

**MINUTES OF THE 91<sup>st</sup> MEETING OF THE STATE ENVIRONMENT  
IMPACT ASSESSMENT AUTHORITY (SEIAA) KERALA HELD ON  
29<sup>th</sup> APRIL 2019 AT 1.30 P.M IN THE CONFERENCE HALL, STATE  
ENVIRONMENT IMPACT ASSESSMENT AUTHORITY (SEIAA)  
KERALA.**

**Present:**

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

The meeting started at 1.30 pm and agenda items were taken up for discussion.

**Item No.91.01**                      **Minutes of the 90<sup>th</sup> meeting of SEIAA for information**  
Noted.

**Item No.91.02**                      **Request for renewal of Environmental Clearance for removal of  
brick clay granites by DEIAA, Kozhikode- Shri. Manoj.P,  
Malappuram (File No. 622/A1/2019/SEIAA)**

Under EIA Notification (2006), as per OM No. L-11011/47/2011-IA.II(M) dated.24.06.2013 of MoEF & CC, EC is required for removal of Ordinary earth/brick clay. As per Section 9 of EIA Notification (2006) the renewal of EC should be sought before the expiry of the validity of the existing EC and the condonation of delay cannot be granted beyond ninety days. In this case the validity expired on 11.06.2018, but the proponent has applied for EC on 26.2.2019. Hence the EC cannot be extended. He has to apply afresh with a Mining Plan approved by the competent authority.

**Item No.91.03**                      **Application for Environmental Clearance for mining of Ordinary  
Earth - Shri. P. Kunjiraman Nair, Kozhikkode (File No.  
824/A2/2019/SEIAA)**

Approved. The excavation should be carried out as per the norms of KMMC Rules 2015 and as per OM No. L-11011/47/2011-IA.II(M) dt.24.06.2013 of MoEF & CC (EIA Notification 2006) subject to the condition that the proponent shall produce legal authorization and file an affidavit to the effect that the excavated earth will not be used for reclamation of wetlands.

**Item No.91.04**      **Environmental clearance for the proposed Building stone Quarry project in Survey No. 1293 in Ayyankunnu Village, Iritty Taluk, Kannur District, Kerala State by Mr. Poolakkandi Abdurazak (File No. 1238/EC2/2019/SEIAA)**

SEAC has observed in its 95<sup>th</sup> meeting held on 27<sup>th</sup> & 28<sup>th</sup> March 2019 that the data furnished in the application are mysterious and misleading and that there are grave mistakes in the application. It is decided to post the application back to SEAC for giving an opportunity to the proponent for presentation during which the mysterious, misleading grave mistakes can be pointed out to the applicant so that he can rectify the same, if necessary.

**Item No.91.05**      **Application for an extension of Environmental Clearance for mining of clay- Shri. Aslam Sherkhan, Malappuram (File No. 621/A2/2019/ SEIAA)**

Under EIA Notification (2006), as per OM No. L-11011/47/2011-IA.II(M) dated.24.06.2013 of MoEF & CC, EC is required for removal of Ordinary earth/brick clay. As per Section 9 of EIA Notification (2006) the renewal of EC should be sought before the expiry of the validity of the existing EC and the condonation of delay cannot be granted beyond ninety days. In this case the validity expired on 11.06.2018, but the proponent has applied for EC on 26.2.2019. Hence the EC cannot be extended. He has to apply afresh with a Mining Plan approved by the competent authority.

**Item No.91.06**      **Environmental Clearance for the proposed Building stone Quarry project Survey No: 524/2, in Kavanur Village, Eranad Taluk, Malappuram District, Kerala State .by Mr. Abdul Salam K.T (File No. 1245/EC2/2019/SEIAA)**

SEAC has observed in its meeting held on 27<sup>th</sup> & 28<sup>th</sup> March 2019 that the data furnished in the application are mysterious and misleading and that there are grave mistakes

in the application. It is decided to post the application back to SEAC for giving an opportunity to the applicant for presentation during which the mysterious, misleading grave mistakes can be pointed out to the applicant so that he can rectify the same, if necessary.

**Item No.91.07**      **Environmental Clearance for the Proposed Information Technology Building at Survey Nos. 281/5(pt), 281/6 (pt), 282/1 (pt), 282/2(pt), 282/3(pt), 282/4(pt), 282/5(pt), 282/6(pt), 282/7(pt), 282/8(pt), 282/9(pt), Plot No. SEZ-2, Block No.17 of Attipra Village, Thiruvananthapuram Taluk, Thiruvananthapuram District, Kerala by Mr.Hrishikesh Shashi, Managing Director, M/s Speridian Technologies Private Limited (File No. 1196/EC2/2018/SEIAA)**

SEIAA decided to call the applicant for a presentation to explain the clarification provided to the issued raised by SEAC. The Sub Collector/RDO shall be invited to attend that meeting with details of whether the Government has exempted the area from the Conservation of Paddy Land & Wetland Act 2018.

**Item No.91.08**      **Application for renewal of environmental clearance for removal of ordinary Earth –Secretary, Mynagappally Grama Panchayath, Kollam District [File No.764/A1/2019/SEIAA]**

Under EIA Notification (2006), as per OM No. L-11011/47/2011-IA.II(M) dated.24.06.2013 of MoEF & CC, EC is required for removal of Ordinary earth/brick clay. As per Section 9 of EIA Notification (2006) the renewal of EC should be sought before the expiry of the validity of the existing EC and the condonation of delay cannot be granted beyond ninety days. In this case the validity expired on 11.06.2018, but the applicant has applied on 26.2.2019. Hence the EC cannot be extended. He has to apply afresh with a Mining Plan approved by the competent authority.

