Proceedings of the State Environment Impact Assessment Authority Kerala
Present: Prof. (Dr.) K.P. Joy, Chairman; Dr. J. Subhashini, Member; Dr. Nivedita P Haran IAS,
Member Secretary & Additional Chief Secretary to Government (Environment Department)

Sub: SEIAA Kerala -Proposed Erikkulam Chinaclay Mining project of M/s Kerala Clays & Ceramic Products Ltd at Madikkai Village Madikkai Panchayath, Hosdurg Taluk, Kasaragod District – Environmental Clearance – Accorded

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Environmental Clearance

No. 114/SEIAA/KL/1980/2013 *dated, Thiruvananthapuram 31.10.2014*

Ref:-
1. *G.O (MS)141/07/ID dated 21.11.2007*
2. Application dated 15-7-2013 submitted by the Managing Director, Kerala Clays & Ceramic Products Ltd, 'Clay House', Pappinissery, Kannur District, Kerala - 670561
3. Minutes of the 19th meeting of SEAC held on 9th & 10th September 2013
4. Minutes of the 25th meeting of SEAC held on 14th & 15th February 2014
5. Minutes of the 26th meeting of SEAC held on 20th & 21st March 2014
6. Minutes of the 28th meeting of SEAC held on 25th & 26th April2014
7. Minutes of the 29th meeting of SEIAA held on 09.04.2014
8. Letter No.KCCP/T.EIA STUDY/638/2014-15 dated 30.06.2014 from the Managing Director, Kerala Clays & Ceramic Products Ltd.
9. Minutes of the 32nd meeting of SEAC held on 12th & 13th August 2014
10. Minutes of the 34th meeting of SEIAA held on24. 10.2014

ORDER

The Managing Director, M/s Kerala Clays & Ceramic Products Ltd. (a Government of erala Undertaking), vide his application received on 18-07-2013, has sought Environmental earance under EIA Notification, 2006 for the proposed Erikkulam Chinaclay Mining and eficiation project in Sy. Nos. 676/A & 681/1A at Madikkai Village and Panchayath, sdurg Taluk, Kasaragod District, Kerala for an area of 9.841 hectares. Government have anted mining lease for the project as per the GO referred to above, over an area of 13.1932 ctare(32.60 acres) for a period of 20 years and subject to specific conditions on mining.

2. The proposal was considered in the 19th SEAC meeting held on 9th and 10th September 14 as agenda item no. 19.04 and the Committee deferred the item for site visit and seeking ditional clarifications from the proponent. Subsequently a subcommittee of SEAC inspected e site on 21.10.2013. The proponent submitted the additional clarifications sought and the atter was placed for reconsideration of SEAC in its 25th meeting held on 14th and 15th bruary 2014. The Committee verified the additional clarifications/documents submitted by proponent and felt that the same requires detailed examination and therefore deferred to considered in the next SEAC meeting. The proposal was considered in the 26th SEAC eting held on 20th and 21st March 2014. The Committee found that the project involves ning and beneficiation of china clay. The Committee was of the opinion that since the ject involves beneficiation and excavation of 40,000 MTA of china clay, it has to be sidered as B1 category vide Activity 2 (b) in the Schedule of Activities in EIA Notification 06, also in addition to 1 (a) and further considering O.M. No. J-13012/12/2013-IA-II (I) dt.

24.12.2013 of Ministry of Environment and Forests on Guidelines for consideration of proposals for grant of Environmental Clearance EIA Notification 2006 and its amendments regarding categorization of Category 'B' projects/activities into Category 'B1' and Category 'B2'. Hence it was recommended that the project may be considered as B1 Category and that the proponent directed to submit TOR for EIA and to conduct public hearing. It was further decided that while reconsidering the proposal, the proponent has to address the following aspects also based on the site inspection conducted:

1. Cadastral map of the area with this and adjacent Sy. No. to be given.
2. Bore hole log of adjacent area to the east to be given.
3. Grade of the deposit to be given with the industrial use, preferably with quantity.
4. Assurance in the form of affidavit that green belt and fencing shall be provided all around the project area.
5. Assurance in the form of affidavit that rare plants seen in the area may be removed and relocated in Sy. No. 682/A.
6. Biodiversity protection plan to be provided.
7. Mining can cause depletion of water table in the vicinity. Hence a large sized RWH pit to be provided in the lower north-western part (say 100 m x 100 m size and reaching to a depth of 15 m below ground level). All the storm water from the area must be channelized into this pit. Provisions proposed for the same to be provided
8. Assurance in the form of affidavit that the overburden at the site and rejects from the plant at Nileswar must be used for back filling the pits.

