



सत्यमेव जयते

Proceedings of the State Environment Impact Assessment Authority Kerala

*Present: Prof. (Dr.) K.P. Joy, Chairman, Dr. J. Subhashini, Member and Sri. P. Mara
Pandiyar I.A.S., Member Secretary,*

Sub: Environmental Clearance - Application for Environmental clearance for the quarry project in
Sy.No. 302/6, 302/7.1, 302/7.2, 302/8, 302/1.2, 298/15, 298/14, 298/16, 298/13, 298/12,
302/2.2, 301/1, 301/2, 302/5.1 and 302/5.2.2 at Thiruvaniyoor Village, Kunnathunad Taluk,
Ernakulam District, Kerala by Sri. Saji K. Elias for M/s Mariyem Industries - E.C- Granted

STATE ENVIRONMENTAL IMPACT ASSESSMENT AUTHORITY

No. 553/SEIAA/EC3/4087/2014

dated: Thiruvananthapuram 13-04-2016

- Read:-*
1. Application dated 17.07.2014 from Sri. Saji K. Elias, Kuzhikandathil House, Thiruvaniyoor P.O., Ernakulum, Kerala - 682308.
 2. Judgment dtd. 31.07.2015 of the Hon: High Court of Kerala in W.P. no. 22768/14, 11096/15, 12620/2015.
 3. Report dtd. 14.12.2015 of Adv. Dennis Varghese, Advocate Commissioner in W.P. no. 37121/2015 filed by Sri. Saji K. Elias
 4. Minutes of the 46th meeting of SEAC held on 29/30-09-2015.
 5. Minutes of the 44th meeting of SEIAA held on 13-11-2015.
 6. Judgment dtd. 22.12.2015 of the Hon: High Court of Kerala in W.P. No. 37121/15 filed by Sri. Saji K. Elias.
 7. Representation dtd. 05.01.2016 Mariyem Industries, Pazhukkamattom, Thiruvaniyoor-682308.
 8. Minutes of the 48th meeting of SEIAA held on 23-01-2016.
 9. Minutes of the 50th meeting of SEIAA held on 25/02/2016.
 10. Order dated 08/04/2016 at the High Court of Kerala in CCC.No 645/16 file by Sri. Saji. K. Elias.

ENVIRONMENTAL CLEARANCE NO. 19/2016

Sri. Saji K. Elias, Kuzhikandathil House, Thiruvaniyoor P.O., Ernakulum, Kerala - 682308, vide his application dated 17.07.2014, has sought Environmental Clearance under EIA Notification, 2006 for the proposed Expansion of Building Stone Quarry in Survey Nos. 302/6, 302/7.1, 302/7.2, 302/8, 302/1.2, 298/15, 298/14, 298/16, 298/13, 298/12, 302/2.2, 301/1, 301/2, 302/5.1 and 302/5.2.2 covering an area of 3.9947 Ha in Thiruvaniyoor Village & Panchayat, Kunnathunad Taluk, Ernakulam District, Kerala for

an area of 3.9947 Hectares. The project comes under Category B, Activity 1(a), (i) as per the Schedule of EIA Notification 2006 (since it is below 50 hectares) and as per O.M.No.

L-11011/47/2011-IA.II(M) dated 18th May 2012 of Ministry of Environment and Forests. It is further categorized as Category B2 as per the O.M. No. J-13012/12/2013-IA-II (I) dtd. 24.12.2013 of Ministry of Environment and Forests, since the area of the project is below 25 hectares.

The proposed project site falls within latitude (N) 09°55'24.7"N to 09°55'30.0"N longitude (E) 76°26'03.8"E to 76°26'13.4"E. The lease area consists of 3.9947 hectares, which includes own private land. The proposed project is for quarrying of 140000 TPA of building stone. Distance of the mining area from the nearest human settlement is recorded as approximately 300m. Corporate Social Responsibility requirements are not met properly. The proponent has filed WP(C) 21803/2015 before the Hon: High court of Kerala and in the judgment the Court has directed to consider the application within 1 month.

BASIC DETAILS OF THE PROJECT

Name of project	Granite (Building Stone) Quarry by M/s Mariyem Industries in Sy. No. 302/6, 302/7.1, 302/7.2, 302/8, 302/1.2, 298/15, 298/14, 298/16, 298/13, 298/12, 302/2.2, 301/1, 301/1.2, 301/1.3 301/2, 302/5.1 and 302/5.2.2 covering an area of 3.9947 Ha in Village & Panchayat- Thiruvaniyoor, Taluk - Kunnathunad, District - Ernakulam, Kerala.
Brief description of the project	<p>This is an existing stone quarry previously worked under temporary permits. The lease applied area exhibits hilly terrain.</p> <p>Proposed Production: 1,40,000 TPA stone and the life of the quarry is five years.</p> <p>The quarry operation is proposed up to 30 m MSL.</p> <p>Around 19,469 CuM of top soil & approximately 35,000 tonnes of overburden / Waste rock will be generated during the mine life.</p> <p>Topsoil will be separately scrapped and stored and will be spread on top benches of mined out area and on backfilled area for plantation and Overburden/waste rock will be temporarily dumped within the lease area and will be used for partial backfilling of mined out void and for plantation purpose.</p> <p>The quarry operation is proposed to carry out with conventional open cast semi mechanized mining with 5.0 meter vertical bench with a bench width of 5.0 meter. Quarrying operation is carried out by splitting of rock mass from the parent rock mass by jackhammer drilling and blasting. Hydraulic excavators are used for loading the stone from pithead and tippers are used for transportation of stone. Hydraulic excavators are attached with rock breakers for breaking of large boulders to avoid secondary blasting.</p>

