

**MINUTES OF THE 97<sup>th</sup> MEETING OF THE STATE ENVIRONMENT  
IMPACT ASSESSMENT AUTHORITY (SEIAA) KERALA, HELD ON  
24<sup>th</sup> September 2019 AT 10.30 A.M IN THE CONFERENCE HALL OF  
STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY  
KERALA**

**Present:**

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

The meeting started at 10.30 A.M and agenda items were taken up for discussion.

**Item No.97.01**                      **Minutes of the 96<sup>th</sup> meeting of SEIAA held on 20<sup>th</sup> August 2019  
for information**

Noted

**Item No.97.02**                      **Action Taken Report of 95<sup>th</sup> SEIAA Meeting held on 29<sup>th</sup> July  
2019**

Noted

**Item No.97.03**                      **Action Taken Report of 96<sup>th</sup> SEIAA Meeting held on 20<sup>th</sup> August  
2019**

Noted

**Item No. 97.04**      **Environmental Clearance to P.K.Das Institute of Medical Sciences, Nehru College of Educational and Charitable Trust Vaniyankulam, Palakkad (File No. 554/SEIAA/EC1/4089/2014)**

Authority noticed that the proposal was placed in the 89<sup>th</sup> meeting of SEIAA held on 04.12.2018. A field inspection was also carried out by the Sub Committee of SEAC on 17.12.18 and SEAC has made certain observations. The proposal was again placed in the 102<sup>nd</sup> SEAC meeting held on 26<sup>th</sup> -27<sup>th</sup> August 2019 and SEAC decided to recommend for EC as per norms for the violation projects.

As the proceedings against the project have already been initiated, Authority decided to ascertain the latest position of the proceedings from District Collector, Palakkad. Further in the Authority meeting held on 09.01.2018, Authority had decided to get legal opinion from the Department of Environment and Additional Chief Secretary, Department of Environment vide his letter dated 14.03.2018 had recommended for issue of EC. Under the circumstances, Authority decided to post the case back to SEAC to ascertain and report the environmental damage caused with specific recommendation so as to proceed further with violation proceedings in the light of latest OM dated.09<sup>th</sup> September 2019 of MoEF &CC (Copy of OM enclosed).

**Item No: 97.05**      **Environmental clearance for the proposed china clay mining project in Sy. Nos. 427/1, 1-1, 1-2, 2, 4 & 5 at Melthonnakal Village, Trivandrum Taluk, Trivandrum District, Kerala by Sri. Chandrasekaran for M/s EICL limited (File No. 940/SEIAA/EC1/4098 /2015)**

Authority noticed that the proposal was placed in the 100<sup>th</sup> SEAC meeting held on 11<sup>th</sup> – 12<sup>th</sup> July 2019 and SEAC decided to invite the proponent for presentation. The proponent made presentation in the 101<sup>st</sup> SEAC meeting held on 01<sup>st</sup> – 02<sup>nd</sup> August 2019 and the Committee constituted a Sub committee consisting of Dr.C.Bhaskaran (Chairman) and Smt.Beena Govindan (Member, SEAC), Dr.P.S.Easa (Member, SEAC) and Sri.G.Sankar (Member, SEAC) for field inspection. A detailed field visit was carried out on 20<sup>th</sup> August 2019. The proposal was again placed in the 102<sup>nd</sup> SEAC meeting held on 26<sup>th</sup> & 27<sup>th</sup> August 2019. The Committee decided to recommend for EC with some specific conditions to safeguard the environment of the region.

Authority noticed that a complaint has been received from Sri.B.R.Santhosh Kumar on 30.08.2019 in which the complainant has brought to the notice of the Authority the observations made by the Hon'ble High Court of Kerala in WA No.1761/18 about the irregularities committed by the proponent.

Authority is of the view that the resources of the State have to be used on sustainable basis for the welfare of the State without harming the environment of the region. It is brought to the notice of the Authority that this project is likely to provide employment to large no. of people in the locality. Authority took note of the observations made by Hon'ble High Court and decided to issue EC with following specific conditions to address the observations made by Hon'ble High Court of Kerala.

- 1) Proponent to take steps to implement the decisions taken in the joint meeting held in the chamber of District Collector, Thiruvananthapuram on 16.03.2016 involving Janasakthi Action Council & Thanal.*
- 2) If the quarrying operations lead to cluster situation the guidelines prescribed in the EIA Notification 2006 of MoEF & CC should be followed to address the environmental issues arising out of such a cluster situation.*
- 3) Proponent to address the irregularities/issues raised in the reports of Directorate of Mining Safety, Bangalore and Impact Assessment Study report of Directorate of Mining & Geology, Government of Kerala, referred in Judgment of Hon'ble High court of Kerala.*
- 4) As mining activities carried out by the proponent, is alleged to be one of the reasons for lowering the ground water table, Proponent to adopt corrective measures while mining and take steps to recharge the ground water table in the immediate vicinity of 500 mts like Rain water harvesting etc.*
- 5) Proponent to pay 100% of the value of the illegally mined mineral, as estimated by District Geologist if it is not paid already. This is as per the direction of Hon'ble High Court in the judgment.*
- 6) State Pollution Control Board to initiate violation proceedings against the proponent as per Notification S.O 804(E) dated.14.03.2017 & S.O 1030 (E) dated.08.03.2018 under EIA Notification 2006 of MoEF &CC. SEAC to assist Pollution Control Board in this process as laid down in OMs cited.*
- 7) Activities relating to Corporate Environmental Responsibilities (2% of total project cost) shall be carried out leading to protection and promotion of*

