



सत्यमेव जयते

Validity expires on 14.05.2024

**PROCEEDINGS OF THE ADMINISTRATOR, STATE
ENVIRONMENT IMPACT ASSESSMENT AUTHORITY,
THIRUVANANTHAPURAM**

(Present. MINIMOL V.G)

Sub: SEIAA- Environmental Clearance for the proposed stone quarry project in Survey No. 946/2 pt at Chittar Village & Panchayat, Ranni Taluk, Pathanamthitta District, Kerala by Mr.Thomas Philip, Managing Director, M/s Delta Aggregates & Sand Pvt. Ltd.- Granted – Orders issued.

State Environment Impact Assessment Authority, Kerala

No. 239/SEIAA/KL/969/2014

dated, Thiruvananthapuram 15.05.2019

- Ref: 1. Application received on 01.03.2014 from Mr.Thomas Philip, Managing Director, M/s Delta Aggregates & Sand Pvt. Ltd
2. Minutes of the 26th meeting of SEAC held on 21.03.2014
 - 3 Minutes of the 32nd meeting of SEAC held on 12th & 13th August 2014
 4. Minutes of the 35th meeting of SEIAA held on 9th April 2015
 4. Minutes of 39th meeting of SEAC held on 14th & 15th May 2015
 5. Minutes of the 40th meeting of SEIAA held on 3rd & 4th August 2015
 6. Minutes of the 88th meeting of SEIAA held on 25th January 2019.
 7. Judgment of the Hon'ble High Court dated 25.03.2019 in WA No.1375/2016
 8. Minutes of the 90th meeting of SEIAA held on 29th March 2019
 9. Minutes of the 91st meeting of SEIAA held on 29th April 2019
 10. G.O (Rt.) No.29/2019/Envr dated.12.04.2019

ENVIRONMENTAL CLEARANCE NO.19/2019

Mr.Thomas Philip, Managing Director, M/s Delta Aggregates & Sand Pvt. Ltd, No.423E, Chittar P.O, Pathanamthitta, Kerala – 689 663, vide application received on

01.03.2014 has sought Environmental Clearance under EIA Notification, 2006 for the quarry project in Survey No. 946/2 pt at Chittar Village & Panchayat, Ranni Taluk, Pathanamthitta District, Kerala for an area of 9.7128 Ha. The project comes under category B and further classified as category B2 as per O.M dated 24.12.2013 since the area is below 25 hectares. The projects is for 3,00,000 MTA of building stone and the expected life of mine is 30 years. The details of the project cost given in 2014 is Rs.1.23 crores.

2. This proposal was placed in the 26th meeting of SEAC held on 21.03.2014 and decided to defer it for site visit and asked certain clarifications. It was further decided that since the project area falls in ESZ-I of WGEEP report and ESA of HLWG report, a final decision in the matter shall be taken only after final notification of MoEF with regard to Western Ghats is available. The 32nd SEAC held on 12th & 13th August 2014 deferred since the area falls under ESZ-1 of WGEEP report and ESA of HLWG report awaiting the final decision in the matter. The proposal was then placed in the 35th meeting of SEIAA held 9th April 2015 and asked to submit approved Mining Plan. On 6.05.2015, the proponent submitted the mining plan approved by the District Geologist. The matter was then placed before the 39th SEAC meeting held on 14th & 15th May 2015 and deferred the proposal till the issuance of final Notification of ESA by MoEF & CC. In the 40th meeting of SEIAA held on 3rd & 4th August 2015, the proposal was placed and the Authority decided to wait for final Notifications of ESAs by MoEF.

3. The applicant filed W.P. against this and Hon'ble High Court in its judgement dated 01.03.2016 in WP (C) 6916 of 2016 pronounced that if the petitioner is otherwise found eligible, necessarily the EC should be granted to the petitioner without any delay. The petitioner had again approached Hon'ble High Court.

