artech House, TC/24/2014(1), Thycaud, Thiruvananthapuram, Kerala- 695014, vide his application received on 6-11-2015 and has sought environmental clearance under the EIA Notification, 2006 for the Residential project in Sy. No. 103/4 at Ulloor Village and Panchayath, Thiruvananthapuram Taluk, Thiruvananthapuram District, Kerala. The salient features are

Total plot area: 12,146.28 m²

FSI: 3.297

Built up area as per FSI: 57,341 m²

Built up areas as per Non FSI: 421m²

Total construction built-up area: 57,763m²

No. of floors: 19, No. of flats: 318

Retail area : 488 m²

Height of the building: 59.9 m (up to terrace level)

Total carpet area: 15632.49 m² Coverage: 31.96 %

Maximum height from ground level : 59.9 m upto terrace level.

The total cost of the project is Rs 102.3 crores.

The proposal was first considered by 60th Meeting of SEAC held on 28th & 29th July, 2016 and to deferred the item for field visit. The subcommittee consisting of Sri. S. Ajayakumar, Sri. John Mathai and Sri. Sreekumaran Nair conducted the site inspection of the project of Sri. Viju Varghese, Artech Realtors Pvt Ltd, Artech House on 30.9.2016. The report is as follows:

The proponents are directed to submit a sectional elevation along the corner near the road, of the bottom most basement. They are also requested to provide drawings of the retaining walls. Mechanism to drain out seepage of water from the steep cutting shall be provided. They shall also submit drawings for the rear side drain construction its connectivity and its ultimate disposal into a drain. Creation of a pond for harvesting water may be considered. Other proposals pertaining to the project are satisfactory. The potential of terrain as a water Savings Bank shall be tapped fully by maintaining the wet land nature on rear side earmarked for Bio farming, Toilet linked Biogas plant also be visualised to achieve green energy concept in the premise.

The proposal was considered in the 64th Meeting of SEAC held on 16th and 17th November 2016. The committee verified the field inspection report of the Sub Committee and the clarifications submitted by the proponent. Based on the Conceptual plan, Form.1, all other documents submitted with the proposal and the field visit report and recommend the item subject to the following specific condition in addition to the general conditions.

1. Sufficient space for Material Recovery Facility for storing non-biodegradable waste is to be provided.
2. The quantity of solar energy to be produced to be indicated. The area earmarked for keeping solar energy battery to be clearly earmarked.
3. Adequate mechanism should be provided to drain out the seepage water from the steep cutting.
4. The flow of natural water course shall not be obstructed.

The Authority decided to issue EC subject to the above specific conditions in addition to general conditions. The proponent should give an affidavit stating that all the specific and general conditions shall be strictly implemented and the earmarked CSR activity shall be fully undertaken.

Item No: 62.22

Approval of Terms of Reference (ToR) for the EIA study for the Common Biomedical Waste Treatment facility at Sy. Nos. 366 to 368, 373 to 378 and others, Kakkanad Village, Thrikkakara Municipality, Ernakulam District, Kerala for "DLF NEW TOWN HEIGHTS" Proposed Housing Cum Commercial Complex Project (File No. 1063/SEIAA/EC3/2016)

Mr. K. Shivaprasad, Authorized Signatory, M/s DLF Southern Towns Pvt. Ltd. Opp. Doordarshan Kendra, Seaport-Airport Rd., Kakkanad P.O., Cochin, Kerala-682030, vide his application received on 29.08.2016 has sought Terms of Reference (ToR) for the EIA study for the Common Biomedical Waste Treatment facility at Survey Nos. 366 to 368, 373 to 378 and others, Kakkanad Village, Thrikkakara Municipality, Ernakulam District, Kerala.

The proposal was considered in the 64th Meeting of SEAC held on 16th and 17th November 2016. The proponent and the consultant appended the meeting. The ToR is

submitted for extension of the Environmental Clearance which was already accorded by the MoEF in 2009 for a validity period of 7 years.