*environment in the project region as per OM F.No.22-65/2017-IA-III dt.01.05.2018 of MoEF & CC in consultation with the District Collector.*

- 8) The proponent shall carry out quarrying as per the approved Mining Plan and the proponent should strictly follow the Kerala Minor Mineral Concession Rules 2015 and amendments thereby.*
- 9) Director of Mining & Geology & State Pollution Control Board to inspect the quarrying site atleast once in 3 months to ensure that quarrying operations are carried out as per the approved Mining Plan.*
- 10) The entire rainwater falling in the total plot of EICL and the water being pumped out of working pits may be directed into the two unlined open RWH structures so as to enhance groundwater recharge of the region. The recharge should take place through the sandstone layer. The storm drains available now to have recharge few pits (with depth up to sandstone layer) with an overflow section in the down slope area.*
- 11) At least 7.5 m width of tree belt to be provided as a dust suppression mechanism considering the wind direction. A tree belt of five canopy level with broad leaved species should be selected for the buffer zone vegetation.*
- 12) Considering the impoverished nature of the refilled material, it needs to be provided with additional organic matter that is available in the form of biodegradable waste/sludge. The initiative taken by CREDAI with the organic material generated by the solid waste treatment in the Clean City Movement could be made use of to improve the health of the soil.*
- 13) The ECIL should monitor five open wells within 200m of the project area for quantity and quality (potable water standards)*
- 14) The company should make provisions for recharging the wells, if any, of the households in the proximity of the project site.*
- 15) An inventory of plants and butterflies seen in the area may be prepared. This could be categorised into those seen in the proposed buffer of 7.5 m and the rest of the area.*
- 16) The present native plants in the buffer (7.5 m) of the proposed site are to be maintained while removing the exotics like Acacia. The buffer area could be augmented with native species. Host shrub plants of butterflies could also be used.*

*17) Native plants should be raised in a nursery, at least two years before the reclamation, for to be ready with two year old saplings for facilitating increased survival of the planted ones. Nursery could be entrusted to a group of people (Kudumbashree-Women Self Help) in the surrounding areas. Species suitable for the area could be selected with the help of experts.*

The EC is issued for 1/5 th of the quantity as approved in the Mining Plan for a period of 1 year subject to above specific conditions & general conditions.

**Authority directs that no quarrying operation shall be carried out after 1 year by the proponent under this EC till the above conditions are fulfilled to the satisfaction of Committee appointed by SEAC which may do the inspection before the completion of 1 year and submit its report on compliance.**

**Item No: 97.06      Environmental clearance for the proposed china clay mining project in Sy. Nos. 434/6, 8, 9, 15, 16, 17,482/11, 483/2, 6 and 484/1,2 at Melthonnakal Village, Trivandrum Taluk, Trivandrum District, Kerala by Sri. Chandrasekaran for M/s EICL limited (File No. 941/ SEIAA /EC1/4099/2015)**

SEAC has recommended for the withdrawal of the application as requested by the proponent. Authority agreed to the recommendation of SEAC and noted that no valid reasons have been quoted for the withdrawal of the application after having undergone the major part of the process for issuance EC.

**Item No: 97.07      Complaint aganist M/s KIMS Hospital, Thiruvananthapuram (File No. 1085/EC1/SEIAA/2016)**

Authority noticed that the observations made by the complainant in his e-mail dt.20.08.2019 have been taken care of while issuing the EC by the then Authority. It was also decided to seek a report of Pollution Control Board on daily monitoring of the quality of effluent into the adjacent canal.

**Item No.97.08**

**Environmental clearance for the proposed quarry project in Re-Survey No. 369/1/2 in Ongallur -II Village, Pattambi Taluk, Palakkad District, Kerala by Mr.Abdul Gafoor (File No. 1269/EC2/ 2019/SEIAA)**

The proposal was placed in the 94<sup>th</sup> SEAC meeting held on 12<sup>th</sup> – 13<sup>th</sup> March 2019, Committee decided to call for certain documents and the proponent submitted the required documents on 15.06.2019. A field inspection was also carried out on 19<sup>th</sup> April 2019 and the Sub committee has made certain recommendation. The proposal was placed in the 99<sup>th</sup> meeting of SEAC held on 26<sup>th</sup> - 27<sup>th</sup> June 2019 and the committee considered the report of Sub Committee and directed the proponent to submit some more documents. The proponent submitted the document on 08.07.2019. In the 101<sup>st</sup> SEAC meeting held on 1<sup>st</sup>-2<sup>nd</sup> August 2019 Committee decided to recommend for EC.

Authority decided to issue EC for a period of 5 years for the quantity as approved in the Mining Plan subject to the following specific conditions in addition to the general conditions.

