

**MINUTES OF THE 98<sup>th</sup> MEETING OF THE STATE ENVIRONMENT  
IMPACT ASSESSMENT AUTHORITY (SEIAA) KERALA, HELD ON  
18<sup>th</sup> & 19<sup>th</sup> OCTOBER 2019 IN THE CONFERENCE HALL OF STATE  
ENVIRONMENT IMPACT ASSESSMENT AUTHORITY KERALA**

**Present:**

- 1. Dr.H.Nagesh Prabhu IFS (Retd), Chairman, SEIAA**
- 2. Dr.Usha Titus I.A.S, Principal Secretary, Higher Education &  
Member Secretary, SEIAA**
- 3. Dr. Jayachandran.K, Member, SEIAA**

The meeting started at 2.00 PM and agenda items were taken up for discussion.

**Item No.98.01**                      **Minutes of the 97<sup>th</sup> meeting of SEIAA held on 24<sup>th</sup> September 2019  
for information**

Noted.

**Item No.98.02**                      **Environmental Clearance for the proposed granite building stone  
quarry project in Re-Survey No. 269/2 in Anavoor Village,  
Neyyattinkara Taluk, Thiruvananthapuram District, Kerala by Mr.  
Sharafudeen (File No. 1231/EC2/2019/SEIAA)**

The proposal was placed in 95<sup>th</sup> meeting of SEAC held on 27<sup>th</sup> - 28<sup>th</sup> March 2019 and the Committee decided to obtain certain additional documents/details from the proponent. The proponent submitted document / details vide his letter dated 20-04-2019. A field inspection was also conducted by a Sub Committee of SEAC on 08.06.2019. The proposal was again placed in the 99<sup>th</sup> meeting of SEAC held on 26<sup>th</sup> & 27<sup>th</sup> June 2019. The Committee considered the sub-committee report and directed the proponent to submit few more additional details and the proponent submitted the same. The proposal was placed in the 100<sup>th</sup> meeting of SEAC held on 11<sup>th</sup> - 12<sup>th</sup> July, 2019. The Committee decided to recommend for issuance of EC.

The proposal was placed in the 97<sup>th</sup> meeting of SEIAA held on 20<sup>th</sup> August, 2019. On examination of the department of Mining & Geology portal and by plotting the project area boundary file, it seen that there are two or more functioning quarries within 500 meters. The geologist has also certified that one of the quarries is functioning within 500 mts of proposed quarry. This leads to a cluster situation and under cluster situation a different procedure has to be followed for issuing Environment Clearance as per S.O 2269 (E) of MoEF dt.01.07.2016. Hence the proposal was posted back to SEAC for fresh appraisal.

The proposal was placed in the 103<sup>rd</sup> meeting of SEAC held on 17<sup>th</sup> & 18<sup>th</sup> September, 2019. SEAC has reported that as per the certificate of Geologist dated 12.06.2019, the cluster situation as per GOI norms does not arise.

SEIAA examined the position of other quarries functioning within 500 mts distance with available office records. It is seen that the leases for other two quarries were issued before September 2013 and hence cluster situation does not arise as per GOI guidelines.

However a perusal of the KML Map overlaid in google earth map shows that the quarry is located within 10 km distance of Neyyar and Kanyakumari Wild Life Sanctuaries. As per OM No.F.No.22-43/2018-IA-III dt.08.08.2019 of MoEF, a Clearance from National Wild Life Board is required if the quarry is located within 10km distance from National Park/Sanctuaries. Hence the proponent is asked to obtain a No Objection Certificate from both the Wild Life Wardens in the light of OM cited above.

**Item No.98.03**      **Environmental clearance for the proposed building stone quarry project in Block No. 13, Re-Survey No. 487/20 in Mundur II Village, Palakkad Taluk, Palakkad District, Kerala by Mr. Krisheeb.M.R.(File No. 1249/EC2/2019/SEIAA)**

Authority accepted the recommendation of SEAC to reject the proposal for Environmental Clearance. This may be conveyed to the proponent with the reasons for rejection.

**Item No.98.04**      **Environmental clearance for the proposed building stone quarry in Re- Survey No. 498/2, 498/3, 499/3, 499/4 in Chalavara Village, Ottapalam Taluk, Palakkad District, Kerala by Mr. Paul.K.T., Managing Director, M/s K.T.Crusher's & Aggregates Pvt. Ltd. (File No. 1260/EC2/2019/SEIAA)**

As recommended by SEAC, Authority decided to reject the proposal for Environmental Clearance. This may be conveyed to the proponent with the reasons for rejection.

**Item No.98.05**      **Extension of validity of M/s Metarock Pvt.Ltd - Revoking of decision (File No.1979/A1/18/SEIAA- Main File No.235/SEIAA/ KL/ 851/2013)- Application for Erratum**

Authority decided to issue an erratum to the EC already issued, correcting the clerical errors.

**Item No.98.06**      **Complaint against the Aaramam Rock Private Ltd.(File No. 624/SEIAA/EC1/4807/2014)**

Authority decided to write a D.O. Letter to District Collector, Thiruvananthapuram incorporating the additional complaints in the Letter of the petitioner dt.02.09.2019 to expedite the reply.

**Item No.98.07**      **Request for Re-considering the Environment Clearance for proposed Sree Ayyappa Medical College & Research Foundation project in Survey No. 453/1,453/17,453/9, 453/20,453/10,453/14- 1, Vadasserikkara Village, Ranni Taluk, Pathanamthitta District, Kerala State by Dr. P.Suyambu Nadar , Managing Trustee, M/s PSN Educational & Charitable Trust (File No. 1083/EC4/SEIAA/ 2016)**

Authority noticed that the proposal was rejected as per Proceedings No. 1083/EC4/SEIAA/2016 dated 10.10.2017 of SEIAA owing to the reason that the project is located in an ESA Village and hence the EC cannot be issued.