The proponent informed the committee that due to the labour problem and the change of construction contract is the reason for delay of the construction. 50% of the construction has already been over. A stream originating within the area is retained. The Mangalavannam bird sanctuary is within 10km and application for wildlife clearance has already been forwarded to NBWL.

The consultant informed that some additional points are newly included which were not included in the ToR submitted through online.

Since the TOR presented includes all the parameters stipulated by MoEF in the standard TOR prescribed for Housing cum commercial complex projects, the Committee approved the modified ToR that was submitted at the time of presentation. Secretary may inform the proponent accordingly.

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

Item No: 62.23

Approval of Terms of Reference (ToR) for the EIA study for the Common Biomedical Waste Treatment facility at Survey Nos. 420-425, 435, 529-537 Manakunnam Village, Kanayannur Taluk & Ernakulam District, Kerala for Proposed expansion of LPG storage with 3x1200 MT Mounded Storage Vessels at the LPG Bottling Plant, Cochin (File No. 1064/SEIAA/EC3/2016).

Sri. N. Manoharan, Chief Plant Manager Indane Bottling Plant Indian Oil Corporation Limited Nadakkavu, Kochi, Kerala-682307 vide his application received on 29.09.2016 has sought Terms of Reference (ToR) for the EIA study for the Common Biomedical Waste Treatment facility at Survey Nos. 420-425, 435, 529-537 Manakunnam Village, Kanayannur Taluk & Ernakulam District, Kerala.

The proposal was considered in the 64th Meeting of SEAC held on 16th and 17th November 2016. The PP informed that the present ToR is for expansion of the project. There are 5 existing bullets above the ground and proposed for 3 mounded bullets. The construction in the proposed area was started in 2013 without EC and now it becomes mandatory to have Environment Clearance for the LPG plants also. Since the TOR presented include all the

parameters stipulated by MoEF in the standard TOR prescribed for LPG bottling plants the committee approved the standard ToR. The Secretary was requested to inform the proponent accordingly.

The Authority decided to agree to the decision of SEAC and it may be communicated to the project proponent.

Item No: 62.24

Environmental clearance for removal of Laterite in Re Sy. No. 540/1/1, 540/1/2, 540/2 at Thamarakkulam Village, Mavelikkara Taluk, Alappuzha District, Kerala by Sri.M.Vijayan Pillai - request for amendment (File No. 886/SEIAA/EC4/3284/2015)

Sri.M.Vijayan Pillai, Mainagappilleth House, Chathiyara, Thamarakkulam P.O, Alappuzha District Kerala – 690 530 has applied for Environmental Clearance for the removal of Laterite from an area of 09.90 ares, of land in Re Sy. No. 540/1/1, 540/1/2, 540/2 at Thamarakkulam Village, Mavelikkara Taluk, Alappuzha District.

The application has been recommended for issuance of Environmental Clearance by SEAC in its 56th meeting held on 6/7-06-2016 for removal of 900 m³ of ordinary earth subject to the condition that removal shall be in terraced manner up to a maximum depth of 1m.

Accordingly SEIAA approved the application for the issuance of E.C in its 55th meeting held on 16th July 2016 and accepted the recommendations of SEAC and issued E.C for the removal not exceeding 900 m³ of laterite subject to the condition that removal shall be in terraced manner up to a maximum depth of 1m based on recommendations of 55th SEAC.

Now the proponent represented that the District Geologist, Mining and Geology, Alappuzha has not issued permit and refused his application, because the E.C issued by SEIAA is for the removal of O.E and not for Laterite Mining, since the maximum depth of removal is limited to 1m. Hence the proponent requested to issue E.C by specifying the depth of mining of Laterite stone from the area.

The proponent has also produced the letter from the District Geologist, Mining and Geology, Alappuzha (Ltr No. D.O.A/1666/MM/16 dated 11-11-2016). The Geologist also represented that the condition mentioned in the E.C of SEIAA is removal shall be in terraced manner up to a maximum depth of 1m and hence the application cannot be considered since the Laterite cutting is possible only after the removal of O.E.