- *To Leave 7.5 m for buffer zone development at the boundary.*
- *Not to use Vadanakurissi – High School road for transporting as a number of settlements are there on either side of the narrow road.*
- *Activities relating to Corporate Environmental Responsibilities (2% of total project cost) shall be carried out leading to protection and promotion of environment in the project region as per OM F.No.22-65/2017-IA-III dt.01.05.2018 of MoEF & CC in consultation with the District Collector.*
- *The proponent shall carry out quarrying as per the approved Mining Plan and the proponent should strictly follow the Kerala Minor Mineral Concession Rules 2015 and amendments thereby.*
- *Activities relating progressive and final closure of quarry shall be carried out as per approved Mining Plan which will be reviewed at regular intervals. The non compliance of the same may lead to cancellation of Environmental Clearance.*
- *In the wake of occurrence of large scale landslides in the state, as per the information provided by the Department of Mining & Geology, it is directed to use only NONEL (Non Electrical) technology for blasting to reduce the vibration of the ground, which is one of the causative factors that triggers landslides,*

*formation of cracks in the surrounding buildings and disturbance to human and wildlife.*

**Item No. 97.09**      **Application for extension of Environmental clearance for the proposed quarry project in Sy. Nos. 684, 685, 688, 693/2, 692, 690, 691, 687, 688p, 689p, 690p and 700p at Desamangalam Village Thalappilly Taluk, Thrissur District, Kerala by M/s B.P. Associates (File No. 153/SEIAA/KL/3073/2013)**

Authority noticed that the existing EC is for 8.84 ha but the mining lease is for 4.7 ha. As per norms EC can be issued for the lease area of 4.7 ha. Accordingly it was decided to inform the proponent to submit the revised application.

**Item No.97.10**      **Environmental clearance for the Proposed expansion of Caritas Hospital, Thellakom, Kottayam with the addition of a Hospital building, Geriatric Centre (Nursing Home ) & Doctor's quarter's block, Block for Nuclear Medicine and an Amenity Centre in Phase I and a Staff Quarters block and multilevel mechanical car parking system in Phase 2 in Survey Nos. 188/10, 200/1, 200/2, 200/3, 200/4, 201/8, 201/8-1, 201/9, 201/9-1, 201/10, 201/15, 201/15-1, 201/24, 201/26, 201/26-1, 201/26-2, 202/3, 202/4-2 at Peroor village, Kottayam Taluk, Kottayam District, Kerala by Fr. Thomas Animoottil, Director, M/s Caritas Hospital (File No. 1184/A2/2018/SEIAA)**

Authority noticed that in the SEAC, Sub Committee report, there is a mention of violation of EIA Notification in 2011. It is seen that after deducting other exemptions, total existing built up area coming under the purview of EIA notification 2006 is 30742.9 m<sup>2</sup>. Probably this area seems to be involved in above referred violation. The total built up area proposed for expansion is 62422.59 sq.m where as EC required is for 93165.56 sq.m . Authority decided to seek a clarification from SEAC on the above aspects, with a specific recommendations whether we should proceed with violation proceedings or not.

**Item No. 97.11**      **Environmental Clearance for the proposed Commercial cum Residential project in Sy.Nos. 320/8/2, 320/8/3, 320/8/4, 320/8/5, 320/8/6 at Mayyanad village, Kollam Taluk, Kollam District,**

**Kerala by Mr.Fathahudeen, President, M/s Desinganadu Rapid  
Development & Assistance Cooperative Society Ltd No.Q 1666  
(File No. 1192/EC1/2018/SEIAA)**

The proposal was placed in the 90<sup>th</sup> meeting of SEIAA held on 04<sup>th</sup> January 2019. Committee suggested for certain modification in the proposal. A field inspection by a Sub Committee of SEAC on 21<sup>st</sup> January 2019. The proposal was again placed in the 94<sup>th</sup> meeting of SEIAA held on 12<sup>th</sup> – 13<sup>th</sup> March 2019. The committee accepted the recommendation of Sub committee and recommend for issuance of EC with certain conditions.

Authority decided to issue EC for 7 years subject to the following specific conditions in addition to the general conditions.

1. *Building construction should follow Green building norms.*
2. *Solar power should be harnessed to the maximum extent possible.*
3. *Action should be taken for preparing a disaster management plan.*
4. *Modern lightning arrestor mechanism should be provided.*
5. *Provide roof top rainwater collection and storage facility for domestic use and re-charging the ground water through wells or pits.*
6. *Ensure use of treated waste water for reuse/recycle/gardening in the facility.*
7. *Provide side protection measures at dumping site at Mayyanad to prevent or avoid overflow of soil from the storage.*
8. *Transporting of excavated soil should be done during night time for avoiding traffic congestion in main as well as sub roads.*
9. *Provide proper sanitation facilities including waste management facilities at the site during construction phase.*
10. *The proponent is asked to utilise the site identified in his submission dated.03.09.2019, which is certified by the Town Planner as not belonging to the Coastal Regulation Zone of Kollam District, for dumping the excavated earth.*
11. *Activities relating to Corporate Environmental Responsibilities (2% of total project cost) shall be carried out leading to protection and promotion of environment in the project region as per OM F.No.22-65/2017-IA-III dt.01.05.2018 of MoEF & CC in consultation with the District Collector.*



12. Provision shall be made for the housing of construction labour within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, crèche etc. The housing may be in the form of temporary structures to be removed after the completion of the project (Circular No.J-11013/41/2006-IA.II(I) of GoI, MoEF dt.22.09.2008).

