

**MINUTES OF THE 113th MEETING OF THE STATE LEVEL
ENVIRONMENT IMPACT ASSESSMENT AUTHORITY (SEIAA)
KERALA, HELD ON 19th & 20th April 2022 THROUGH VIDEO
CONFERENCING.**

Present:

- 1. Dr.H.NageshPrabhu IFS (Retd), Chairman, SEIAA, Kerala**
- 2. Sri.K.KrishnaPanicker**
- 3. Dr.V.Venu IAS
Member Secretary, SEIAA**

The 113th meeting of the SEIAA, KERALA was held on 19th & 20th April 2022. The meeting started at 10.30 AM on 19th April, 2022. Dr.H.NageshPrabhu, Chairman, SEIAA Kerala chaired the meeting. Dr.Venu.V, IAS Member Secretary SEIAA and Sri.K.KrishnaPanicker, Member SEIAA attended the meeting through video conferencing. The Authority considered the agenda for the 113th meeting and took the following decisions;

Physical Files

Item No.113.01 **Minutes of the 112th meeting of SEIAA held on 14th to 16th September 2021 for information**

Noted

Item No.113.02 **Action Taken Report of 111th & 112th meeting of SEIAA**

Authority appreciated follow up actions on the decision of SEIAA

Item No.113.03 **Judgment dated 26.08.2021 in WP (C) No.14476/2021 filed by M/s Marath Enterprises and crushers Pvt. Ltd (File No.310/SEIAA/KL/1693/2014)**

The Authority verified the proposal in detail and observed that, the EC issued by SEIAA on 11.06.2017 was quashed by the Hon'ble High Court vide Judgment in WP© No.18383/2018. Authority decided to adhere to the decision taken in its 111th meeting held on 17th & 18th August 2021.

Authority noted that as directed by Hon'ble High Court, Sub Collector Palakkad has forwarded available documents and the Project Proponent had submitted additional documents as per his letter dated 16.12.2021. The Authority also noted that, as per the direction of MOEF&CC, from October 2021 onwards an EC could be issued only through PARIVESH portal with a unique identity number. Hence Authority decided to inform the Project Proponent to submit a fresh application for EC in PARIVESH Portal with all relevant documents. As directed by Hble High Court SEAC shall assist the Project Proponent in uploading the files in PARIVESH portal.

Authority decided to forward all the files to SEAC for issue of EC on priority to adhere to the time limit fixed by Hon'ble High court. If extension petition has not been filed action has to be taken for filing an extension petition for 4 months quoting reasons.

Item No.113.04 **Environmental Clearance to P.K.Das Institute of Medical Sciences, Nehru College of Educational and Charitable Trust Vaniyamkulam, Palakkad – letter from Member Secretary, KSPCB regarding release of bank guarantee (File No. 554/SEIAA/EC1/4089/2014)**

The Authority noted the request of Adv.Dr.P.K.Krishna Das and the report received from the Chairman, KSPCB dated 16.03.2021. The Authority observed that the Project Proponent shall implement all the activities proposed in Environmental Management Plan (EMP) comprising remediation plan and natural and community resource augmentation plan corresponding to the ecological damage assessed and economic benefit derived due to violation. The Bank Guarantee

furnished by the Project Proponent is for a period of five years and the period of implementation of the remediation plan and natural and community resource augmentation plan is three years. The Bank Guarantee shall be released only after the completion of all the activities and the verification by SEAC. Under the circumstances, the **Authority decided the following:**

1. *The Proponent shall submit a detailed Compliance Report regarding the implementation of remediation plan and natural and community resource augmentation plan as per time schedule proposed in the remediation plan accepted by SEAC with documentary evidences.*
2. *On receipt of the report, the SEAC shall conduct a field inspection to assess the same and report*
3. *The Bank Guarantee shall be released with the recommendation of SEAC along with a satisfactory completion report of SEAC.*

Item No.113.05 **Environmental clearance for the proposed quarry project in Sy. Nos.154/1A, 154/3-3, 154/1-1, 155/1-1, 153/2-2, 154/1, 154/2-1A, 154/2-2, 152/3 (Karavaram village), 3/7, 4/2 (Nagaroor village), Chirayinkeezhu & Varkala Taluk, Trivandrum District, Kerala of Sri.V.Saseendran, M/s Anjali Industries (File No. 781/SEIAA/EC1/1101/2015)**

The Authority verified the proposal in detail including the request from the proponent dated 10.02.2022 regarding the time extension for the submission of Non Cluster Certificate. The Authority observed that the decision to obtain a Non Cluster Certificate was taken in the 94th SEAC meeting held on 12th to 13th March 2019 and was intimated to the proponent on 25.03.2019. From that date the proposal is pending before the SEIAA and the proponent has failed to submit the required document till date. Vide Letter dated 10.11.2021, the Authority again directed proponent to submit a non-cluster certificate within 15 days. Even after 3 years, the proponent has failed to submit the required document and the Authority viewed the lapse seriously and decided to delist the proposal at the risk of the proponent.

Item No.113.06 **Environmental Clearance issued from SEIAA,
Thiruvananthapuram for the granite building stone quarry in
Chithara Village, Kottarakara Taluk, Kollam District of Sunilkumar -
Judgment in WP (C)24326/2020 filed by - Revalidation of EC. (File
No. 813/EC3/2484/2015/SEIAA)**

The Authority observed that the SEAC in its 121st meeting recommended to reject the proposal and requested to cancel the EC based on the report dated.06.04.2021from Regional Office, MoEF&CC Bangalore regarding non-compliance of EC conditions.

Authority noted that the Proponent has submitted a Satisfactory Certificate of Compliance Report from Regional Office, MoEF&CC dated.30.03.2022.The SEIAA in its 112th meeting directed SEAC to conduct a field inspection to confirm the compliance of the conditions. Under the circumstances, Authority decided to post the proposal back SEAC for an appropriate decision on extension of EC.

Item No.113.07 **Environmental clearance for the Development of Govt. Medical
College cum Hospital in Sy.No.643 at Irvan Village, Kodencherry
Taluk, Pathanamthitta District, Kerala by The Principal Incharge,
Konni Medical College (File No. 810.A/SEIAA/EC4/2373/2015)**

The Authority took note of Certificate of undertaking issued by the Additional Chief Secretary, Health & Family Welfare Department, as part of the condition of the EC issued for the project on 12.10.2021.

Authority decided to inform the Additional Chief Secretary, Health & Family Welfare Department that, the Monitoring Committee shall meet regularly once in 6 months to review the progress of implementation of EMP and the Project Proponent shall coordinate the conduct of the meeting. The Project Proponent, Principal, Konni Medical College, shall submit the mandatory Half Yearly compliance report to SEIAA on time.

Item No.113.08 **Environmental clearance issued for the quarry project in Sy. No. 4/3, 4/4, 4/11-1, 4/11, 4/13-1, 4/13-2, 4/13-3, 4/14, 6/1, 6/3, 6/4, 9/1, 9/2, 9/3, 9/4, 9/5, 9/6, 9/7, 6/5, 16/2 at Ezhumattoor Village, Mallapally Taluk, Pathanamthitta District, Kerala by Sri. V.R. Ajayakumar, M/sLekshmi stone Industries-Judgment in WP(C) No. 23127 of 2020(File No. 816/SEIAA/EC4/2488/2015)**

The Authority noted the recommendation of 123rd SEAC meeting, the decision of 112th SEIAA meeting and the representation of the Proponent. In 123rd SEAC meeting the Committee recommended SEIAA to direct the proponent to comply with certain conditions within one month and on satisfactory submission of the compliance report, the proponent is eligible for the revalidation of EC order with the project life of six years from the date of issuance of the first EC.

The Authority in its 112th meeting decided to inform the Project Proponent that the life of mine as per approved mining plan is 6.5 years and SEAC after field inspection has estimated the Project life of 6 years and he has been already given EC for 5 years. Further, as per S.O.221 (E) dated 18.1.2012 of MoEF&CC, he will be getting a Covid related extension of one year from 1.4.2021 to 31.3.22 and hence no more revalidation of EC is required.

Now after verifying the compliance report and the request submitted by the Proponent, the Authority decided to revalidate the EC for project life of six years from 04-03-2016 (date of issuance of original EC) as recommendation of SEAC in its 123rd meeting, to cover the Covid extension period, as per the terms and conditions in the original EC.

Item No.113.09 **Environmental clearance issued to the Proposed quarry project in Sy. Nos. 166/2, 166/2-6, 166/2-7, 166/2-9, 166/2-10 at Koodal Village, Adoor Taluk, Pathanamthitta District, Kerala of Mr.P.J.Jacob, Director, M/s Inchappara Sands & Granites Pvt. Ltd.- Judgment dated 07.10.2021 in WP (C) No.30764/2021 filed by M/s Inchappara Sands & Granites Pvt. Ltd (File No.912/SEIAA/EC4/3648/2015)**

The Authority perused the item and noted the directions in the Judgment in WP(C) No.30764 of 2018. The Authority observed that the Proponent has not submitted any application before the Authority as directed by the Hon'ble Court. The Authority decided to direct the

Proponent to submit the application with all relevant documents in compliance with the direction of the Hon'ble Court.

On receipt of the satisfactory application the SEAC shall appraise the proposal, along with compliant received on 02.11.2021 from Sri.James Mathew.

Item No:113.10

Environmental clearance for the proposed Housing project (“*The Nature by Heera*”) in Survey nos. 275/2, 275/2-1, 275/2-2, 275/9, 275/10, 275/11, 275/12 at Attipra Village, Trivandrum Taluk and Trivandrum District, by M/s Heera Construction Company Pvt. Ltd. (File No. 969/SEIAA/EC1/4479/2015)

The Authority noted that SEIAA in its 68th meeting held on 12.05.2017 has directed the Proponent to resubmit the application as per the Building Rules by limiting the builtup area to a maximum of 24000 m². Instead of submitting the revised application, the Proponent vide letter dated 25.10.2021 has informed that the firm is under CIRP proceedings from 27.03.2019 onwards, in the Hon'ble National Company Law Tribunal, Mumbai Bench.

The Proponent also intimated that the company cannot submit the documents since they are under CIRP Proceedings and the existing Board of Company was suspended under the Act Section 7 of IBC 2016. Considering the reply of the Proponent, the Authority decided to close the file.

Item No.113.11

Status of Writ Petition 35065/17 before the Hon'ble High court filed by M/s PSN Educational & Charitable Trust (File No. 1083/EC4/SEIAA/2016)

The Authority perused the proposal and noted that, the Project Proponent has filed a WP(C) No.35065/2017 for issuing a direction to quash the decision of the SEIAA to reject the application for EC. The WP(C) is pending for decision. The Authority noticed that the proposal was rejected in the 98th SEIAA meeting, owing to the reason that the project site is located in an ESA Village. Since it is a long pending case, the Authority decided to get the current status of

the WP(C) from the Standing Counsel and till the receipt of the verdict WP(C) No.35065/2017 or a reply from the Proponent, to keep the file in abeyance.

Item No.113.12 **Letter from Secretary, Kizhakkencherry GramaPanchayath regarding EC issued to the granite stone quarry project of Shri.K.N.Nandakumar in Kizhakkanchery II Village, AlathurTaluk, Palakkad (File No. 1134/EC/SEIAA/KL/2017)**

Noted.

Item No.113.13 **Request for extension of validity of ToR for the Proposed EIA study for Outer Area Growth Corridor highway project through villages Mangalapuram, Andorrkonam, Pothencode, Karakulam, Aruvikkara, Poovachal, Vilappil, Kattakada, Maranallur, Malayinkezhu, Pallichal, Balaramapuram, Venganur (File No. 1143/EC/SEIAA/KL/2017)**

The Authority noted that the Proponent has applied for EC in the PARIVESH portal and is under consideration of SEAC. Authority decided to forward the complaints to Special officer of the CRDP and District Collector Thiruvananthapuram for necessary follow up action and decided to inform SEAC to verify the complaints during appraisal. The Authority decided to close the physical file.

Item No.113.14 **Environmental Clearance for the Proposed Residential Project Construction-“VKL Garden” in Sy.No.415/21 at Chellanmangalam Uliyazhathura, Kariyam villages, Thiruvananthapuram Taluk & Thiruvananthapuram District, Kerala of Mr. Shaji.K.Mathew, Director, M/s K V Apartments Pvt. Ltd. (File No. 1190/A2/2018/SEIAA)**

Authority perused the file and noted that this is a case of violation of EIA notification 2006 as the construction works have begun without obtaining a valid EC. The Authority noted

the action taken by SEAC in its 97th, 98th, 101st, 103rd, 105th, 108th meetings held on different dates and action taken by SEIAA in its 99th, 100th, 102nd, 104th, 105th and 106th meetings held on different dates.

A field visit was also conducted on 26.09.2019 by a subcommittee of SEAC. An opportunity of hearing was also given to project Proponent in the 105th meeting of SEIAA held on 22nd to 23rd October 2020. During the entire process of Appraisal, inspite of repeated opportunities, the Project Proponent has failed to convince the Authority and SEAC that the constructions have taken place without violating EIA notification 2006. The 108th SEAC meeting held on 13th & 14th January, 2020 has recommended for initiation of violation proceedings against the Project Proponent if the EC has to be issued.

The Authority decided to forward the documents submitted by the Project Proponent to the Town Planning Officer Thiruvananthapuram along with the observations made by SEIAA for verification and report. The matter was intimated to the Town Planning Officer vide letter dated 04.02.2021. The Chief Town Planner vide letter No.TCPCTP/375/2021-E3 dated 18.02.2021, transferred all documents to the Secretary, Thiruvananthapuram Corporation for report, as the proposed building got building permit from Thiruvananthapuram Corporation.

The Secretary, Thiruvananthapuram Corporation vide letter dated 27.09.2021 informed that the proposed project has committed violation of KMBR rules also by constructing the 11th Floor & Tower without a valid permit.

Authority noticed that as per S.O.1030 (E) dated 8.3.2018 of MoEF&CC which deals with such violation cases, the following steps have to be followed for issue of prior EC.

1. In case of violation action will be taken against the Project Proponent by the respective State or State Pollution Control Board (SPCB) under the provisions of section 19 of the Environment (Protection) Act, 1986 and further no consent to operate or occupancy certificate will be issued till the project is granted Environmental Clearance. (S.O.804(E) of MoEF&CC dated 14th March 2017)
2. State level expert appraisal committee (SEAC) should visit the site and decide whether the project can run sustainably under compliance of environmental norms with adequate

safeguards, if so SEAC should prescribe appropriate Terms of Reference for carrying out an Environment Impact Assessment (EIA) Study and for the preparation of Environment Management Plan (EMP). The SEAC shall stipulate implementation of EMP comprising remediation plan and natural and community resource augmentation plan corresponding to the ecological damage assessed and economic benefit derived due to violation as a condition of Environmental Clearance.(S.O.1030 (E) of MoEF&CC dated 8th March 2018)

3. The Project Proponent will be required to submit a bank guarantee equivalent to the amount of remediation plan and natural and community resource augmentation plan with State Pollution Control Board and the quantification will be recommended by SEAC and finalized by Regulatory Authority. The bank guarantee shall be deposited prior to the grant of EC and will be released after successful implementation of the remediation plan and natural and community resource augmentation plan and after the recommendation by the regional office of MoEF&CC, SEAC and Regulatory Authority. .(S.O.1030 (E) of MoEF&CC dated 8th March 2018)

Authority decided to inform the SPCB for taking action under point no (i) above and inform SEAC and Project Proponent to take actions under points (ii) and (iii) above.

Further as per the directions contained in the OM dated 7th,July,2021 of MOEF&CC, the project Proponent shall also be informed to pay a penalty as indicated under clause 12 of the OM.

Item No.113.15

Monitoring functioning of quarry of M/s AdaniVizhinjam Port Pvt. Ltd- Field inspection report –reg (File No.1200/EC2/2018/SEIAA)

The Authority verified the compliance report submitted by the Proponent dated 18.02.2022 and decided to give an additional time up to 3rd week of June 2022 to comply with the recommendations of the monitoring committee. Followed by that SEAC shall verify the compliance status and the Project Proponent shall be informed that the noncompliance of

observations made by the monitoring committee may lead to cancellation of EC conditions and action for violation of KMMC Rules.

Item No.113.16

Environmental Clearance for the Proposed Expansion of Residential cum Commercial unit- “VKL Towers” in Re-survey No.181/14, 181/14-1, 181/14-2, 181/14-3, 181/14-4, 181/14-5, 181/10, 181/10-1, 181/10-2, 181/18, of Attipra village, Thiruvananthapuram Taluk, Thiruvananthapuram District, Kerala by Mr. Shaji.K.Mathew, Director, M/s K V Apartments Pvt. Ltd. (File No. 1228/EC2/2019/SEIAA)

The Authority perused the proposal and noted that the Proponent has submitted an application for a total builtup area of 20,469.237 Sqm in which the existing built up area is 18,244.64 Sqm. & the proposed built up area is 2,224.597 sq.m. In the 107th SEAC meeting held on 24th December, 2019, the Committee found that the built-up area shown in the report of the Chartered Engineer does not match with the approved building plan submitted along with the application and it was decided to direct the proponent to clarify this mismatch.