Moreover Authority noticed that Writ Petition 35065/17 has been filed by the proponent in the Hon'ble High Court of Kerala and the decision is pending. As the matter is subjudice Authority decided to wait for the outcome of the Writ petition.

**Item No.98.08**      **Complaint against building stone quarry project in Manakkad Village, Thodupuzha Taluk, Idukki District, Kerala by Mr. George Kochuparambil (File No. 1137/EC/SEIAA/KL/2017)**

Authority decided to refer the matter to the District Collector, Idukki for taking an appropriate action for the violation of provisions of Disaster Management Act/KMMC Rules, if any. A copy of the petition may also be enclosed.

**Item No: 98.09**      **Request for reconsidering the rejection notice by Sri. K.M. Mathew, M/s Kuzhuvommannil Granite Metals Pvt Ltd, Thottapuzhassery & Koipuram Village, Thiruvalla Taluk, Pathanamthitta District (File No. 916/SEIAA/EC4/3670/15)**

The proposal was placed in the 103<sup>rd</sup> meeting of SEAC held on 17<sup>th</sup> - 18<sup>th</sup> September 2019. The Committee is of the opinion that SEIAA has already issued rejection proceedings on 20.11.2017 & hence this cannot be reconsidered. Authority decided to inform the same to proponent with reasons for rejection.

**Item No.98.10**      **Complaint filed by Benny Sebastian against building stone quarry project in Survey No.161/1, 163/3, 4, 177/1, 2, 7 in Alakode Village, Thodupuzha Taluk, Idukki District, Kerala of Mr. Sajan Mani, Managing Partner, M/s St.Martin Granites(File No. 90/SEIAA/KL/1050/2013)**

Authority decided to refer the matter to Executive Engineer, KSEB, Idukki District for taking appropriate action on violation of Indian Electricity Rules 83(2), if any.

**Item No.98.11**      **Environmental clearance for the proposed granite building stone quarry project in Re-Survey Block. No.50, Re-Survey Nos. 472/3, 472/4, 473/7-2, 473/6, 473/4-2, 473/4, 473/7, 472/5, 470/2-2, 471/5, 471/2, 470/8, 470/5, 470/7, 470/3-2, 470/9, 470/4, 470/2, 468/3, 473/8, 470/6, 470/3, 473/5, 470/10, 470/10-2, 472/1, 468/2, 471/1, 471/8, 474/8, 473/8-2, 472/6, 468/1-2, 474/7-2 (Patta Land), 470/11, 470/1, 474/2 (Government Land) of Kummil Village, Kottarakara Taluk, Kollam District, Kerala by Mr.Biju M.K, Managing Director & Authorized Signatory, M/s Vismaya Rocks Private Limited (File No. 1205/EC1/2018/SEIAA)**

This proposal is for quarrying to meet granite building stone requirement of Vizhinjam Port Project and other government projects in Kollam district. The proposal was placed in the 90<sup>th</sup> meeting of SEAC held on 04/01/2019. A field inspection was also conducted on 15.01.2019 by a Sub Committee of SEAC. After the field inspection sub

Committee has made certain recommendations and SEAC has accepted the same. In the 94<sup>th</sup> meeting of SEAC held on 12<sup>th</sup> – 13<sup>th</sup> March 2019, a detailed ToR was also approved. An Environmental Management Plan has also been prepared based on the ToR and a public hearing was also held on 22.07.2019 under the Chairmanship of District Collector, Kollam.

The proposal was placed in the 103<sup>rd</sup> meeting of SEAC held on 17<sup>th</sup> -18<sup>th</sup> September 2019. Considering all the relevant details furnished in the Form I, Pre-Feasibility Report, approved Mining Plan, report of field inspection, recommendation of public hearing, SEAC decided to recommend for EC subject to certain conditions.

Authority decided to issue EC for a period of 5 years for the quantity mentioned in the approved Mining Plan, subject to the following specific conditions in addition to the general conditions.

- 1. Mining activity must be as per the mining plan for the first five years and depth should not go below 140 m above MSL.*
- 2. Further quarrying after five years should be permitted only after assessing the mineral requirements of the port and other Govt. works, after conducting a comprehensive study by a competent agency like National Centre for Earth Science Studies.*
- 3. To reduce air and sound pollution the proponent has to cover the rock with rubber mats (made from used tyre) or mesh and filled gunny bags while blasting is done. If rubber mats are used there should be a proper mechanism/ arrangement for recycling the rubber waste.*
- 4. Proponent should sponsor a research project to be carried out by a recognized agency to monitor the ground water level in the nearby wells as well as in the borewells in the region, for taking correct ameliorative measures while mining.*
- 5. A vibration study should be carried out through a recognized agency as per scientific norms, in the nearby houses to assess the impact of explosions. The results of vibration study shall be included in the compliance report for necessary corrective measures in mining.*
- 6. Conditions laid down in the minutes of the meeting held at Kollam Collectorate on 29-04-2017 must be strictly adhered to ensure the normal traffic conditions in the*

locality. No trucks should be operated from the mine during the school timings ie, 8.30 AM to 10.30AM and 3.30PM to 5PM. In addition to this, the proponent should construct the Pangalkadu -Kummil road with a width of 8 m, asphalt or concrete (Total length 5km) to ensure smooth traffic.