4. Due to the existence of the Section 5 direction issued by the MoEF vide Notification dated 13.11.2013, the Authority decided to file appeals against the Judgment of the Hon'ble High Court in WP(C) 6916/2016 and connected case. But subsequently the MoEF vide Notification dated 03.12.2018 has amended the section 5 direction. As per the amended Notification, Sy.No. 946/2 of Chittar village, Ranni Taluk has not come under and hence the proponent requested to consider his application for EC for an extent of 9 Hectares 71 Ares and 28 squares of land comprised under Sy.No.946/2 of Chittar village, Ranni Taluk, Pathanamthitta. Hence Authority in its 88th meeting held on 25.01.2019 decided to issue EC

for the quarry project of Sri.Thomas Philip, Managing Director, Delta Aggregates and Sand Pvt. Ltd. Chittar, Pathanamthitta for 15 years for an area of 9.7218 hectares subject to review in every five years. Since the matter was pending before the Hon'ble High Court of Kerala, it was also decided that Orders will be issued only after the pronouncement of Judgment by the Hon'ble High Court and also decided to withdraw the appeal petition No.WA 1969/2018 and connected appeals.

5. On the basis of the decision of the Authority to withdraw the appeal, the Hon'ble High Court of Kerala vide Judgment dated 25.03.2019 in WA No.1375/2016 has dismissed the appeal. Since no litigation is pending in this matter, Authority can take decision regarding the issuance of EC to the proponent.

6. The matter was then placed in the 90th meeting of SEIAA held on 29th March 2019. On the basis of the decision of the Authority to withdraw the appeal, the Hon'ble High Court of Kerala vide Judgment dated 25.03.2019 in WA No.1375/2016 has dismissed the appeal. The Authority has decided to revoke the earlier decision and to issue EC for 5 years as per existing norms for an area of 9.7218 ha as the Mining Plan needs to be revised in every five years.

7. The proposal was finally placed in the 91st meeting of SEIAA held on 29th April 2019. Authority noted that as per the records placed before it, SEAC has appraised the proposal including the approved Mining Plan but was waiting for the final Notification on ESA which was issued on 03.12.2018. As SEIAA/SEAC have considered the case twice and there is neither any litigation pending in the matter nor is the project area falling under ESA Notification as noted by SEAC for deferring the proposal, the Authority decided to grant the EC as a special case subject to the following specific conditions and as per the list of general conditions attached to EC.

- 1) The Corporate Environmental Responsibilities to be carried out as per OM F.No.22-65/2017-IA-III dt.01.05.2018 in consultation with the District collector.
- 2) Half yearly compliance report shall be submitted to SEIAA and there shall be site inspection by SEAC at regular intervals so that EC conditions are complied with and mining shall be carried out as per the Rules & Regulations of KMMCR 2015.
- 3) General conditions.

8. Environmental Clearance as per the EIA Notification 2006 is hereby accorded for the quarry project of Mr. Thomas Philip, Managing Director, M/s Delta Aggregates & Sand Pvt. Ltd, No.423E, Chittar P.O, Pathanamthitta, Kerala – 689 663 in Survey No. 946/2 pt at Chittar Village & Panchayat, Ranni Taluk, Pathanamthitta District, Kerala for an area of 9.7128 Ha, subject to the specific conditions in para 7 above, all the environmental impact mitigation and management measures undertaken by the project proponent in the Form I, EMP, PFR and Mining plan submitted to SEIAA. The assurances and clarifications given by the proponent will be deemed to be a part of these proceedings as if incorporated herein. Also the general conditions for projects stipulated for mining (items 1 to 48), appended hereto will be applicable and have to be strictly adhered to.

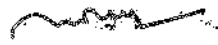
9. The Clearance issued will also be subject to full and effective implementation of all the undertakings given in the application form, mitigation measures as assured in the Environment Management Plan and the mining features including progressive mine closure plan as submitted with the application and relied on for grant of this clearance. The above undertakings and the conditions and the undertakings in Chapter 4 (Mining), Chapter 5 (Blasting), Chapter 6 (Mines Drainage), Chapter 7 (Stacking of Mineral rejects and Disposal of waste) Chapter 11 (Environment Management Plan) & 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.