From the document submitted by the Project proponent on 30.01.2020, the 110th SEAC meeting found that the proponent had already constructed is 20,554.18 m². As the area exceeds threshold limit of 20,000 m², the proponent has to secure EC before starting construction and hence it falls under violation category.

The Authority in its 105th meeting heard the Proponent, the Assistant Executive Engineer and the Town Planner. The proponent vide letter received dated 14.09.2021 informed that they have initiated the demolition of the excess area constructed beyond the threshold limit of 20,000 sq.meters and requested to close the application indicating that he may not be interested in EC any further. Authority decided post the case back to SEAC to ascertain whether any Environmental damage has caused due to the construction activity beyond the threshold limit if so the recommendations thereby.

Item 113.17

Environmental clearance for the proposed building stone quarry project in Block No. 13, Re-Survey No. 487/20 in Mundur II Village, Palakkad Taluk, Palakkad District, Kerala by Mr. Krisheeb.M.R.(File No. 1249/EC2/2019/SEIAA)

Authority noted that SEIAA had issued rejection order dated.26.10.2019 to the Proponent as per the decision of the 98th meeting. The Authority in its 105th meeting reconsidered the proposal as per the request of the Proponent dated 25.10.2019 and decided to adhere to its original decision as per the recommendation of SEAC. The Authority noticed that the WP(C) No.11292 filed by the Proponent is still pending before the Hon'ble High Court of Kerala as the matter is subjudice, the Authority decided to await for court's decision.

Item No.113.18

Environmental Clearance for the proposed Granite building stone quarry project in Survey No. 222/1, Block No:47 in Aryanad Village, Nedumangad Taluk, Thiruvananthapuram District, Kerala by Mr. Biju.V.T.(File No. 1261/EC2/2019/SEIAA)

The Authority noted that in WP(C) No.26851 of 2021, the Hon'ble High Court has directed the 3rd respondent, SEIAA to take up the objections raised by the petitioner in Exhibits P10 and to consider the said objections while carrying out the site inspections for issue Environmental Clearance. It was also stated in the judgment that the direction shall apply if the Environmental Clearance has not already been issued. The Authority noted that the EC has already been issued on 22.07.2021 prior to the judgment dated 17-12 2021 with site/project specific conditions in addition to the general conditions and hence Authority cannot comply with the directions of Hon'ble High Court in WP(C). However Authority decided to forward the complaint to District Collector Thiruvananthapuram for necessary further action.

The Authority also noted that the Proponent has obtained Wild Life Clearance from the Standing Committee of the National Board of Wild Life which is mandatory for starting a quarry as per OM dated.08.08.2019 of MoEF&CC.

Authority decided to issue a copy of the EC to PCCF and Chief Wildlife Warden Forest HQ, Vazhuthacaud Thiruvananthapuram for information and necessary further action.

Item No.113.19 **Request for consideration of proposal for EC without ToR by M/s Optimum Granites Pvt.Ltd in Thirumittacode –II Village, Pattambi Taluk, Palakkad District (Proposal No. SIA/KL/MIN/ 40614/2019, File No.1418/EC1/2019/SEIAA)**

The Authority observed that as per Appendix XI, a cluster shall be formed when the distance between the peripheries of one lease is less than 500m from the periphery of other lease in a homogenous mineral area. As the cluster area in the present case exceed 5 Ha, EIA study and Public hearing are mandatory for this project and hence the Project Proponent may be informed that his request cannot be considered.

Item No.113.20 **O.A No. 155/2020 filed by Mr.Vijeesh Kumar against M/s Covenant stones Pvt. Ltd before the Hon'ble NGT (File No. 1422/EC1/2019/SEIAA)**

The Authority decided to handover the original files related to the project to Station House Officer, Pettah Police Station as per notice U/S 91 CrPC, by keeping the photocopies of the files in the office. The acknowledgement regarding the receipt of file should be obtained from the Station House Officer. The Legal Officer shall get the latest position in OA No.115/2020 filed by Mr.Vijeesh Kumar against Covenant Stone Pvt. Ltd. before the Hon'ble NGT.

Item No.113.21 **Request for changing the project name of the residential building project 'Artech Grand Tower' as 'Artech Panorama' in Environmental Clearance issued from SEIAA (Proposal No.SIA/KL/MIS/148576/2020, File No.1645/EC1/2020/SEIAA)**

The Authority considered the request of the Proponent for changing the name of the Residential Building Project in Survey Nos.92/1,2,3,4,5 in Sasthamangalam Village, Thiruvananthapuram Taluk, Thiruvananthapuram District 'Artech Grand Tower' as 'Artech Panorama' in Environmental Clearance No. 54/2021 dated 07-10-2021. The authority accepted the proposal and decided to amend the environmental clearance dated 07-10-2021 to that extent. The necessary proceedings in this regard may be issued.

Item No.113.22 **Request for reconsideration of application for Environmental Clearance for the Granite building stone quarry at ReSurveyNo.263/6- 3,264/11-6-2,264/11-6,263/6-4, 263/6-3-1, 264/11-5,264/11-2,Block No.4 of Pallichal Village, Neyyatinkara Taluk, Thiruvananthapuram District, Kerala by Sri.J.Roberters (SIA/KL/MIN/167896/2020, 1808/EC1/2020/SEIAA)**

The Authority noted the action taken in the proposal so far and the request of the Proponent along with the Certificate from the Village Officer, Pallichal Village. Authority observed that from the Certificate of the Village Officer it is evident that there is a building within 50 m. even though it is unsuitable for habitation. Hence the Authority decided to reiterate its former decision to reject the application as per the existing KMMC Rules.

Item No.113.23 **Request for Exemption from Environmental Clearance for Phase-1 of the proposed Waste to Energy Plant at Kanjikode, Palakkad District by Blue Planet Palakkad Waste Solutions Private Limited, BPPWSPL (File No.2411/EC1/2020/SEIAA)**

Authority perused the proposal and noted that the Project Proponent has obtained a Consent letter from KSPCB for the establishment of a Waste to Energy Plant at Kanjikode, Palakkad District. In the consent letter, the project is titled as an integrated project. It is brought to the notice of Project Proponent that as per letter dated 3rd July 2017 of MOEF&CC, for an integrated project for Solid waste management, prior EC is required. The letter exempts EC under certain circumstances. Authority decided to direct the proponent to make an online

presentation in the next meeting of SEIAA. The project Proponent shall be informed well in advance and a copy of the letter from MOEF&CC cited here shall be made available to him.

Item No.113.24 **Environmental clearance issued from DEIAA, Thiruvananthapuram of M/s Kottakkal Granite Industries Pvt in AnadVillage, Nedumangad Taluk, ,Thiruvananthapuram District– Judgment in WP(C) No. 25844 of 2020 regarding revalidation of EC .(File No. 2739/EC1/2020/SEIAA)**

The Authority noted the request of the Proponent dated 18.01.2022 intimating that they had decided to stop the quarrying operation as the land is required for a purpose other than quarrying in the area and the land reclamation is in progress. It is also informed that final quarry closure plan is in progress and hence they have decided to withdraw the application for revalidation of EC.

The Authority agreed to the withdrawals of application for revalidation and decided to direct the District Geologist, Thiruvananthapuram to ensure the final closure of the quarry as per the approved Mine Closure Plan.

Item No.113.25 **Mass petition filed by Shri. M. Aneesh along with the local residents of Madapuram, Ettimoodu, Ozhukupara& Parambikulam Villages regarding the quarry operations of VKL Infrastructure Facilities Pvt. Ltd functioning in ManickalGramapanchayath - Request for hearing opportunity by M/s VKL Infrastructure Facilities Pvt. Ltd -(File No.3137/EC1/2019/SEIAA & Main file No.753(A)/(B)/SEIAA/EC1/302/2015)**

The Authority perused the proposal with available documents, the field inspection report and the directions in various Court cases. The Authority observed that the District Collector had issued a Stop Memo on 13.10.2021 as directed by SEIAA and against that the Proponent had filed a WP(C) 21423/2021 before the Hon'ble High Court of Kerala. Besides, an OS

No.639/2021 filed by Sri.Sreekantan before the Hon'ble Munsif Court Nedumangad Thiruvananthapuram is also pending.

M/s VKL Infrastructure Facilities Pvt vide letter dated 15.02.2022 (received on 22.02.2022) forwarded judgment dated 23.12.2021 in WP(C) No. 21423/ 2021, in which the Hon'ble High Court has directed the 2nd respondent, the District Collector, Thiruvananthapuram to take appropriate steps to make available all the reports required before the first respondent, SEIAA for a proper consideration of the request made by the petitioner for withdrawal of the stop memo. Appropriate action shall be taken within a period of one month from the date of receipt of a copy of this judgment. The Authority requested District Collector, Thiruvananthapuram and the Land Revenue Commissioner to make available all the reports required to comply with the court order. The reports have not been received so far.

In the meantime, the Principal Bench, NGT New Delhi vide e-mail dated 28.02.2022 forwarded O.A.No.119/2022 dated 24.02.2022 filed by Benny Sebastian against M/s VKL Infrastructure Facilities (P) Ltd. The NGT directed to constitute a joint committee comprising of members from SEIAA, KSPCB and District Magistrate, Thiruvananthapuram to undertake a visit to the site, verify the compliance status and file a factual and action taken report **within two months**. The Authority deputed Dr.AjayakumarVarma, member SEAC, as a member to the Joint Committee from SEIAA.

The Authority also noted that M/s VKL Infrastructure Facilities Ltd. had now filed another Writ Petition 8335/2022 before the Hon'ble High Court. The relief of the petitioner is that to pass an interim stay order of all further proceedings pursuant to O.A.No.119 of 2022 dated 24.02.2022 of NGT, Principal Bench, New Delhi and call for the records leading to Exhibit P3 stop memo issued by the 2nd respondent dated B7- 2372/2012, dated 12.10.2021 and quash the same.

Under the circumstances the Authority decided the following :

1. *Wait for the receipt of final Judgment in OA NO.119/22 and Writ Petition No.8335/2022 which are still pending. Necessary follow up action has to be taken with standing counsels in NGT and Hble High Court of Kerala.*

2. *Await Judgment in OS No.639/2021 filed by Sri.Sreekantan before the Hon'ble Munsif Court Nedumangad Thiruvananthapuram*
3. *Get a final report from the Revenue Department regarding the encroachment of puramboke/Govt. land and the illegal mining by the quarry owner. A report regarding the action taken on the illegal mining has to be obtained from District Geologist.*
4. *Aerial distance to the nearby houses have to be measured and assess the threat due to explosions considering the slope of the hill, from the Mining & Geology Department.*
5. *An Opportunity of hearing may be given to the Project Proponent as requested by him in the next meeting of SEIAA*
6. *SEAC may be directed to form a sub-committee for conducting field inspection and submit factual report before the next meeting of SEIAA.*

The Authority also noted that as intimated by the Project Proponent the quarrying lease has expired on 03.04.2022. Authority decided to direct SEAC to examine all the issues brought to its notice in case he applies for extension of EC.

Item No. 113.26

Application for Environmental Clearance for the granite building stone quarry in Block No.23, Re survey No.452,441/1,441/2, 435,440/1,440/2,436 of of M/S A-One Sands Pvt. Ltd in Muthalamada –I Village, Chittur Taluk, and Palakkad District (SIA/KL/MIN/187395/2020, 747/EC1 /180/2015/SEIAA)

Authority noted that as per the field inspection report and available documents, the project area is 3.96 km away from the Parambikulam Wild Life Sanctuary. Hence the Proponent should obtain Wild Life Clearance from the Standing Committee of the National Board for Wild Life as per OM dated.08.08.2019 . The Authority issued EC dated 08-10-2021 subject to the condition that the Proponent should obtain Clearance from the National Board for Wild Life before the commencement of mining.

Project Proponent has now produced Judgment in WP(C) No.3305/2022 (K) dated 1-02-2022 of Hon'ble High Court of Kerala in which the Court had granted interim stay of condition for obtaining Clearance from the National Board for Wild Life. Hence the Authority decided to

approach the Hon'ble Court with an appeal against the interim stay. The matter may be intimated to the Standing Counsel on priority and inform the same Project Proponent.

Authority decided to forward a copy of the EC to Wild life Warden Parambikulam for information and necessary further action.

Item No.113.27 **Environmental clearance for the proposed Building stone quarry project in, Re SurveyNo.76/8,77/1,77/2,78/6,97/1,97/2 at Mancode Village, KottarakkaraTaluk, Kollam District, Kerala by Mr.Arun Varghese, Managing Partner, M/s Tesna Mines (File.No.1201/EC2/2018/ SEIAA)**

Authority noted that this is a case for revalidation of EC and a case is pending before Hble NGT. There is no recommendation from SEAC for revalidation of EC as the Project Proponent did not submit relevant documents. Authority decided to wait for the outcome of case in NGT and the recommendation of SEAC for revalidation of EC. In the meantime the position of case in NGT shall be followed up.

Further, the Authority noted that a letter No.PE-06/2021KLM dated 30.10.2021 has been received from the Vigilance and Anti-Corruption Bureau, requesting for a certified copy of the file related to the EC issued to Tasna Mines, regarding the bribery to District Geologist and others. The Authority observed that the validity of the EC issued to the Proponent will expire on 13.10.2024 and the revalidation process is in progress as per the Judgment in WP(C) No.26513/2020 dated.01.12.2020. The Authority decided to handover a certified copy of the file related to the EC issued to Tasna Mines as per the request from the Vigilance and Anti-Corruption Bureau.

Item: 113.28 **Judgment in WP(C) No. 12147/2020(P) dated 09.09.2020 filed by A.K.Joseph, Arackal House, Mundathadam, Parappa, Kasargod, 671533 Jimmy Alex, Manjakunnel, Parappa P.O, Kasargod, 671533, Vinayan V.K , District Environmental Samithi, Parappa, Kasargod**

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Judgment in WP(C) No. 15745/2020(P) dated 18.08.2020 filed by K.P.Balakrishnan, KanathilParambil, Moolakayam, Parappa, Kasargod, Pramod.K, Parappa, Kasargod, Sudhakaran.M, EdavilVeedu, Parappa, Kasargod and U.V.MohammedKunhi, ValappilKammadath, Parappa, Kasargod (1992/EC2/2020/SEIAA)

Authority perused the case and took note of the directions in Judgment in WP(C) No.12147/2020 (P) dated.09.09.2020, WP(C) No.15745/2020 (P) dated.18.08.2019 and the Field Inspection Report of the Sub Committee of SEAC. As directed in the Judgment in WP(C) No.12147/2020(P) the Authority heard the parties and as per the Judgment in WP(C) 15745/2020(P) the field inspection was also conducted and thus the directions of the Hon'ble High Court are complied with.

During the field inspection the Sub Committee noticed some irregularities and vide 108th SEIAA meeting the Authority directed the Project Proponent to attend all those irregularities pointed out by SEAC within 6 months and after that SEAC should again conduct a field visit to confirm the compliance. The decision of the 108th SEIAA was intimated to the Project Proponent to comply with the observation of SEAC within 6 months otherwise appropriate action will be taken against him including cancellation of EC. Even after repeated reminders on 02.12.2021 and 03.01.2022 the compliance report has not been received.

Under the above circumstances, the Authority decided that SEAC may conduct a field inspection after giving prior intimation to the Project Proponent, the Complainant of the WP(C) 15745 of 2020 (P) and other members of the inspecting team , to verify the compliance status and recommend to SEIAA for further action to be taken.

Item No 113.29 Judgment dated 2.12.2020 in WP (C) 22491/2019 filed by Sri.S.Sundaresan (File No.2578/A1/2019/SEIAA)

Authority took note of the Judgments in WP(C) No.22491/2019 dated.02.12.2020 and the Judgment in WP(C) No.519/2021 dated.17.11.2021 and the application submitted by the Proponent before SEIAA for extension of EC period. The Authority observed that DEIAA

Kollam has issued EC on 31.08.2018 for a period of one year. The Petitioner could not extract the quantity mentioned in the EC since the validity of permit was issued only on 06-02-2019 and it was valid up to 31.05.2019.

As per the Judgment in WP(C) 22491/2019 dated 02.12.2020, the first respondent ie. SEIAA collected all the documents from DEAC, Kollam. As directed in the Judgment in WP(C) No.25519/2021 dt.17.11.2021 the second respondent ie. the Mining & Geology considered the application for mining permit and corrected the mistakes in the coordinates of Mining Plan and BP2 & BP3. The corrected documents were received in SEIAA on 11.01.2022.

On verifying relevant documents, the Authority decided to extend the validity of EC for a period of one year from the date of receipt of permit from the Mining & Geology Department subject to the condition that the Proponent should extract only the balance quantity as assessed by the Mining & Geology Department, as per the conditions stipulated in the original EC.