**Item No.97.12**      **Environmental clearance for the proposed Building stone quarry project in, Re Survey No.76/8,77/1,77/2,78/6,97/1,97/2 at Mancode Village, Kottarakkara Taluk, Kollam District, Kerala by Mr.Arun Varghese, Managing Partner, M/s Tesna Mines (File.No.1201/EC2/ 2018/ SEIAA)**

The proposal was placed in the 90<sup>th</sup> meeting of SEIAA held on 04.01.2019. In the 97<sup>th</sup> SEAC meeting held on 21<sup>st</sup> – 22<sup>nd</sup> May 2019, some additional documents were called for. The proponent submitted the documents on 13.05.2019. A field inspection was also carried out on 25<sup>th</sup> March 2019. The proposal was placed on 99<sup>th</sup> meeting of SEAC held on 26<sup>th</sup> – 27<sup>th</sup> June 2019. Committee accepted the report of Sub committee and recommended for issue of EC

Authority decided to issue EC for a period of 5 years, for the quantity as approved by the Mining Plan subject to the following specific conditions in addition to the general conditions.

- *The approach road is narrow and needs widening to at least 7 m*
- *Designate 2 labour for periodic cleaning of silt trap and garland canal*
- *Construction of protection walls for the OB dumping site to check spill over*
- *Activities relating to Corporate Environmental Responsibilities (2% of total project cost) shall be carried out leading to protection and promotion of environment in the project region as per OM F.No.22-65/2017-IA-III dt.01.05.2018 of MoEF & CC in consultation with the District Collector.*
- *The proponent shall carry out quarrying as per the approved Mining Plan and the proponent should strictly follow the Kerala Minor Mineral Concession Rules 2015 and amendments thereby.*

- *Activities relating progressive and final closure of quarry shall be carried out as per approved Mining Plan which will be reviewed at regular intervals. The non compliance of the same may lead to cancellation of Environmental Clearance.*
- *In the wake of occurrence of large scale landslides in the state, as per the information provided by the Department of Mining & Geology, it is directed to use only NONEL (Non Electrical) technology for blasting to reduce the vibration of the ground, which is one of the causative factors that triggers landslides, formation of cracks in the surrounding buildings and disturbance to human and wildlife.*

**Item No.97.13**      **Application for environmental clearance for mining of Laterite Stone - Sri. Nizar .S, Kollam (File No.548/A1/2019/SEIAA)**

The proposal was placed in the 97<sup>th</sup> meeting of SEAC held on 21<sup>st</sup> - 22<sup>nd</sup> May 2019. A field inspection was also carried out on 12.06.2019 by a Sub Committee of SEAC. SEAC recommended to issue EC subject to certain conditions.

Authority decided to issue EC for 2 years for a quantity of 13800 MT subject to specific conditions in addition to general conditions.

1. *The actual area of mining should not exceed 1225 m<sup>2</sup>.*
2. *The surrounding area of the mine should be covered with jute sheets to avoid dust dispersion to the atmosphere.*
3. *The mined area should be backfilled with laterite waste and top soil and compensatory plantation should be done.*
4. *Activities relating to Corporate Environmental Responsibilities (2% of total project cost) shall be carried out leading to protection and promotion of environment in the project region as per OM F.No.22-65/2017-IA-III dt.01.05.2018 of MoEF & CC in consultation with the District Collector. One of the activities could be recharging the ground water/wells in the project region.*
5. *The proponent shall carry out quarrying as per the approved Mining Plan and the proponent should strictly follow the Kerala Minor Mineral Concession Rules 2015 and amendments thereby.*

**Item No.97.14****Application for Environmental Clearance for removal of ordinary Earth-Shri.Thankappan Pillai,Kollam( File No.629/A1/2019/SEIAA)**

Authority noticed that the excavation of the ordinary earth has started without obtaining Environmental clearance. Authority decided to refer the matter to District Collector, Kollam for taking further action for violation under Kerala Minor Mineral Concession Rules 2015.

**Item No.97.15****Application for Environmental clearance for mining of Ordinary earth by Sri.Rajkumar, S/o RajaGopal Raj Kumar (File No. 788/A2/2019/SEIAA)**

The proposal was placed in 95<sup>th</sup> meeting of SEAC held on 27<sup>th</sup> - 28<sup>th</sup> March 2019. A field visit was also conducted by the Sub Committee of SEAC on 17<sup>th</sup> May 2019. The proposal was placed in the 100<sup>th</sup> SEAC meeting held on 11<sup>th</sup> & 12<sup>th</sup> JULY, 2019 and the Committee directed the proponent to submit certain documents. The proponent submitted the documents on 26.07.2019. The proposal was placed in 102<sup>nd</sup> meeting of SEAC held on 26<sup>th</sup> & 27<sup>th</sup> August 2019. The Committee decided to recommend for EC

Authority decided to issue EC for a period of 6 months for a quantity of 7110 m<sup>3</sup> of ordinary earth subject to specific conditions in addition to general conditions.

- *Activities relating to Corporate Environmental Responsibilities (2% of total project cost) shall be carried out leading to protection and promotion of environment in the project region as per OM F.No.22-65/2017-IA-III dt.01.05.2018 of MoEF & CC in consultation with the District Collector.*
- *The proponent shall carry out quarrying as per the approved Mining Plan and the proponent should strictly follow the Kerala Minor Mineral Concession Rules 2015 and amendments thereby.*

**Item No.97.16****Application for environmental clearance for mining of laterite stone Shri.B.AbdulRahiman [File No.842/A1/2019/SEIAA]**

The proposal was placed in 101<sup>st</sup> SEAC meeting held on 01<sup>st</sup> & 02<sup>nd</sup> August 2019. As the proponent has already started quarrying without EC, the Committee referred the proposal to SEIAA to issue a stop memo immediately. Accordingly Authority decided to refer the matter to District Collector, Kassaragod for taking action against violation of Kerala Minor Mineral Concession Rules 2015.