SEAC has appraised the application for Laterite mining by mistake as O.E and hence incorporated the condition that "removal shall be in terraced manner up to a maximum depth of

1m". But the proponent has applied for laterite mining and same can be removed only after removing the ordinary earth. As per the condition specified in the E.C laterite stone cannot be mined from the site.

The Authority decided to return the proposal to SEAC for re-appraisal of the proposal for the removal of laterite and not ordinary earth.

Item No:62.25

Environmental clearance for the quarry project in Sy. Nos. 375/7, 385/1, 385/2-1, 385/2-2, 385/3, 385/4-1, 385/4-2, 385/5-2, 385/6, 385/7, 385/8, 385/9, 385/10, 385/11, 385/12, 385/13, 385/14, 385/15, 385/16-2, 385/16-3, 385/17, 386/4, 386/5-2, 386/5-2-1, 386/5-3, 386/5-4, 386/11, 386/12, 386/13, 386/14, 386/15, 386/15-2, 386/15-3, 386/16, 386/17-2, 387/4, 387/5, 387/7-1, 387/8, 387/9, 387/10, 387/11, 387/14-1, 387/14-2, 387/15, 387/16, 387/17, 388/15-2-2, 388/15-2-3, 388/15-3-3, 388/15-6, 388/15-7, 388/15-10, 389/16 2 and 389/17 at Mankode Village, Kottarakkara Taluk, Kollam District, Kerala by Sri. R. Madhoosudanan Nair for M/s. Chithara Crushers Metals (File No. 812/EC3/2477/SEIAA/2015)

Sri.R. Madhoosudanan Nair, Managing Partner of M/s. Chithara Crushers Metals, RamyaNivas, Pulimoodu Lane, Vattiyoorkavu (PO), Trivandrum – Kerala vide his application received on 29.06.2015, has sought Environmental Clearance under EIA Notification, 2006 for the quarry project.

54th meeting of SEAC held on 06/07-04-2016 made their reflection on the query raised by 48th SEIAA and stated that the quarrying was carried out on the basis of permits issued by Govt for much smaller areas. Hence it could not be considered as violation. The 53rd meeting of SEIAA held on 24-05-2016 considered the proposal and Authority noted that mining in more than 5ha without E.C in the same location though under several permits invites violation proceedings. It was decided to initiate violation proceedings and to inform the District Collector. Stop Memo to be issued.

Hence the SEIAA decided to take action against proposal under violation procedure and issue of E.C only after completion of the violation procedure and also to delist the application for E.C pending receipt of evidence for credible action under the Environment (Protection) Act - 1986 for the violation.

On the basis of request submitted by the proponent (regarding there was no residential areas within 100 m of quarrying area and there was no such violation of EIA notified quarrying

area) the 60th meeting of SEIAA held on 27 November 2016 considered the proposal. He also represented that the Geologist, Kollam had issued 12 quarrying permits for extracting granite building stone in Sy.No.385/3, 387/4 of Mankode village, Kottarakkara Taluk, Kollam District from 19/11/2008 onwards. The Authority decided to continue with credible follow up action against violation after verifying the records. Now the proponent submitted certificate of detailed list of Short Term Permits issued by Mining and Geology Department government of Kerala and an affidavit by the authorized signatory of the project as a reflection of 60th minutes of SEIAA. Show cause notice/stop memo yet to be issued to the proponent.

The Authority decided to examine why stop memo has not been issued so far.

Item No:62.26

Illegal Building Constructions-Violation of Environmental Protection Act, 1986 & EIA Notification, 2006.