Item No.113.30 **Construction of Two-Lane Road Tunnel including Approaches (from existing roads) for providing direct connectivity between Aanakampoyil Kalladi-Meppadi in Kozhikode and Wayanad Districts of Kerala State (of total length 8.735 km). [SIA/KL/NCP/67242/2021]**

The Authority examined the request of the Executive Engineer, KPWD Kozhikkode and decided to inform that the said project comes under item 8(a) of the schedule under EIA notification 2006 and hence requires EC.

In the meantime, vide email dated 19.4.22 Authority has received a complaint from Secretary, Our Nature, Krishnagiri, Meenangadi, Wayanad, alleging irregularities in TOR for EIA study and adverse impact of the Project on Environment in the project Region. Authority decided to forward the complaint to Project Proponent and District Collector Wayanad for examination and report.

Item No. 113.31 **Validity period of Environmental clearance issued to M/s Bharananganam Industries–Reg (File No. 62/SEIAA/KL/7683/2012)**

Authority verified the item and observed that as per the existing practice SEIAA issue EC for 5 years and during that period the Proponent has to submit the Half Yealy Compliance Reports. The Authority also noticed that there were a few ECs in which the validity period was not mentioned and in such cases the 77th SEIAA meeting decided that the validity period was omitted due to oversight and the period is deemed to be 5 years from the date of issuance of EC.

Under the above circumstances, the validity of the EC of M/s Bharananganam Industries has expired on 22.05.2018. In this case the EC was issued on 23.5.2013 and the EC had expired on 22.05.2018. The Proponent is still submitting the Half Yearly Compliance reports. Hence the Authority decided to get a clarification from District Geologist, Dept of Mining & Geology whether quarrying has taken place even after expiry of EC period without an approved mining plan and valid EC, if so how did he get quarrying permits from Dept of Mining and Geology without a valid EC from .Department of Mining & Geology.

Item No. 113.32 **Extension of validity period of EC issued by DEIAA, Ernakulam – WP(C) 1895 of 2022 filed by Shri. Biju C.M., Mudakuzha, Ernakulam(File No.0070/EC3/2022/SEIAA)**

The Authority noted the directions contained in the Judgment in WP(C) No.1895 of 2022 filed by Sri.Biju C.M and the request of the Proponent to get extension of Environmental Clearance. The Authority observed that the EC was issued by DEIAA, Ernakulam for a period of 3 years from 23.01.2018. The Proponent is eligible for Covid relaxation as per S.O No.221 (E) dated.18.01.2021 of MoEF&CC and the validity expired on 22.01.2022.

Authority noted that he Mining & Geology Department has not granted the permit in time and the Proponent could not function the quarry from 23.01.2021 to 24.10.2021.Now he is requesting extension for a period of 9 months from 24.01.2022. The Authority verified the relevant documents and decided to extend the validity period of EC for nine more months from the date of receipt of permit from the Mining & Geology Department subject to the condition

that the Proponent should extract the balance quantity of 29000 MT as per the conditions stipulated in the original EC.

Item No.113.33 **Violation of Environmental Clearance Conditions by Granite Building Stone Quarry owned by Shri. Jeemon Mathew, - Reported by Secretary Manakkad Gramapanchayath - DEIAA, Idukki issued EC - (File No. 0090/EC3/2022/SEIAA)**

The Authority perused the item and noted that a letter has been received from the Secretary, Manakkad,, Grama, Panchayath, Thodupuzha alleging the violation of EC condition by Granite Building Stone Quarry owned by Shri. Jeemon Mathew. The Authority observed that the validity of EC issued to the quarry project owned by Sri. Jeemon Mathew has expired on 30.03.2022 (including Covid relaxation) and the proponent has not applied for the revalidation of the existing EC.

Authority decided the following :

1. *To intimate the Panchayat Authority about the expiry of the EC and the contentions of the Panchayat Secretary will be considered during the appraisal of revalidation/ extension proposal for EC, in case the proponent submits application for the same.*
2. *The complaint may be forwarded to the District Geologist for taking appropriate action for violating KMMC Rules, along with action for implementation of the Mine Closure Plan, under intimation to SEIAA for necessary follow up action.*

Item No.113.34 **Judgment in the NGT Original Application No. 88 of 2017 (SZ) dated 26th October, 2021 filed by Shri. George Isaac, against the quarrying operations of M/s Slab Aggregates, owned by Shri. Joseph John(File No: 519/SEIAA/EC3/3823/14)**

The Authority noted that the Hon'ble National Green Tribunal in its order in OA No.88 of 2017 (SZ) dated.26.10.2021 has directed the Authority to ascertain, as to whether any violation of conditions imposed on recommendations made by the Expert Appraisal Committee

(EAC), which were accepted by the SEIAA, Kerala have been complied with or not and NGT has directed to take appropriate action against the Project Proponent for violation (if any) committed, in accordance with law and submit a report in this regard to the tribunal within a period of six months.

The Authority decided the following:

1. *SEAC may conduct a field inspection to ascertain whether any violation of conditions on recommendations made by SEAC, has taken place and report to SEIAA for follow up actions to be taken for violation of EC conditions. Followed by this a report has to be submitted to NGT.*
2. *An extension petition may be filed before NGT seeking an extension for 6 months to submit the report as directed in the OA No.88/2017 (SZ) through Standing Counsel, in NGT, as SEIAA was not in operation since October 2021 and reconstituted SEIAA started functioning only from March 2022.*

Item No: 113.35

Environmental clearance for the quarry project in Sy. No. 324/4(P), 324/5(P) & 325/15(P), Pattimattom Village, Kunnathunadu Taluk, Ernakulam, for M/s. Cement Bricks & Allied Industries and 317/2, 317/4 & 324/5(P) Pattimattom Village, Kunnathunadu Taluk, Ernakulam, for M/s. Kizhakkambalam Granites Kerala by Shri. Paul Varghese, M/s. Cement Bricks & Allied Industries / M/s. Kizhakkambalam Granites- Judgment in WP (C) 18778/2020 filed by M/s. Cement Bricks & Allied Industries - Revalidation of EC (File No. 724/SEIAA/KL/6074/2014)

The Authority noted that revalidation of the EC proposal filed by the Proponent was considered, as per the Judgment in WP(C) No.18778/2020 dated.02.01.2020 As per the 123rd SEAC meeting, the Committee decided to recommend to SEIAA to initiate steps for the suspension of the quarrying operations for 6 months for non-satisfactory compliance of EC conditions and to direct the Proponent to comply with some more observations within 6 months to consider the revalidation of EC.

The 112th SEIAA meeting decided to direct the Project Proponent to attend all the observations made by SEAC within 6 months and to direct the District Geologist to inspect the quarry site along with a member from Kerala State Pollution Control Board and take action against the Project Proponent within two months for all the violations noticed by SEAC and impose penalty proportionate to Environmental damage caused and loss occurred to Government due to violation of EC conditions.

Now the Proponent has requested to drop the application for revalidation of EC and he had already adopted corrective measures to comply with the recommendations made by SEAC and also they had constituted the Environmental Management Cell (EMC). The Project Proponent has also intimated that he has conducted a study on the safe blasting operations of the quarry by National Institute of Rock Mechanics (NIRM), Bangalore.

Under the circumstances the Authority decided the following:

1. *SEAC should conduct a site inspection to assess the compliance status of the condition mentioned in its 123rd meeting and report.*
2. *The District Geologist along with a Member from Kerala State Pollution Control Board shall inspect the quarry site and take action against the Project Proponent within two months for all the violations noticed by SEAC and impose penalty proportionate to Environmental damage caused and loss occurred to Government due to violation of EC conditions.*
3. *The outcome of the study report from National Institute of Rock Mechanics (NIRM), Bangalore should be made available to District Geologist for necessary follow up action.*
4. *After getting the above reports SEIAA will take necessary action for non compliance of EC conditions after giving him an opportunity of being heard.*
5. *Authority also noticed that the adjacent quarry is also owned by the Project Proponent and in case he applies for revalidation of EC the observations made by SEAC and SEIAA in the instant case shall be borne in mind while processing the file for revalidation.*

Item No.113.36 **Judgment in WP(C) No. 12031/2021 (H) dated 14.02.2022 filed by M. M. Joseph, Menacheril House, Boothathankettu (P.O.), Pindimana, Kothamangalam, Ernakulam - Judgment in WP(C) No. 12073/2020 (H) dated 19.06.2020 filed by M. M. Joseph (File No: 1032/EC3/2020/SEIAA)**

The Authority verified the file and noted the directions in the Judgment in WP(C)12073/2020 (H) dated.19.06.2020 and the Judgment in WP(C) No.12031 of 2021 dated.14.02.2022. On verification of the documents the SEIAA observed that, the Proponent had submitted an application for EC before the DEIAA, Ernakulam and the DEAC has recommended to grant EC. In the meantime, the functioning of DEIAA was quashed vide Judgment of NGT dt.11.12.2018. The Proponent had approached the Hon'ble Court to get Deemed EC vide WP(C) No.12073/2020 (H). As per the Judgment in this WP(C) the SEIAA considered the representation and heard the Proponent and decided to place the file before SEAC. In the meantime, the Proponent approached the Court with a Writ Petition No.12031/2021 to get the Deemed EC and its Judgment dated 14.02.2022 directed the 1st respondent ie. SEIAA to issue a Certificate of Deemed EC to the Petitioner, with respect to the quarry project for which Ext. P1 Letter of Intent was granted by Senior Geologist, Department of Mining and Geology, District Office, Ernakulam, within two weeks from the date of receipt of a certified copy of this Judgment.

Now on behalf of SEIAA, the Standing Counsel has filed a Writ Appeal on 28.03.2022 against the order dated 14.02.2022 in WP(C) 12031/2021 regarding issuance of Deemed EC, before the Hon'ble High Court of Kerala. Hence the Authority decided to keep the file in abeyance till the receipt of the verdict in the Writ Appeal.

Item No:113.37 **Environmental Clearance issued to the building stone quarry project in survey Nos. 396/1B2, 397/1-1, 396/1B2, 397/1-1, 397/1-1, Varapetty Village & Panchayat, Kothamangalam Taluk, Ernakulam District, Kerala owned by Sri. P.K. Prasad - Request for obtaining Annual compliance report of project site [File No: 1103/EC/SEIAA/2020]**

The Authority verified the documents along with the Field Inspection Report of the Sub Committee of SEAC and the request of the Proponent. The Authority observed that the Proponent had conducted scientific study for the design of safe blasting parameters by the Central Institute of Mining & Fuel Research and implemented the same. The Sub Committee observed that the Proponent had complied the EC conditions fairly well. The field inspection report of the Sub Committee was forwarded to the Executive Engineer, Irrigation Department. The Authority found that Proponent has not submitted required documents for revalidation and the two previous Half Yearly Compliance Reports.

Authority decided the following:

1. *The Field Inspection Report shall be given to the Project Proponent as requested.*
2. *A reminder shall be sent to the Project for submitting two half yearly compliance reports.*

Item No.113.38 Revision of remedial plan- Environmental Clearance proceedings No. 28/2020 dated 27-02-2020 M/sAdluxMedicity& Convention Centre Pvt. Ltd(File No. 1186/A2/2018/SEIAA)

The Authority verified the item with the note of Environmental Scientist/Environmental Officer on the Environment Management Plan & Natural resource Augmentation Plan and the request of the PCB regarding the constitution of Monitoring Committee. Authority decided to nominate Dr. A V Raghu, Member SEAC as a Member to the Monitoring Committee and intimate the same to Member Secretary, KSPCB.

The authority further decided to direct the proponent to submit the half yearly compliance report and to submit a detailed revised remediation plan and natural resource augmentation plan to consider his request.

Item No. 113.39 Environmental Clearance for the Proposed Group Housing Project, GREEN VISTAS – “PRAKRITI” at Re-survey No.359/3, of Kakkanad village, Thrikkakara Municipality, Kanayanur Taluk,

**Ernakulam District, Kerala by Mr. SaurabhGulechha, Chief
Operating Officer, M/s Green Vistas Infrastructure Projects (File
No. 1189 (A)/EC2/2018/SEIAA)**

The Authority noted that this is a case involving completion of violation proceedings before issuing prior EC. Authority noted the actions taken by both SEIAA and SEAC so far to complete the violation proceedings for issuing a prior EC.

Authority noted that vide Judgment in WP(C) No. 3870 of 2020 dated 11.06.2021, filed by Green Vistas Infrastructure Projects Pvt. Ltd. the Hon'ble High Court, disposed of the writ petition directing respondents 3 and 4 to dispose of finally the application of the petitioner for environmental clearance, as directed in Ext.P24 decision of the Expert Appraisal Committee at the Central level, in accordance with the law, having regard to the present stage of construction, as expeditiously as possible, without waiting for the culmination of the proceeding contemplated against the petitioner for violation of the EIA notification. It is made clear that the petitioner will not be entitled to resume the work of the project before the direction aforesaid is complied with.

Authority also noted that Vide Judgment in Review Petition No. 469/2021 dated 20.10.2021 the Hon'ble Court stated that the report submitted by the 7th Respondent (KSREC) does not improve the case of the petitioner that they have commenced the construction of the project prior to 14.09.2006. In the absence of any material to indicate that any construction whatsoever, has taken place in the land prior to 14.09.2006, it is unnecessary to consider that construction of last three blocks of the project cannot be treated as expansion of the construction of first two blocks and the Review Petition filed by the Project Proponent was dismissed. Thus Project Proponent has exhausted all legal remedies and now he has to take action for completing the violation proceedings as directed by SEAC already.

Authority noticed that as per S.O.1030 (E) dated 8.3.2018 of MoEF&CC which deals with such violation cases, the following steps have to be followed for the issue of prior EC.

1. In case of violation action will be taken against the Project Proponent by the respective State or State Pollution Control Board (SPCB) under the provisions of section 19 of the Environment (Protection) Act, 1986 and further no consent to operate or occupancy

certificate will be issued till the project is granted Environmental Clearance.(S.O.804(E) of MoEF&CC dated 14th March 2017)

2. State level expert appraisal committee (SEAC) should visit the site and decide whether the project can run sustainably under compliance of environmental norms with adequate safeguards, if so SEAC should prescribe appropriate Terms of Reference for carrying out an Environment Impact Assessment (EIA) Study and for the preparation of Environment Management Plan (EMP). The SEAC shall stipulate implementation of EMP comprising remediation plan and natural and community resource augmentation plan corresponding to the ecological damage assessed and economic benefit derived due to violation as a condition of Environmental Clearance.(S.O.1030 (E) of MoEF&CC dated 8th March 2018)
3. The Project Proponent will be required to submit a bank guarantee equivalent to the amount of remediation plan and natural and community resource augmentation plan with State Pollution Control Board and the quantification will be recommended by SEAC and finalized by Regulatory Authority. The bank guarantee shall be deposited prior to the grant of EC and will be released after successful implementation of the remediation plan and natural and community resource augmentation plan and after the recommendation by the regional office of MoEF&CC, SEAC and Regulatory Authority. .(S.O.1030 (E) of MoEF&CC dated 8th March 2018)

Authority noted that the above position was already informed to Project Proponent and the KSPCB long back. In obedience to the directions contained in the Judgment in WP(C) No. 3870/2020 dtd. 11.06.2021 and the Judgment in Review Petition No. 469/2021 dated 20.10.2021, Authority once again decided to inform the KSPCB for taking a speedy action under point no (i) above and SEAC and Project Proponent to take urgent actions under points (ii) and (iii) above so that prior EC can be given .

Further as per the directions contained in the OM dated 7th,July,2021 of MOEF&CC, the project Proponent shall also be informed to pay a penalty as indicated under clause 12 of the OM.

Item No.113.40 **Expansion of the existing Master Plan Development of an IT/ITES SEZ township project of M/S Smart City (Kochi) Infrastructure Pvt. Ltd. at Sy. Nos. 640/1, 640/2 & others in Kakkanad Village, Kerala (Proposal No: SIA/KL/MIS/51114/2018, File No:1191(A)/ EC2/2018/SEIAA)**

The Authority verified the proposal and the request of the proponent for extension of the validity period mentioned in the EC from 5 years to 7 years. The Authority agreed with the request of the Proponent as he is eligible for the same as per EIA notification 2006 and necessary proceedings in this regard may be issued.

Item No. 113.41 **Environment Clearance for mining lease of "Granite Building Stone Quarry of Shri. P.S. Sebastian' over an extent of 3.3580 Ha. (8.2976 Acres) at Re-Survey Block No. 65, Re-Survey Nos. 170/3, 175/1, 175/1-1, 175/1-2, 175/1-3, 175/2, 173/1, 170/1, 170/2, & 170/4, Teekoy Village, Meenachil Taluk, Kottayam District, Kerala State – (Proposal No. SIA/KL/MIN/44633/2019 File No. 1530/EC2/2019/SEIAA) - REJECTED Online Proposal**

The Authority discussed the item and decided to give an opportunity to the Proponent for hearing in the next SEIAA meeting. Intimation regarding the same may be given to the Proponent well in advance.

