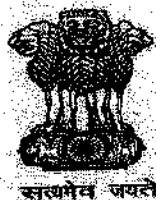


Validity expires on 29-9-2021



Proceedings of the State Environment Impact Assessment Authority Kerala

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

Sub: Environmental Clearance for quarry project in Sy. No. 172 (pt) at Kodiyathoor Village, Kozhikode Taluk, Kozhikode District by Sri. B. P. Sidhique Haji- EC
Granted-Orders issued

State Environment Impact Assessment Authority, Kerala

No. 998/EC4/4409/SEIAA/2015

Dated: 30/09/2016

- Ref: 1. Application dated 27-11-2015 by Sri.B.P.Sidhique Haji, Managing Partner, M/s Chelupara Granites, Puthiyanidam, Thottumukkam P.O., Kozhikode District-673669.
2. Judgment dated 19-1-2016 of the Hon. High Court of Kerala in W.P. No. 1012/2016 filed by Sri.B.P.Sidhique Haji
3. Minutes of the 55th SEAC meeting held on 10/11/20-5-2016.
4. Minutes of the 58th meeting of SEAC held on 28/29-6- 2016.
5. Minutes of the 57th meeting SEIAA held on 26-8-2016.

ENVIRONMENTAL CLEARANCE NO. 154 / 2016

Sri.B.P.Sidhique Haji, Managing Partner, M/s Chelupara Granites, Puthiyanidam, Thottumukkam P.O., Kozhikode District-673669 vide his application received on 27/11/2015 has sought Environmental Clearance under EIA Notification, 2006 for the quarry project in Sy. No. 172 (Pt) of Kodiyathoor Village, Kozhikode Taluk, Kozhikode District, Kerala for an area of 4.9797 hectares. The project comes under Category B/B2, Schedule 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) dated 24.12.2013 of Ministry of Environment and Forests, since the area of the project is below 25 hectares. Other details of the project are as under:

File No.	998/SEIAA/EC4/4909/2015
Name of project	Building Stone Quarry of M/s. Chelupara Granites
Brief description of the project	Open cast mining
Category/Subcategory &	"B" Category, 1(a)

Schedule			
Location Sy no/ district, Taluk/ village etc.		Sy.No. 172(pt) Kodiyathoor Village, Kozhikode Taluk, Kozhikode District of Kerala State	
GPS co-ordinates	Latitude (N)	11 ⁰ 17'06.52" N to 11 ⁰ 17' 14.29"N	
	Longitude (E)	76 ⁰ 02' 25.59" E to 76 ⁰ 02' 36.87" E	
for Mining projects	Extent of area (in hectares)	4.9797 Ha	
	Minimum and maximum height of excavation (MSL)	85m MSL- Minimum and 190m MSL- Maximum	
	Life of mine proposed	19 years	
	Ultimate depth of mining (in MSL)	85m above MSL	
	Distance from the adjacent quarry	2Km-South	
	Capacity of production	2,00,000 tonnes per year	
	Details of project cost	Total Project Cost- 10 Crores Land Cost - 44Lakhs Machinery Cost - 8.3 Cröre Construction cost - 1.26 Crores	
ABOUT THE PROJECT			
Environmental parameters considered			
WATER			
Water requirement & sources	Domestic consumption -0.44 KLD, Dust suppression:5.0KLD Watering the plantation:2 KLD The required water will be met from bore well & open well		
RWH units proposed	10% of the lease area(0.4979 Ha) will be converted as RWH during mine closure plan.		
Facilities for liquid waste treatment	Liquid wastes from toilet and office will be treated in septic tank and soak pit		
Impoundment, damming, culverting, realignment or other changes to the hydrology of watercourses or aquifers?	Nil		
Water quality meeting requirements	To be within the permissible limits as per rules.		
Does it have provisions for use of recycled water	No		
LAND			
Proximity to forest lands	No forest within 500m		
Access road to the site – Width & Condition	10m		
Storage of explosives /hazardous substances	Explosives will be procured, stored, transported, handled and used in accordance with Indian Explosive Act 1884, MSHC Rules 1989, Mines Act, 1952 and regulations there under		