**Item No. 97.17****Extension of environment clearance for removal of Ordinary Earth from land in Block No.24 Survey No.348/2.(75.70 Are) at Mulanthuruthy Village, Kanayannur Taluk, Ernakulam District, Kerala by Sri.Sabu Mathew, Padathuputhenpurayil House, Kizhmuri P.O, Ramamangalam, Ernakulam 686663 (File No.1046/ SEIAA/EC3/ 841/2016)**

The proposal was placed in 95<sup>th</sup> meeting of SEAC held on 27<sup>th</sup> – 28<sup>th</sup> March 2019. The proponent submitted the documents as per the decision of the 95<sup>th</sup> SEAC meeting. The work order now furnished is for land filling work at vadai canal road and commercial canal road at Alappuzha. The proposal was placed in 101<sup>st</sup> meeting of SEAC held on 01<sup>st</sup> & 02<sup>nd</sup> August 2019. The Committee decided to recommend for extension of EC subject to the general conditions.

Authority decided to extend the validity period of EC for 6 months from the date of Order issued for the quantity mentioned in Mining Plan with original EC conditions and specific conditions below;

- *Activities relating to Corporate Environmental Responsibilities (2% of total project cost) shall be carried out leading to protection and promotion of environment in the project region as per OM F.No.22-65/2017-IA-III dt.01.05.2018 of MoEF & CC in consultation with the District Collector.*
- *The proponent shall carry out quarrying as per the approved Mining Plan and the proponent should strictly follow the Kerala Minor Mineral Concession Rules 2015 and amendments thereby.*

**Item No.97.18**      **Application for Extension of EC for mining of laterite stone – Sri.Vijayan Pillai, Alappuzha (File No.1092/A2/2019/SEIAA)**

Authority decided to reject the request of the proponent, as the stipulated period (within 90 days of expiry of EC period) for submitting application for time extension has elapsed as per clause (9) of EIA Notification 2006). If the proponent wants an EC, a fresh application may be filed.

**Item No.97.19**      **Application for Environmental Clearance for removal of ordinary earth - Shri. Thankachan Thomas.V., M/s Thomsun Realtors Pvt. Ltd (File No. 1269(A)/EC2/2019/SEIAA)**

The proposal was placed in the 93<sup>rd</sup> meeting of SEIAA held on 30<sup>th</sup> May, 2019. In the meeting authority decided to obtain the clarifications regarding the affidavit of the proponent dt.18.04.2019 which was sworn by the authorized signatory of the contractor and not by the proponent and clarification regarding how the huge quantity of 22000cu.m of excavated soil will be used without harming the ecology of the region.

On the basis of the decision of SEIAA, the proponent submitted the affidavit duly signed by him regarding usage of the excavated soil without harming the ecology of the region.

Authority decided to issue EC for 6 months for the removal of 22000 m<sup>3</sup> of excavated soil subject to specific conditions in addition to general conditions.

- *Activities relating to Corporate Environmental Responsibilities (2% of total project cost) shall be carried out leading to protection and promotion of environment in the project region as per OM F.No.22-65/2017-IA-III dt.01.05.2018 of MoEF & CC in consultation with the District Collector.*
- *The proponent shall carry out quarrying as per the approved Mining Plan and the proponent should strictly follow the Kerala Minor Mineral Concession Rules 2015 and amendments thereby.*

**Item No.97.20**      **Application for Environment Clearance for Mining of Laterite Stone Application from Smt.Anu.J.Kadavan, Kadavil Villai, Chalakkal Estate, South Vazhakulam P.O, Aluva. [File No.2282/A1/2019/SEIAA]**

On verification, the Authority noticed that, the quantity of laterite stone to be excavated, mentioned in agenda is different than what is quoted by the proponent. This is due to clerical error. Hence the Authority decided to refer back the proposal to SEAC for appriasl afresh.

**ItemNo.97.21**      **Application for environmental clearance for mining of Ordinary Earth Shri.Asam.S [File No.2286/EC2/2019/SEIAA]**

The proposal was placed 101<sup>st</sup> meeting of SEAC held on 01<sup>st</sup> & 02<sup>nd</sup> August 2019. The Committee decided to recommend for EC subject to the general conditions.

Authority decided to issue EC for removal of 800 m<sup>3</sup> of ordinary earth for a period of 6 months subject to following specific condition in addition to general conditions.

- *The proponent shall carry out quarrying as per the approved Mining Plan and the proponent should strictly follow the Kerala Minor Mineral Concession Rules 2015 and amendments thereby.*

**Item No.97.22**      **Application for environmental clearance for mining of Ordinary Earth by Shri.V.Anil kumar [File No.2305/EC2/2019/SEIAA]**

The proposal was placed in the 101<sup>st</sup> meeting of SEAC held on 01<sup>st</sup> & 02<sup>nd</sup> August 2019. The Committee decided to recommend for EC subject to the general conditions.

Authority decided to issue EC for 6 months for a quantity of 600 m<sup>3</sup> subject to following specific condition in addition to general conditions.