7. The proponent has to take special efforts to improve the wellbeing of the nine houses (five SC) in the nearest human settlement located at a distance of 55.7 m from the boundary on South -West side of the project area (housing Infrastructure, water supply, recharging of ground water, employment, medical and educational support and other genuine requirements). The action taken details should be included in the compliance report against each item with photographs.
8. The progress of plantation raising as per the plantation plan should be included in the compliance report(2300 for green belt and 700 for haulage roads - 600 saplings per year). Since no water is available in the site, the proponent should ensure water availability for drinking and other domestic needs and for watering the plants in summer.
9. Activities relating to Corporate Environmental Responsibilities (2% of total project cost) shall be carried out leading to protection and promotion of environment in the project region as per OM F.No.22-65/2017-IA-III dt.01.05.2018 of MoEF & CC in consultation with the District Collector.
10. The proponent shall carry out quarrying as per the approved Mining Plan and the proponent should strictly follow the Kerala Minor Mineral Concession Rules 2015 and amendments thereby.
11. **In the wake of occurrence of large scale landslides in the state, as per the information provided by the Department of Mining & Geology, it is directed to use only NONEL (Non Electrical) technology for blasting to reduce the vibration of the ground, which is one of the causative factors that triggers landslides, formation of cracks in the surrounding buildings and disturbance to human and wildlife.**
12. Proponent shall ensure that the activities mentioned in the Environment Management Plan are carried out to ensure the environmental stability of the region. The compliance of which will be monitored by SEAC at regular intervals.
13. The proponent shall scrupulously follow the conditions listed in the NOC given by the District Collector which will be received by SEAC at regular intervals.

**Item No.98.12**      **Application for Terms of Reference for Granite building stone Quarry in Re-Survey No 115/13 in Padichira village, Sultan Bathery Taluk,Wayanad District. No.1304/EC1/2019/SEIAA**

Authority decided to reject the proposal for EC as recommended by SEAC and inform the same to proponent with reasons.

**Item No.98.13**      **Environmental Clearance for the proposed Building stone quarry project in Re Survey No. 141/2-2,141/2-2-4,141/2-2-4-2(Block No.44) in Kottukal Village, Kottarakkara Taluk, Kollam District, Kerala by Mr.Muhammed Roshan, Proprietor, (File No. 1347/EC2/2019/ SEIAA**

The proposal was placed in the 98<sup>th</sup> meeting of SEAC held on 03<sup>rd</sup> June 2019. A field inspection was also carried out on 06.07.2019 by a Sub Committee of SEAC. The proposal was placed in the 101<sup>st</sup> meeting of SEAC held on 01<sup>st</sup> – 02<sup>nd</sup> August 2019. The proponent has submitted the additional documents sought by SEAC. Considering the relevant details given in Form I, Pre-feasibility report, approved Mining Plan and recommendation in field inspection report, SEAC recommended to issue EC subject to certain conditions.

Authority decided to issue EC for a period of 5 years for the quantity mentioned in the approved Mining Plan subject to the following specific conditions in addition to the general conditions.

- 1. The proponent has to avoid pillar No.7 to safeguard the borewell of Mr.Sajeev. Accordingly the Mining Plan has to be modified and got approved by the District Geologist. Despite avoiding pillar No.7, the proponent has to adequately compensate all the losses suffered by Mr.Sajeev on mutually agreeable terms.*
- 2. Activities relating to Corporate Environmental Responsibilities (2% of total project cost) shall be carried out leading to protection and promotion of environment in the project region as per OM F.No.22-65/2017-IA-III dt.01.05.2018 of MoEF & CC in consultation with the District Collector.*
- 3. The proponent shall carry out quarrying as per the approved Mining Plan and the proponent should strictly follow the Kerala Minor Mineral Concession Rules 2015 and amendments thereby.*

4. *In the wake of occurrence of large scale landslides in the state, as per the information provided by the Department of Mining & Geology, it is directed to use only NONEL (Non Electrical) technology for blasting to reduce the vibration of the ground, which is one of the causative factors that triggers landslides, formation of cracks in the surrounding buildings and disturbance to human and wildlife.*

**Item No.98.14**      **Request for extension of validity period of Environment Clearance issued for the granite building stone quarry in Marady village, Muvattupuzha Taluk, Ernakulam District by Mr. A.A. Muhammed– (File No.1163/EC2/2019/SEIAA)**

Authority decided to reject the proposal for extension of EC as recommended by SEAC and inform the same to the proponent with the reasons for rejection.

**Item No.98.15**      **Environmental clearance for the proposed Granite Building Stone quarry project in Survey No. 375/2 B, in Athavanad Village, Tirur Taluk, Malappuram District, Kerala by Mr. Mohammed Shareef (File No. 1214/EC2/2019/SEIAA)**

The proposal was placed in the 96<sup>th</sup> SEAC Meeting held on 26<sup>th</sup> - 27<sup>th</sup> April, 2019 and the proponent was given a personal hearing on 13.05.2019 and he was asked to submit certain additional details. The proponent submitted these details on 22.08.2019. The proposal was placed in the 103<sup>rd</sup> meeting of SEAC held on 17<sup>th</sup> – 18<sup>th</sup> September 2019. The committee decided to recommend for EC subject to certain conditions.

Authority decided to issue EC for a period of 5 years for the quantity as approved by the Mining Plan subject to the following specific conditions in addition to the general conditions.