Category/Subcategory & Schedule		Category: B, (sub-category - B2) Schedule: 1 (a) Mining of Minerals	
Location Sy no/ district, Taluk/ village etc.	Survey Nos.	302/6, 302/7.1, 302/7.2, 302/8, 302/1.2, 298/15, 298/14, 298/16, 298/13, 298/12, 302/2.2, 301/1, 301/1-2, 301/1-3, 301/2, 302/5.1 and 302/5.2.2	
	District	Ernakulam	
	Taluk	Kunnathunad	
	Village	Thiruvaniyoor	
GPS co-ordinates		Latitude (N)	09°55'24.7"N to 09°55'30.0"N
		Longitude (E)	76°26'03.8"E to 76°26'13.4"E
for Mining projects	Extent of area (in hectares)		3.9947 Hectares
	Minimum and maximum height of excavation (MSL)		Elevation of lease area: 45 to 72m MSL Height of excavation: 72 m to 30 m MSL
	Life of mine proposed		Five (5) years
	Ultimate depth of mining (in MSL)		upto 30 m MSL
	Distance from the adjacent quarry		Abandoned two (2) stone quarries located adjacent and within 500 m from the mine lease area
	Capacity of production		1,40,000 TPA building stone production
	Details of Project Cost		Rs. 1.20 Crore (Fixed Assets for Land, Building & Machineries)
	Financial Statement including funding source and details of insurance		This is an existing building stone quarry. Existing mine machinery and site infrastructure will be utilized.
ABOUT THE PROJECT			
Environmental parameters considered		Description	
WATER			
Water requirement & sources	Detail of water requirements in KLD as given below:		
	Dust Suppression	4.5 KLD	
	Drinking Purpose	0.5 KLD	
	Green Belt	1.0 KLD	
	Total	6.0 KLD	
The required water will be met from bore well and open well from the nearby area and also from rain water harvested in mine-pit during later phase of mining.			
RWH units proposed	Mine Pit will work as RWH unit		
Facilities for liquid waste treatment	<ul style="list-style-type: none"> No process effluent will be generated. Construction of garland drains to divert surface run-off from virgin area away from mining area. Construction of check dams / gully plugs at strategic places to arrest silt wash off from broken up area.. 		

Facilities for liquid waste treatment	<ul style="list-style-type: none"> Collection of surface run-off from broken up area in mine pits for settling and only properly settled excess water from mine pit will be discharged to nearby users. The storm water/ mine water will be used for dust suppression, greenbelt development, etc. Domestic sewage from site office & urinals/latrines provided in ML is discharged in septic tank followed by soak pits
Impoundment, damming, culverting, realignment or other changes to the hydrology of watercourses or aquifers?	Nil
Water quality meeting requirements	General water quality of the area is within permissible limits of Drinking water standards.
Does it have provisions for use of recycled water	<ul style="list-style-type: none"> No process effluent will be generated. The storm water/ mine water will be used for dust suppression, greenbelt development, etc.
LAND	
Proximity to forest lands	None within 5 km radius
Is the land assigned for any other special purpose; Give details	None. This is an existing mine previously worked under temporary permits.
Access road to the site –Width & Condition	Vettichal-Pazhukkamattom Road and Width 8m in good condition
Storage of explosives /hazardous substances	Licensed explosive magazine in the mine lease area.
Facility for solid waste management.	<p>Around 19,469 CuM of top soil & approximately 35,000 tonnes of overburden / Waste rock will be generated during the mine life.</p> <p>Topsoil will be separately scrapped and stored and will be spread on top benches of mined out area and on backfilled area for plantation and Overburden/waste rock will be temporarily dumped within the lease area and will be used for partial backfilling of mined out void and for plantation purpose. The entire quarried building stone, irrespective of sizes will be saleable. Hence, there is no solid waste generation during this quarrying operation.</p>
Topographic features/ slope	This is an existing stone mine. The quarry site exhibits hilly terrain with gentle slope towards south. The elevation of mine lease area varies from 45 m to 72 m MSL. The applied area comprise of existing mine pits and few plantation.
Proneness of the area for landslides	Systematic opencast mining with benches will be carried out. Ultimate slope of the mine will be maintained at 45°. Since the granite is hard rock formation, landslides are not envisaged. The area falls in seismic zone III and is moderately prone to seismic activities.
Significant land disturbance resulting in erosion, subsidence & instability	The land use of the mine lease area will changed to mine pits. Systematic opencast mining with benches will be carried out. Since the granite is hard rock formation, subsidence and instability are not envisaged.