10. Validity of the Environmental Clearance will be five years from the date of this clearance, subject to inspection by SEIAA on annual basis and compliance of the conditions, subject to earlier review of E.C in case of violation or non-compliance of conditions or genuine complaints from residents within the security area of the quarry.

11. Compliance of the conditions herein will be monitored by the State Environment Impact Assessment Authority or its authorised offices 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, Pathanamthitta.

- iii. The given address for correspondence with the authorised signatory of the project is Mr.Thomas Philip, Managing Director, M/s Delta Aggregates & Sand Pvt. Ltd, No.423E, Chittar P.O, Pathanamthitta, Kerala – 689 663.


Minimol V.G
Administrator, SEIAA

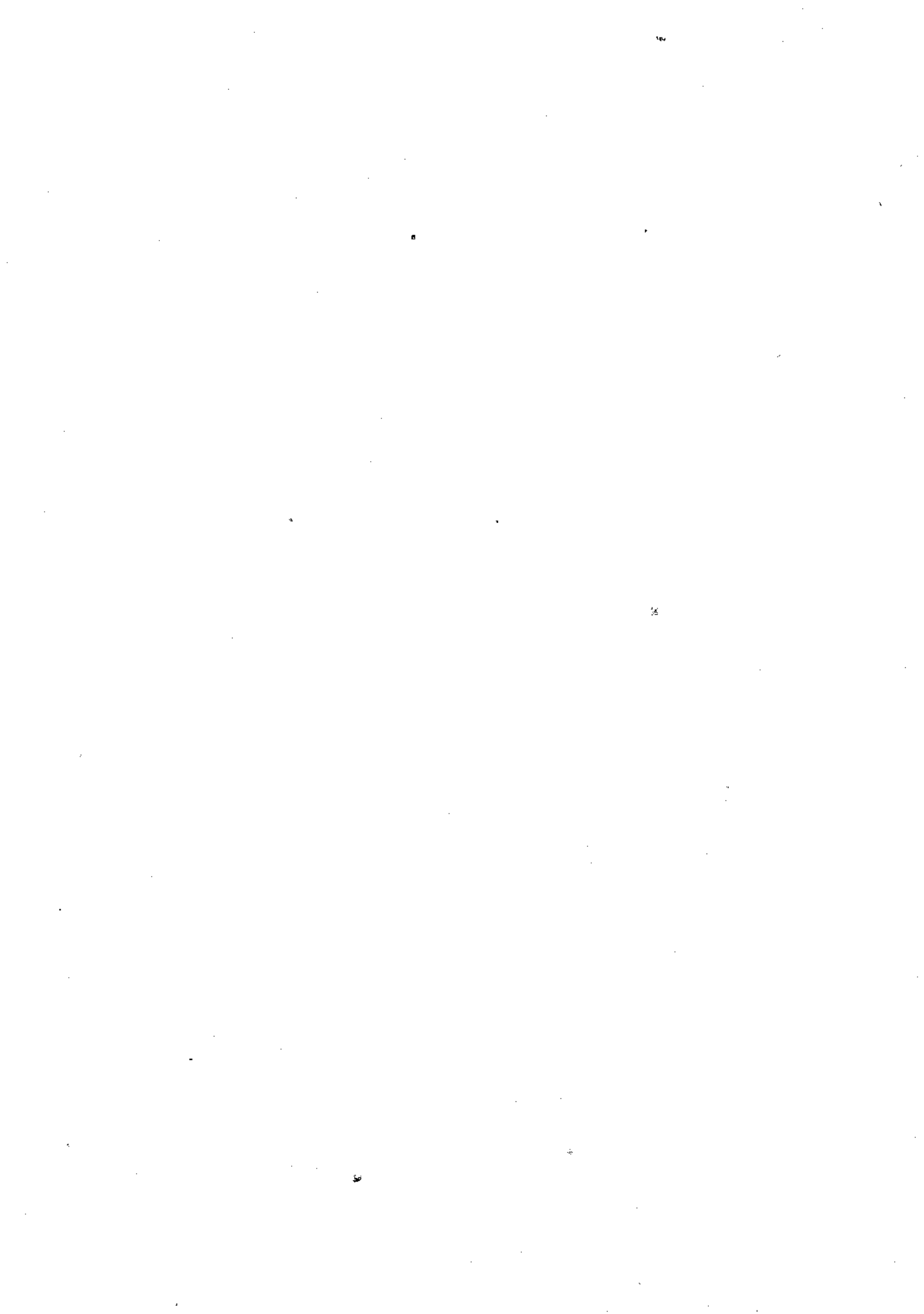
To,

Mr.Thomas Philip,
Managing Director,
M/s Delta Aggregates & Sand Pvt. Ltd,
No.423E, Chittar P.O,
Pathanamthitta,
Kerala – 689 663

Copy to,

1. MoEF Regional Office, Southern Zone, Kendriya Sadan, 4th Floor, E&F Wing, II Block, Koramangala, Bangalore-560034.
2. The Principal Secretary to Government, Environment Department, Government of Kerala.
3. District Collector, Pathanamthitta
4. Director, Mining & Geology, Thiruvananthapuram -4.
5. The Member Secretary, Kerala State Pollution Control Board
6. District Geologist, Pathanamthitta
7. Tahsildhar, Ranni Taluk, Pathanamthitta District
8. Village Officer, Chittar Village Pathanamthitta
9. Chairman, SEIAA.
10. Website.
11. S/f
12. O/c





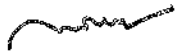
STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY KERALA

GENERAL CONDITIONS (for mining projects)

1. A separate environmental management and monitoring cell with qualified personnel should be set-up under the control of a Senior Executive, who will report directly to the Head of the Organization.
2. 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.
3. Sprinklers shall be installed and used in the project site to contain dust emissions.
4. Eco-restoration including the mine closure plan shall be done at the own cost of the project proponent.
5. In view of the deep pits left after the excavation, stacking at maximum top level should be carried out.
6. Corporate Environment Responsibility agreed upon by the proponent should be implemented.
7. The project proponent shall comply the conditions stipulated by the statutory authorities concerned.
8. Tarring /multiple options on the access roads shall be undertaken so as to reduce dust pollution during movement of vehicle.
9. Overburden materials should be managed within the site and used for reclamation of mine pit as per mine closure plan / specific conditions.
10. 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.
11. Ground level should be fixed in individual cases separately
12. No mining operations should be carried out at places having a slope greater than 45°.
13. 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. This condition is applicable only in such cases if a crusher is adjacent to the quarry.