1. *The overburden & topsoil have to be dumped at a suitable place to reuse the same for quarry reclamation after use.*
2. *Activities relating to Corporate Environmental Responsibilities (2% of total project cost) shall be carried out leading to protection and promotion of environment in the project region as per OM F.No.22-65/2017-IA-III dt.01.05.2018 of MoEF & CC in consultation with the District Collector.*



3. *The proponent shall carry out quarrying as per the approved Mining Plan and the proponent should strictly follow the Kerala Minor Mineral Concession Rules 2015 and amendments thereby.*
4. *In the wake of occurrence of large scale landslides in the state, as per the information provided by the Department of Mining & Geology, it is directed to use only NONEL (Non Electrical) technology for blasting to reduce the vibration of the ground, which is one of the causative factors that triggers landslides, formation of cracks in the surrounding buildings and disturbance to human and wildlife.*

**Item No.98.16**      **Environmental clearance for the proposed Granite Building Stone quarry project in Survey No. 65/6, 63/6 in Pulamanthol Village, Perinthalmanna Taluk, Malappuram District, Kerala by Shri. Muhammed. M. (File No. 1229/EC2/2019/SEIAA)**

The proposal was placed in the 94<sup>th</sup> SEAC Meeting held on 12<sup>th</sup> & 13<sup>th</sup> March 2019. A field visit was also conducted on 19.04.2019 by a Sub Committee of SEAC. The Committee decided to obtain certain additional documents. The proponent submitted the additional documents on 31.05.2019. In the 99<sup>th</sup> meeting of SEAC held on 27<sup>th</sup> – 28<sup>th</sup> June 2019, Committee considered the recommendation of Sub Committee. Considering the relevant details given in Form I, Pre-feasibility report, approved Mining Plan, recommendations in the field inspection report, SEAC recommended for issue of EC.

Authority decided to issue EC for a period of 5 years for the quantity mentioned in the approved Mining Plan subject to the following specific conditions in addition to the general conditions.

- *Activities relating to Corporate Environmental Responsibilities (2% of total project cost) shall be carried out leading to protection and promotion of environment in the project region as per OM F.No.22-65/2017-IA-III dt.01.05.2018 of MoEF & CC in consultation with the District Collector.*
- *The proponent shall carry out quarrying as per the approved Mining Plan and the proponent should strictly follow the Kerala Minor Mineral Concession Rules 2015 and amendments thereby.*
- *In the wake of occurrence of large scale landslides in the state, as per the information provided by the Department of Mining & Geology, it is directed to use only NONEL*

*(Non Electrical) technology for blasting to reduce the vibration of the ground, which is one of the causative factors that triggers landslides, formation of cracks in the surrounding buildings and disturbance to human and wildlife.*

**Item No.98.17**      **Application for Environmental Clearance for mining of ordinary earth – Sri. Gee Varghese Varghese, Palal Kalappurayil, Ernakulam (File No. 1165/A2/2019/ SEIAA)**

The proposal was placed in the 103<sup>rd</sup> meeting of SEAC held on 17<sup>th</sup> – 18<sup>th</sup> September 2019 and SEAC furnished the details sought by SEIAA in its meeting held on 25<sup>th</sup> July 2019. It is noticed that the quarrying is proposed upto a depth of 6.67 mts. As per the norms of department of Mining & Geology for quarrying beyond 2 mts an approved Mining Plan is required. A perusal of the file shows that there is no approved Mining Plan. The proponent is asked to submit a fresh proposal with an approved Mining Plan & Letter of Intent issued by Department of Mining &Geology.

**Item No. 98.18**      **Extension of environmental clearance for removal of ordinary earth in Re - Sy.No.15-5 (BL-10/7739) at Periganadu Village, Adoor Taluk, Pathanamthitta District , Kerala by Sri. Babu John (File No. 1198(A)/O.E./ EC2/2018/SEIAA)**

Authority decided to extent EC for 2 months with original conditions in the EC.

**Item No.98.19**      **Application for Environment clearance for mining of laterite stone Sri.Haridasan V.C, Valiyarambathu Chalil, Pavandoore Post, Nanmanada, Kozhikkode (File No. 1836/A1/2019/ SEIAA)**

The proposal was placed in 100<sup>th</sup> meeting of SEAC held on 11<sup>th</sup> & 12<sup>th</sup> July 2019. The Committee directed the proponent to submit the certain documents. The proponent submitted the documents on 24.08.2019. The proposal was placed in the 103<sup>rd</sup> meeting of SEAC held on 17<sup>th</sup> – 18<sup>th</sup> September 2019. The committee recommended for issuance of EC.

Authority decided to issue EC for a period of 1 year for the quantity mentioned in the approved Mining Plan subject to the following specific conditions in addition to general conditions.

- *Activities relating to Corporate Environmental Responsibilities (2% of total project cost) shall be carried out leading to protection and promotion of environment in the project region as per OM F.No.22-65/2017-IA-III dt.01.05.2018 of MoEF & CC in consultation with the District Collector.*
- *The proponent shall carry out quarrying as per the approved Mining Plan and the proponent should strictly follow the Kerala Minor Mineral Concession Rules 2015 and amendments thereby.*

**Item No.98.20**

**Application for environmental clearance for removal of ordinary earth Sri.Rajesh.C.L, Trissur [File No.2064/A2/2019/SEIAA]**

The proposal was placed in the 99<sup>th</sup> SEAC Meeting held on 26<sup>th</sup> & 27<sup>th</sup> June, 2019. The Committee decided to invite the proponent for presentation and also directed to provide certain documents. The proponent submitted the same and he made a presentation in the SEAC meeting held on 11<sup>th</sup> & 12<sup>th</sup> July 2019. A field inspection was also carried out on 04<sup>th</sup> August 2019 by a Sub Committee of SEAC. The Sub Committee had made certain recommendations. The proposal was placed in the 103<sup>rd</sup> meeting of SEAC held on 17<sup>th</sup> – 18<sup>th</sup> September 2019. The Committee considered the recommendations of Sub Committee and recommended to issue EC.