Top soil, overburden etc.	Around 19,469 CuM of top soil & approx 35,000 tonnes of overburden / Waste rock will be generated during the mine life. Topsoil will be separately scrapped and stored and will be spread on top benches of mined out area and on backfilled area for plantation and Overburden/waste rock will be temporarily dumped within the lease area and will be used for partial backfilling of mined out void and for plantation purpose. The entire quarried Building stone, irrespective of sizes will be saleable. Hence, there is no solid waste generation during this quarrying operation.	
AIR		
Air quality meeting requirements	Air quality will be monitored at Quarry boundary and maintained permissible limit as per NAAQ Standard.	
Noise level meeting requirements	Noise level will be monitored at Quarry boundary and maintained permissible limit as per CPOB Standard.	
Likely emissions affecting environment	Dust emissions during mining activities and SO ₂ & NO _x emissions during loading and transport activities.	
ENERGY		
Energy requirement	The total power requirement is 75 kW, which will be drawn from DG set. HEMM and other mining machinery will be diesel operated.	
Energy Sources	Diesel from nearby filling stations.	
Extent of usage of alternative energy resources	Mine will be worked during day time only. Hence, lighting in night time only for security purposes. Diesel is the only other source of electricity.	
BIODIVERSITY		
Presence of any endangered species or red listed organisms	None.	
Loss of native species and genetic diversity	Except small bushes and coconut & other plantation, no major vegetation cover/valuable flora within the mining lease area.	
Likely displacement of fauna	None. This is an existing mine. No wild fauna is observed in the mine lease area.	
Any introduction of alien / invasive species	Not proposed.	
SOCIAL ASPECTS		
Proximity to nearest habitation	Thiruvaniyoor ~ 0.3 Km NW	
Proposed CSR components suggested		
Sl. No.	Description	Approx. Amount proposed (Rs.)
1.	Construction of a Bus waiting shelter to public at Pazhukkammattom bus stop	1,00,000
2.	Annual maintenance work for the Pazhukkammattom-Vettikkal Road max to an extent 300 m	1,10,000
3.	Donation of toys and playing equipments to Aanganavadi at Pazhukkammattom	50,000

Proposed CSR components suggested		
4.	Annual prize of toppers of each class of St. Philominas High school Thiruvaniyoor (Rs. 5000/- each)	1,00,000
5	Annual donation of stationary (Notebooks, Pen, Pencils, drawing books, etc) to all students of Govt. L P School Attinikkara	50,000
6.	Conducting annual health check-up camp at Govt. L P School Attinikkara	50,000
7.	Annual donation to Pazhukkamattom church for charity purpose for kidney implant and hospital expense to poor people	1,00,000
8.	Provision of Lunch every year at the time of farmers day celebration	15,000
	Total	5,75,000
** Total expenditure till date Under CSR: Rs. 8,22,500		
GENERAL		
Does it propose environment management plan		EMP is submitted along with Form I, PFR to SELAA.
Does it have eco restoration programmes		Eco-restoration of the mining area is included in the EMP and approved mining plan.
Sufficiency of parking spaces/ traffic management	About 31 trips per day of 15 ton capacity trucks will be required for transport of building stone. The transport trucks will be parked within the mining area. Existing roads are sufficient to cater the stone transport activities.	
Litigation/court cases, if any, against the project (provide details)	O.S. No. 66/14 of Municipality Court, Kolenchery filed by Bhaskaran	
Details of Authorised Signatory	M/s Mariyem Industries, (Owner: Sri. Saji K. Elias), Kuzhikandathil House, Thiruvaniyoor P.O., Emakulam, Kerala. 682308 Mobile No. : 9447032170	
Details of NABET approved EIA consultant organization	Anacon Laboratories Pvt. Ltd., Nagpur QCI-NABET Accredited EIA Consultant letter No. NABET/EIA/1316/RA005 valid upto Nov. 12, 2016 Under Category 'B' for Sector No. (1) Mining of Minerals including Opencast/ Underground Mining. Head Office: 60, Bajiprabhu Nagar, Nagpur-440 033, MS Laboratory. FP-34, 35, Food Park, MIDC, Butibori, Nagpur - 441122 Ph. : (0712) 2242077, 9373287475 Fax: (0712) 2242077 Email: anaconngp@gmail.com , anaconlabngp@gmail.com website: www.anaconlaboratories.com EIA Coordinator: Parag Shyamrao Khujnare QCI-NABET approved EIA Coordinator in Category A for Mining projects including underground mining.	