Facility for solid waste mgmt	Solid waste will be stacked at designated places during the quarry operations and will be utilized for reclamation work during mine closure.
Topographic features/ slope	Entire lease area is exposed by Gneissic Charnockite with a top soil thickness 0.5m. Length of the ore body: Ranging from 165-202m (Average 183.5m) Width of the ore body: Ranging from 243-296m (Average 269.5m) Depth of the ore body: 85m MSL
Proneness of the area for landslides	The material exposed in the quarry is Charnockite, which is hard in nature and as per the seismic zone map, the project site falls under zone III (moderate).
Significant land disturbance resulting in erosion, subsidence & instability	No, quarry area is not susceptible to natural hazard as there is no history of such incidents
Top soil, overburden etc.	Topsoil – 22,499 tonnes Overburden – 1,56,000 tonnes
AIR	
Air quality meeting requirements	Air quality will be maintained within permissible limits as per rules as applicable
Noise level meeting requirements	To be as per rules as applicable at site
Likely emissions affecting environment	Due to quarry activity and operation of heavy earth moving machinery generation of dust, noise is likely. However, mitigative measures are proposed in the EMP will be executed
ENERGY	
Energy requirement	From KSEB Quarry operations are mainly by HEMM which are operated by HSD.
Extent of usage of alternative energy resources	Nil
BIODIVERSITY	
Presence of any endangered species or red listed category	There are no endangered or rare species in the area.
Loss of native species and genetic diversity	There will not be any loss of native species of genetic diversity as the quarry already exists and continuation of the same will not affect or loss of native species in general
Likely displacement of fauna	None
Any introduction of alien / invasive species	None
SOCIAL ASPECTS	
Proximity to nearest habitation	166m towards North East

CSR related to the project/ allocation/ time frame (details mandatory)	As decided by 55 th SEAC held on 10/11/20-5-2016, the proponent submitted revised CSR, which are given below:				
	Sl No	Area of Intervention	No. of Intervention	Recurring Expense (in Rs.)	Nonrecurring Expense (in Rs.)
	1	Promotion of Education	2	1,35,000	1,55,000
	2	Environmental sustainability	2	15,000	4,61,000
	3	Health Care	4	2,00,000	5,90,000
	Total			3,50,000	12,06,000
	In the 58 th meeting of SEAC held on 28/29-6-2016 the proponent also agreed to set apart Rs 12 lakhs (non-recurring) and 4 lakhs per annum (recurring) for next 5 years for CSR activities for the welfare of the local community. The proponent also agreed to spend this amount in consultation with the local Panchayath.				
GENERAL					
Litigation/court cases, if any, against the project (provide details)	Nil as declared by the proponent				
Right & nature of ownership of land	Private land				
Details of Authorised Signatory	Sri.B.P.Sidhique Haji, Managing Partner, M/s Chelupara Granites, Door No.KP 10/40, Chelupara, Puthiyandam Thottumukkam, P.O., Kozhikode-673669. Email:chelupara999@hotmail.com Ph.No.9447478184				
Details of NABET approved EIA consultant organisation	M/s Over Seas Mine-Tech Consultants, 501, 5 th Floor Apex Tower, Tank Road, Jaipur, Rajasthan – 305015 Email:arun.omtc@gmail.com				

2. The proponent filed a Writ Petition as W.P. © No. 1012 of 2016 before the Hon'ble High Court of Kerala. The Hon'ble High Court delivered a judgment on 19/01/2016, stating that the petitioner seeks an early disposal of application. The petitioner apprehends that if the environmental clearance is not obtained by the petitioner will become redundant and inoperative. In such circumstances, there shall be a direction to SEIAA to dispose the application and pass orders on or before 15/03/2016. On the basis a letter no.998/EC4/2015/SEIAA dated 31/03/2016 has been sent to the Advocate General, Kerala, requesting that this is a comparatively new application and several earlier applications are pending it requires some more time to process the applications as per rules and to move the Hon' ble High Court for some more time (3 months) to complete the procedures and to take

final decision. It is also noted that EC is granted (E.C. No.126/2015 dated 16-01-2016) to another quarry project with same Sy. No.172 (P) at Kodyathur Village, Kozhikode Taluk, Kozhikode District, owned by Sri.P.M.Aboobacker, Managing Director, M/s Palakkal Granites Pvt. Ltd.