Authority decided to issue EC for 6 months for the quantity mentioned in the approved Mining Plan subject to the following specific conditions in addition to general conditions.

1. *Measures must be taken to conserve the well available in the downhill plot.*
2. *Levelling should be done by removing earth from 3 m depth in some areas and 1.5 m depth for the rest.*
3. *Activities relating to Corporate Environmental Responsibilities (2% of total project cost) shall be carried out leading to protection and promotion of environment in the*

*project region as per OM F.No.22-65/2017-IA-III dt.01.05.2018 of MoEF & CC in consultation with the District Collector.*

- 4. The proponent shall carry out quarrying as per the approved Mining Plan and the proponent should strictly follow the Kerala Minor Mineral Concession Rules 2015 and amendments thereby.*

**Item No.98.21**

**Environmental Clearance issued for the proposed Commercial Complex (Hotel, Convention Centre & Shopping Mall) project, M/s LULU International Shopping Mall Pvt. Ltd., Thiruvananthapuram District – In view of Pending case in Hon’ble High Court in WP(C) No. 19850/2019 dated 18.07.2019 (File No.1047/SEIAA/EC1/899/2016)**

The Authority heard the Director, LULU Mall, Executive Engineer, Inland Navigation and Deputy Tahsildhar. The Proponent explained the steps taken with regard to compliance to the conditions of EC in particular. It was informed that all the temporary structures constructed in the No Development Zone had been removed. They also produced copies of the land records dated 1977 which shows that they have patta land including Survey No.1890/1 which is abutting into the TS Canal. Based on the request of the Assistant Executive Engineer, Inland Navigation to the Tahsildhar to find out whether there is encroachment by the proponent in survey Nos.1882, 1888, 1890. The Tahsildhar vide Letter dt.04.10.2019 had informed that a joint inspection along with the Assistant Engineer, Inland Navigation Section 3 was held on 03.10.2019 by the Head Surveyor and that the land is demarcated with a stone boundary including in the survey no.1890/1, which protrudes into the canal. However the land in possession of the proponent does not include any purambuke. The Authority verified this claim by viewing the google earth data of various periods.

Authority noted that the tax receipt produced by the proponent indicates that the land is purayidam.

Regarding the EC condition of earmarking minimum 1% of total cost of project towards CSR/CER which includes upkeep and maintenance of TS canal, the proponent assured that they shall provide a detailed action plan for the same in consultation with the concerned department of Irrigation/Tourism/Corporation.

Regarding regulation of incoming and outgoing traffic the proponent reiterated that they will work with NHAI to implement the traffic regulation plan before commercial operation. The representative of NHAI did not attend the meeting though he had been invited

hence it was decided to direct NHAI to ensure compliance of the specific condition of implementation of the traffic regulation plan with signalised inter section in the NH bypass as recommended by NATPAC which is part of the EIA report.

**Item No.98.22**                      **Request for reconsidering the rejection order- M/s EICL Ltd  
(File No. 1091/EC/ SEIAA/17)**

Authority has noticed that the proposal has already been rejected in the 88<sup>th</sup> meeting of SEIAA held on 25.01.2019 as per the recommendation of SEAC. Authority decided to stick on to its earlier decision and inform the same to the proponent with reasons for rejection.

**Item No.98.23**                      **Application for Terms of Reference for the Proposed Expansion  
of Mixed Land use (Master Plan Project by M/s Dragonstone  
Realty Pvt. Ltd at Attipra village, Thiruvananthapuram Taluk,  
Thiruvananthapuram District, Kerala by Mr. Ajay Prasad &  
Mr.R.Anil Kumar, Authorized Signatories, M/s Dragonstone  
Realty Pvt. Ltd. (File No. 1202/EC2/2018/SEIAA)**

Authority noted the decision of NGT dt.14.10.2019 and the report submitted by the Committee with SPCB as Nodal Agency, to NGT. Authority noted that no further action is pending with SEIAA except the issue of EC for which appraisal process is in progress.

**Item No.98. 24**                      **Clarification seeking for EC for the construction of pump house,  
subwell watertank in Millet village, Attapadi by Assistant  
Executive Engineer, Agriculture (File No. 3527/EC1/2019/SEIAA)**

Authority decided to inform the Assistant Executive engineer that as per the available information Attappadi does not fall in ESA. However he can confirm the same from the Website of State Biodiversity Board/ wherein the details of Eco Sensitive Villages are available. He may also contact the Tahsildhar concerned for exact information. It is informed that EC procedures for water tank construction is not a part of activities listed for prior EC under EIA Notification 2006. However if the civil construction is beyond 20,000 m<sup>2</sup> it requires EC under Schedule 8(a) of the Notification.

**Item No.98.25**      **Application for requesting NOC for the proposed stone quarry at Sy.No.781/1-1 at Chethakkal Village, Ranni Taluk, Pathanamthitta District by M/s Delta Aggregates and Sand Pvt. Ltd (File No.3534/EC1/2019/SEIAA)**

Authority in its meeting held on 14<sup>th</sup> January 2019 had decided to impose a minimum distance 50 mts from forest boundary to the quarry in order to protect the resources of forest. As reported by District Collector, Pathanamthitta, the land of Delta aggregates & Sand Pvt. Ltd. at Chittar, Pathanamthitta is bounded by Rubber plantation in the northern and eastern sides, which is a forest land leased out to Rubber Board in 1967 and covered by rubber plantation since 1967. Hence 50 m distance need not be insisted in this case and District Collector, Pathanamthitta may proceed with issuance of NOC.