14. The workers on the site should be provided with the required protective equipment such as ear muffs, helmet, etc.
15. Garland drains with clarifiers to be provided in the lower slopes around the core area to channelize storm water.
16. The transportation of minerals should be done in covered trucks to contain dust emissions. The proponent should plant trees at least 5 times of the loss that has been occurred while clearing the land for the project. SEAC should assess the number of trees in each project site before the issuance of EC so as to ensure the promptness in planting.
17. Explosives should be stored in magazines in isolated place specified and approved by the Explosives Department.
18. 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.
19. 50 m buffer distance should be maintained from forest boundaries.
20. Consent from Kerala State Pollution Control Board under Water and Air Act(s) should be obtained before initiating mining activity.
21. 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.
22. 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.
23. 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.
24. 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.

25. 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.
26. The Environmental Clearance shall be put on the website of the company by the proponent.
27. Proponent shall submit half yearly reports in soft copy and SEIAA will upload it on the website.
28. 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
29. 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.
30. 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.
31. 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.
32. 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.
33. 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.
34. Effective safeguard measures such as regular water sprinkling shall be carried out in critical areas prone to air pollution and having high levels of PM₁₀ 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.
35. 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.
36. Measures should be taken for control of noise levels below 85 dBA in the work environment.
37. The funds earmarked for environmental protection measures and CER activate 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.
38. 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.
39. 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.
40. 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.
41. 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.

42. 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.
43. 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.
44. The mining operation shall be restricted to above ground water table and it should not intersect ground water table.
45. 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.
46. 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.
47. Regular monitoring of flow rates and water quality upstream and downstream 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.
48. 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.


For Member Secretary, SEIAA Kerala