As per the Environmental Protection Act, 1986 and EIA Notification, 2006 Environment clearance is necessary for construction projects specified in category 8(a) (Building and Construction projects of $\geq 20000 \text{ m}^2$ and $< 1, 50,000 \text{ m}^2$ of built-up area) and 8(b) (Townships and Area Development projects covering an area $\geq 50 \text{ ha}$ and or built up area $\geq 1,50,000 \text{ m}^2$) projects.

Further MoEF, Government of India has amended the above on Notification No. S.O. 3252 dated 22-12-2014 and exempted school, college and hostel for educational institutions from obtaining prior environment clearance under the provisions of the Environmental Impact Assessment (EIA) Notification, 2006 subject to sustainable environmental management. Besides, educational institutes, the government have exempted builders from obtaining prior green nod for construction of 'industrial sheds'.

As per this notification any of the projects which are categorised under 8(a) and 8(b) of EIA Notification, 2006 and those which are not listed above, it is mandatory to obtain prior environmental clearance from SEIAA/ MoEF before starting the construction project. If any of the projects in this category started their construction without environmental clearance from SEIAA/MoEF is violation of EIA Notification, 2006, and that SEIAA/ MoEF has the power to take credible action against violation.

If a Health Care Institute, which comes under 'red category' industry is having plinth area of $20,000 \text{ m}^2$ or over, E.C is necessary. This has been clarified by MoEF in O.M No. 19-2/2013-1A-14 dated 09-06-2015. It is clarified that the Notification No. S.O. 3252 (E) dated 22-

02-2014 provides exemption to buildings of educational institutions including Universities from obtaining prior E.C under the provision of EIA Notification 2006 subject to sustainable environmental management. In the case of Medical Universities/ Institutions the component of hospitals will continue to require prior E.C. as per the above O.M.

In this view if the constructions of the above buildings are started it is a clear case of violation and SEIAA has the power to initiate credible action against violation as per S.O 637 (E) and 638 (E) dated 28-02-2014 of the MoEF and in due compliance with the instructions for action under the Environment (Protection) Act, 1986, and the provisions of EIA Notification, 2006.

Now a complaint dated 26-11-2016 has been received in SEIAA from ENVIRO-CARE, Padyath house, Temple Square Lane, Ayyanthole, Thrissur, a Voluntary Organization to protect, improve and to safe-guard the environment. The letter represented that in various parts of Kerala, there are many construction projects of built-up area more than 20,000 m² are already started their construction with the building permit issued by the concerned local body but without prior E.C from SEIAA/ MoEF and hence it is a clear evidence of violation of the provisions of EIA Notification, 2006 and in violation of the provisions of Environmental Protection Act, 1986. They pointed out that some of the hospital buildings are new and some of these are existing and they carried out extensive expansion. They are listed below;

Sl. No.	Name of Hospital	Address	SEIAA File No.
1	Mount Zion Medical College	Ezhamkulam, Pathanamthitta	811 (Rejected)
2	Mount Sinai Medical College	Adoor, Pathanamthitta	-
3	St. Gregarious Medical Mission Hospital And St. Gregarious International Cancer Care & Multispecialty Hospital	Parumala, Pathanamthitta	-
4	VPS Lakeshore Hospital	Maraud, Kochi	840 (stop memo issued)
5	Genesis Institute of Medical Sciences Pvt. Ltd.	Edakkad, Kannur	971 (EC is not issued)

1) In the case of **Mount Zion Medical College, Ezhamkulam, Pathanamthitta**, application for E.C was received in SEIAA on 06-06-2015. But it was an incomplete application and rejected by SEIAA on scrutiny itself. That is E.C to the Mount Zion Medical College,

Ezhamkulam, Pathanamthitta has not issued by SEIAA, Kerala. Hence it was decided to issue Stop memo to Mount Zion Medical College and initiate credible action against violation.

2) But in the case of **Lakeshore Hospital & Research Centre, Maraud, Ernakulam** EC application was received on 07-01-2015 and considered by SEAC in its 40th meeting held on 27/28-05-2015 and 42nd meeting held on 02-07-2015. SEAC has reported that they have already built-up an area of 20520.68 m². To that extent, this is a case of violation for which SEIAA can take appropriate action.