3. The proposal was considered in the 55th SEAC meeting held on 10th, 11th and 20th of May, 2016. The Committee deferred the item for field visit. The Committee also asked the proponent to produce a copy of the Certificate 27 2(F) from Village Officer. As decided by 55th SEAC, The sub-committee of SEAC consisting of Dr. P.S. Harikumar and Dr.Khaleel Chovva visited the quarry on 5th June 2016 in Survey No.172 Kodyathur Village. The proponent was present at the site. The major observations are as follows:

"It is an existing quarry. The following specific conditions have to be followed in addition to the general conditions stipulated for mining projects

- 1) *The drainage is not proper. The water collected from the site is presently flowing into the nearby stream without any treatment. Proper collection and desiltation should be done at the site itself before letting out the water from the site. A settlement pond must be necessary in the site for the collection and clarification of the water.*
- 2) *The overburden is not properly stacked. The overburden should be properly stored at a designated place*
- 3) *Fencing with danger sign boards should be provided around the quarry site*
- 4) *Local Biodiversity Management Committee shall be involved in the environmental management/restoration activities.*
- 5) *Reclamation and eco-restoration should be done by planting native species".*

4. The proponent submitted the certificate from Village Officer to the effect that the land involved has not been assigned for any other purpose, and also modified CSR. The proposal was again considered in the 58th meeting of SEAC held on 28th & 29th June 2016. The committee appraised the proposal based on the mining plan, pre-feasibility report, site inspection report and all other documents submitted along with the Form I application and decided to recommend for issuance of EC for mining subject to the general conditions and to the following specific conditions-

1. The drainage is not proper. The water collected from the site is presently flowing into the nearby stream without any treatment. Proper collection and desiltation should be done at the site itself before letting out the water from the site. A settlement pond must be necessary in the site for the collection and clarification of the water.
2. The overburden is not properly stacked. The overburden should be properly stored at a designated place.
3. Fencing with danger sign boards should be provided around the quarry site.

The Committee also recorded that:

“The proponent agreed to set apart Rs. 12 lakhs (non-recurring) and 4 lakhs per annum (recurring) for next 5 years for CSR activities for the welfare of the local community. The proponent also agreed to spend this amount in consultation with the local Panchayath. This commitment may be noted in the EC”.

CSR undertaking as above is incorporated under ‘Social Aspects’.

5. The proposal was placed in the Authority in its 57th meeting held on 26-08-2016. Authority found that another quarry having environmental clearance (No.126/2015 dated 16-01-2016) with the same Sy. No.172 (P) at Kodyathur Village, Kozhikode Taluk, Kozhikode District, M/s Palakkal Granites Pvt. Ltd owned by Sri.P.M. Aboobacker is there and hence wanted the proponent to submit a no cluster certificate, and to grant E.C subject to the above specific conditions and general conditions for mining projects if there is no cluster situation. The proponent submitted the document as per the decision taken by 57th SEIAA. State Environment Impact Assessment Authority Kerala hereby grant environmental clearance to the proposed quarry project by Sri. Sri.B.P.Sidhique Haji in in Sy. No. 172 (Pt) of Kodyathoor Village, Kozhikode Taluk, Kozhikode District, Kerala for an area of 4.9797 hectares subject to the specific condition given in para 4, general conditions in the appendix, mitigation measures undertaken in the EMP in the PFR, and in the Mining Plan submitted.

6. The clearance issued will also be subject to full and effective implementation of all the undertakings given in the application form, mitigation measures in the Environment Management Plan in Chapter 2 of the Pre-Feasibility Report and the mining features including progressive mine closure plan as submitted with the application and relied on for grant of this clearance. The above undertakings and the conditions and undertakings in Chapter 4 (Mining), Chapter 5 (Blasting) Chapter 6 (Mine Drainage), Chapter 11 (Environment Management Plan) and Chapter 12 (Progressive Mine Closure Plan) of the Mining Plan as submitted will be deemed to be part of this proceedings as conditions as undertaken by the proponent, as if incorporated herein.