Item No.113.42 **Request for ignoring the withdrawal request submitted in PARIVESH Portal by M/s United Granites owned by Shri. M.I. Muhammed(Proposal No. SIA/KL/MIN/63669/2019 File No. 1925/EC3/2021/SEIAA)**

The Authority observed that the Proponent has submitted two applications, Proposal No. SIA/KL/MIN/63669/2019 and Proposal No. SIA/KL/MIN/71717/2019 pertaining to the same area inorder to get the seniority. After filing the application while under scrutiny the Proponent himself requested to withdraw one application with a statement that one application is a proxy to the another one and was uploaded as a precaution not to lose the seniority. The Authority viewed

it seriously as the Proponent is unnecessarily wasting the time of Authority by placing multiple requests.

Authority decided the following:

1. *As requested by the Proponent the Authority decided to permit the Proponent to withdraw the proposal No.SIA/KL/MIN/71717/2019 as one time exemption.*
2. *The RQP/Consultant who are misguiding the Project Proponents shall be blacklisted if such practices are noticed in future.*

Item No. 113.43 **Clarification with respect to the application processing fee for the Environmental Clearance of construction project by M/s Swas Homes Residential Apartment- Sought by Municipal Secretary, Thripunithura Municipality (File No. 2948/EC3/2021/ SEIAA)**

The Authority verified the item and decided the following:

1. To inform the Municipal Secretary, Thripunithura Municipality that the processing fee for the Projects other than mining activities is Rs.2 lakhs and it was imposed in the State as per G.O.(MS) No.15/2014/Envr dated.28.11.2014.
2. To intimate the Municipal Secretary, Tripunithura that M/s Swass Homes Residential Apartment had violated EPA 2006,by constructing cumulative built up area of more than 20,000 sq.m without obtaining a valid prior environmental clearance.

Item No. 113.44 **Environmental Clearance Condition Violation by M/s KKJ Group International India Pvt. Ltd. - Reported by Department of Mining and Geology, Kottayam-DEIAA issued EC(File No. 3167/EC3/2021/SEIAA)**

The Authority discussed the proposal and the report of the District Geologist, Kottayam regarding the violation of the EC condition by M/s KKJ Group International India Pvt.Ltd.

The Authority decided the following:

1. *The Project proponent shall attend all the observations made by District Geologist within 6 months.*
2. *The SEAC shall conduct a field verification after 6 months with notice to District Geologist and the Project Proponent to verify the compliance status and report with specific recommendation regarding the cancellation of EC if required.*
3. *The District Geologist shall take appropriate action against Project Proponent after assessing the extent damage due to violation of KMMCRules by the Project Proponent and he should give definite recommendation if EC has to cancelled.*

Item No. 113.45 **Transfer of Environmental Clearance for granite Building Stone Quarry project in Re.Sy.No.242 (pt), Valayam Village, VadakaraTaluk, Kozhikode District, and Kerala by Sri. Shajith V.P to M/s Valayam Blue Metals (1131/EC/SEIAA/KL/2017)**

The Authority deliberated the issue and considered the request of the Proponent(transferrer) to transfer the EC in the name of M/s.Valayam Blue Metals (transferee). He had submitted necessary supporting documents. The Authority agreed with the request to transfer EC issued to Sri.Shajith V.P to M/s.Valayam Blue Metals. Necessary orders regarding the same shall be issued.

Item No. 113.46 **Environmental Clearance for the expansion of the existing Hospital campus Project by M/s Kunhitharuvai Memorial Charitable Trust (KMCT) in Sy Nos. 39/3A, 2, 39/1, 2, 4, 44/1, 2, 4, 78, 42/2, 43/2, 43/1A, 101/1A, 43/1B, 2B, 102/1, 47/1, 101/2C, 2B, 102/2, 49/2A, 101/2A, 39/3, 39/3B, 49/1B, 30/1 at Thazhakkode Village, Mukkom Municipality, Kozhikode Taluk& District Kerala by Dr.Navas.K.M Trustee &Authorised Signatory of KMCT Medical College Campus, Manassery, Mukkam, Kozhikode, Kerala (File No.1157/EC/SEIAA/2017)**

Authority perused all relevant documents and noted the action taken by SEAC in its 83rd, 86th, 97th, 99th, 104th, 110th and 112th meeting held on different dates. Two field inspections were also carried out by a subcommittee of SEAC experts on 18.2.2018 and 12.012020. Based on the documents produced by Project Proponent at different points of time during appraisal and

clarifications provided during presentation and details collected during field inspection, in its 112th meeting of SEAC held from 12th to 14th August 2020, SEAC has concluded that it is a case of taking up buildings construction works without taking a valid EC under EIA notification 2006 and hence recommended for initiating violation proceedings for issuing a EC.

Authority noticed that as per S.O.1030 (E) dated 8.3.2018 of MoEF&CC which deals with such violation cases, the following steps have to be followed for the issue of prior EC.

- 1 In case of violation action will be taken against the Project Proponent by the respective State or State Pollution Control Board (SPCB) under the provisions of section 19 of the Environment (Protection) Act, 1986 and further no consent to operate or occupancy certificate will be issued till the project is granted Environmental Clearance. (S.O.804(E) of MoEF&CC dated 14th March 2017)
- 2 State level expert appraisal committee (SEAC) should visit the site and decide whether the project can run sustainably under compliance of environmental norms with adequate safeguards, if so SEAC should prescribe appropriate Terms of Reference for carrying out an Environment Impact Assessment (EIA) Study and for the preparation of Environment Management Plan (EMP). The SEAC shall stipulate implementation of EMP comprising remediation plan and natural and community resource augmentation plan corresponding to the ecological damage assessed and economic benefit derived due to violation as a condition of Environmental Clearance. (S.O.1030 (E) of MoEF&CC dated 8th March 2018)
- 3 The Project Proponent will be required to submit a bank guarantee equivalent to the amount of remediation plan and natural and community resource augmentation plan with State Pollution Control Board and the quantification will be recommended by SEAC and finalized by Regulatory Authority. The bank guarantee shall be deposited prior to the grant of EC and will be released after successful implementation of the remediation plan and natural and community resource augmentation plan and after the recommendation by the regional office of MoEF&CC, SEAC and Regulatory Authority. (S.O.1030 (E) of MoEF&CC dated 8th March 2018)

Authority decided to inform the SPCB for taking action under point no (i) above and inform SEAC and Project Proponent to take actions under points (ii) and (iii) above so that prior EC can be given for the Hospital expansion project.

ItemNo.113.47 **Application for environmental clearance for mining of Laterite Stone by Sri.Shamsudheen, Palakkathodi (House), Indianoor.P.O, Kottakkal, Malappuram-676503 [File No.2633/EC4/2019/SEIAA]**

The Authority discussed the item and agreed to the request of the Proponent to withdraw the application and return of the file to Project Proponent. .

Item No.113.48 **Report from District Collector, Kannur:-Special attention to grant Environmental Clearance from SEIAA at the earliest-reg [File No.113/EC4/2022/SEIAA]**

The Authority considered the letter received from the District Collector, Kannur and decided the following

1. *To speed up the disposal of laterite mining proposals by organizing exclusive appraisal meetings of SEAC for disposing of the applications for environmental clearance of laterite mines and inform the same to SEAC for necessary follow up action.*
2. *Tto inform the District Collector to take stringent action against illicit laterite stone mining and violation of EC conditions.*

Item No.113.49 **Environmental Clearance for the proposed laterite building stone quarry project in Re.Sy.No.113/21 (113/2) at Mavoor Village, Kozhikode Taluk, Kozhikode District, Kerala by Sri.Suresh.T-Judgment dated 03.03.2022 in WP©No.7019/2022. (File No.1737/EC4/2020/SEIAA)**

The Authority discussed the proposal and decided to hear the Petitioner and the Project Proponent in the next SEIAA meeting as directed in the Judgment in WP(C) No.7019/2022 dated.03.03.2022. Intimation regarding the same shall be forwarded to the Petitioner well in advance.

Item No.113.50 **Application for Environmental Clearance for the proposed Granite Building Stone quarry project in Survey No. 82,76 and 1 of Kottur Village, Koyilandy Taluk, Kozhikode District, Kerala over an area of 4.811 Ha. by Mr. Thomas Philip (File No. 2340/A1/2019/SEIAA)**

The Authority heard the Proponent on 19th April 2022 and gave him an opportunity of submitting a hearing note within 7 days. Authority also noticed that the Proponent had submitted an application before MoEF& CC and the status of the same shall be provided by the Project Proponent.

Item No.113.51 **Environmental clearance for the quarry project in Sy.No. 78/2A Pt at Kumaranellur Village, Karassery Panchayath, Kozhikode Taluk, Kozhikode District, Kerala by Sri.HabeebuRahiman P.M (Judgment in WP(C) No.12391/2020 filed by Sri.HabeebuRahiman P.M, Kozhikode - regarding the validity of EC). (File No.646/EC4/4949/2014/SEIAA)**

The Authority verified the proposal and the inspection report of the Sub-Committee of SEAC and the recommendation of 123rd SEAC meeting. The 112th meeting of SEIAA it was decided to direct the Proponent to comply with the directions of the 123rd SEAC and submit the compliance report within 6 months. The Authority also observed that the Proponent has submitted an application before the MoEF&CC. It is also seen that a Writ Petition is pending before the Hon'ble High Court filed by the Petitioner to direct the SEIAA not to interfere with the quarrying operations being conducted by the petitioner on the strength of Ext. P2 EC, until orders on the application for revalidating the validity of EC as directed by this Hon'ble Court by

Ext P4 Judgment, pending disposal of the writ petition. The Authority observed that the validity of the EC has expired on 02.02.2022 (including Covid relaxation of one year).

The Authority decided the following :

1. *As the validity of the existing EC has expired on 02.02.2022, the Proponent cannot continue the quarrying operations before getting revalidation order. This has to be informed to Project Proponent.*
2. *The Standing Counsel shall defend the Writ Petition according to the decision of the SEIAA. Instructions shall be given to the Standing Counsel in this regard.*
3. *The Proponent should provide the current status of the application submitted before MoEF&CC.*
4. *The SEAC shall conduct a site visit to verify, whether the proponent has carried out all the observations of the SEAC in its 123rd meeting and take steps for revalidation if the Proponent has submitted all relevant details/documents and if the proposal is fit for revalidation.*

Item No.113.52 Environmental Clearance for laterite building stone quarry project in Re.Sy.No.44/1, 41/1,at Thalikulathur Village, Kozhikode Taluk, Kozhikode District, Kerala by Sri.MoyimonulRasheed- (Contempt case filed by Sri.Chandhukutty in violation of the Judgment dated 28.02.2020 in WP (C) No.5572/2019) (SIA/KL/MIN/150010/2020) {1627/EC4/2020/SEIAA}

The Authority verified the item and the Judgment of the WP(C) No. 5572 of 2019 dated 28.02.2020 filed by Shri. Chandukutty and the contempt case against the non-compliance of the Judgment. The Authority observed that the Environmental Clearance was issued by SEIAA on 05.10.2021 for a period of two years from the date of issue of permit from the Department of Mining and Geology.

As per the direction of the court the field inspection report was made available to the petitioner. Since the Authority by mistake issued EC without hearing the Petitioner, the Authority decided to recall the EC issued on 05.10.2021 and the same will be re-considered after

hearing the Proponent and the Petitioner. This has to be intimated to Project Proponent. The Authority also decided to invite the Proponent and the Petitioner for a hearing in the next SEIAA meeting. Intimation regarding the same shall be given to both the parties well in advance.

Item No.113.53 **Environmental Clearance for the quarry project in Sy.No. 276/2, 281/2 B/No. 45 at Anakayam Village, Anakayam Panchayath and Sy.No. 244 at Manjeri Village, Manjeri Municipality, Ernadu Taluk, Malappuram District by Sri. Abdul Azeez, Managing Director, M/s Manjeri Bricks and Metals Pvt. Ltd. – Request to recall the rejection Order and to reconsider the proposal for revalidation of EC - reg :- (File No.537/SEIAA/EC/3880/2014)**

The Authority perused the item and found that the Proponent has submitted an application for revalidation of EC based on Judgement in WP(C) No. 26214 of 2021 dated 02.11.2020. The Proposal was placed in the 124th meeting of SEAC held on 24th to 27th August 2021. The Committee discussed the Field Inspection Report and decided to direct the proponent to apply afresh since the proposal is not eligible for revalidation due to the submission of two confusing mining plans. The rejection order was issued to the proponent on 18.10.2021 as per the decision of the 112th meeting of SEIAA. Considering the request of the Proponent dated 07.01.2022, the Authority decided to invite the Proponent for a hearing in the next SEIAA meeting. Intimation regarding the same shall be given to him well in advance.

Item No.113.54 **Environmental Clearance for the quarry project in Sy. No. 428(P) at Edayoor Village, Tirur Taluk, Malappuram District owned by Sri.U.Abdul Kareem, M/s.U.K.Granites – Judgment dated 23.11.2020 in WP(C) No.25702 of 2020 (File No. 727/SEIAA/ EC1/6106/2014)**

The Authority perused the item and observed that the proposal was considered in the 118th SEAC meeting as per the Judgment in WP(C) No. 25702 of 2020 filed by M/s UK Granites and directed the Project Proponent to provide certain specific documents for revalidation. The proponent has not submitted the required documents so far, instead filed another WP(C) No. 536 of 2022 before the Hon'ble High Court seeking consideration and disposal of application for

extension of validity of Environmental Clearance. As per the Judgment dated 07.01.2022, the Hon'ble Court ordered to pass orders on the application for extension for validity of EC after hearing the parties within a period of six weeks from the date of constitution of Authority. Since, the proponent has not submitted the requested documents so far.

:Under the circumstances the Authority decided the following

1. *The SEAC will consider the proposal for revalidation in compliance with the direction of the Hon'ble High Court as and when the Project Proponent submits all required documents to SEAC*
2. *The proponent shall be informed to submit all required documents to SEAC for revalidation of proposal.*

Item No.113.55 **Environmental Clearance for the Building Stone quarry project in Sy.No. 36/3 (pt), 37/1(pt), 37/2(pt), 37/3(pt) at Morayoor Village, Kondotty Taluk, Malappuram District, Kerala by Sri.E.A.AbdulKarim, M/s Malabar Aggregates – Judgment dated 23.02.2021 in WP(C) No.4687 of 2021 - Revalidation of EC (File No.853/SEIAA/EC1/2977/2015) – reg :-**

The Authority perused the item and noted the directions contained in the Judgment in the WP(C) No. 24212/2021 and 16123/2021 dated 02.12.2021. The Authority observed that the proponent has submitted an application for revalidation of the EC, which expires on 30.10.2022 (after Covid relaxation) as per Judgment in WP(C) No. 4687/2021 dated 23.02.2021.

The 124th meeting of SEAC held on 24th to 27th August 2021 decided to recommend to the SEIAA to direct the proponent to comply with the certain conditions within six months and on satisfactory submission of the compliance report of the above, the proponent will be eligible for revalidation of EC order with the project life of 12 years from the date of issuance of the first EC order.

In the common Judgment in WP(C) No. 16123/2020 and 24212/2021 dated 02.12.2021, the Hon'ble Court has directed the respondents 2 to 4, ie. the District Collector, Malappuram,

Senior Environmental Engineer, and the Geologist respectively to consider and pass orders on Ext.P2, Ext.P3 & Ext.P4 representations in accordance with law and after hearing the petitioners and the 5th respondent in WP(C) No.16123/2021. In both WP(C)s SEIAA is the 1st respondent and there is no direction to SEIAA in this regard.

Under the circumstances the Authority decided the following:

1. *To obtain the action taken report from the District Collector, Malappuram, Senior Environmental Engineer, KSPCB, and the Geologist in compliance with the Judgments.*
2. *The proponent shall submit the required documents as per the decision of 112th SEIAA.*
3. *The SEAC should confirm the satisfactory compliance of its directions considering the complaint of the petitioner in WP(C) No. 16123/2021 for revalidation of EC.*

Item No.113.56 Environmental Clearance issued to the quarry project in Sy.Nos. 42/2 pt, 42/3 pt& 43/4 pt at Oorakam Village and Panchayat, Thirurangadi Taluk, Malappuram District – Request to change the ownership of EC – (File No.874/SEIAA/EC1/3105/2014) reg :-

The Authority observed that the EC was issued to Sri.Basil Paul, Managing Partner, M/s.Popular Sand & Metals. The WP(C) for the revalidation of EC was filed by Sri. K S Palouse, who is not the owner of the project as per SEIAA documents. The request of Sri. K S Paulose for the transfer of EC cannot be considered as the EC owner, Sri.Basil Paul vide Letter dated.20.10.2021 stated that he has not authorized anyone to act on the EC issued to him and requested not to proceed further on the alleged request uploaded in the PARIVESH portal.

Authority decided that the EC cannot be transferred, unless and otherwise a valid consent of the EC holder is submitted along with sufficient documents. The Hon'ble High Court may also be informed that the Judgment dated.19.07.2021 in WP(C) No.14103 of 2021 filed by Sri.K.S.Poulose for revalidation of EC cannot be considered since there is no quarry in the name of the petitioner.