2. The case was first considered in the 45th meeting of SEAC held on 11/12 Sept. 2015 and deferred for site inspection and submission of a more realistic social responsibility projects. Field inspection was conducted on 17.09.2015 by the sub-committee of SEAC, Kerala, report of which is as under;

The project is an active quarry located at about half a km southeast of Pazhukkamattom near Thruvaniyoor. This quarry area of 3.9947 ha falling in own land forms part of a gently undulating terrain with slope to the north. The elevation ranges from 40 m in the north to 70 m in the south. The rock type is fractured charnockite suite of rocks with NW-SE foliation. Major faults are not observed in the site. On the eastern side outside the lease area, several abandoned pits with steep cuttings are seen. Two other quarries are also seen in the vicinity but not falling within the limits of a cluster. In the lease area also steep cuttings are seen adjacent to old workings but the active side is provided with benches. Pockets of weathered rock with about 2 m thick over burden (OB) and top soil is seen in the upper southern part. On the extreme western part, a depression is seen with a width of about 20m where the OB thickness is likely to exceed 2m. A lean bit on the eastern side with steep north facing cliff section is apparently critically disposed. Being an elevated part of an undulating terrain, streams are not seen in the site. The entire drainage from the elevated land including the quarry is channelised into the abandoned quarry pit on the northern side where it is collected and pumped out for agriculture purposes. Out flow is not seen. Rubber plantation is the dominant land-use in the area but pineapple cultivation is also seen. Floral biodiversity is not observed as the quarry area is mostly cleared of vegetation. Haulage road to the upper level is formed but not provided with hard surfacing. The approach road is through own property and need maintenance. Dwelling units are noted on the NE side but adjacent to the main road. The water demand of the quarry is met from the old quarry pit which acts as a RWH structure. Accommodation to workers and canteen facilities are not observed.

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

1. Fencing should be provided all around the lease area. The steep cut faces of the old workings should be further demarcated and fenced to be left as danger zone.
2. Over burden must be stored in the designated places and provided with protective support walls. The 20 m wide strip of depressed land with thick soil cover

may be used for this purpose. Storage of OB in the elevated part as planned may be avoided.

3. Part of the drainage from the quarry is currently directed to the old pit that acts as RWH structure. However over flow is not provided. It may do in the form of a lined drain, draining to the north. The water from the RWH structure should be let out only after clarification/desiltation for which a suitable structure is essential at the outlet.

4. Considering the topography, garland drains need not be insisted upon.

5. The main haulage road formed in the quarry must be maintained in motorable condition. The approach road to the quarry from the main road is not maintained at all. This road should also be maintained in good motorable condition by the proponent.

6. In the absence of perennial streams in the vicinity, ultimate depth of mine will depend on the possible benches of 5m width and 5m height in the lease area. However the depth should be limited to 15m amsl being the level of broad valley floor in the vicinity.

7. Other items from general conditions like a) Appropriate sign boards should be displayed b) The blasting time must be displayed and strictly adhered to c) The PPV values must be less than 10 mm/sec d) Steps to be taken to limit fly rock to within the lease area. Rock fragments should not fall anywhere outside the lease area, e) Dust suppression mechanism must be in place f) A belt of trees (Vegetation belt) should be maintained all around the quarry but must be maintained till the entire life of quarry g) The promised activity under CSR may be added.'

3. On receipt of IR, The 46th meeting of SEAC held on 29/30-09-2015 considered the case and recommended to grant E.C subject to production of more realistic social responsibility programme before SEIAA and with the following specific conditions.

1. Fencing should be provided all around the lease area. The steep cut faces of the old workings should be further demarcated and fenced to be left as danger zone.

2. Over burden must be stored in the designated places and provided with protective support walls. The 20 m wide strip of depressed land with thick soil cover may be used for this purpose. Storage of OB in the elevated part as planned may be avoided.

3. Part of the drainage from the quarry is currently directed to the old pit that acts as RWH structure. However over flow is not provided. It may do in the form of a lined drain, draining to the north. The water from the RWH structure should be let out only after clarification/desiltation for which a suitable structure is essential at the

outlet.

4. The main haulage road formed in the quarry must be maintained in motorable condition. The approach road to the quarry from the main road is not maintained at all. This road should also be maintained in good motorable condition by the proponent.

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.