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

8. 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, Kozhikode to take legal action under the Environment (Protection) Act, 1986.

ii) The given address for correspondence with the authorized signatory of the project
Sri. B.P.Sidhique Haji, Managing Partner, M/s Chelupara Granites, Puthiyanidam,
Thottumukkam, P.O., Kozhikode District-673669.

Sd/-
V.S. SENTHIL I.A.S
Member Secretary, SEIAA
&
Additional Chief Secretary
Environment Department
Government of Kerala

To,

Sri.B.P.Sidhique Haji,
Managing Partner,
M/s Chelupara Granites,
Door No.KP 10/40, Chelupara,
Puthiyanidam
Thottumukkam, P.O.,
Kozhikode-673669.

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. Director, Mining & Geology, Thiruvananthapuram -4.
4. District Collector, Kozhikode
5. Secretary, Kodyathur Village, Kozhikode Taluk,
6. Chairman, SEIAA.
7. Website.
- ✓ 8. S/f
9. O/c



Forwarded/ By Order

Rajeshan
Administrator,
SEIAA

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 is 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.

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

- working, mineral and OB dumps to prevent run off of water and flow of sediments directly into the river and other water bodies. The water so collected should be utilized for watering the mine area, roads, green belt development etc. The drains shall be regularly desilted particularly after monsoon and maintained properly.
45. Effective safeguard measures such as regular water sprinkling shall be carried out in critical areas prone to air pollution and having high levels of PM_{10} and $PM_{2.5}$ such as haul Road, loading and unloading points and transfer points – it shall be ensured that the Ambient Air Quality parameters conform to the norms prescribed by the Central Pollution Control Board in this regard.
46. Fugitive dust emissions from all the sources should be controlled regularly. Water spraying arrangement on haul roads, loading and unloading and at transfer points should be provided and properly maintained.
47. Measures should be taken for control of noise levels below 85 dBA in the work environment.
48. A separate environmental management cell with suitable qualified personnel should be set-up under the control of a Senior Executive, who will report directly to the Head of the Organization.
49. The funds earmarked for environmental protection measures and CSR activities should be kept in separate account and should not be diverted for other purpose. Year wise expenditure should be reported to the State Environment Impact Assessment Authority (SEIAA) office.
50. The Regional Office of MOEF & CC located at Bangalore shall monitor compliance of the stipulated conditions. The project authorities should extend full cooperation to the officer (S) of the Regional Office by furnishing the requisite data/information/monitoring reports.
51. Any appeal against this Environmental Clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.
52. Concealing the factual data or submission of false/fabricated data and failure to comply with any of the conditions mentioned above may result in withdrawal of this clearance and attract action under the provisions of Environment (Protection) Act, 1986.
53. The SEIAA may revoke or suspend the order, for non implementation of any of the specific or this implementation of any of the above conditions is not satisfactory. The SEIAA reserves the right to alter/modify the above conditions or stipulate any further condition in the interest of environment protection.
54. The above conditions shall prevail notwithstanding anything to the contrary, in consistent, or simplified, contained in any other permit, license or consent given by any other authority for the same project.
55. This order is valid for a period of 5 years or the expiry date of mine lease period issued by the Government of Kerala, whichever is earlier.
56. The Environmental Clearance will be subject to the final order of the courts in any pending litigation related to the land or project, in any court of law.
57. The mining operation shall be restricted to above ground water table and it should not intersect ground water table.
58. All vehicles used for transportation and within the mines shall have 'PUC' certificate from authorized pollution taking centre. Washing of all vehicles shall be inside the lease area.
59. Project proponent should obtain necessary prior permission of the competent authorities for drawal of requisite quantity of surface water and ground water for the project.
60. Regular monitoring of flow rates and water quality up stream and down stream of the springs and perennial nallahs flowing in and around the mine lease area shall be carried out and reported in the six monthly reports to SEIAA.
61. Occupational health surveillance program of the workers should be under taken periodically to observe any contractions due to exposure to dust and take corrective measures, if needed.



Rajendran
for Member Secretary, SEIAA Kerala