Item No. 113.57 **Complaint against the existing quarry - M/s Trissur Sand and Gravel (p) Ltd by the Secretary Madakkathara GramaPanchayath (File No. 991/EC1/4812/SEIAA)**

The Authority observed that the EC for the project was issued on 16.01.2018. A complaint has been received from Panchayat Secretary, Madakkathara GramaPanchayat, which was forwarded to District Collector for report. The District Collector vide his letter dated 07.01.2020 has reported that the proponent had obtained the EC by misrepresentation of facts and the distance between the quarry and the Peechi-Vazhani Wildlife Sanctuary is only 5.28 KM and the project has not yet received clearance from National Board for Wildlife and EC can be cancelled.

On the basis of the complaint received from the Panchayath Secretary, Madakkathara GramaPanchayath and the report of the District Collector on the concealment of fact by the proponent, the SEIAA heard the proponent in its 105th meeting and the consultant. During hearing the proponent intimated that they had applied for Wildlife Clearance and it is being processed. The Authority issued show cause notice to the proponent for the concealment fact regarding the distance from the protected area. As per the decision of SEIAA in its 107th meeting, the Proponent vide letter dated 06.05.2021 reported that application vide No.FP/KL/QRY/341/2015 for Wild Life Clearance was submitted to Office of the Wild Life Warden, Peechi Wild Life Division on 18.11.2015 and it is under process and the inspection from Wild Life Warden has completed.

The Authority decided to intimate the proponent that the quarry was started without getting clearance from the NBWL and it is in clear violation of EC conditions and guidelines of MoEF&CC in this regard. Authority decided issue a show cause notice for cancellation of EC quoting sufficient reasons as made out by District Collector Thrissur and the Secretary Madakkathara GramaPanchayath. He may allowed one month time for reply from the date of notice.

Item No.113.58 **Environmental Clearance issued to the quarry project in Sy.No.153/2, 154/Pt in Morayur Village, Kondotty Taluk, Malappuramm District**

**owned by Sri.UmmerKutty.K, M/s.Morayoor Granites Pvt. Ltd. –
Order of NGT in Appeal No.30 of 2020 filed by Sri.Mohammed.O –
reg :- (File No.1239/EC2/2019/SEIAA)**

The Authority perused the item and noted the decision of the Hon'ble NGT in Appeal No.30 of 2020 on 24.12.2021. The Authority observed that the EC for the quarry project was issued on 06.08.2020 subject to one of the specific condition that, the proponent should take adequate measures for slope stabilization as pointed out by SEAC and activities taken up for slope stabilization should be included in the compliance reports. The Environmental Clearance granted by SEIAA was suspended for a period of 7 months and remitted back to the SEIAA. Under the circumstances Authority decided the following:

1. *The order of the H'ble NGT shall be forwarded to SEAC and the Project Proponent for compliance of the directions of the Hon'ble Tribunal.*
2. *As directed by H'ble NGT SEIAA should place the slope stabilization report before SEAC.*
3. *The SEAC shall obtain all reports from Project Proponent as directed by NGT and assess the EC proposal and give definite recommendation to SEIAA as directed by NGT.*
4. *The SEAC shall also verify the veracity of the mass petitions received during the field inspection with notice to them.*

Item No.113.59 **Environmental Clearance issued for the quarry project in Sy. Nos. 163/2,3,4,7,8, 164/1,4,6,9,10,18-A,165/1-A, 3 and 4 at Karavarom Village, Varkala Taluk, Thiruvananthapuram District, Kerala by Sri. Sreekumar, S.S., M/s. M.S. Building Products - Judgment dated 2.11.2020 in WP (C) 19032/2020 - regarding the validity of EC (File No.763/SEIAA/EC1/447/2015)**

The Authority perused the item and noted the directions contained in Judgment dated 25.2.2022 in WP(C) No. 3013 of 2021 filed by the Project Proponent in which the Hon'ble High Court has directed the respondents not to take any coercive action against the petitioner and to permit the petitioner to continue on the strength of Ext.P2 EC for a period of two weeks and

further it was extended by three months. The Authority also observed that the EC revalidation application of the petitioner was recommend by SEAC with some specific conditions.

Authority decided to revalidate the EC for the balance period of 5 years from the date of expiry of original EC subject to the following Specific Conditions in addition to the original EC conditions and General Conditions.

- 1. Overhanging overburden in the crown area above the topmost bench should be strengthened with vegetative measures.*
- 2. The traffic management plan submitted should be strictly adhered to.*
- 3. The overburden dumping site is full. Therefore, a new site, located in the lower reach of the project site, should be used and it should be safeguarded with protection walls.*
- 4. Periodic maintenance of storm water drainage channel, silt trap, and garland drain should be done periodically for ensuring obstruction free flow.*
- 5. The buffer area should be planted with native species and plants and it should be nurtured with utmost care.*

Item No: 113.60

Environmental Clearance issued for the proposed Commercial Complex (Hotel, Convention Centre & Shopping Mall) project, M/s LULU International Shopping Mall Pvt. Ltd., Thiruvananthapuram District - Clarification sought regarding CER/CSR commitments (File No.1047/EC1/899/SEIAA/2016)

The Authority took note of the letter dated.23.09.2021 of the Project Proponent. The Authority observed that the Proponent has not yet complied with the decision of 112th SEIAA meeting conveyed to him. Authority decided to inform Project Proponent that if there are genuine problems in taking up maintenance of TS canal, as mentioned in the EC, Project Proponent in consultation with Thiruvananthapuram Corporation/local self-government institution/Irrigation/Tourism department, shall submit a proposal for maintenance of T S canal. This has to be done on priority as valuable 5 years have been already lost.

Hence the Authority decided to direct the Proponent to submit a realistic proposal with budget within 15 days for the maintenance of TS canal.

Item No. 113.61 **Application for transfer of Environmental Clearance issued to Shri.Mathew Abraham, Managing Partner, M/s EdayanRocks, Pathanamthitta (Proposal No. SIA/KL/MIN/265078/2022, File No.1952/EC1/2022/SEIAA)**

The Authority perused the item and agreed to transfer the EC issued to Shri.Mathew Abraham, Managing Partner, M/s Edayan Rocks for the Building Stone Quarry Project in Sy.Nos. 63/1-1(part), 63/1-2 (part), 63/1 (part) at Kottangal Village, Mallappally Taluk, Pathanamthitta District issued by DEIAA Pathanamthitta to M/s Ramalingam Construction Company Pvt.Ltd. The necessary orders in this regard shall be issued.

Item No: 113.62 **Environmental Clearance for Granite building Stone Quarry in Sy. Nos. 13/2,13pt,11/3-1,11/3,11/1, 11/1-1-1-1,11/1-1-1,11/1-1,11/2,12/2-11,12/2,12/1 and 11/1-1-1-2 falling in Edakunnam Village, Parathodu Panchayath, Kanjirapally Taluk, Kottayam District - Judgment in WP (C) 3814/2021 filed by M/s Excel Granites - Revalidation of EC (File No. 150/SEIAA/KL/2973/2014)**

The Authority perused the item and observed that the validity of the existing EC has expired on 8.12.2022 (with Covid relaxation) and the revalidation application was submitted as per the judgment in WP (C) 3814/2021 filed by M/s Excel Granites. Regarding the complaint received against the project, the District Geologist intimated that the objections raised by the complainant are baseless and he has also endorsed with the decision of the 123rd SEAC meeting to recommend revalidation of EC. The proponent has submitted the satisfactory CCR from the RO, MoEF& CC, Bangalore.

Authority decided to revalidate EC for a period of 10 years from the date of issuance of the first EC order subject to the review at every five years as per terms and conditions in the original EC in addition to the General Conditions.

Item No.113.63 **Complaint against quarrying operations owned by Mr. Ashly John Tharakan, Madaparambil House, South Mazhuvannur P.O., Mazhuvannur Village, Ernakulam, Kerala—Complaint submitted by Shri. K.M. Mathew— Reg.(File No. 290/EC3/2021/SEIAA)**

The Authority verified the item with the complaint submitted by Shri. K.M. Mathew against the proponent, regarding the non-compliance of EC conditions and causing impact on the local inhabitants. Environmental Clearance for the building stone quarry was issued on 23-01-2018. MoEF&CC, New Delhi has directed its Regional Office, Bangalore to submit a factual report to the SEIAA regarding the non-compliance of the EC conditions for further actions. Report from MoEF&CC, Regional Office, Bangalore has been received on 13.07.2021. The Authority decided to direct the proponent to attend all the observations made by MoEF&CC, Regional Office, Bangalore and submit the relevant pending documents within one month and District Geologist, Ernakulam to take punitive actions against the project proponent for violation of EC condition under KMMC Rules and report the action taken to SEIAA within one month.

Project Proponent has not submitted the compliance report so far. District Geologist informed that they cannot take actions against the project proponent for violation of Environmental Clearance condition.

Under the circumstances the Authority decided the following:

1. *The Director Department of Mining and Geology may be requested to direct the District Geologist Ernakulam to take action against the Project Proponent for violation of the KMMC Rule quoting the observations of MOEF&CC Regional office Bangalore District Geologist Ernakulam shall also be directed to submit an action taken report to SEIAA within 4 months for onward submission to MOEF&CC Regional office Bangalore.*
2. *The Project Proponent shall also be informed that he will be prosecuted under section 19 of Environmental Protection Act 1986 for violation of EC conditions if he does not attend the observations made by MOEF&CC Regional office Bangalore within 4 months.*
3. *SEAC shall conduct a field visit after 4 months to verify the compliance of the observations made by MOEF&CC Regional office Bangalore and report to SEIAA for further action.*

Item No.113.64

Judgment in IA. No. 2/2022 dated 23-02-2022 in WP(C) No. 15475/2016 (H) filed by Shri. Saji K. Elais, Kuzhikandathil House, Thiruvaniyoor P.O., Ernakulam- 682308 (File No. 553/SEIAA/KL/4087/2014)

The Authority noted that Hon'ble High Court of Kerala in its Judgment in IA. No. 2/2022 dated 23-02-2022 has given directions to consider and pass orders on Ext. R5 (g) application in accordance with seniority and in accordance with law and if necessary after hearing the petitioner. If possible, the process may be completed before the date of expiry of the Environmental Clearance. The Authority observed that the proponent has submitted the application on 19.3.2022 through PARIVESH Portal and Authority decided to refer the case to SEAC with a copy of the judgment for appraisal in accordance with seniority and law as directed by Hon'ble High Court of Kerala.

Item No: 113.65

Seeking Inspection Report - The Municipal Secretary, Thrikkakara Municipality - Complaint received from Link Valley Association against M/s Prestige Hill Side Gate Way project - EC issued (File No. 588/SEIAA/KL/4504/2014)

The Authority verified the item with the request of the Municipal Secretary, Thrikkakara Municipality and the complaint received from Link Valley Association regarding the violation of the EC condition and illegal construction. The Authority observed that the proponent has not submitted the mandatory Half Yearly Compliance Report to SEIAA.

Authority decided the following:

1. *The proponent should submit all the pending mandatory Half Yearly Compliance Reports within one month along with the explanation for the allegations raised in the complaint.*
2. *The Secretary, Thrikkakara Municipality shall take necessary action for violation of KMBR 2019.*
3. *A copy of the complaint may be forwarded to the District Collector, Ernakulam for verification and necessary follow up action under intimation to SEIAA*

Item No.113.66 **Environmental clearance for the proposed building stone quarry project in Survey No. 254/2(P) and 254/3(P) Ayyampuzha Village &Ayyampuzha Panchayat, AluvaTalukErnakulam Kerala by Sri. George Joseph, Managing Partner, M/S G.M Granites -Revalidation of EC (File No. 1068/SEIAA/EC3/1723/2016)**

The Authority perused the item and noted the directions in Judgment in WP(C) No. 15642/2020 filed by Sri. Johnson. The Authority observed that the Project Proponent had filed an application for revalidation of the EC issued on 29.11.2017 as per the Judgment dated 26-11-2020 in WP (C) 26197 of 2020.

The Authority observed that as per Lr. No.L5-10275/2021 dated 28.2.2022 of the District Collector, Ernakulam, informed that prohibitory orders have been issued to M/s. G.M Granites vide order no. C1-4361/20 dated 16.2.2022 of Tehsildar, Aluva. It is also informed that the Tehsildar, Aluva and the District Geologist, Ernakulam have been ordered to take immediate actions to book case against M/s. G.M. Granites and charge seniorage and fine as per the provisions of the law for over extraction of 11,99,422.32 MT of hard rock.

Under the circumstance, the SEAC decided not to proceed with the revalidation process of M/s. G.M. Granites, Ayyampuzha. The Judgment of Hon'ble High Court of Kerala in WP(C) No. 15642/2020 dated 04-04-2022 was disposed of with an observation that quarrying is being done is a Government land, the case will be further considered by the Court in due course.

Under the circumstances, the Authority decided to suspend EC with immediate effect and issue showcause notice to the Project Proponent for cancellation of EC for violation of the EC condition. He may be allowed 3 weeks' time from the date of issue of show cause notice for submitting his explanation.

Item No.113.67 **Judgment in the NGT O.A.No.76/2021 (SZ) dated 06-12-2021/ Judgment of Hon"ble High Court of Kerala in WP(C) No. 21767/2021 dated 11-03-2022**

&

Judgment dated 4.10.2019 in WP(C) No.31684/2016 filed by Tomy Thomas (File No.1255/EC4/2016/SEIAA) (Common Judgment in WP © 31684/2016, WP (C).15505/2016 &WP (C) 25529/2019) (File No. 1255/EC4/2016/SEIAA)

Authority noted directions of Hon'ble High Court of Kerala in WP (C) No 21767/2021 dated 11-03-2022 and the directions of NGT in judgment on OA No 76/202 (SZ) dated 06-12 2021. Authority decided to ascertain from SEAC whether stop memo can be revoked and if so revalidation proposal can be considered. Authority decided to forward all relevant documents, copies of minutes of meetings of SEIAA, and copies of Judgment in WP (C) No 21767/2021 dated 11-03-2022 and judgment in OA No 76/202 (SZ) dated 06-12 2021 of NGT to SEAC to speed up the process in compliance with the directions of Hon'ble High Court and NGT

Item No.113.68 Complaint against the quarrying operations owned by Shri. K.M. Jalal at Kottappady village, Kothamangalam Taluk, Ernakulam from Shri.Anish M.S., Muttuparaveedu, Plamudy P.O., Kottapady, Ernakulam- Report received from District Geologist dated 21-03-2022 - (File No. 1263/EC2/2019/SEIAA)

The Authority noted that the District Geologist has conducted a Joint Inspection along with the Taluk Officer, Kothamangalam and based on the survey sketch it has been assessed that 43524.2 MT of ordinary earth has been illegally mined and 178359.75 MT of building stone was extracted from outside the permit area. Thus total mineable reserves in the area have been exhausted and action has been initiated against the quarry owner as per KMMC Rules, 2015.

Authority decided to suspend the EC with immediate effect and issue a showcause notice to the Project Proponent as to why the EC given to him shouldn't be cancelled for violation of EC conditions. He may be allowed 3 weeks time from the date of issue of show cause notice for submitting his explanation.

Item No. 113.69 Application for environmental clearance for removal of Ordinary earth in Sy.No.121/10 at Vazhakkulam Village, Kunnathunad Taluk, Ernakulam District by Shri. James Jacob [File No.2205/EC2/2019/SEIAA]

The Authority noted the recommendation of the 114th SEAC and the Judgment in WP(C) No.2055/2022 filed by Sri. James Joseph. The 114th SEAC decided to recommend the issuance of EC for the extraction of ordinary earth as per mining plan. As the mining plan was not submitted by the Proponent, the 119th SEAC meeting directed the proponent to submit Mining Plan and the Proponent submitted the same.

In the meantime, the Judgment of the Hon'ble High Court in WP(C) No. 2055/2022 filed by Sri. James Jacob dated 04.02.2022 has been received in SEIAA, which ordered that Environmental Clearance is not required where extraction of earth is for the construction of a building having an extent of much less than 20,000 sq. mtr. The petitioner claims that he had obtained a building permit for the construction of a building having an area less than 20,000 sq. mtr. Hence Hon'ble Court has directed that further proceedings on the application for Environmental Clearance submitted by the petitioner need not be proceeded with.

