

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 Govt. Environment Department

Sub: SEIAA Kerala – River sand mining in Idukki district - Proposal submitted by District Collector, Idukki - Environmental Clearance under EIA Notification 2006 - Accorded – Orders issued

Environmental Clearance

No. 268/SEIAA/KL/1221/2014

dated, Thiruvananthapuram 01.08.2014

- Read:-
1. SEIAA Kerala Minutes of the 30th meeting dt. 09-05-2014
 2. SEIAA Kerala Minutes of the 31st meeting dt. 26-06-2014
 3. SEIAA Kerala Minutes of the 33rd meeting dt. 24-09-2014

ORDER

Sri. Ajit Patil IAS, District Collector, Idukki, vide the application received on 15.03.2014, has sought Environmental Clearance under EIA Notification, 2006 for river sand mining in Idukki District, Kerala. Since SEIAA directed that the proposed ESA villages are to be excluded, the proponent has submitted recent sand statements on 6th June 2014. The proponent has submitted the application in Form 1 along with the following for consideration of environmental clearance of river sand mining in Idukki District, Kerala:

(1) Kadavu list in Idukki district

- i. 6 kadavus in Adimali – Thekkilakkadu kadavu, Vaniyappilli kadavu, Mallappilly kadavu, Njaloorkadavu, Karimbanakkal kadavu, Kunnathu kadavu
 - ii. 1 kadavu in Vellathooval – Pazhampilly kadavu
 - iii. 2 kadavus in Konnathady – Mundakkal kadavu, Manalel kadavu
- (2) Sand audit report from CESS for the year 2004 for 6 kadavus in Adimali Grama Panchayath, 3 kadavus in Vellathooval Grama Panchayath and 5 kadavus in Konnathady Grama Panchayath, recommended for sand mining.

2. The project comes under Category B, Activity 1(a), (i) as per the Schedule of EIA Notification 2006 (since it is below 50 hectares) and as per O.M. No. L-110 11/47/20 11-IA.II(M) dated 18th May 2012 of Ministry of Environment and Forests. No forest land is involved in the present project. As stated by

the proponent, there is no litigation pending against the lease area / applicant of the lease area in any court of law.

3. The proposal has been appraised by the State Level Expert Appraisal Committee Kerala constituted by the competent authority, as per prescribed procedure in the lights of provisions under the EIA Notification 2006 and subsequent amendments, in its 29th meeting held on 2nd and 3rd May 2014 and on the basis of the supporting documents enclosed with the application viz., the Form – 1, Report of NCESS, and the additional clarifications furnished in response to the observations, the SEAC Kerala recommended environmental clearance, for mining of 16000 m³ of sand altogether, from the nine Kadavus in the application, with validity up to 30th September 2014.

4. The SEIAA considered the proposal in its 30th meeting held on 9th May 2014 and in its 31st meeting held on 26th June 2014. The SEIAA, after due consideration of the relevant documents including the draft sand audit statements of kadavus of Njaloor, Karimbanackal, Kunnathu, Vaniappally and Mallappally submitted by the proponent later on and in view of the recommendations of SEAC, approved for issuance of Environmental Clearance for the project mentioned above at its 31st meeting held on 26th June 2014. The Environmental Clearance shall be valid only up to 30th September 2014. Accordingly, the State Level Environment Impact Assessment Authority (SEIAA) Kerala constituted by Govt. of India vide Notification No. S.O. 2484(E) dt. 3-11-2011 of Ministry of Environment and Forests, Govt. of India, published as Gazette extraordinary No. 2074 on 3-11-2011, and further amended by Govt. of India vide Notification No. S.O. 546(E) dt. 25.02.2014 of Ministry of Environment and Forests, Govt. of India, published as Gazette extraordinary No. 466 dated 25-02-2014, accorded Environmental Clearance as per powers vested with it under the provisions of Environment Impact Assessment Notification – 2006 and its subsequent amendments, for sand mining only from the kadavus of Njaloor, Karimbanackal, Kunnathu, Vaniappally and Mallappally as per the report of NCESS, up to a period of 30th September 2014 stipulating the usual conditions and the following specific conditions:

1. The matter was again discussed in the 33rd meeting of SEIAA on 24.09.2014. As per the Supreme Court judgement in Deepakkumar's case on mining of minor minerals, depth of sand mining shall be restricted to 3 m/water level, whichever is less. Therefore the same condition will be applicable. District Collector, Idukki may issue kadavu wise sand extraction permits limiting the total volume of river sand to be extracted from each kadavu and the depth as specified in the NCESS report.
2. Pillars should be erected on the banks of the kadavu to prevent the entry of lorries or carriage vehicles to the kadavus for transporting sand.
3. The maximum limit of sand extraction per day should not exceed 8 tlpd.