4. During the pendency of the application, the following complaints from neighboring members of public have been received by SEIAA:

Sl. No.	Complainant	Matter of Complaint
1.	A.C. Joy and 30 others Dated 24/07/2015	Mining under permit since 2008. Mining in 300 m depth, Anganvadi & Pazhukkamattom Church very close to the quarry. Pollution.
2.	Bhaskaran V.A. Vennithakidiyil House, Maneed P.O., Ernakulam-686726 Dated: 21/08/2015	No Exposed rock. Quarrying in 30m depth. Lateral support to his property has lost. Landslide can occur. Threat due to blasting. Adjacent quarries shut down pursuant to a High Court order dated 23/06/2011, but this one continues. There is injunction of Munisiff's Court Kolenchery against removal of earth. Dumped quarry wastes blocking right of way. 3 Writ Petitions are pending. Contaminated quarry wastes polluting paddy fields, streams and Irrigation Canal.
3.	Vinish M.V. Mullanthottiyil, Pazhukkamattam. Dated: 31/08/2015	Order of High Court in W.P. 12620/2015 filed by him, to have E.C. Wastes dumped in public road, stream being polluted. E.C may not be given.
4.	Joseph, Thadathil, Pazhukkamattam. Dated: 19/10/2015	Dist. Geologist cancelled permit on 09/02/2015. Illegally operating. Rubber trees are destroyed due to fly rocks and dust. Water in the well is polluted, causing serious health problems.

5.	Shiju V. Paulose, Veeppanath, Thiruvankulam	Obtained Order in W.P. 11096/2015 from Kerala High Court that the proponent shall not carry out quarrying, without E.C. Mines Act and Regulations 1961 apply due to depth of Mining. Public evidence must be taken before
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	Dated: 26/10/2015	giving E.C.
6.	Nature Lover's Forum, Thiruvankulam, (Shiju V. Poullose)	No Mining Plan – Filed W.P. 22768/2014 against illegal earth removal. No fencing for the quarry.
7.	Roy Varghese, Chemmanam House, Maneed P.O., Dated: 31/08/2015	Property of his brother (NRI) is rendered useless. Ground water issues. Landslide in their property. Authority should visit the site and hear the neighbouring residents.
8.	Jojo P.K., PadinjarePeedikayil, Pazhukkemattam and 3 others Dated: 02/10/2015	Clearances obtained out of way. Cancer is spreading. Public hearing may be conducted.
9.	Bhaskaran V.A. Vennithakidiyil House, Maneed P.O., Dated: 26/10/2015	Complaints in Sl. No.2 reiterated. Mining land is assigned for agriculture. Conversion not possible – Does not have buffer distance of 50m from his building. Suit with injunction on removal of earth pending – Another suit for removal of dumped O.B pending – SEAC did not consider his objections – He may be heard -

5. The 44th meeting of SEIAA held on 13-11-2015 analysed the recommendation of the 46th meeting of SEAC held on 29/30-09-2015 on grant E.C. and assessed that since several complaints with regard to the functioning of the quarry have been received, SEIAA may conduct site inspection with notice to the complainants and enquire in to the genuineness of matters of complaints stated in column 3 above as Terms of Reference and report to SEIAA. The field inspection was conducted by the Chairman, SEIAA along with Administrator SEIAA on 08/01/2016. The report is as under;

"In pursuance of the decision of the 44th meeting of SEIAA held on 13/11/2015 the Chairman together with Administrator SEIAA visited the quarry site of M/s Mariyem industries, at Pazhukkamattom, Thiruvaniyoor, Piravam, on 08/01/2016. The permit quarry was started in 2008, in the own land of Sri. Saji K. Elias, in about 10.00 acres (3.997 ha). Permit is for 2 acres only which has been fenced off. A small construction

with cement blocks and G.I sheet roofing is seen at about 17 meters away from the South East boundary of the land owned by the proponent. It is informed that this construction (which is incomplete) started only a week ago. On 05/01/2016 Thiruvaniyoor Grama Panchayat issued a stop memo and sought for explanation of Sri. V.A. Bhaskaran, the

owner of that land. There are 4 neighboring private properties, belonging to 4 different persons including Sri. Bhaskaran.

The proposed mining area is having a total length of 144.3m (N) Breadth 27m; 67m (E) and 76m (N); Total 176m. Between the existing mining area and adjacent rubber plantation, distance in 75m. That area belongs to the proponent. Beyond the boundary and towards the west, it is rubber plantation. Though the permit is for 2 acres, E.C has been applied for 3.997 ha. No further mining taken up, except in the S.E side of the existing pit.

The on-going construction in Sri. Bhaskaran's plot is approximately 400F² with two room and a verandah which can be seen from the mining area. 7½ m buffer distance is kept from the boundary. Office of the quarry is the nearest structure. It is at about 150m from the proposed mining area. Proponent said that the construction in Sri. Bhaskaran's plot was not there when the Village officer sent a report on 04/12/2015 and the Advocate Commission engaged by the Hon'ble High Court visited the site on 14/12/2015.

It is seen that the construction is new and on-going. There is no power connection or availability of water. It is also seen that the boundaries are well marked with boards depicting coordinates. There are no other structures nearby.

The existing quarry pit is more than 10m, filled with. The distance should be minimised to 10m only with soil or over burden."