- *The proponent shall carry out quarrying as per the approved Mining Plan and the proponent should strictly follow the Kerala Minor Mineral Concession Rules 2015 and amendments thereby.*

**Item No.97.23      Environmental Clearance for Proposed Expansion with the addition of Hotel, 250 Bed Hospital, Nursing College, Hostel & other Buildings for Adlux Medicity & Convention Centre Pvt. Ltd in Re-Survey No.35/2 at Karakutty village, Aluva Taluk, Ernakulam District, Kerala by Dr. Sujith Sudheesan, Director, M/s Adlux Medicity & Convention Centre Pvt. Ltd (File No. 1186/A2/2018/SEIAA)**

Authority decided to seek clarifications from SEAC on violation of EIA Notification 2006 in the light of latest OM dated 09<sup>th</sup> September 2019 of MoEF & CC & estimation of area under different components for which EC is required.

**Item No.97.24      Environmental Clearance for the Proposed Mixed use Township Development Project ‘Landmark Trade Centre’ in Survey Nos. 27/1, 30/4c, 31/4, 7, 8, 9, 32/4, 351b of Pantheerankavu Village, Kozhikode Taluk & Kozhikode District, Kerala by Mr. Anwar Sadath, Director, M/s Calicut Landmark Builders & Developers (India) Pvt. Ltd (File No. 1193/EC2/2018/SEIAA)**

The Project Proponent has applied for EC to his mixed use township development project “Land Mark Trade Centre” under category B/8(a) of the schedule of EIA Notification 2006. After scrutinising all documents as a part of appraisal, an expert team of SEAC visited the project site for field verification and the team noticed that the constructions has already started without obtaining EC and hence there was violation. SEAC accepted the Sub Committee report and recommended to SEIAA for initiating violation proceedings. Accordingly vide letter dated.27.08.19 SEIAA directed District Collector, Kozhikkode to issue Stop Memo and report compliance at the earliest.

The building permit was granted by Olavanna Grama Panchayat on 26.10.2017. This project is basically a township development project but covered under category B(8a) of the

schedule, as the built up area is 81589 sq.mts, which is less than 1,50,000 sq.mts required for considering the project under township area development projects. All category B(8a) (building & construction projects) require EC. No doubt, the project of this magnitude will have environmental impact and EC is mandatory under EIA Notification 2006. This was known to the proponent and he has applied for EC but started construction before issue of EC leading violation of EIA Notification 2006.

The proponent vide his letter dated 26.08.2019 addressed to member Secretary has requested for withdrawal of violation proceedings quoting a Supreme Court Judgment in I.A. Nos 2609-2110 of 2009 in WP(Civil) No.2002 of 1995, dt.03.12.2010. He has enclosed copy of the Judgment also. A perusal of the Judgment shows that Supreme Court was analysing the reasons for classifying the projects under category 8(a) or 8(b) and ultimately Supreme Court was also of the opinion that there is an ambiguity in classification of category 8(a) & 8(b) projects based on the area. Finally Supreme Court decided that the project in question in UP state does not come under category 8 (b), as the area is less than 1,50,000 sq.mts and hence project does not fall within the limit of EIA Notification S.O 1533 (E) dated 14<sup>th</sup> September 2006. This judgment pertains to a different project in the State of Uttar Pradesh, specific to that project under given circumstances of the case and this may not be made uniformly applicable to other projects in the whole of the country.

Authority noted that the proponent project is covered under category 8(a) and there is no ambiguity on that account and the proposal was processed accordingly right from the beginning for obtaining EC.

In S.O 804(E) dated.14.03.2017, sub paragraph (3) in para 13 reads that “ in cases of violation action will be taken against the project proponent by respective state or State Pollution Control Board under the provision of S.19 of the EPA Act 1986 and further no consent to operator or occupancy certificate will be issued till the project is granted EC”.

In the mean time MoEF in its latest OM dated 09<sup>th</sup> September 2019 has clarified that the violation falling in the window period of 14.03.2017 to 13.09.2017 & 14.03.2018 to 13.04.2018 or prior to it, can be considered for initiating violation procedures under OM dated.14.03.2017 & 08.03.2018. MoEF & CC is silent on the violation that have taken place



beyond this window period. In this instant case the violation has taken place beyond this window period.

Authority decided to take up the matter with MoEF & CC for an urgent clarification on this issue with directions for procedure to be followed for the violation that have taken place beyond the window period.

**Item No.97.25**      **Environmental clearance for the proposed quarry project in Survey No. 65/6, 63/6 in Pulamanthol Village, Perinthalmanna Taluk, Malappuram District, Kerala by Shri. Muhammed. M. (File No. 1229/EC2/2019/SEIAA)**

Authority decided to defer the item to next meeting.

**Item No:97.26**      **In view of the Judgment of Hon'ble High Court of Kerala - Najeeb Ali Quarry, Malappuram (File No: 2017/A2/2018/SEIAA)**

Authority decided to refer the proposal back to SEAC seeking definite clarification on observation of Hon'ble High Court with specific reference to S.O 804 (E) dated 14.03.2017 & Notification No.1030 (E) dated.08.03.2018 specially in the light of latest OM dated 09<sup>th</sup> September 2019 of MoEF & CC.

