

**MINUTES OF THE 87th MEETING OF THE STATE ENVIRONMENT
IMPACT ASSESSMENT AUTHORITY (SEIAA) KERALA HELD ON
14TH JANUARY 2019 AT 2.00 P.M AT “GRAND UTSAV”, 2ND FLOOR,
HOTEL SP GRAND DAYS, PANAVIDA JUNCTION,
THIRUVANANTHAPURAM**

Present:

- 1. Dr.H.Nagesh Prabhu IFS (Retd), Chairman, SEIAA**
- 2. Dr. Jayachandran.K, Member, SEIAA**
- 3. Sri.P.H.Kurian I.A.S. Additional Chief Secretary & Member Secretary, SEIAA.**

The meeting started at 2.15 PM. The Member Secretary welcomed the Chairman and the Member. The Chairman chaired the meeting.

**Item No. 87.01 Confirmation of the minutes of the 86th meeting of SEIAA held on
17th December 2018**

Authority approved the minutes by excluding the 3rd specific condition of Agenda item No.86.04.

**Item No. 87.02 Report of SEIAA Sub Committee on regulating distance to
quarries from forest land and on environmental impact caused by
Quarrying in areas adjacent to the forest**

On the report submitted by the Sub Committee entrusted for studying the environmental impact caused by quarrying adjacent to forest area, a detailed discussion held. The Authority noticed that the total number of listed quarries in the forest boundary reported in the Sub Committee report seems to be on higher side as the total number of ECs issued so far from the beginning of SEIAA is only about 250 ECs (in quarrying) and 470 by DEIAAs. There are quarry mining leases, continuing without EC, as they had lease before 2012, as per the Supreme Court Judgement in Deepak Kumar Vs State of Haryana and have such quarries do not have any distance criteria from forest.

The mining in Kerala is controlled by the Department of Mining & Geology. With the introduction of KMMCR 2015 dt.07.02.2015, the whole mining and quarrying activities have changed by introducing scientific Mining Plan and stringent measures. This 2015 Rule has been amended vide G.O(P) 25/2017/ID dt.22.06.2017, wherein there is no mentioning of distance to be maintained from forest. But if it is a National Park or Wild Life Sanctuaries, 1 km distance criteria is there except with the previous permission of the Authorities concerned or the Government or the Competent Authority. Also 50 mtr distance criteria is reinstated from any reservoir, tanks, canals, rivers, bridges, other public works, residential building, places of worships, burial grounds, burning ghats or village roads. Kerala State Pollution Control Board is also following this distance criteria and issued the Circular No. PCB/HO/Circular -01/3/2017/B dt.10.10.2017.

The Authority also observed that in Kerala we follow pure scientific mining leaving 100 m distance from forest boundary and will result in increasing the number of quarries given the high demand of quarry products which will lead to total distortion of the environment.

The Authority verified the ECs with all available documents issued by MoEF, SEIAAs of Andhra Pradesh, Haryana, Uttar Pradesh, Telangana, Tamilnadu etc. with respect to the limit fixed in this regard, but found neither MoEF nor any State has fixed such a distance. MoEF and the above SEIAAs in any of its Notification has not mentioned about the distance to be left from forest boundary. In cases where MoEF have directly issued EC, for quarries in Kerala, when SEIAA was not in existence there is no such limit described from the forest boundary. The Authority observed that in the Guidelines on Forest (Conservation Act 1980) the Forest Ministry have stipulated a condition that 7.5 metres should be left for mining lease area within the forest.

Taking into consideration of all the above facts, SEIAA decided to impose a minimum distance of 50 m should be left from the forest boundary to the quarry. However, SEAC while assessing any application for quarry may recommend higher distance from forest boundary based on scientific reasons to be mentioned.

Item No. 87.03 **Request for extension of validity period of Environment Clearance issued – Puthenveetil Associates, Malappuram**

Authority decided to forward the proposal to SEAC for report.

Item No.87.04 **Environment Clearance for proposed MES Super Speciality Hospital Project in Survey Nos. 15/1, 22/1, 15/2, 16/2, 15/3, 16/3, 16/4, 16/5, 15/5A, 12/9 in Valayanad Village, Kozhikode Taluk & District, Kerala State by Mr. P.O. Jamaluddin Lebba, General Secretary & Authorized Signatory, M/s The Muslim Educational Society (Regd.) (File No. 1075/EC4/2016/SEIAA)**

Authority decided to forward the proposal to SEAC for report.

Item No.87.05 **Environmental clearance for the proposed quarry project in Sy.Nos. 3/7, 4/2 in Nagaroor village, Chirayinkeezhu & Varkala Taluk, Trivandrum District, Kerala application of Sri. V. Saseendran, M/s Anjali Industries (File No. 781/SEIAA/EC1/1101/2015)**

Authority decided to forward the matter to SEAC for detailed report including the existence of cluster condition.

Item No.87.06 **Extract of Draft report prepared by Administrative Reforms Commission (ARC) on Sustainable Development (File No. 2458/A1/2018/SEIAA)**

Noted.

Item No.87.07 **Agenda Note for Najeeb Ali Quarry, Malappuram**

Authority decided to forward the proposal to SEAC for report.

Item No.87.08 **Amendment to ESA – withdrawal of appeal**

Since the Section 5 direction dated 13.11.2013 of the MoEF has been amended in tune with the existing draft notification vide Notification dated 03.12.2018, the stand taken by the Authority in filing the appeal will not survive. Hence Authority decided to withdraw the appeals.

Item No.87.09 **Distance from forest land – allegation on the EC issued – Writ Petitions – review of the case**

Authority decided to forward the proposal to SEAC for report.

The meeting came to end on 3.00 pm.

Sd/-

Sri.P.H.Kurian I.A.S.
Additional Chief Secretary
& Member Secretary, SEIAA

Sd/-

Dr.H.Nagesh Prabhu IFS (Retd)
Chairman, SEIAA

Sd/-

Dr. Jayachandran.K
Member, SEIAA