**Item No.98.26**      **Environmental Clearance for removal of ordinary earth in Re - Sy.No.269/16-1, 269/14-1-1, 268/1-1-2, 269/14-2, 269/16-2, 269/16-2-2, 269/17-5, 269/17-6, 269/17-2, 269/25-1, 269/17-4, 269/24-2, 269/14-1-2 at Kottarakkara Village, Kottarakkara Taluk, Kollam District, Kerala by Sri. Thankappan Pillai - Request for change of site for depositing the excavated earth (File No. 1205(A)/ O.E./ EC1/ 2019/SEIAA)**

Authority decided to inform the proponent to get a report from District Geologist about the details of excavation carried out so far and a consent letter from the owner of the concerned land where he intends to deposit the excavated earth. After getting these details the extension for EC will be considered.

**Item No.98.27**      **Complaint against the quarry of Sri.Charles Mathew, Palathara constructions Pvt.Ltd. (File No.835/EC4/2713/2015/SEIAA)**

The Hon'ble High Court in WP(C) 13709 of 2019 vide Judgment 31.05.2019 had directed the Writ Petitioner Smt.Marykutty that she shall within one week from the date of receipt of the certified copy of the judgment submit a representation before the Member Secretary of SEIAA after serving a copy of the same to the 4<sup>th</sup> respondent ie.M/s Palathara Construction. And on receipt of the representation SEIAA has to take an appropriate decision within a period of 3 weeks from the date of receipt of the certified copy of the Judgment.

The Hon'ble High Court document shows that the document was delivered on 12.06.2019. The petitioner's representation was received in SEIAA only on 17.08.2019. This was presented before the 97<sup>th</sup> meeting of SEIAA and it was decided to call for the report of SEAC and call both parties for a hearing in the next sitting of SEIAA to be held on 18.10.2019. The notice for the hearing was duly served on both parties. The proponent M/s Palathara construction appeared for hearing however the petitioner did not appear, but she had sent a letter dt. 18.10.2019 that is today stating that she cannot appear. Meanwhile it has come to the notice of SEIAA that she has moved for contempt.

The Authority noted that the report of SEAC is awaited. It is also noted that the petitioner has not complied with the judgment of the Hon'ble High Court to submit the representation within one week of the receipt of the certified copy of the judgment. Thereafter she has filed a contempt petition. The Authority heard the proponent who submitted that an application for obtaining Environmental Clearance for a mine lease area of 5.3810 ha was submitted to MoEF, Delhi in April 2018 when there was no duly constituted SEIAA. This area of 5.380 ha includes the area which is already accorded with Environment Clearance. In other words, the application at MoEF was required for obtaining Environmental Clearance. The application at MoEF was delisted for want of submission of additional information sought. Currently, neither application is pending at MoEF nor the application was transferred from MoEF to SEIAA and no fresh application has been submitted to SEIAA and hence no action is pending in SEIAA.

The proponent also produced the Certificate of Department of Mining &Geology dated 27.06.2018 which states that this quarry was working since 2008 and at present there is no mining activity noticed outside the lease area. Based on this evidence the allegations of Smt.Marykutty do not appear to be substantiated however the Authority decided to await the report of SEAC for a final decision in the matter. Hence as requested by the Member Secretary, an additional time of about 3 months is required to close the matter. Authority decided to present these facts before the Hon'ble High Court and inform that there has been no wilful attempt to commit contempt of the Hon'ble Court.

**Item No. 98.28**

**Review of Environmental clearance for the Granite Bulding Stone quarry project in Survey No. 172, at Kodyathur Village and Panchayath, Kozhikode Taluk, Kozhikode District, Kerala by M/s The Uralungal Labour Contract Co-operative Society Ltd. No. 10957 (File No. 135/SEIAA/KL/2563/2013)**

Authority decided to post the case to SEAC for a field inspection to verify the compliance of EC conditions and accordingly give specific recommendations for the extension of EC. The SEAC may specially look into the aspects of mineral concession (Leases) possessed by the applicant and take note of the expiry of the lease period and extent of lease area (9.170 ha). Other relevant particulars including the relevant Mining Plan details may also be verified for extension of EC.

**Item No: 98.29**      **Environmental clearance for the proposed Granite Building stone quarry project in survey Nos.221/1, Block No: 14, Muthuvallur Village, Ernad Taluk, Malappuram District, Kerala by Mr.V.P. Harshad, Managing Partner, M/s Associate Engineering & Chemicals (File No- 1122/EC/SEIAA/KL/2017)**

Authority decided to inform the District Geologist concerned to expedite the report sought for. As suggested by SEAC in its meeting held on 17<sup>th</sup> – 18<sup>th</sup> September 2019, a joint inspection may be carried out. SEAC may fix a convenient date and inform the same to the concerned District Geologist for making arrangements for joint field inspection.

**Item No.98.30**      **Submission from Smt. Sheeja. M.P, President Kottur Gramapanchayath – To cancel the Environment Clearance granted to M/s. Delta Rocks Products for Mining at Chengodumala by DEIAA, Kozhikkode (File No.2340/A1/2019/SEIAA)**

Authority examined the reports of the District Collector as well as Wild Life Warden. The Proponent was also heard.