Accordingly the proposal was considered by SEIAA in its 40th meeting held on 09-04-2015, and the Authority examined the issue in detail and found that as per O.M. No. J-11013/41/2016-IA.II(1) dated 12th December 2012 as modified by O.M. No.J11013/41/2006-IA.II (I) dated 27th June 2013 the proceedings to be adopted in case of carrying and activities of the projects before getting environmental clearance among other instructions warrants that

‘ii. The State Government concerned will need to initiate credible action on the violation by invoking powers under Section 19 of the Environment (Protection) Act, 1986 for taking necessary legal action under Section 15 of the Act for the period for which the violation has taken place and evidence provided to MoEF of the credible action taken’.

The 40th meeting of SEIAA held on 09-04-2015, decided as follows:

- i. To take violation proceedings vide O.M. No. J. 11013/41/2006/IA.II (1) dtd. 12.12.2012 of MoEF.
- ii. To issue stop memo against any further activity at the site except those allowed in O.M. No. J. 11013/41/2006/IA.II (1) dtd. 19.08.2010 of MoEF.
- iii. Proponent to be directed to get CRZ recommendation from KCZMA and to submit to SEIAA to consider for integrated clearance.
- iv. Matter of grant of permit by Maradu Municipality to be reported to Govt. (LSGD) for action against those responsible.

Accordingly Order No. 740/SEIAA/KL/62/2015 dated 25-09-2015 stop memo was issued to Lakeshore Hospital & Research Centre, in Sy. Nos. 325/1, 2, 3, 4, 327/3, 4, 5, 6, 7 at Maradu Village and, Kanayannur Taluk, Ernakulam District and thereby suspended at the existing level till Environmental Clearance is obtained for the project. SEIAA has also instructed the District Collector, Ernakulam will enforce the above orders. Hence it was decided to seek

action taken report from the District Collector, Ernakulam and to report to LSGD to take action against those responsible as per law.

3) Similarly it was also decided to seek action taken report from the District Collector in the case of **M/s Jubilee Mission Medical College and Research Institute, Thrissur and M/s P.K Das Institute of Medical Sciences, Palakkad** as violation procedures have also been taken against them as stop memo issued.

4) **Genesis Institute of Medical Sciences Pvt. Ltd., Edakkad, Kannur**, has applied for Environmental Clearance for the proposed Hospital Project in Sy. Nos. 16/1, 17/1, 17/4, 17/5, 21/9, 21/11, 22/5, 22/6, 22/8, 22/12 at Edakkad Village and Edakkad Panchayath, Kannur Taluk, Kannur District, Kerala by Sri.E.K.Abdul Hameed in SEIAA, Kerala. The application was considered in 59th meeting of SEAC held on 11/12-07-2016 and 64th meeting of SEAC held on 16/17-11-2016. The 64th SEAC has recommended the project for the issuance of E.C. But this meeting (62nd meeting of SEIAA) considered the proposal as item No.20 as a case of violation as per O.M.No. 19-2/2013-1A-14 dated 09-06-2015. Hence the Authority decided (as in the item no.62.20) to initiate violation proceedings by issuing Stop Memo and to direct District Collector to initiate proceedings in accordance with them.

5) Similar violations were noticed in the case of **Mount Sinai Medical College, Adoor, Pathanamthitta and St. Gregarious Medical Mission Hospital & St. Gregarious International Cancer Care & Multispecialty Hospital, Parumala, Pathanamthitta** (Sl. No. 2 & 3). Applications for E.C was not received in SEIAA. Hence the authority decided to ask for the details regarding total built-up area and status of construction etc. and to issue show cause as to why credible action under violation proceedings should not be initiated against them.