**Item No.97.27**      **Petition is submitted by Sri.JijoVijayan requesting to cancel the Environmental Clearance (No.90/2017) issued to Karthika Granite quarry and Crusher unit (File No. 637/SEIAA/KL/4908/14 & File No. 2283/A1/2019/SEIAA)**

Authority decided to forward the petition to SEAC for submission of report after field inspection and verification of relevant records.

**Item No.97.28**      **Submission from Smt. Sheeja M.P, President KotturGramapanchayath – To cancel the Environment Clearance granted to M/s. Delta Rocks Products for Mining at Chengodumala by DEIAA, Kozhikkode (File No.2340/A1/2019/SEIAA)**

Authority decided to club the complaint from Shri.Arjunan C.K (File No.1406/A1/2019/SEIAA), the file on which SEAC vide decision dated 17<sup>th</sup> & 18<sup>th</sup> September 2019 has given the recommendation that existing EC is not valid. Authority decided to give an opportunity of being heard to M/s Delta Rocks as per clause No.8 (vi) of EIA Notification 2006 on the next date of SEIAA meeting.

**Item No.97.29**      **Environmental clearance for the proposed building stone quarry project in Survey Nos. 56/3, 66/1 & 66/2 in Kaniyambetta Village, Vythiri Taluk, Wayanad District, Kerala by Mr. Robin. P.R.(File No. 1253/EC2/2019/SEIAA)**

The proposal was placed in the 94<sup>th</sup> SEAC meeting held on 12<sup>th</sup> – 13<sup>th</sup> March 2019. A field inspection was also conducted on 02<sup>nd</sup> May 2019. The proposal was placed in the 100<sup>th</sup> meeting of SEAC held on 11<sup>th</sup> – 12<sup>th</sup> July 2019. SEAC accepted the report of the sub committee and recommended for issue of EC.

Authority decided to issue EC for a period of 5 years for the quantity as approved in the Mining Plan subject to the following specific conditions in addition to the general conditions.

- *Activities relating to Corporate Environmental Responsibilities (2% of total project cost) shall be carried out leading to protection and promotion of environment in the project region as per OM F.No.22-65/2017-IA-III dt.01.05.2018 of MoEF & CC in consultation with the District Collector.*
- *The proponent shall carry out quarrying as per the approved Mining Plan and the proponent should strictly follow the Kerala Minor Mineral Concession Rules 2015 and amendments thereby.*

- *Activities relating progressive and final closure of quarry shall be carried out as per approved Mining Plan which will be reviewed at regular intervals. The non compliance of the same may lead to cancellation of Environmental Clearance.*
- *In the wake of occurrence of large scale landslides in the state, as per the information provided by the Department of Mining & Geology, it is directed to use only NONEL (Non Electrical) technology for blasting to reduce the vibration of the ground, which is one of the causative factors that triggers landslides, formation of cracks in the surrounding buildings and disturbance to human and wildlife.*

**Item No.97.30      Application for Environmental Clearance for proposed Kochi Waste to Energy Project at Brahmapuram, Ernakulam submitted by GJ Eco Power Ltd (File No.2363/A1/ 2019/SEIAA)**

The project involves the conversion of Municipal solid waste (MSW) into electricity. The plant is designed for a capacity to process 500 metric tonnes of MSW per day. The proposed plant will have a gross installed capacity of 12.65 MW.

An application for ToR had been submitted by GJ Eco power Ltd for the preparation of an Environmental Impact Assessment report and standard TOR has been issued. Public hearing was also conducted. An Environmental Impact Assessment Report (EIA) report has been prepared based on approved ToR.

The proposal was placed before 101<sup>st</sup> SEAC on 1<sup>st</sup> - 2<sup>nd</sup> August 2019 for appraisal. Proponent made a presentation. A field inspection was also carried out on 16.08.2019 by a Sub committee of SEAC and the committee has submitted the inspection report with certain recommendations.

The proposal was placed before 102<sup>nd</sup> SEAC for appraisal. The committee accepted the report of Sub Committee and decided to intimate the proponent to add necessary amendments in the EIA report in line with recommendations made by the sub committee. A Letter had been sent to Director, GJ Eco Power on 2.9.2019 to modify the EIA report in line with the recommendations of the sub Committee and to resubmit the same.

The proponent submitted the replies for the 23 observations made by the appraisal committee and agreed to incorporate the same in final EIA report.

The proposal was placed in the 103<sup>rd</sup> meeting of SEAC held on 17<sup>th</sup>-18<sup>th</sup> September 2019 and SEAC decided to recommend for EC with 9 specific conditions.

Authority decided to issue EC for 7 years subject to the following specific conditions.

1. *Ensure sufficient plinth area for covered waste storage facility /shed under roof with odour control and leachate collection facility, during the regular operation of the Plant as well as at the time of maintenance/breakdown. The covered area proposed in the project is only 8000 sq. m which is insufficient as mentioned by the project proponent in the clarification furnished by them. It should also be ensured that necessary precautionary facilities are provided for safe storage of incoming waste of 500 TPD and to ensure that it is stored safely for further processing without causing environmental issues.*
2. *Provide proper odour extraction and odour control facilities, along with the proposed Wood Chips based Bio filter odour control facilities for the waste unloading area, waste storage area and pre-processing areas (shredding and segregation) and improve it with proven Bio Filter System with other media, if required, with technical advice of NIIST- CSIR, as the proposed odour control system is inadequate for the climatic conditions of Kerala and for ensuring avoidance of spread of bad odour in the surrounding areas.*
3. *Provide necessary emission control/emission gas cleaning facilities and ambient air quality monitoring facilities in the plant as specified in the clarifications/commitments submitted by the proponent. It should be established / modified, if necessary, so as to ensure compliance with the standards specified in the SWM Rules,2016, EU standards and the conditions specified by the KSPCB from time to time, for ensuring eco-friendly operation of the Plant.*
4. *Ensure a minimum of 130 KLD capacity for leachate treatment plant considering probable quantities of leachate generation from all sources, such as waste unloading area, waste storage area, waste handling area, pre-processing area, bio drying*