6. Pursuant to the 44th meeting of SEIAA, the project proponent made two representations, with the following main submissions;

1. The petitions against his quarry are vexatious. Report of the Advocate Commission of the Hon: High Court and Village Officer, Thiruvaniyoor bear testimony to the fact that there was no building near the mining site as on the dates of the said reports.
2. The petitions said to have been sent by Sri. Joseph Thadathail (Sl. No. 4; para 4) is false as per the clarification given by the person on 02.12.2015.
3. St. Mary's Jacobite Syrian Christian Church, Pazhukkamattom has clarified that the church has no objection against the quarry (vide column 3 item 1 para 4).

4. Sri. A. C. Joy (Sl. no. 1; para 4) Aanikudi, is as occurred is a criminal case in the Ji-CM court Kolenchery in which the proponent's elder brother Joy K. Elias was attacked.
5. Thiruvaniyoor Grama Panchayat has heard S/Sri. Bhaskaran (Sl. No. 5; para 4) and dismissed their objections, and also decided to grant licence o the quarry.
6. Sri. Shiju V. Paulose is the accord in several criminal cases in Puthencruz Police station, including one in which he had trespassed into the magazine of the quarry with the intention to destroy it. He was in judicial custody in connection with that case. He is a blackmailer, who is demanding Rs. 15 lakhs from the proponent to withdraw the petition against the quarry. He is staying at about 15 km away from the mining area. Sri. V. A. Bhaskaran who owns land adjacent to the mining area, wants to sell his property at the price as demanded by him. He demands Rs. 3.00 crores. As the proponent is unwilling to purchase this land for that price, Sri. Bhaskaran is making troubles by setting up unauthorised continuation rear to the mining area, and sending false complaints. His quarry is not functioning for the last five months and his bank loans are becoming bad debt. His quarry was functioning with all other legal permissions and only for want of E.C. is the operations suspended for the last five months.

7. 48th meeting of SEIAA held on 23.01.2016 examined the whole case afresh in the light of the report on site visit, the report of the Advocate Commission deputed by the Hon. High Court and the petitions and representations referred to above. On being satisfied that there is no substance in the complaints except regarding the depth of the mine pit, Authority decided to grant E.C subject to reclamation of the mine pit to 10 meters depth as suggested in the report on site visit. State Environmental Impact Assessment Authority, Kerala hereby accord environmental clearance for the quarry project owned by Sri. Saji K. Elias, Kuzhikandathil House, Thiruvaniyoor P.O., Ernaku-

lam, Kerala – 682308 in Survey Nos. 302/6, 302/7.1, 302/7.2, 302/8, 302/1.2, 298/15, 298/14, 298/16, 298/13, 298/12, 302/2.2, 301/1, 301/2, 302/5.1 and 302/5.2.2 at Thiruvaniyoor Village, Kunnathunad Taluk, Ernakulam District, Kerala under the EIA notification 2006, with the specific conditions in para 3, in addition to the general conditions stipulated for mining projects appended hereto, and reclamation of the mine pit to 10m in depth, only after which quarry operations shall be started. The proponent

shall submit an affidavit to this effect. The PCB shall issue the consent to operate only after this condition is fulfilled.

8. The clearance issued will also be subject to full and effective implementation of all the undertakings given in the application form, mitigation measures as assured in chapter 16 of the Pre-Feasibility report mining features in chapter 17 of mining plan including progressive mine closure plan as submitted with the Pre-Feasibility Report and relied on for grant of this clearance. The above undertakings and the conditions and undertakings in the above chapters will be deemed to be part of these proceedings as conditions as undertaken by the proponent, if incorporated herein.

9. The following W/Ps have also been filed for and against quarrying at the site:

No.	W.P. No.	Petitioner	Decision
1.	21803/15	Saji. K. Elias	If there is no impediment, application for E.C shall be considered within one month from 03/08/2011
2.	32698/2015	Bhaskaran	Before finalizing the matter if not finalized so far, the objection raised by the petitioner shall be adverted to by the ACS (Env't), if possible, after hearing the petitioner
3.	37121/15	Saji. K. Elias	SEIAA shall verify whether the petitioner has complied with all the conditions and take a decision within two weeks from the date of receipt of copy of judgment. Objections of party respondents and report of Advocate Commission also be adverted to.
4.	7118/16	Vinesh. M.V	Pending
5.	6440/16	Bhaskaran	E.C will be subject to the result of the W.P
6.	8759/16	Saji. K. Elias	E.C shall be released to the petitioner, if the petitioner is other wise entitled on or before 31/03/2016.
7.	CCC.No. 645/16	Saji. K. Elias	Interim order dated 08/04/2016. To issue certificate to the petitioner forth with. However this will not stand in the way of hearing the objection after issuance of certificates.