Authority decided the following:

1. *The copy of the Judgment shall be forwarded to the District Geologist for necessary follow up action indicating that the original EC application was for supplying ordinary earth for National High way works.*
2. *The Building Plan and Development Permit shall be submitted by the Proponent to SEIAA for closing the application*

Item: No.113.70 Environment clearance for Mining of Building stone from the survey number of 10/3-1, 10/3-2, 10/4, 10/7 of Mookkannoor Village, Aluva Taluk. The total area of land is 1.4176 Hectares) - GKV Granites (Environmental Clearance issued by DEIAA having File No. 09/2017 File No. DIA/KL/MIN/2779 /2017). Judgment of Hon'ble High Court in WP (C) No. 25968 of 2020 (U) dated 08-12-2020 (regarding revalidation) –

Judgment of Hon'ble High Court in WP (C) No. 5385 of 2022 dated 31-03-2022 filed by Shri. Shibu P.K., Shri. P.J. Joy and Shri. Jinu Varghese (File No: 2790/EC3/2020/SEIAA)

The Authority perused item and noted the directions in Judgment in WP(C) No.5385 of 2022 dated 31.03.2022 filed by Sri. Shibu P.K, Sri. P.J. Joy and Sri.Jinu Varghese. The Authority observed that the proponent has submitted an application for the revalidation of EC as per the Judgment in WP(C) No.25968 of 2020 (U). The SEAC after field verification directed the Proponent to comply with some special condition as pointed out in its 124th meeting. As per the Judgment in WP(C) filed by Sri.Shibu P.K, Sri. P.J.Joy and Sri.Jinu Varghese, the Hon'ble Court directed the 5th (SEIAA) & 6th respondent to consider the Exbt P7 petition submitted by the petitioner and to report the violation if any, within six weeks.

The Authority decided the following:

1. *Provide the Field Inspection Report of the Sub Committee of SEAC, conducted on 04.08.2021, to the Hon'ble Court to comply with the direction as the SEAC has verified the status of compliance of EC conditions during the field inspection.*
2. *Direct the proponent to submit all the pending mandatory Half Yearly Compliance Reports within one month otherwise the EC issued is liable to be cancelled.*
3. *The case in the H'ble High Court is posted for hearing on 25.2.22 and the instructions have to be given to defend the case.*

Item No.113.71 **Environmental Clearance issued by DEIAA, Kannur -Judgment dated 24.03.2022 in the WPC No.4249/2022 filed by Sri.Vintu Thomas, Kannur before the Hon'ble High Court of Kerala(File No.3517/EC4/SEIAA/2021)**

The Authority perused the item and noted that in Judgment dated 24.03.2022 in WP(C) No.4249/2022 Hble high Court has directed that “The District Collector, Kannur, District Geologist, Kannur and the SEIAA to ensure that the conditions in the EC are complied with. This order is without prejudice to the contention of the petitioner that the EC itself is invalid. The next hearing date is scheduled on 25.05.2022.”

The case posted for 25.05.2022 and Authority decided to wait for the decision of the court and get a Half Yearly Compliance Report from the Proponent within one month, otherwise the EC issued is liable to be cancelled.

Item No.113.72 **Environmental clearance for the proposed quarry project in Survey No. 163 (Block No.22),2/2-2,2/4-3,2/4-2,3/1-2,2/3,2/2-3,2/4-4,2/4-5 (Block No.27) in Urangattiri Village, Ernad Taluk, Malappuram District, Kerala by Mr. K.V. Moideenkoya, M/s Kallarattikkal Granites (File No. 1230/EC2/2019/SEIAA)**

The Authority noted the action taken by SEAC in its 96th, 102nd, 103rd, 106th, 111th, 119th, 122nd, 123rd meetings held on different dates and action taken by SEIAA in its 104th and 105th meeting held on different dates and the hearing details of the Proponent.

The Authority noted that the proposal was placed in the 124th meeting of SEAC held on 24th to 27th August 2021. The Committee discussed all the details submitted by the proponent. The Committee decided to recommend the rejection of the proposal on certain grounds. The Authority in its 112th meeting rejected the proposal as per the recommendation of the SEAC and inform the proponent quoting the reason for rejection. The rejection Order was issued on 18.10.2021.

Authority noted that vide letter dated 31.03.22 Project Proponent has requested for an opportunity to present a technical report before SEAC by the Scientist of National Institute of technology Suratkal. Though ample opportunities have been given to Project Proponent to defend his case, adhering to the Principles of Natural Justice, Authority decided give one more last opportunity to the Project Proponent to present his case before SEAC and SEAC may be informed accordingly.

Item No.113.73 **Application for Environmental Clearance for mining of Granite Building Stone Quarry in Survey Nos 178/1, 179/pt, Block No: 56 in Morayur Village, Kondotty Taluk, Malappuram District, Kerala for an area of 2.1404 ha by Sri. Muhammed Faisal K. P – Request to reconsider the decision of rejection (File No-1300/EC/2019/SEIAA)**

The Authority perused the item and noted the action taken by SEAC in its 103rd, 104th, 105th, 106th, 111th, 116th, 119th, 122nd, 123rd meetings held on different dates and action taken by SEIAA in its 104th and 105th meeting held on different dates and the hearing details of the proponent.

The Authority noted that the proposal was placed in the 124th meeting of SEAC held on 24th to 27th August 2021. The Committee discussed all the details submitted by the proponent. The Committee decided to recommend the rejection of the proposal on certain grounds. The Authority in its 112th meeting rejected the proposal as per the recommendation of the SEAC and inform the proponent quoting the reason for rejection. The rejection order was issued on 18.10.2021.

Under the circumstances, the Authority decided to reiterate its earlier decision to reject the proposal and inform the proponent that the Authority has rejected the proposal by giving ample opportunities for the Proponent to present his versions and hence the request of the proponent cannot be considered.

Item No. 113.74 **Application for transfer of Environmental Clearance issued to Shri.AbdulRahooof, M/s.Jai Hind Concrete Products to M/s.KNRC Holdings and Investments Private Limited (Proposal No.SIA/KL/MIN/1262734/2022, File No.1957/EC6/2022/SEIAA)**

The Authority agreed to transfer the EC issued to Sri. Abdul Rahoof, Managing Partner, M/S. Jai Hind Concrete Products for the Building Stone Quarry Project in Sy.No.321/1 pt, 322/2 pt of Oorakam Village, Tirurangadi Taluk, Malappuram District, Kerala issued by DEIAA, Malappuram to M/s. KNRC Holdings & Investments Pvt. Ltd. represented by its authorized representative Sri. V. Venugopal Reddy. The necessary orders in this regard shall be issued.

Item No.113.75 **Upgrade/redesign the website of SEIAA with the assistance of NIC regional office, Thiruvananthapuram (391/EC5/2021/SEIAA)**

Authority appreciated the action taken by SEIAA Secretariat for redesigning the website of SEIAA, to attend the increased work load in the Authority with limited manpower. Authority decided to submit a detailed proposal to Department of Finance requesting for additional funds to meet the expenditure, substantiating the reasons for redesigning the website of SEIAA.

Item No.113.76 **Notifications, Office Memorandums, Orders, Circulars and Guidelines related to Environmental Clearance by MoEF and other Offices. (File No.215/EC5/2022/SEIAA)**

Authority appreciated the action taken and it is suggested to continue this practice for the larger benefit SEIAA and SEAC.

Item No.113.77 **Legal opinion received from the Standing Counsel on the judgment regarding minimum distance criteria (File No.395/EC5/ 2022/SEIAA)**

The Authority noted the legal opinion of Standing Counsel and decided to follow the present distance criteria mentioned in the KMMC Rules till a final decision is taken by NGT on this issue.

Item No. 113.78 **Proposals for Environmental Clearance in which application for withdrawal is received from proponent (File No.96/A1/2021/SEIAA)**

The Authority agreed for the withdrawal of the applications.

Item No. 113.79 **Disposal of Pending Online files – decision sought for – reg. (File No.2058 /A1/2021/SEIAA)**

The Authority agreed to disposal of certain old pending files physically in a time bound manner on priority, within two months as such physical disposal of files after introduction PARIVESH is discouraged by MOEF&CC.

Item No. 113.80 **Non –accredited EIA consultations and information of Accredited EIA Consultant Organization regarding – reg. (File No.2928 /A1/2022/SEIAA)**

The Authority has gone through the letter received from the NABET and discussed the matter in detail and observed that EIA/EMP is a key document, which addresses all the environmental damages and its management in a particular site specific project. Hence, it should be prepared by Agencies / Persons having ample knowledge on different aspects of preparation of EIA/EMP report. The Authority noticed that the EIA/EMP submitted for the mining projects along with mining plan are some times not prepared by QCI / NABET Accredited Agencies. It is also learnt that EIA/EMP so prepared by non-accredited agencies/persons are submitted with the mere seal and signature of accredited agencies. EIA/EMP submitted so have so many short comings in managing the delicate Environment in the project region. This leads to delay in processing the application and ultimately affecting the scientific managing of project impacts.

Under the circumstances the Authority decided the following:

1. *EIA/EMP reports should be invariably prepared by a QCI/NABET Accredited Agency in future.*
2. *The authentication details of the Agency should be included along with EMP / EIA report*
3. *EIA/EMP prepared by agencies / persons other than the QCI / NABET accredited agencies shall be rejected and the agencies involved in such practices shall be blacklisted. Those accredited agencies/persons whose offices/seals/signatures if any misused for submitting such reports will also be blacklisted.*
4. *SEAC shall arrange for training on this issue for QCI/NABET agencies working in the state, representatives of quarry owners associations in the state and staff working in SEIAA Secretariat.*

5. *The above decision of Authority shall be informed to all QCI/NABET agencies working in the state and representatives of quarry owners associations in the state for information and strict compliance.*

Item No. 113.81 **Inspection conducted at quarries at Kasargod by Vigilance Department- Recommendations.(File No.3045 /A1/2021/SEIAA).**

The Authority took note of report of the Vigilance Department regarding the disparities found out in some quarries in Kasargod Dist. In the report there was specific mention of disparities noticed in M/S Star Granites, Kinningar, Kasargod and Vigilance Department had asked for a inspection by SEAC to verify the status of compliance of EC conditions. The Authority decided to intimate SEAC to visit this particular quarry and report the compliance of EC condition with definite recommendation for the action by SEIAA if required. They may also at random inspect few quarries as a part of post monitoring of ECs as and when they are conducting inspection in Kasargod District.

Item No.113.82 **Request for providing list of category B Projects given EC since 2006 -2019- reg. (File No.3087 /A1/2021/SEIAA)**

The Authority decided to provide the available list to National Productivity Counsel.

Item No.113.83 **Modification of Environmental Clearance procedures for Laterite Stone Mining Projects– Reg. (File No.614/A2/2022/SEIAA)**

The Authority perused the representation of the Secretary, Kerala State Laterite Stone Producers / Owners Welfare Society and found that the contention of the representation raised is based on the remittance CRPS royalty payable to Mining and Geology Department as per KMMC Rule. The SEIAA issue EC for the laterite mine projects based on the mine plan prepared by the proponent and approved by the Mining and Geology Department. Hence, Authority decided inform Secretary, Kerala State Laterite Stone Producers / Owners Welfare

Society that SEIAA has no role in fixing the royalty as requested and the Secretary may approach the Mining and Geology Department for relaxation, if any.

Item No.113.84 **Report submitted by the District Collector, Malappuram based on the Judgment in WP(C) 27987/2019(W) filed by Sri. Saseendran and others before the Hon'ble High Court of Kerala – Reg. (File No.3424/A2/2021/SEIAA)**

The Authority perused the item and noted the directions contained in Judgment dated 16.12.2019 in WP(C) 27987/2019 (W) filed by Sri.Saseendran and others and the report of the District Collector, Malappuram. The Authority decided to hear the Complainant and the Project Proponent, M/s.Karukamanna Metals in its next meeting. Intimation regarding the same shall be forwarded to Saseendran and others and the Project Proponent, well in advance.

Item No.113.85 **Case Regarding District Survey Report (File No.412/A2/2021/ SEIAA)**

The Authority agreed with the suggestion of the 125th SEAC meeting held on 18th to 19th March 2022 and decided to intimate the concerned department in the Government to take necessary steps for the revision of District Survey Report as per S.O 3611(E) dated 25th July 2018 issued by MoEF&CC. As the Honorable Supreme court and Honorable NGT have also reiterated the importance DSR for issuing ECs for mining projects, the concerned department in the Government may be requested assign the top priority for the revision of District Survey Reports so that mining operations in the state will not suffer for want of DSR.

Item No.113.86 **Environmental Clearance issued by DEIAA,Kannur -Judgment dated 04.01.2022 in the WPC No.20583/2021 filed by Sri.SavithErayi, Kannur before the Hon'ble High Court of Kerala (File No.2792/EC4/2021/SEIAA)**

The Authority heard the Proponent and the Complainant represented by his Advocate in its 113th meeting and directed both the parties to submit a detailed hearing note within 7 days. After receiving detailed hearing notes, the same shall be forwarded to SEAC and SEAC shall give definite recommendations for the consideration of SEIAA. If required a field inspection may also be conducted with notice to both the parties. Standing Counsel may be requested to file an extension petition seeking 4 months extension to complete the process. In the meantime the effort shall be made adhere to the time limit fixed by H'ble High Court.

Item No. 113:87 **Environmental Clearance was issued to the quarry project M/s Mankombu Granites in Moonilavu village, Kottayam owned by Shri. M.A. Nalinakshan Nair – Revalidation Requested - (File No. 76/EC4/2013/SEIAA)**

The Authority perused the report of the District Collector, the request of the Proponent for revalidation of EC and the complaints received from various parties. Authority noted that the Proponent has not submitted all the required documents for the revalidation of the proposal. The Authority decided to intimate SEAC to initiate revalidation process after getting all the required documents and examining all the complaints received. The Authority decided to intimate the project Proponent to submit all the required documents on priority for revalidation of EC.

Authority also decided to forward all petitions to District Collector Kottayam and District Geologist Kottayam for necessary further action.

Item No.113.88 **Environmental Clearance for the proposed Building stone Quarry project in Re-Survey Nos. 74/1D of Kuttoor Village, Payyannur Taluk, Kannur District by Mr. Shri.Sumith Goyal, Managing Director, M/s.RDS Project Ltd (SIA/KL/MIN/45999/2019 , 1504/EC3/2019/SEIAA)**

The Authority perused the file and noted the directions of H'ble NGT in order No. 75/2021 dated 26.02.2021 and 25.01.2022. The Authority observed that the EC was issued by

DIEAA, Kannur on 23.02.2018 for a period of 5 years and the validity expires on 22.02.2024 (with Covid relaxation). Further, the proponent has submitted a new proposal on PARIVESH Portal to get an EC for a new quarry adjacent to the existing quarry. The same was appraised by SEAC and a field inspection was also conducted as a part of appraisal. During field inspection, the Sub-Committee observed that there were 23 general conditions and 9 specific conditions imposed as per the existing EC and these were not complied with and he has not submitted any periodical monitoring and compliance report. Hence, SEAC directed proponent to submit additional documents for appraisal.

In the meantime, NGT as per Order No. 75/2021 dated 26.02.2021 directed to constitute a Joint Committee which includes a Senior Officer from the SEIAA and to submit a factual as well as action taken report, on violation of EC conditions, excess mining, assess the environmental compensation apart from the loss of royalty and penalty to be imposed if there is any excess mining done than the permission granted and the cost required for restoration of environment. The joint committee submitted the report on 22.08.2021.

Hon'ble NGT as per final order No.75/2021 dated 25.01.2022, directed to the M/s RDS Project Pvt .Ltd to pay an Environmental Compensation of Rs.1, 58,00,000/-(One Crore Fifty Eight Lakhs Only/-) to the Department of Mining and Geology as assessed by the Joint Committee for the environmental damage and that amount will have to be deposited to the Environmental Benefit Fund if any constituted by the State of Kerala, within a period of three months from the date of order.

In this order, direction to SEIAA was to take appropriate action against the M/s RDS Project Pvt.Ltd for the violation of the EC conditions noted and further directed District Collector, Kannur and SEIAA to file the compliance report regarding the direction issued by the Tribunal in respect of recovery of the Environmental Compensation and utilisation of the same and creation of Environment Benefit Fund within a period of four months.

The 125th meeting of SEAC considered the proposal and deferred the item for detailed scrutiny and recommended the following:

1. The Department of Mining & Geology may be addressed to inform the status of receipt of the environmental compensation of Rs.1,58,00,000/- (Rupees One Crore Fifty Eight

Lakhs only) as it is ordered to be deposited by the 5th Respondent within 3 months from the date of order of Hon. NGT.

2. The Department of Environment & Climate Change, Govt. of Kerala may be addressed to examine the constitution of an Environment Benefit Fund, in the Directorate of Environment and Climate Change, Govt. of Kerala for utilization of the amount for betterment of the environment and restoration of damage caused to the environment due to unscientific manner in which the mining activities are carried out. Since SEIAA is directed to file their compliance report regarding the directions issued by Hon. NGT in respect of recovery of the environmental compensation and utilization of the same and creation of Environment Benefit Fund within a period of 4 (Four) Months, decision on the same may be expedited.

The proponent was informed about the action to be taken by him vide letter No.1504/EC3/2019/SEIAA dated 31.03.2022. Now, M/s RDS Project has filed a Miscellaneous Application No.04/2022 before the Hon'ble NGT and after admission the Tribunal served notice to the 4th respondent SEIAA for filing counter statement.