*beds, vehicle washing area and sanitary landfill facility, as the use of Microbial Soil Based Reed Bed (MSR) System proposed in the project alone for treatment of Leachate is inadequate to treat leachate and to ensure reuse /recycle the treated leachate as stipulated by the Local Self Government Department , Govt. of Kerala in their order dated 9.8.2018.*

- 5. Provide sufficient facilities for ensuring reuse/recycle of treated water in the Plant for boiler cooling/ reactor cooling/ floor washing/ vehicle washing /gardening etc. , as the treated water is to be fully utilised as stipulated by the Local Self Government Department, Govt. of Kerala vide order dated 9.8.2018 and for minimising use of fresh water. It is an essential component for solving water pollution problems in the area and to facilitate anticipated environmental safeguards in the site.*
- 6. Ensure sanitary landfill facility of adequate size for the concession period and beyond for a period of at least 20 years as specified in the SWM Rules, 2016. Also provide resource recovery facility aiming to reduce the use of sanitary landfill facility to the minimum, as the estimated load of 7 TPD given in the project report is quite inadequate for a 500 TPD WTE Plant for the disposal of pre-processing and post- processing rejects including unutilised part of fly ash and bottom ash.*
- 7. The suggestions of CWRDM on water availability of the area should be implemented for effective water management.*
- 8. Details obtained from the People's Biodiversity Register of the Local Self Government should be incorporated in the Biodiversity Management Plan.*
- 9. Constitute a Local Level Monitoring Committee, as suggested in the Public Hearing, by including elected representatives of concerned Local Bodies in the area, KSPCB, Suchitwa Mission, and the district administration.*
- 10. The proponent shall follow the guidelines of Municipal Solid Waste (Management & Handling) Rules 2000 of MoEF.*
- 11. The proponent shall prepare a detailed Environment Management Plan as per the approved final EIA report for the timely completion and successful operation of "Kochi waste to energy project", Brahmapuram.*
- 12. Activities relating to Corporate Environmental Responsibilities (2% of total project cost) shall be carried out leading to protection and promotion of environment in the project region as per OM F.No.22-65/2017-IA-III dt.01.05.2018 of MoEF & CC in consultation with the District Collector, Ernakulam.*

**Item No.97.31****Complaint against the quarry of Sri.Charles Mathew, Palathara constructions Pvt.Ltd. (File No.835/EC4/2713/2015/SEIAA)**

Authority decided to issue a notice to the petitioner as well as to the 4<sup>th</sup> respondent ie. M/s Palathara Construction Pvt. Ltd to appear before the Authority on the next date of meeting of SEIAA. In the mean time, it is also decided to refer the matter to SEAC for a field inspection and report the details before the next meeting date of SEIAA on priority, as it is a court matter to be attended within a specific time. It is also decided to file an extension petition for 3 months with supporting reasons.

**Item No.97.32****Judgment dated 10-5-2019 in WP© 13408/2019 filed by Sri O A Ninan (File No.1853/A2/2019/SEIAA)**

A per the direction contained in WP 13408/19 an opportunity of being heard was given to both the petitioner, O.A.Ninan and Kerala Water Authority. The date fixed was 14.08.2019. Kerala Water Authority appeared before the Chairman, SEIAA on 14.08.2019 and presented their cases. Petitioner O.A.Ninan did not turn up. Hence another opportunity of being heard was given to O.A Ninan to appear on 18.09.2019. Advocate Mr.Yogeswaran as authorised by the petitioner appeared before Chairman, SEIAA on 18.09.2019. He has presented the case on behalf of Ninan and he has also given a written representation. Authority decided to forward the representation given by Adv.Yogeswaran and Ext P1 to District Collector, Pathanamthitta and Kerala Water Authority to examine the issue raised by O.A.Ninan while finalising the proposal for an appropriate follow up action during implementation of the project. Authority decided to give a suitable reply to O.A Ninan disposing of Ext.P1.

**General items**

- 1) Authority decided to review the lists of general conditions prescribed while issuing ECs under different types of projects. The existing general conditions pertaining to different types of projects may be circulated among the members of SEIAA, Environmental Scientist & Environment Officer of SEAC, Legal Officer of SEIAA to offer their comments for finalisation of the general conditions relevant to each type of project. The final version may be placed in next SEIAA meeting for approval.

- 2) Authority decided to circulate a latest copy of MoEF guidelines (OM – F.No.22-43/2018-IA III dated 08.08.2019) which deals with distance norms to be followed while issuing EC to the projects located near to National Park & Sanctuaries, among the members of SEAC so that they can verify the distance norms during the field inspection.
- 3) Authority decided to invite Member Secretary, State Disaster Management Authority to future meetings to help to clarify the hazard zonation of the area on which Environmental Clearance is being sought.

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

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

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