Draft Eco Sensitive Zone (ESZ) Notification defining the distance of ESZ from Wild Life Sanctuary to maximum 1 km has already been published in the MoEF site. It is understood that the Government of Kerala is considering making the final recommendation to MoEF shortly in this regard. The two main reasons for keeping in abeyance, the EC issued by DEIAA are the following;

- 1) Requirement of the minimum Clearance of 10 kms from Wild Life Sanctuary required at present.
- 2) Absence of proper Impact Assessment Study by DEIAA



Since 1<sup>st</sup> point is now under consideration by MoEF, the Authority decided to re appraise the project with the proposal already submitted to DEIAA. SEAC is directed to do the appraisal subject to the decision on the minimum distance from the wild Life Sanctuary.

**Item No.98.31**      **Environmental clearance for sand mining from rivers. (File No. 2408/A1/2019/SEIAA)**

Authority decided to inform the Secretaries of the Vazhakkad and Cheekode Gramapanchayat, Malappuram that EC is required for the collection of sands from the river. The following documents are required for issuing EC.

1. Authenticated District Survey Report for river sand as per Appendix X of EIA Notification 2006.
2. Pre-Feasibility Report
3. Approved Mining Plan
4. Application in Form I M

It is also informed that the applications may be submitted through PARIVESH portal of MoEF and the procedure laid down in Appendix cited above shall be followed.

**Item No. 98.32**      **Compliance of directions of MoEF Notification published as Extra ordinary gazette No.5845 dated 28.11.2018- ( File No. 2955/A1/ 2019/ SEIAA)**

Authority decided to comply with the directions contained in the MoEF Letter dated 13<sup>th</sup> August 2019. It is also decided to follow the procedure of online submission of EC compliance reports for the ECs that are being issued. The content of the MoEF communication may be displayed in the website of SEIAA. This decision may also be conveyed to all the present proponents so that all future compliance reports will also be filed online. The Department of Mining & Geology may also be requested to upload this communication in their website for the larger reach of information.

**Item No.98.33**      **General Decision 103<sup>rd</sup> SEAC – To organize a sensitization program by a practicing lawyer on legal aspects related to the latest EIA Notifications ( File No. 3416/A1/2019/SEIAA)**

Authority decided to conduct sensitization program as suggested by SEAC . In this sensitization program along with legal experts a representative from Directorate of Mining & Geology, a representative from MoEF and a known Environmentalist having expertise on environmental issues of Kerala may also be invited. In the meantime, the concerned officials of SEIAA, Members of SEAC may study the “**Rough Draft Notification for discussion**” circulated by MoEF for a fruitful discussion in the sensitization programme.

**Item No.98.34**                      **General Decision 103<sup>rd</sup> SEAC – To take expeditious action to appoint Project Assistants and Office Attendants (File No. 3417/A1/2019/ SEIAA)**

Authority agreed to fill up the two vacant post of Project Assistants sanctioned as per G.O (MS) No.15/2015/Envt dated 28.11.2015. Authority also decided to write to government for sanctioning one more post of Office Attendant with sufficient valid reasons.

**Item No.98.35**                      **Permission for LPG bottling Plant - application by Sneha Petroleum products (File No. 4798/A1/2017/SEIAA)**

Authority decided to inform the government that as per SO. 1960 E/19 dated 13.06.2019 for isolated storage and handling of Hazardous Chemicals, prior Environmental Clearance is not required. The copy of the S.O may also be enclosed.

**Item No.98.36**                      **Request from Sri. C Anwar Sadath, Director, Calicut Landmark Builders & Developers (India), Pvt Ltd. for reviewing the earlier decision of SEIAA to reject their application for EC(File No.1749/A1/2018/SEIAA)**

Authority decided to inform the proponent that the proposal was already rejected by SEIAA in its 61<sup>st</sup> meeting held on 30.11.2016, as the proposed project site falls within the Ecologically Sensitive Area (ESA), and hence the proposal cannot be considered as per the existing norms of MoEF which prohibits such constructions in ESA to ensure the environmental stability of the region.

**Item No.98.37**

**WP(C) No.30828/17 and WP(C) No.8644/18 – Allegations regarding the violation of EC conditions and allegations against the issuance of EC (File No.212/SEIAA/KL/251/2014)**

Authority noted the action taken so far by the SEAC to grant the extension for EC as well as steps taken to comply with the directions contained in the WP(C) 30208 of 2017. Authority noticed that a field inspection was also conducted by a Sub Committee of SEAC on 06.04.2019. The Sub Committee report was placed in the 97<sup>th</sup> SEAC meeting held on 21<sup>st</sup> - 22<sup>nd</sup> May 2019 and SEAC accepted the report of Sub committee in which it was stated that there has been no violation of distance from the forest in the quarry of Shri Thankachan. Considering the Sub Committee report and perusal of other documents, SEAC decided to recommend for extension of EC in its meeting held on 21<sup>st</sup> – 22<sup>nd</sup> May 2019.

Thereafter the proposal was placed in the 96<sup>th</sup> SEIAA meeting held on 20<sup>th</sup> August 2019. Authority noticed that there was a cluster situation and hence informed the SEAC to appraise the proposal afresh considering the cluster situation. The proposal was placed in the 103<sup>rd</sup> SEAC meeting held on 17-18<sup>th</sup> September, 2019 and SEAC reported that the functioning of adjacent quarry of Matha Industries started functioning based on an EC issued on 23.09.2017 by DEIAA Kozhikode. This was about three years after Shri.Thankachan obtained the EC and SEAC again recommended for issue of EC.

However Authority is of the opinion that there is a cluster situation and hence an Environmental Management Plan has to be prepared by the proponent and implemented by all the quarry owners in the cluster for the Environmental stability of the quarry cluster and surrounding area. Considering all the above facts Authority decided to give an extension of EC for 5 years for the quantity mentioned in the approved Mining Plan subject to following specific conditions in addition to the general conditions.