10. On 18/02/2016 SEIAA received an Advocate's notice on behalf of Sri. V.A Bhaskaran that before the site visit he was not heard and it is contempt of the judgment in W.P. 32698/15. As the E.C was not issued, the Authority in its 50th meeting held on 25/02/2016 decided to hear Sri. V.A. Bhaskaran in the next meeting and to issue the E.C thereafter. As per letter dated 14/03/2016 Sri. Bhaskaran was asked to appear for hearing with the documents if any intended to prove his objections against the quarry or to prove the facts stated in his petitions submitted to the Authority. But on health grounds Sri. Bhaskaran wanted to postpone the hearing and hence the 51st meeting of SEIAA held on 29/03/2016 decided to hear him in the next meeting, with condition that no further adjournment will be allowed. Soon thereafter the Authority received intimation on CCC.NO. 645/16 filed by the proponent. On 08/04/2016 Hon; High Court directed to issue E.C forthwith, hearing to Bhaskaran to be given thereafter. In view of the above, E.C as already decided to be granted, to the quarry project with special and general conditions is hereby issued.

11. Validity of the environmental clearance will be five years from the date of this clearance, subject to earlier review in the event of violation or non-compliance of any of the conditions stipulated herein.

12. Compliance of the conditions herein will be monitored by the Authority or its agencies and also by the regional office of the Ministry of Environment & Forests, Govt. of India, Bangalore.

i) Necessary assistance for entry and inspection should be provided by the project proponent and those who are engaged or entrusted by him to the staff for inspection or monitoring.

(ii) Instances of violation if any shall be reported to the District Collector, Ernakulam to take legal action under the Environment (Protection) Act, 1986.

13. The given address for correspondence with the authorised signatory of the project is:

Sri. Saji K. Elias,
Kuzhikandathil House,
Thiruvaniyoor P.O.,
Ernakulam, Kerala – 682308

14. The E.C will be subject to the result of the litigations now pending before the High Court of Kerala and other legal for a if any, against the functioning of this quarry.

Sd/-
P. MARA PANDIYAN, I.A.S.
Member Secretary, SEIAA
&
Addl. Chief Secretary
Environment & Forests Department
Government of Kerala.

To,
Sri. Saji K. Elias,
Kuzhikandathil House,
Thiruvaniyoor P.O.,
Ernakulam, Kerala - 682308

Copy to:

1. MoEF Regional Office, Southern Zone, Kendriya Sadan, 4th Floor, E&F Wing, II Block, Koramangala, Bangalore - 560034
2. The Additional Chief Secretary to Government, Environment Department, Government of Kerala
3. The District Collector, Ernakulam
4. The Advocate general, Kerala (with C.L)
5. Director, Mining & Geology, Thiruvananthapuram-4.
6. The Secretary, Thiruvaniyoor Grama Panchayat, Ernakulam- 682308
7. Chairman, SEIAA, Kerala
8. Website
9. S/f, O/c

Forwarded/ By Order

Administrator.

COPY received
for

30. Consent from Kerala State Pollution Control Board under Water and Air Act(s) should be obtained before initiating mining activity.
31. All other statutory clearances should be obtained, as applicable, by project proponents from the respective competent authorities including that for blasting and storage of explosives.
32. In the case of any change(s) in the scope of the project, extent quantity, process of mining technology involved or in any way affecting the environmental parameters/impacts as assessed, based on which only the E.C is issued, the project would require a fresh appraisal by this Authority, for which the proponent shall apply and get the approval of this Authority.
33. The Authority reserves the right to add additional safeguard measures subsequently, if found necessary, and to take action including revoking of the environment clearance under the provisions of the Environment (Protection) Act, 1986, to ensure effective implementation of the suggested safeguard measures in a time bound and satisfactory manner.
34. The stipulations by Statutory Authorities under different Acts and Notifications should be complied with, including the provisions of Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and control of Pollution) act 1981, the Environment (Protection) Act, 1986, the Public Liability (Insurance) Act, 1991 and EIA Notification, 2006.
35. The project proponent should advertise in at least two local newspapers widely circulated in the region, one of which (both the advertisement and the newspaper) shall be in the vernacular language informing that the project has been accorded Environmental Clearance and copies of clearance letters are available with the State Environment Impact Assessment Authority (SEIAA) office and may also be seen on the website of the Authority at www.seiaakerala.org. The advertisement should be made within 10 days from the date of receipt of the Clearance letter and a copy of the same signed in all pages should be forwarded to the office of this Authority as confirmation.
36. A copy of the clearance letter shall be sent by the proponent to concerned Grama Panchayat/ District Panchayat/ Municipality/Corporation/Urban Local Body and also to the Local NGO, if any, from whom suggestions / representations, if any, were received while processing the proposal. The Environmental Clearance shall also be put on the website of the company by the proponent.
37. The proponent shall submit half yearly reports on the status of compliance of the stipulated EC conditions including results of monitored data (both in hard copies as well as by e-mail) and upload the status of compliance of the stipulated EC conditions, including results of monitored data on their website and shall update the same periodically. It shall simultaneously be sent to the respective Regional Office of MoEF, Govt. of India and also to the State Environment Impact Assessment Authority (SEIAA) office.
38. The details of Environmental Clearance should be prominently displayed in a metallic board of 3 ft x 3 ft with green background and yellow letters of Times New Roman font of size of not less than 40. Sign board with extent of lease area and boundaries shall be depicted at the entrance of the quarry, visible to the public
39. The proponent should provide notarized affidavit (indicating the number and date of Environmental Clearance proceedings) that all the conditions stipulated in the EC shall be scrupulously followed.
40. No change in mining technology and scope of working should be made without prior approval of the SEIAA, No further expansion or modifications in the mine shall be carried out without prior approval of the SEIAA, as applicable.
41. The Project proponent shall ensure that no natural water course and/or water resources shall be obstructed due to any mining operations. Necessary safeguard measures to protect the first order streams, if any, originating from the mine lease shall be taken.
42. Monitoring of Ambient Air Quality to be carried out based on the Notification 2009, as amended from time to time by the Central Pollution Control Board. Water sprinkling should be increased at places loading and unloading points & transfer point to reduce fugitive emissions.
43. The top soil, if any, shall temporarily be stored at earmarked site(s) only for the topsoil shall be used for land reclamation and plantation. The over burden (OB) generated during the mining operations shall be stacked at earmarked dump site(s) only. The maximum height of the dumps shall not exceed 8m and width 20m and overall slope of the dumps shall be maintained to 45°. The OB dumps should be scientifically vegetated with suitable native species to prevent erosion and surface run off. In critical areas, use of geo textiles shall be undertaken for stabilization of the dump. The entire excavated area shall be backfilled. Monitoring and management of rehabilitated areas should continue until the vegetation becomes self-sustaining.
44. Catch drains and siltation ponds of appropriate size shall be constructed around the mine

STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY KERALA

GENERAL CONDITIONS (for mining projects)

1. Rain Water Harvesting facility should be installed as per the prevailing provisions of KMBR / KPBR, unless otherwise specified.
2. Environment Monitoring Cell as agreed under the affidavit filed by the proponent should be formed and made functional.
3. Suitable avenue trees should be planted along either side of the tarred road and open parking areas, if any, including of approach road and internal roads.
4. Maximum possible solar energy generation and utilization shall be ensured as an essential part of the project.
5. Sprinklers shall be installed and used in the project site to contain dust emissions.
6. Eco-restoration including the mine closure plan shall be done at the own cost of the project proponent.
7. At least 10 percent out of the total excavated pit area should be retained as water storage areas and the remaining area should be reclaimed with stacked dumping and overburden and planted with indigenous plant species that are eco-friendly, if no other specific condition on reclamation of pit is stipulated in the E.C.
8. Corporate Social Responsibility (CSR) agreed upon by the proponent should be implemented.
9. **The lease area shall be fenced off with barbed wires to a minimum height of 4ft around, before starting of mining. All the boundary indicators (boards, stores, markings, etc) shall be protected at all times and shall be conspicuous.**
10. Warning alarms indicating the time of blasting (to be done at specific timings) has to be arranged as per stipulations of Explosive Department.
11. Control measures on noise and vibration prescribed by KSPCB should be implemented.
12. Quarrying activities should be limited to day time as per KSPCB guidelines/specific conditions.
13. Blasting should be done in a controlled manner as specified by the regulations of Explosives Department or any other concerned agency.
14. A licensed person should supervise/ control the blasting operations.
15. Access roads to the quarry shall be tarred to contain dust emissions that may arise during transportation of materials.
16. Overburden materials should be managed within the site and used for reclamation of mine pit as per mine closure plan / specific conditions.
17. Height of benches should not exceed 5 m, and width should not be less than 5 m, if there is no mention in the mining plan/specific condition.
18. Mats to reduce fly rock blast to a maximum of 10 PPV should be provided.
19. Maximum depth of mining from general ground level at site shall not exceed 10m.
20. No mining operations should be carried out at places having a slope greater than 45°.
21. Acoustic enclosures should have been provided to reduce sound amplifications in addition to the provisions of green belt and hollow brick envelop for crushers so that the noise level is kept within prescribed standards given by CPCB/KSPCB.
22. The workers on the site should be provided with the required protective equipment such as ear muffs, helmet, etc.
23. Garland drains with clarifiers to be provided in the lower slopes around the core area to channelize storm water.
24. The transportation of minerals should be done in covered trucks to contain dust emissions.
25. The proponent should plant trees at least 5 times of the loss that has been occurred while clearing the land for the project.
26. Disposal of spent oil from diesel engines should be as specified under relevant Rules/Regulations.
27. Explosives should be stored in magazines in isolated place specified and approved by the Explosives Department.
28. A minimum buffer distance of 100m from the boundary of the quarry to the nearest dwelling unit or other structures, not being any facility for mining shall be provided.
29. 100 m buffer distance should be maintained from forest boundaries.