Under the circumstances, the Authority decided the following:

1. *To direct the Director, Directorate of Environment and Climate Change to take steps for constituting a "Environmental Benefit Fund" and to create a new Head of Account to remit the penalty amounts fixed by NGT in different violation cases as it is ordered in the case of RDS Project Ltd.*
2. *Direct the proponent to remit the penalty amount in the Department of Mining and Geology to comply with the NGT direction for the time being under intimation to DC Kannur.*
3. *The Director, Mining and Geology Department shall keep the fund in a separate account and should be transferred to the Environmental Benefit Fund as and when the Environmental Benefit Fund is constituted and Account Head is created.*
4. *Remind the District Collector Kannur on the follow up actions to be taken by him in obedience to the direction of NGT.*

5. *To inform DC Kannur the decision of SEIAA to constitute Environmental Benefit Fund in the Directorate of Environment and Climate Change for future action.*
6. *Issue a showcause notice to the project proponent as to why the EC given to him should not be cancelled quoting the observations of SEAC, Joint committee report and directions of NGT. He may allowed 3 weeks time from the date of receipt of show cause notice to submit his explanation.*
7. *Inform NGT the follow up action taken in obedience to its directions in the above said orders and file counter in Miscellaneous Application No.04/2022 filed by Project Proponent before NGT*
8. *The new proposal of the Project Proponent shall be appraised carefully taking into consideration the violations he has already committed in the existing Project.*
9. *SEIAA to submit the action taken report to NGT*

Item No.113.89 Producing original files before Honorable NGT (SZ) in which the cases filed before it (File No.630/A1/2022/ SEIAA)

The Authority discussed the item and decided to authorize the Administrator, SEIAA to provide the original document on proper acknowledgement whenever there is a demand from NGT. The photocopy of the file should be kept in the office while providing the original file to NGT.

Item No.113.90 Issuing identity cards to members of SEIAA and SEAC with Government of India emblem

Members of SEAC pointed out to the Joint Secretary & Administrator, SEIAA the requirement of identity cards with emblem of Government of India while going for site inspections especially in the context of difficulties faced in moving about when Covid related restrictions were imposed.

Authority noted that the SEIAA and SEAC have been constituted by MOEF, Government of India to perform functions on its behalf and hence decided to give instructions to the Joint

Secretary & Administrator, SEIAA to provide identity cards with emblem of the Government of India valid for the tenure of the Authority/Committee.

PARIVESH FILES

CONSIDERATION/RECONSIDERATION OF ENVIRONMENTAL CLEARANCE

Item No.1 **Environmental clearance for Granite Building Stone Quarry of M/s Kunjikuzhi Stones in Block No.29, Survey No 246/2,135/5-2,139/1,139/2,139/5, in Manickal Village, Nedumangad Taluk, Thiruvananthapuram District, Kerala (Judgment dated 10.11.2021 in WPC 24742 of 2021) SIA/KL/MIN/134293/2019, 1583/EC1/2019/SEIAA**

Mr.Nitheesh BabuB.S., Managing Partner, M/s Kunjikuzhi Stones, submitted an application for Environmental Clearance via PARIVESH on 31/12/2019 for the Granite Building Stone Quarry in in Block No.29, Survey No 246/2,135/5- 2,139/1,139/2,139/5, in Manickal Village, Nedumangad Taluk, Thiruvananthapuram District, Kerala for an extent of 2.4229 Ha.

The proposal was placed in 111th SEAC meeting held on 2nd - 4th, June, 2020 and the proponent was invited for presentation. The proposal was placed in 113th SEAC meeting held on 15th – 17th September 2020. The proponent and RQP were present. The RQP made the presentation. The Committee decided to direct the proponent to submit certain documents. A field inspection was also carried out by a Sub-Committee of SEAC and certain observations were made. The proposal was placed in 116th SEAC meeting held on 2nd, 3rd and 7th December, 2020. The Committee discussed and accepted the Field Inspection Report. The Committee directed the proponent to submit certain additional documents/details:

The proposal was placed in 118th SEAC meeting held on 1st, 2nd & 3rd February, 2021. The Committee discussed and accepted the additional details submitted by the proponent. The processing at the SEAC level has been completed. As per the judgment of Hon'ble High Court of

Kerala dt.21.12.2020, the Committee decided to await the NGT order on the minimum distance criteria.

The proponent vide e-mail dated 16.11.2021 submitted judgment dated 10.11.2021 in WP(C) 24742 of 2021. The Authority vide letter dated 20.11.2021 had sought legal opinion from the Standing counsel with regard to Writ petition No.24742/2021 and in similar cases directing SEAC and SEIAA & other respondents to finalize the application submitted by the petitioner, in accordance with law as it exists, if the same are otherwise in order. The proposal was placed in 125th SEAC meeting held on 18th – 19th March, 2022. The Committee decided to recommend for EC for the project life of 5years subject to the certain Specific Conditions in addition to the General Conditions.

Authority noticed that the SEAC had appraised the proposal based on Form I, Pre-Feasibility Report, additional details/documents obtained from the proponent during Appraisal, Mining Plan and the Filed Inspection Report. After the due appraisal SEAC had recommend to issue EC subject to certain Specific Conditions.

Authority decided to issue EC for a period of 5 years (project Life as estimated by SEAC) for the quantity mentioned in the approved Mining Plan subject to the following Specific Conditions in addition to the General Conditions.

- 1. 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.*
- 2. Compensatory afforestation should be done from the 1st year itself and the coordinates of the area with geotagged photos should be submitted with HYCR.*
- 3. Periodic maintenance of drainage channel, silt trap, and garland drain should be done for ensuring unobstructed drainage.*
- 4. As per OM no F.No.22-65/2017-IA.III dated 30th September2020, under Corporate Environmental Responsibility (CER) the project Proponent shall prepare an Environment Management Plan (EMP) as directed by SEAC during appraisal , covering the issues to address the environmental problems in the project region,*

indicating both physical and financial targets year wise. The EMP shall be implemented in consultation with District Collector. The indicated cost for CER shall be 2% of the project cost depending upon the nature of activities proposed. The follow up action on implementation of CER shall be included in the half yearly compliance report which will be subjected to field inspection at regular intervals. A copy of the approved EMP shall be made available to the concerned Panchayat for information and implementation support

- 5. 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.*
- 6. As per the directions contained in the OM F.No.22-34/2018-IA.III dated 16th January 2020 issued by MoEF&CC, in obedience to the directions of the Honourable Supreme Court the Project Proponent shall, undertake re-grassing the mining area and any other area which may have been disturbed due to his mining activities and restore the land to a condition which is fit for growth of fodder, flora, fauna etc. The compliance of this direction shall be included in the half yearly compliance report which will be monitored by SEAC at regular intervals.*
- 7. The violation of EC condition may lead to cancellation of EC and action under The Environment (Protection) Act 1986*

Item No.02

Environmental Clearance for the proposed Laterite Building Stone Quarry project in Re.Sy.No.84/364 at Kadannappally Village, Payyannur Taluk, Kannur District, Kerala by Sri. Moolakaran Rajan.M (SIA/KL/MIN/143624/2020-1652/EC4/2020/SEIAA)

Shri. Moolakaran Rajan. M, Proprietor, S/o Govindan K, Moolakkaran House, Kandamkulangara, Kunhimangalam P.O, Kannur has submitted an application for Environmental Clearance in SEIAA (PARIVESH Portal) for the proposed Laterite building stone

quarry project in Re.Sy.No.84/364 at Kadannappally Village, Payyannur Taluk, Kannur District of Kerala for an extent of 0.8094 Ha.

The proposal was placed in the 115th meeting of SEAC held on 03rd-05th November 2020 & 118th meeting of SEAC held on 01st,02nd & 03rd February 2021. The Committee decided to direct the proponent to submit certain documents/details. The proposal was placed in the 120th meeting of SEAC held on 24th -26th March 2021. The proponent and consultant were present. The consultant made the presentation. A field inspection was also carried out on 11.08.2021 by a Sub-Committee of SEAC and certain observations were made.

The proposal was placed in the 124th meeting of SEAC held on 24th -27th August 2021. The Committee discussed and accepted the Field Inspection Report. The processing at the SEAC level has been completed. As per the judgment of the Hon'ble High Court of Kerala dated 21.12.2020, the Committee decided to await the NGT order on the minimum distance criteria. (Nearest house at 95m). The position is now clarified. The proposal was placed in the 125th meeting of SEAC held on 18th -19th March 2022. The Committee decided to recommend EC with a project life of 4 years subject to certain Specific Conditions in addition to the General Conditions.

Authority decided to issue EC for 4 years (project life as estimated by SEAC) from the date of issue of permit from the Department of Mining & Geology for a quantity mentioned in the approved Mining Plan subject to the following Specific Conditions in addition to General Conditions.

- 1. 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.*
- 2. Mining should be carried out by providing benches at every 2m and maximum depth mining must be limited to 6 m below ground level.*
- 3. Proper drainage from the mine site should be ensured.*
- 4. Sprinkling of water should be done on the unsurfaced road prior to truck movements.*
- 5. The proponent should undertake phased restoration of the mine and should complete it as the mining operation is completed.*

6. *The restored area should be used for the cultivation of food crops.*
7. *The filled-up pits with the waste/OB material to be covered with freshly removed soil mixed with sufficient organic matter to ensure fast raising of vegetation and avoid invasion of alien plants species like Acacia.*
8. *As per OM no F.No.22-65/2017-IA.III dated 30th September 2020, under Corporate Environmental Responsibility (CER) the project Proponent shall prepare an Environment Management Plan (EMP) as directed by SEAC during appraisal , covering the issues to address the environmental problems in the project region, indicating both physical and financial targets year wise. The EMP shall be implemented in consultation with District Collector. The indicated cost for CER shall be 2% of the project cost depending upon the nature of activities proposed. The follow up action on implementation of CER shall be included in the half yearly compliance report which will be subjected to field inspection at regular intervals. A copy of the approved EMP shall be made available to the concerned Panchayat for information and implementation support*
9. *As per the directions contained in the OM F.No.22-34/2018-IA.III dated 16th January 2020 issued by MoEF&CC, in obedience to the directions of the Honourable Supreme Court the Project Proponent shall, undertake re-grassing the mining area and any other area which may have been disturbed due to his mining activities and restore the land to a condition which is fit for growth of fodder, flora, fauna etc. The compliance of this direction shall be included in the half yearly compliance report which will be monitored by SEAC at regular intervals.*
10. *The violation of EC condition may lead to cancellation of EC and action under The Environment (Protection) Act 1986*

Item No.3

Environmental Clearance for the Laterite Building Stone Quarry project in Sy 228/3-1,228/3-4,228/3-5 in Pookkottur Village, Ernad Taluk, Malappuram District, Kerala for an extent of 0.3886 Ha by Sri.Abdul Kareem (Proposal No.SIA/KL/MIN/152770/2020, File No.1708/EC6/2020/SEIAA)

Sri.Abdul Kareem, S/o Rayin Kutty Ambalakulambatt House Puthur Pallikkal Post Malappuram submitted an application in SEIAA through PARIVESH on 08.05.2020 for Environmental Clearance for the Laterite Building Stone Quarry in Sy No.228/3-1,228/3-4,228/3-5 in Pookkottur Village, Ernad Taluk, Malappuram District.

The proposal was placed in the 120th meeting of SEAC held on 24th to 26th March 2021. The Committee scrutinized the proposal submitted by the proponent. The Committee decided to invite the proponent for presentation alongwith certain documents included in the presentation slides and the same to be uploaded in the PARIVESH portal after the presentation.

The proposal was placed in the 122nd meeting of SEAC held on 15th to 18th June 2021. The proponent and the RQP were present. The RQP made the presentation. The Committee directed the Proponent to submit certain documents. A field inspection was also carried out on 05th August 2021 by a Sub Committee of SEAC and certain observations were made.

The proposal was placed in the 124th meeting of SEAC held on 24th to 27th August 2021. The Committee discussed the Field Inspection Report. The Committee decided to direct the proponent to submit certain additional documents. The proposal was placed in the 125th meeting of SEAC held on 18th & 19th March 2022. The Committee decided to recommend for EC with a project life of 3 years with certain Specific Conditions in addition to the General Conditions.

Authority decided to issue EC for 3 years (project life as estimated by SEAC) from the date of issue of permit from the Department of Mining & Geology for a quantity mentioned in the approved Mining Plan subject to the following Specific Conditions in addition to General Conditions.

- 1. 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. Maximum depth of mining must be limited to 6 m below ground level.*
- 2. The width of the approach road should be maintained with not less than 8m as per the plan submitted.*
- 3. The hill slope at BP2, BP4 & BP3 should be stabilized using vegetation as per the plan submitted.*

4. *The drainage channel and silt traps from the mine should be maintained periodically to avoid obstruction free drainage from the mine site and surroundings.*
5. *As per OM no F.No.22-65/2017-IA.III dated 30th September 2020, under Corporate Environmental Responsibility (CER) the project Proponent shall prepare an Environment Management Plan (EMP) as directed by SEAC during appraisal , covering the issues to address the environmental problems in the project region, indicating both physical and financial targets year wise. The EMP shall be implemented in consultation with District Collector. The indicated cost for CER shall be 2% of the project cost depending upon the nature of activities proposed. The follow up action on implementation of CER shall be included in the half yearly compliance report which will be subjected to field inspection at regular intervals. A copy of the approved EMP shall be made available to the concerned Panchayat for information and implementation support*
6. *As per the directions contained in the OM F.No.22-34/2018-IA.III dated 16th January 2020 issued by MoEF&CC, in obedience to the directions of the Honourable Supreme Court the Project Proponent shall, undertake re-grassing the mining area and any other area which may have been disturbed due to his mining activities and restore the land to a condition which is fit for growth of fodder, flora, fauna etc. The compliance of this direction shall be included in the half yearly compliance report which will be monitored by SEAC at regular intervals.*
7. *The violation of EC condition may lead to cancellation of EC and action under The Environment (Protection) Act 1986.*

Item No.4

Environmental Clearance for the Laterite Building Stone Quarry project in Re.Sy 284/1 (Block No.28) in Kavanur Village, Ernad Taluk, Malappuram District, Kerala for an extent of 0.5533 Ha by Sri.Moideen (Proposal No.SIA/KL/MIN/152789/2020, File No.1707/EC6/2020/SEIAA)

Sri.Moideen. S/o Marakkar Kozhisserimad House PuthurPallikkal P.O, Malappuram submitted an application in SEIAA through PARIVESH on 08.05.2020 for Environmental Clearance for the Laterite Building Stone Quarry in Re.Sy 284/1,(Block No.28) in Kavanur Village, Ernad Taluk, Malappuram District.

The proposal was placed in the 120th SEAC meeting held on 24th to 26th March 2021. The Committee scrutinized the proposal and decided to invite the proponent for presentation alongwith certain documents included in the presentation slides and the same to be uploaded in the PARIVESH portal after the presentation. The proposal was placed in the 122nd meeting of SEAC held on 15th to 18th June 2021. The proponent and RQP were present and the RQP made the presentation. The Committee directed the proponent to submit certain documents. A field inspection was also carried out on 06.08.2021 by a Sub-Committee of SEAC and certain observations were made.

The proposal was placed in the 124th meeting of SEAC held on 24th to 27th August 2021. The Committee discussed the Field Inspection Report. The additional documents have been verified by the Sub-Committee during the field visit and found satisfactory. The Committee decided to direct the proponent to submit certain documents in the PARIVESH Portal.

The proposal was placed in the 125th meeting of SEAC held on 18th& 19th March 2022. The Committee decided to recommend EC with a project life of 3 years subject to the following Specific Conditions in addition to the General Conditions.

Authority decided to issue EC for 3 years (project life as estimated by SEAC) from the date of issue of permit from the Department of Mining & Geology for a quantity mentioned in the approved Mining Plan subject to the following Specific Conditions in addition to General Conditions.

- 1. 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. Maximum depth of mining must be limited to 6 m below ground level.*
- 2. The drainage channel and silt traps should be maintained periodically to avoid obstruction free drainage from the mine site and surroundings.*

3. *As per OM no F.No.22-65/2017-IA.III dated 30th September 2020, under Corporate Environmental Responsibility (CER) the project Proponent shall prepare an Environment Management Plan (EMP) as directed by SEAC during appraisal , covering the issues to address the environmental problems in the project region, indicating both physical and financial targets year wise. The EMP shall be implemented in consultation with District Collector. The indicated cost for CER shall be 2% of the project cost depending upon the nature of activities proposed. The follow up action on implementation of CER shall be included in the half yearly compliance report which will be subjected to field inspection at regular intervals. A copy of the approved EMP shall be made available to the concerned Panchayat for information and implementation support*
4. *As per the directions contained in the OM F.No.22-34/2018-IA.III dated 16th January 2020 issued by MoEF&CC, in obedience to the directions of the Honourable Supreme Court the Project Proponent shall, undertake re-grassing the mining area and any other area which may have been disturbed due to his mining activities and restore the land to a condition which is fit for growth of fodder, flora, fauna etc. The compliance of this direction shall be included in the half yearly compliance report which will be monitored by SEAC at regular intervals.*
5. *The violation of EC condition may lead to cancellation of EC and action under The Environment (Protection) Act 1986.*

Item No.5

Environmental Clearance for the Laterite Building Stone Quarry project in Re.Survey No.477/1-2 in Vazhakkad Village, Kondotty Taluk, Malappuram District, Kerala for an extent of 0.7325 Ha by Sri.Ismail K.P (Proposal No.SIA/KL/MIN/156633/2020, File No.1772/EC6/ 2020/SEIAA)

Sri.Ismail K.P, S/o Saithalavi Haji, Karattupurayil House, Pallikkal Post, Malappuram submitted an application in SEIAA through PARIVESH on 16.06.2020 for Environmental

Clearance for the Laterite Building Stone Quarry in Re.Survey No.477/1-2 in Vazhakkad Village, Kondotty Taluk, Malappuram District, Kerala.