- 1) An Environmental Management Plan shall be prepared by the proponent through a Recognized qualified person /NABET accredited Agency and got it approved by the SEAC within 6 months. The proponent as well as all the other quarry owners within the cluster shall implement the proposed activities in the EMP the environmental stability of the cluster and surrounding area.*
- 2) Activities relating to Corporate Environmental Responsibilities (2% of total project cost) shall be carried out leading to protection and promotion of*

*environment in the project region as per OM F.No.22-65/2017-IA-III dt.01.05.2018 of MoEF & CC in consultation with the District Collector.*

- 3) The proponent shall carry out quarrying as per the approved Mining Plan and the proponent should strictly follow the Kerala Minor Mineral Concession Rules 2015 and amendments thereby.*
- 4) In the wake of occurrence of large scale landslides in the state, as per the information provided by the Department of Mining & Geology, it is directed to use only NONEL (Non Electrical) technology for blasting to reduce the vibration of the ground, which is one of the causative factors that triggers landslides, formation of cracks in the surrounding buildings and disturbance to human and wildlife.*

**Item No. 98.38**      **General Decision 103<sup>rd</sup> SEAC – To Provide the members of SEAC with computerized and inventorised information (date-wise) relating to application for EC (File No.3415/A1/2019/SEIA)**

The available details may be furnished to SEAC and SEAC may be informed that all the details are available in the Website of SEIAA and hereafter they may access the same. Further, SEAC may be informed that as it is already decided to process the applications for EC through PARIVESH hereafter, the required details will be available in the PARIVESH portal.

**Item No.98.39**      **NGT Order in OA No.24/2019(SZ) filed by N.Surya (File No.3381/A2/2019/SEIAA)**

Authority decided to nominate Dr.K.Jayachandran, Member SEIAA for the inspection.

**Item No.98.40**      **Implementation of PARIVESH in SEIAA regarding.**

- It is decided to direct the proponents to pay the Processing Fee to treasury directly in the Head of Account ‘1425-00-501-99-Processing Charge on Environment Clearance

by the State Environment Impact Assessment Authority' and upload the Chelan via PARIVESH.

- No more hard copies will be accepted.
- All the District Collectors may be informed to direct the proponents whose applications are pending with them to resubmit the proposals through PARIVESH portal of MoEF. The applicants whose applications are pending in SEIAA may also be informed accordingly.
- Applications for Category B2 projects should be strictly received through PARIVESH in Form 1M Appendix 8. Applications should contain the following documents
  - Form 1M
  - Mining plan
  - Pre-feasibility Report
  - District Survey Report
  - Letter of Intent

**Item 98: 41**

**Order dated 4.10.2019 in WP ( C) 33556/2017 filed by Shri. Ajayghosh & in 5550 of 2018 filed by Sobha Ltd (File No.4587/EC6/SEIAA/2017)**

Sri.Ajayghosh filed Appeal No.93/2017 before NGT. Chennai and prayed to set aside the Environmental Clearance issued by SEIAA to 4<sup>th</sup> & 5<sup>th</sup> respondents ie, M/s. Sobha Developers Ltd, Kozhikkode. This case has not been disposed of. Alongside he filed a WP(C) No.33556/2017 with a interim relief to stay all construction activities of 8<sup>th</sup> respondent ie, M/s.Sobha Developers. The EC had been issued vide Proceedings dt.20.03.2017. In the Environmental Clearance, there is a specific direction that 'excavated earth from the site will be completely used internally. No part of it shall be taken out of the project site'. As per the Form-1 they have submitted for EC, it is claimed that "in order to accommodate the parking facility, excavation of earth work for foundation for structures and for basements will be carried out. The excavated top soil will be used for landscaping purposes. The remaining excavated earth will be used for back filling and internal road construction purposes".

The proponent submitted a request dated 8.2.2018 to issue permission/clarification for shifting the excavated soil from the project site to the alternative site. The proponent again submitted a representation dated 25.01.2019 and requested to issue a clarification letter/

addendum to the EC to the extent that the total excess earth to be disposed would be 43128 m<sup>3</sup> from the project site in order to proceed with development work. The proposal was placed before 94<sup>th</sup> SEAC.

The Committee decided to ask the proponent to furnish consent Letter from the Highway Authority for depositing the earth. The final decision of SEAC will be taken after the disposal of the Appeal No. 93/2017 filed by Sri. Ajayghosh in NGT, Chennai against EC granted earlier.

The Hon'ble High Court in WP(C) 33356/2017 directed vide Order dt.04.10.2019 that SEIAA should consider the report of district collector dt.20.01.2018 and to file the report by 25.10.2019 as to whether any further action is required to be taken against the proponent.

The Authority examined the conditions of EC and the report of District Collector. The Authority noted that the SEAC report and the consent letter of the NHAI for depositing the earth are yet to be received. The Authority noted that a part of the excavated earth from the site has not been used internally rather it has been taken out of the project site for other purposes. However this has been done apparently with payment of royalty and issue of passes as reported by the District Collector. As the various reports need to be received and examined to understand the extent of violation, the Authority decided to issue a Stop Memo to further activities of the proponent. The Authority decided to call for a report from the Geologist on the issuance of passes for transportation of excavated soil outside the project site. Authority also decided to seek time extension of 2 months to complete the process.

**Sd/-**  
**Dr.H.Nagesh Prabhu IFS (Retd)**  
**Chairman, SEIAA**

**Sd/-**  
**Dr.Usha Titus I.A.S.**  
**Principal Secretary**  
**& Member Secretary, SEIAA**

**Sd/-**  
**Dr. Jayachandran.K**  
**Member, SEIAA**