4. Mining of sand in the Coastal Regulation Zone shall be as per the guidelines stipulated by the KCZMA.
5. Summer water level must be fixed with reference to a permanent point (bench mark) by levelling and should be recorded for future reference. At least two such points must exist in each Panchayath.
6. The following conditions under Para 1 (iii) (a) to (e) stipulated in the O.M. dt. 24th December 2013 of MoEF for river sand mining should be complied with. Items mentioned under Chapter 3 of the Kerala Protection of River Bank and Regulation of Removal of Sand Act 2001 should be followed, unless repugnant with the conditions in the O.M. dt. 24th December 2013.
 - a) The mining activity shall be done manually.
 - b) The depth of mining shall be restricted to 3 m/water level, whichever is less.
 - c) For carrying out mining in proximity to any bridge and/or embankment, appropriate safety zone shall be worked out on case to case basis to the satisfaction of SEAC/SEIAA, taking into account the structural parameters, locational aspects, flow rate, etc., and no mining shall be carried out in the safety zone so worked out.
 - d) No in stream mining shall be allowed.
 - e) The mining plan approved by the authorized agency of the State Government shall inter-alia include study to show that the annual replenishment of sand in the mining lease area is sufficient to sustain the mining operations at levels prescribed in the mining plan and that the transport infrastructure is adequate to transport the mines material. In case of transportation by road, the transport vehicles will be covered with tarpoline to minimize dust/sand particle emissions.
7. The sand removal areas (Kadavu) shall not be in any of the Ecologically Sensitive Area (ESA) where mining is banned as per O.M No. S.1-4/2012-RE (Pt) dated 13-11-2013 of the MOEF, Govt. of India..
8. Online e-management system should only be resorted for sand distribution.
9. While issuing permit to each Panchayath, the specific quantity of sand to be removed as recommended by NCESS and the period of extraction should be specified by the District Collector.
10. All the other statutory clearances as is required should be obtained.

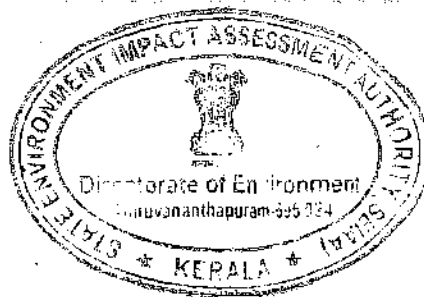
5. On the request of the District Authorities that due to the monsoon, sand could not be extracted before 30.09.2014, and hence validity may be extended, the SEIAA on circulation of the request for decision approved the proposal and hence the validity of the E.C will be up to 31-12-2014.

6. Compliance of the above conditions will be monitored by the Directorate of the Department of Environment and Climate Change, Government of Kerala or its agencies and also by the Regional Office of the Ministry of Environment and Forests, Government of India located at Bangalore. Necessary support for entry and inspection should be provided by the project proponent to the staff of

the Environment Directorate of Government of Kerala and Ministry of Government of India for monitoring purposes. In case of non-compliance of conditions, noted, if any, the Director, Department of Environment and Climate Change shall report the matter to Government to take necessary action under Environment (Protection) Act 1986.

7. The given address of correspondence of the Authorized Signatory of the project is:- Sri. Ajit Patil IAS, District Collector, Collectorate, Painavu P.O., Idukki — 685603; Tel. No. 0486-2233103; Fax No. 04862-233101; Email: dcidk.ker@nic.in

8. The validity of EC is only up to 31st December 2014.



For Member Secretary, SEIAA

To

Sri.. Ajit Patil IAS
District Collector
Collectorate, Painavu P.O.
Idukki – 685603.

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, Idukki
4. The Secretary, Adimali, Vellathooval, Konnathady Grama Panchayath,
5. The Director, Dept. of Environment and Climate Change, Govt. of Kerala, Tvm – 24.
6. The Director, Mining and Geology Department, Government of Kerala, TVM-4
7. Chairman SEIAA Kerala
8. Website
9. Stock file
10. O/c