Considering the increasing cases of violation being reported to SEIAA, the Authority has decided in the 57th meeting of SEIAA held on 26.08.2016 that if the EIA notification is violated with impunity and applications for E.Cs are being submitted after the projects are progressed considerably, the Authority will alert the Government agencies such as LSGIs, K.S.E.B, and K.S.P.C.B etc. and also to put up boards at the site depicting the violation with respect to the violation proceedings as decided in the case of Jubilee Mission Medical College and P.K Das institute of Medical Sciences (Minutes of 57th meeting of SEIAA held on 26-08-2016). 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 as decided in the 60th

meeting of SEIAA in item No. 60.32. Report from concerned District Collector may also sought for additional information.

The Authority enquired why SEIAA Secretariat has not taken action on this so far. Authority decided that show cause notice and Stop Memo to be issued to the proponents in the individual cases mentioned above. Action Taken Report of concerned District Collector must also be obtained in a time bound manner.

Item No: 62.27

Audit Report of Environmental clearances issued- Audit Officer, O/o Accountant General (E&RS Audit), Kerala, Thrissur- Audit Objections- reg.

The Senior Audit Officer, O/o Accountant General (E&RS Audit), Kerala, Thrissur audited 9 Environmental Clearance files and sought reply to audit objections. It is seen that the audit officer has not done any verification regarding accounts.

The Authority decided to take corrective action on the basis of audit objection. Reply should also be given to the Audit Authority. As regards Audit Enquiry No.51, half yearly compliance reports should be obtained from the proponents for the 9 projects mentioned in the Audit Report and kept in file. Reply to the audit objection may also be given.

As regards audit enquiry no.52 reply should be given to Audit that the Authority proposes to take action against the proponent (M/s Choice Construction) who was granted EC No.18/SEIAA/KL/2012 dt.10.09.2012.

As regards audit enquiry no.53 the Authority decided to ask the proponent whether the condition stipulated in the EC have been fulfilled (providing drinking water).

Item No: 62. 28

Newly Constituted DEIAA and DEAC – Providing office facilities and funds for working –reg.

The Authority decided to send proposal to Government in the matter of providing fund, office facilities and personnel to newly constituted DEIAAs and DEACs.

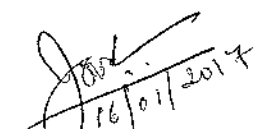
- 1) A secretariat may be immediately formed in each district with at least the basic staff consisting of

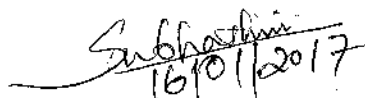
- a. Two Project Assistants for Scientific appraisal of the applications on daily wages/ contract/ deputation or permanent basis (Minimum Qualification of Project Assistants: M.Sc. Environmental Sciences)
 - b. At least one Data Entry Operator.
 - c. One Office Assistant.
- 2) Infrastructure facilities including computers for online process.
- a. Funds as required
 - b. SEIAA has already given training to Chairmen and Members of DEIAA & DEAC. However, Majority of Chairmen & Member Secretaries did not attend the training. Hence a separate training programme can be arranged for Member Secretaries and Chairmen of DEIAA & DEAC.
 - c. Staffs of DEIAA & DEAC also need a training for online processing of applications, appraisal, for preparation of agenda notes, minutes and Environmental Clearance Certificates. SEIAA can arrange a training programme for them.
 - d. SEIAA is the agency to co-ordinate/ monitor and review the work of DEIAA & DEAC. Hence a person with environment background may be appointed as a co-ordinator of DEIAAs & DEACs.

3) Processing Fee

SEIAA has sent the proposal dt.15/02/2016 to government to issue orders for the collection of processing fee from the project proponent. DEIAA may collect the processing fee in the form of Demand Draft and send to SEIAA for centralised accounting. Orders to their effect may be issued urgently.

The meeting ended at 1.30 pm.


16/01/2017
Dr. K.P. JOY
Chairman


16/01/2017
Dr. J. SUBHASHINI
Member


19/11/17
Sri. V.S. SENTHIL I.A.S
Member Secretary