3. Subsequently, the proponent has submitted a request to consider their project as Category B2 since the production of 40,000 TPA is the quantity of raw clay extracted from the mine at Erikkulam whereas the end product from the beneficiation plant which is located at 4 km from the project site is 14000 MTA. Therefore, the proposal is only for mining and not for beneficiation. The matter was placed for consideration in the 29th SEIAA meeting held on 9th April 2014. SEIAA directed that the proponent should submit an affidavit to the effect that the actual beneficiation is not done as part of the present project and that mining will not be undertaken until EC is sought for beneficiation project. Accordingly, the matter was placed for consideration in the 28th SEAC meeting held on 2nd and 3rd May 2014. The Committee decided to proceed as per the decision of the 29th SEIAA meeting. The proponent has submitted an affidavit to the effect that the company do not propose to carry out actual beneficiation process as part of the present project. It is further stated by the proponent that the company may not be able to undertake mining operation at all at Erikkulam if affidavit is given as per the decision of 29th SEIAA meeting.

Subsequently the proposal was placed in 32nd SEAC meeting held on 12th and 13th August 2014 for final decisions.

The committee found that the proponent has provided the clarifications sought in the 26th SEAC and that the company does not propose to carry out actual beneficiation process as part of the present project. Hence SEAC recommended the proposal as per the following specific conditions in addition to the general conditions stipulated for mining projects:

1. The rare plants existing in the area may be removed and replanted in Sy.No. 682/A successfully.
2. A rain water harvesting pit of size minimum 100 m x 100 m to be provided in the north western part of the project site. All the storm water from the area must be channelized into this pit.
3. The overburden at the site and rejects from the plant at Nileshwar must be used for backfilling the pit.
4. I percent of the profit shall be given to the concerned Panchayath for Biodiversity Management Committee towards eco-restoration.

The appraisal report is approved by SEAC for forwarding to SEIAA.

4. The case as recommended by SEAC was placed in the 34th meeting of SEIAA on 24.10.2014. The Authority examined the environmental setting of the project (para 2), baseline environmental data (para3) and the Environmental Management Plan (para4), as provided with the application in the light of the inspection report and recommendations of SEAC. The project is appraised as B2 in view of the affidavit submitted by the project proponent that 'the company do not prepare carryout actual beneficiation process as a part of the present project for which only EC is applied for.

5. The proponent has submitted detailed Environment Impact Mitigation Measures which were also presented before the SEAC. The Authority decided to grant Environmental Clearance after detailed discussion on the above aspects of the project and analysing the appraisal reports of SEAC referred to above and approved it for issue of Environmental Clearance subject to the following specific conditions, in addition to the undertaking EMP and general conditions on mining annexured hereto.

1. The rare plants existing in the area may be removed and replanted in Sy. No. 682/A Successfully.
2. A large sized rain water harvesting pit to be provided in the north western part of the project site. All the storm water from the area must be channelized into this pit.
3. The overburden at the site and rejects from the plant at Nileshwar must be used for backfilling the pit.
4. One percent of the profit shall be given to the concerned Panchayath for Biodiversity Management Committee towards eco-restoration
5. The activities under CSR as per legal norms (2%) should be need based with special emphasis on education, health, poverty alleviation and infrastructure development in the neighbouring gramapanchayats of the the project.

6. Environmental Clearance as per the EIA notification 2006 is hereby accorded for the proposed Erikkulam Chinaclay Mining and Beneficiation project of M/s Kerala Clays & Ceramic Products Ltd at Madikkai Village Madikkai Panchayath, Hosdurg Taluk, Kasaragod District subject to the clarifications, conditions mentioned in para 4 above. The clearance given will be subject to all the Environmental impact mitigation and management measures, envisaged by the project proponent in the documents submitted to SEIAA, and the assurances in Form 1 of the application. All the undertakings in the Environment Management Plan (para 4 of Feasibility Report) and the mitigation measures assured in respect of noise impact management, water and waste water management, storm water management, land environment, and proposed Corporate Social Responsibilities will form part of the

onmental Clearance as if incorporated herein. Also the general conditions for m. nded hereto will be applicable and have to be strictly adhered to.

7. Validity of the Environmental Clearance will be five years from 24.10.2014, subject arlier review in the event of non compliance or violation of any of the conditions ulated herein.

8. Compliance of the conditions herein will be monitored by the Directorate of ironment and Climate Change or its agencies and also by the Regional Office of the istry of Environment and Forests, Govt. of India, Bangalore.

i) Necessary assistance for entry and inspection by the concerned officials and staff should be provided by the project proponents.