**Item No.91.09**      **Application for environmental clearance for mining of laterite building stone - Shri.Prasad, Mynagappally [File No.605/A1/2019/SEIAA]**

Authority decided to issue EC subject to KMMC Rules 2015 for quarrying laterite building stone.

**Item No.91.10**      **Application for Environmental Clearance for removal of Ordinary Earth- Shri. Jithin Abraham Thomas (File No. 381/A1/2019/SEIAA)**

Authority decided to issue EC subject to the condition that the excavation should be carried out as per KMMC Rules 2015 and as per OM No. L-11011/47/2011-IA.II(M) dt.24.06.2013 of MoEF & CC under EIA Notification 2006.

**General Items**

**Item No.91.11**      **Request for transfer EC (File No.161/A2/2019/SEIAA)**

Authority decided to transfer the EC to Sri.N.K.Usman, S/o Abdul Rahman, Nanath house, Kuruvalil house, Melmuri P.O, Malappuram based on the information placed before SEIAA.

**Item No: 91.12**      **Report of Conservator of Forests on illegal functioning of of Vijaya and Periyar Quarry – Compliance Report (File No. 221/A1/2018/SEIAA)**

Authority noted that the lease of Periyar quarry will end on 26.06.2020. The lease was obtained in 2008 when EC was not mandatory. The application for EC was delisted by SEIAA dt.09.09.2016. Following the promulgation of KMMCR 2015, the proponent obtained the approved Mining Plan on 17.10.2016 from the District Geologist, Ernakulam. The Authority decided to seek legal opinion as to whether the company requires an EC for it to function now.

The Authority also noted the fencing done around the quarry and the compliance report filed by the company. It is decided to ask the Geologist to monitor the benching & the Forest Conservator to examine the suitability of the fencing.

**Item. No.91.13**      **Petition filed by Shri.Devasya Moolayil against quarrying activities of M/s Pulppally Stone Crushers in Mullankolli GP,Wayanad District [File No.1106/A1/2019/SEIAA]**

Authority decided to request the District Geologist to conduct a comprehensive enquiry and submit a report within one month.

**Item No.91.14**      **Complaint against violation of EC conditions by quarry project, M/s Planters Aggregates in Karakutty village, Aluva Taluk, Ernakulam District (File No.1065/SEIAA/EC3/1912/2016)**

Authority decided to request the District Geologist to conduct a comprehensive enquiry and submit a report within one month.

**Item No.91.15**      **Petition filed by Shri.K.C.Kurian against granite quarrying by M/s Nellikunnu Granites, Kozhikkode owned by Shri.Hameed Cheruveri (File No.1145/A1/2019/SEIAA)**

Authority decided to request the District Geologist to conduct a comprehensive enquiry and submit a report within one month.

**Item No.91.16**      **Note received from the Private Secretary to the Hon'ble Chief Minister regarding the distance criteria from public institutions (File No.78/A1/2019/SEIAA)**

Authority decided to ensure that the website of SEIAA carries information that is consistent with the KMMCR 2015. However SEAC while assessing any application for quarry may recommend higher distance based on scientific reasons. This information shall be informed to the Hon'ble Chief Minister's Office.

**Item No.91.17**      **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 decided to inform the action taken so far to Hon'ble NGT to the effect that no decision has been taken so far and the proposal is under examination at the level of State

Expert Appraisal Committee. It is also decided to depute a team of expert members of SEAC for the joint verification to be done by MoEF & CC Regional Office, Bangalore. It was decided to defend the OA No.71/2019 on behalf of SEIAA as per advice of AG.

**Item No. 91.18**      **Environmental clearance for the quarry project in Sy. No. 946/2 pt. at Chittar Village & Panchayath, Ranni Taluk, Pathanamthitta District, Kerala by M/s Delta Aggregates & Sand Pvt. Ltd. (File No.239/SEIAA/KL/696/2014)**

Sri.Thomas Philip, Managing Director, Delta Aggregates & Sand Pvt. Ltd, Chittar Pathanamthitta had submitted an application on 01.03.2014 for EC for the quarry project at Chittar Village, Ranni Taluk, Pathanamthitta District for an area of 9.7218 hectares.

This proposal was placed in the 26<sup>th</sup> meeting of SEAC held on 21.03.2014 and decided to seek certain clarifications regarding endemic species in the project site and CSR. Accordingly the proponent has submitted the required details on 09.06.2014.

Vide Authority in its 88<sup>th</sup> 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 is pending before the Honb'le High Court of Kerala, Orders will be issued only after the pronouncement of Judgment by the Hon'ble High Court. Authority also decided to withdraw the appeal petition No.WA 1969/2018 and connected appeals.

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 in its 90<sup>th</sup> meeting held on 29<sup>th</sup> March 2019 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.

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 mining shall be carried out as per the Rules & Regulations of KMMCR 2015.
- 3) General conditions.

The next meeting shall be held on 02.05.2019 at 2.15 pm.

The meeting came to an end at 4.30 pm .

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

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

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