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

Details of Authorised Signatory	Mr. S. Ashok Kumar Managing Director M/s Kerala Clays & Ceramic Products Ltd. "CLAY HOUSE", Pappinisseri Kannur District, Kerala – 670561. Tel. No. 0497-2787671, 2789633 Mob. No. 09447468461 Fax No. 0497-2787281 Email: keralaclays@gmail.com,
Details of NABET approved EIA consultant organisation	M/s Enkay Enviro Services Pvt. Ltd. 24-B, Dadu Marg, Gopal Bari Ajmer Road, Jaipur Rajasthan-302001. Tel. No: 0141-4013996/4023996/4016996; Fax: 0141-4026996; Email: info@enkayenviro.com

For Member Secretary, SEIAA

To
Sri. S. Ashok Kumar
Managing Director
M/s Kerala Clays & Ceramic Products Ltd.
"CLAY HOUSE", Pappinisseri
Email: keralaclays@gmail.com

Copy to :

1. MoEF Regional Office, Southern Zone, Kendriya Sadan, 4th Floor, E&F Wing, II Block Koramangala, Bangalore-560034
2. The Addl. Chief Secretary to Government, Environment Dept., Government of Kerala
3. The District Collector, Kasaragod/ Kannur
4. The Director, Dept. of Environment and Climate Change, Govt. of Kerala, Tvm - 24.
5. The Director, Mining and Geology Department, Government of Kerala
6. The Secretary, Madikkai Grama Panchayath, Hosdurg, Kasaragod - 671314
7. Chairman SEIAA Kerala
8. Principal Secretary, Industries (A) Department, Govt. of Kerala
9. Website
10. Stock file
11. O/c

STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY
Directorate of Environment
Thiruvananthapuram-695 024
KERALA

STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY KERALA

GENERAL CONDITIONS (for mining projects)

(i) Rain Water Harvesting facility should be installed as per the prevailing provisions of KMMR / KPR, unless otherwise specified.

(ii) Environment Monitoring Cell as agreed under the affidavit filed by the proponent should be formed and made functional.

(iii) 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.

(iv) Maximum possible solar energy generation and utilization shall be ensured as an essential part of the project. .

(v) Sprinklers shall be installed and used in the project site to contain dust emissions.

(vi) Eco-restoration including the mine closure plan shall be done at the own cost of the project proponent.

(vii) 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 dumpings and overburden and planted with indigenous plant species that are eco-friendly.

(viii) Corporate Social Responsibility (CSR) agreed upon by the proponent should be implemented

(ix) ***The lease area shall be fenced off with barbed wires to a minimum height of 4ft around, before starting of mine.***

(x) Warning alarms indicating the time of blasting (to be done at specific timings) has to be arranged as per stipulations of Explosive Department.

(xi) Control measures on noise and vibration prescribed by KSPCB should be implemented.

(xii) Quarrying activities should be limited to day time as per KSPCB guidelines.

(xiii) Blasting should be done in a controlled manner as specified by the regulations of Explosives Department or any other concerned agency.

(xiv) A licensed person should supervise/ control the blasting operations.

(xv) Access roads to the quarry shall be tarred to contain dust emissions that may arise during transportation of materials.

(xvi) Overburden materials should be managed within the site and the old quarries, if any, should be reclaimed and restored.

(xvii) Height of benches should not exceed 5 m and width should not be less than 5 m.

(xviii) Mats to reduce fly rock blast to a maximum of 10 PPV should be provided.

(xix) ***Maximum depth of mining from general ground level at site shall not exceed 10m***

(xx) No mining operations should be carried out at places having a slope greater than 45°.

(xxi) 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.

(xxii) The workers on the site should be provided with the required protective equipment such as ear muffs, helmet, etc.

(xxiii) Garland drains with clarifiers to be provided in the lower slopes around the core area to channelize storm water.

(xxiv) The transportation of minerals should be done in covered trucks to contain dust emissions.

(xxv) The proponent should plant trees at least 5 times of the loss that has been occurred while clearing the land for the project.

(xxvi) Disposal of spent oil from diesel engines should be as specified under relevant Rules/ Regulations.

(xxvii) Explosives should be stored in magazines in isolated place specified and approved by the Explosives Department.

(xxviii) ***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***

(xxix) 200 m buffer distance should be maintained from forest boundaries.

(xxx) Consent from Kerala State Pollution Control Board under Water and Air Act(s) should be obtained before initiating activity.

(xxxi) 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.

(xxxii) In the case of any change(s) in the scope of the project, the project would require a fresh appraisal by this Authority.

(xxxiii) 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.

(xxxiv) 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.

(xxxv) 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 Department of Environment and Climate Change, Govt. of Kerala 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.

(xxxvi) 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.

(xxxvii) 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 Directorate of Environment and Climate Change, Govt. of Kerala.

(xxxviii) 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.*

(xxxix) 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.

(xl) The above conditions shall prevail notwithstanding anything to the contrary, in consistent, or simplified, contained in any other permit, license on consent given by any other authority for the same project

Member Secretary, SEIAA Kerala