The proposal was placed in the 120th meeting of SEAC held on 24th to 26th March 2021. The Committee scrutinized the proposal submitted by the proponent and decided to invite the proponent for presentation alongwith certain documents included in the presentation slides and the same to be uploaded in the PARIVESH portal after the presentation.

The proposal was placed in the 122nd meeting of SEAC held on 15th to 18th June 2021. The proponent and the RQP were present and the RQP made the presentation. The Committee directed the proponent to submit certain documents. A field inspection was also carried out on 06.08.2021 by a Sub-Committee of SEAC and certain observations were made. The proposal was placed in the 124th meeting of SEAC held on 24th to 27th August 2021. The Committee discussed and accepted the Field Inspection Report and decided to direct the proponent to submit certain additional documents/details:

The proposal was placed in the 125th meeting of SEAC held on 18th & 19th March 2022. The Committee decided to recommend EC with a project life of 3 years subject to certain Specific Conditions in addition to the General Conditions.

Authority decided to issue EC for 3 years (project life as estimated by SEAC) from the date of issue of permit from the Department of Mining & Geology for a quantity mentioned in the approved Mining Plan subject to the following Specific Conditions in addition to General Conditions.

- 1. 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. Maximum depth of mining must be limited to 6 m below ground level.*
- 2. Mining should be carried out by providing benches at every 2m.*
- 3. The drainage channel and silt traps should be maintained periodically to avoid obstruction free drainage from the mine site and surroundings.*
- 4. As per OM no F.No.22-65/2017-IA.III dated 30th September 2020, under Corporate Environmental Responsibility (CER) the project Proponent shall*

prepare an Environment Management Plan (EMP) as directed by SEAC during appraisal , covering the issues to address the environmental problems in the project region, indicating both physical and financial targets year wise. The EMP shall be implemented in consultation with District Collector. The indicated cost for CER shall be 2% of the project cost depending upon the nature of activities proposed. The follow up action on implementation of CER shall be included in the half yearly compliance report which will be subjected to field inspection at regular intervals. A copy of the approved EMP shall be made available to the concerned Panchayat for information and implementation support

5. *As per the directions contained in the OM F.No.22-34/2018-IA.III dated 16th January 2020 issued by MoEF&CC, in obedience to the directions of the Honourable Supreme Court the Project Proponent shall, undertake re-grassing the mining area and any other area which may have been disturbed due to his mining activities and restore the land to a condition which is fit for growth of fodder, flora, fauna etc. The compliance of this direction shall be included in the half yearly compliance report which will be monitored by SEAC at regular intervals.*
6. *The violation of EC condition may lead to cancellation of EC and action under The Environment (Protection) Act 1986.*

Item No.6

Environmental Clearance for the Laterite Building Stone Quarry project in Sy 2/3-105, 2/3- 102, 2/3-108, 2/3-106 & 2/3-103 in Irimbiliyam Village, Tirur Taluk, Malappuram District, Kerala for an extent of 0.7752 Ha by Sri. Anil Kumar .P.T (Proposal No.SIA/KL/MIN/161364/2020, File No.1765/EC6/2020/SEIAA)

Sri. Anil Kumar P.T., Parammal Thodi House, Vadakkumpuram P.O, Malappuram District submitted an application in SEIAA through PARIVESH on 02.07.2020 for Environmental Clearance for the Laterite Building Stone Quarry in Sy No. 2/3-105, 2/3- 102, 2/3-108, 2/3-106 & 2/3-103 in Irimbiliyam Village, Tirur Taluk, Malappuram District.

The proposal was placed in the 120th meeting of SEAC held on 24th to 26th March 2021. The Committee scrutinized the proposal submitted by the proponent and decided to invite the proponent for presentation alongwith certain documents included in the presentation slides and the same to be uploaded in the PARIVESH portal after the presentation.

The proposal was placed in the 122nd meeting of SEAC held on 15th to 18th June 2021. The proponent and the RQP were present and the RQP made the presentation. The Committee directed the proponent to submit certain documents. A field inspection was also carried out on 04.08.2021 by a Sub-Committee of SEAC and certain observations were made.

The proposal was placed in the 124th meeting of SEAC held on 24th to 27th August 2021. The Committee discussed the Field Inspection Report and decided to direct the proponent to submit certain additional documents/details. The proposal was placed in the 125th meeting of SEAC held on 18th & 19th March 2022. The Committee decided to recommend for EC for project life of 5years subject to certain Specific Conditions in addition to the General Conditions.

Authority decided to issue EC for 5 years (project life as estimated by SEAC) from the date of issue of permit from the Department of Mining & Geology for a quantity mentioned in the approved Mining Plan subject to the following Specific Conditions in addition to General Conditions.

- 1. 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. Maximum depth of mining must be limited to 5 m below ground level.*
- 2. Mining should be carried out by providing benches at every 2m.*
- 3. The drainage channel and silt traps should be maintained periodically to avoid obstruction free drainage from the mine site and surroundings.*
- 4. The depth of the mining should be limited to 5m.*
- 5. As per OM no F.No.22-65/2017-IA.III dated 30th September 2020, under Corporate Environmental Responsibility (CER) the project Proponent shall prepare an Environment Management Plan (EMP) as directed by SEAC during appraisal , covering the issues to address the environmental problems in the*

project region, indicating both physical and financial targets year wise. The EMP shall be implemented in consultation with District Collector. The indicated cost for CER shall be 2% of the project cost depending upon the nature of activities proposed. The follow up action on implementation of CER shall be included in the half yearly compliance report which will be subjected to field inspection at regular intervals. A copy of the approved EMP shall be made available to the concerned Panchayat for information and implementation support

- 6. As per the directions contained in the OM F.No.22-34/2018-IA.III dated 16th January 2020 issued by MoEF&CC, in obedience to the directions of the Honourable Supreme Court the Project Proponent shall, undertake re-grassing the mining area and any other area which may have been disturbed due to his mining activities and restore the land to a condition which is fit for growth of fodder, flora, fauna etc. The compliance of this direction shall be included in the half yearly compliance report which will be monitored by SEAC at regular intervals.*
- 7. The violation of EC condition may lead to cancellation of EC and action under The Environment (Protection) Act 1986.*

Item No.7 **Environmental Clearance for the Laterite Building Stone Quarry project in Sy No. 2/3-16 & 2/1-45 in Irimbiliyam Village, Tirur Taluk, Malappuram District, Kerala for an extent of 0.2958 Ha by Sri. Subair O.K (Proposal No.SIA/KL/MIN/161510/2020, File No.1770/EC6/2020/ SEIAA)**

Sri. Subair O.K S/o Rayimmu, Onathkattil House, Marakkara .P.O, Malappuram District, Kerala an application in SEIAA through PARIVESH on 08.05.2020 for Environmental Clearance for the Laterite Building Stone Quarry in Sy No.228/3-1,228/3-4,228/3-5 in Pookkottur Village, Ernad Taluk, Malappuram District.

The proposal was placed in the 120th meeting of SEAC held on 24th to 26th March 2021. The Committee scrutinized the proposal submitted by the proponent and decided to invite the

proponent for presentation alongwith certain documents included in the presentation slides and the same to be uploaded in the PARIVESH portal after the presentation.

The proposal was placed in the 122nd meeting of SEAC held on 15th to 18th June 2021. The proponent and the RQP were present. The RQP made the presentation. The Committee directed the proponent to submit certain documents. A field inspection was also carried out on 04.08.2021 by a Sub-Committee of SEAC and certain observations were made. The proposal was placed in the 124th meeting of SEAC held on 24th to 27th August 2021. The Committee discussed the Field Inspection Report and decided to direct the proponent to submit certain additional documents/details.

The proposal was placed in the 125th meeting of SEAC held on 18th& 19th March 2022. The Committee decided to recommend EC with a project life of 1 year subject to certain Specific Conditions in addition to the General Conditions.

Authority decided to issue EC for one year from the date of issue of permit from the Department of Mining & Geology for a quantity mentioned in the approved Mining Plan subject to the following Specific Conditions in addition to General Conditions.

- 1. 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. Maximum depth of mining must be limited to 6 m below ground level.*
- 2. Mining should be carried out by providing benches at every 2m.*
- 3. The drainage channel and silt traps should be maintained periodically to avoid obstruction free drainage from the mine site and surroundings.*
- 4. As per OM no F.No.22-65/2017-IA.III dated 30th September 2020, under Corporate Environmental Responsibility (CER) the project Proponent shall prepare an Environment Management Plan (EMP) as directed by SEAC during appraisal , covering the issues to address the environmental problems in the project region, indicating both physical and financial targets year wise. The EMP shall be implemented in consultation with District Collector. The indicated cost for CER shall be 2% of the project cost depending upon the nature of*

activities proposed. The follow up action on implementation of CER shall be included in the half yearly compliance report which will be subjected to field inspection at regular intervals. A copy of the approved EMP shall be made available to the concerned Panchayat for information and implementation support

- 5. As per the directions contained in the OM F.No.22-34/2018-IA.III dated 16th January 2020 issued by MoEF&CC, in obedience to the directions of the Honourable Supreme Court the Project Proponent shall, undertake re-grassing the mining area and any other area which may have been disturbed due to his mining activities and restore the land to a condition which is fit for growth of fodder, flora, fauna etc. The compliance of this direction shall be included in the half yearly compliance report which will be monitored by SEAC at regular intervals.*
- 6. The violation of EC condition may lead to cancellation of EC and action under The Environment (Protection) Act 1986.*

Item No.8

Environmental Clearance for the Laterite Building Stone Quarry project in Re-Survey Nos. 382/4-15, 382/5-14 of Moorkkanad Village, Perinthalmanna Taluk, Malappuram District, Kerala for an extent of 0.4858 Ha by Sri.Aneesh Ambalakkatt (Proposal No.SIA/KL/MIN/161725/ 2020, File No.1717/EC6/2020/SEIAA)

Sri. Aneesh Ambalakatt, Ambalakkatt House, Edayur North P.O, Malappuram, Kerala, 676 552 submitted an application in SEIAA through PARIVESH on 03.07.2020 for Environmental Clearance for the Laterite Building Stone Quarry in Re-Survey Nos. 382/4-15, 382/5-14 of Moorkkanad Village, Perinthalmanna Taluk, Malappuram District. The total mine lease area cover 0.4858 Hectare.

The proposal was placed in the 120th meeting of SEAC held on 24th to 26th March 2021. The Committee scrutinized the proposal submitted by the proponent and decided to invite the proponent for presentation alongwith certain documents included in the presentation slides and the same to be uploaded in the PARIVESH portal after the presentation. The proposal was placed in the 122nd meeting of SEAC held on 15th to 18th June 2021. The proponent and the RQP were

present and the RQP made the presentation. The Committee directed the proponent to submit certain documents. A field inspection was also carried out on 05.08.2021 by a Sub-Committee of SEAC and certain observations were made.

The proposal was placed in the 124th meeting of SEAC held on 24th to 27th August 2021. The Committee discussed the Field Inspection Report. The additional documents have been verified by the Sub-Committee during the field visit and found satisfactory. The Committee decided to direct the proponent to submit certain additional documents in the PARIVESH Portal. The proposal was placed in the 125th meeting of SEAC held on 18th & 19th March 2022. The Committee decided to recommend for EC for project life of 3 years subject to certain Specific Conditions in addition to the General Conditions.

Authority decided to issue EC for 3 years (project life as estimated by SEAC) from the date of issue of permit from the Department of Mining & Geology for a quantity mentioned in the approved Mining Plan subject to the following Specific Conditions in addition to General Conditions.

- 1. 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.*
- 2. Depth of mining should be limited to 4m.*
- 3. Mining should be carried out by providing benches at every 2m*
- 4. The drainage channel and silt traps should be maintained periodically to avoid obstruction free drainage from the mine site and surroundings.*
- 5. As per OM no F.No.22-65/2017-IA.III dated 30th September 2020, under Corporate Environmental Responsibility (CER) the project Proponent shall prepare an Environment Management Plan (EMP) as directed by SEAC during appraisal , covering the issues to address the environmental problems in the project region, indicating both physical and financial targets year wise. The EMP shall be implemented in consultation with District Collector. The indicated cost for CER shall be 2% of the project cost depending upon the nature of activities proposed. The follow up action on implementation of CER shall be included in the half yearly compliance report which will be subjected to field*

inspection at regular intervals. A copy of the approved EMP shall be made available to the concerned Panchayat for information and implementation support

- 6. As per the directions contained in the OM F.No.22-34/2018-IA.III dated 16th January 2020 issued by MoEF&CC, in obedience to the directions of the Honourable Supreme Court the Project Proponent shall, undertake re-grassing the mining area and any other area which may have been disturbed due to his mining activities and restore the land to a condition which is fit for growth of fodder, flora, fauna etc. The compliance of this direction shall be included in the half yearly compliance report which will be monitored by SEAC at regular intervals.*
- 7. The violation of EC condition may lead to cancellation of EC and action under The Environment (Protection) Act 1986.*

Item No.9

Environmental Clearance for the Laterite Building Stone Quarry project in Re. Sy. 240/A-320 in Moorkkanad Village, Perinthalmanna Taluk, Malappuram District, Kerala for an extent of 0.9928 Ha by Sri. Sameeh Kiliyamannil (Proposal No.SIA/KL/MIN/163206/2020, File No.1733/EC6/2020/SEIAA)

Sri. Sameeh, Kiliyamannil House, Pang South Post, Malappuram-679338 submitted application in SEIAA through PARIVESH on 13.07.2020 for Environmental Clearance for the Laterite Building Stone Quarry in Re.Sy. 240/A-320 in Moorkkanad Village, Perinthalmanna Taluk, Malappuram District.

The proposal was placed in the 120th meeting of SEAC held on 24th to 26th March 2021. The Committee scrutinized the proposal submitted by the proponent and decided to invite the proponent for presentation alongwith certain documents included in the presentation slides and the same to be uploaded in the PARIVESH portal after the presentation. The proposal was placed in the 122nd meeting of SEAC held on 15th to 18th June 2021. The proponent and the RQP were present and the RQP made the presentation. The Committee directed the proponent to submit

certain documents. A field inspection was also carried out on 05.08.2021 by a team of experts of SEAC and certain observations were made by the team.

The proposal was placed in the 124th meeting of SEAC held on 24th to 27th August 2021. The Committee discussed the Field Inspection Report and decided to direct the proponent to submit certain additional documents/details.

The proposal was placed in the 125th meeting of SEAC held on 18th & 19th March 2022. The Committee has decided to recommend for EC with a project life of 3 years with certain Specific Conditions in addition to the General Conditions.

Authority decided to issue EC for 3 years from the date of issue of permit from the Department of Mining & Geology for a quantity mentioned in the approved Mining Plan subject to the following Specific Conditions in addition to General Conditions.

- 1. 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. Maximum depth of mining must be limited to 6 m below ground level bgl.*
- 2. Mining should be carried out by providing benches as per approved mining plan*
- 3. The drainage channel and silt traps should be maintained periodically to avoid obstruction free drainage from the mine site and surroundings.*
- 4. The depth of mining should be limited to 6m.*
- 5. As per OM no F.No.22-65/2017-IA.III dated 30th September 2020, under Corporate Environmental Responsibility (CER) the project Proponent shall prepare an Environment Management Plan (EMP) as directed by SEAC during appraisal , covering the issues to address the environmental problems in the project region, indicating both physical and financial targets year wise. The EMP shall be implemented in consultation with District Collector. The indicated cost for CER shall be 2% of the project cost depending upon the nature of activities proposed. The follow up action on implementation of CER shall be included in the half yearly compliance report which will be subjected to field inspection at regular intervals. A copy of the approved EMP shall be made*

available to the concerned Panchayat for information and implementation support

- 6. As per the directions contained in the OM F.No.22-34/2018-IA.III dated 16th January 2020 issued by MoEF&CC, in obedience to the directions of the Honourable Supreme Court the Project Proponent shall, undertake re-grassing the mining area and any other area which may have been disturbed due to his mining activities and restore the land to a condition which is fit for growth of fodder, flora, fauna etc. The compliance of this direction shall be included in the half yearly compliance report which will be monitored by SEAC at regular intervals.*
- 7. The violation of EC condition may lead to cancellation of EC and action under The Environment (Protection) Act 1986.*

Item No.10

Environmental Clearance for the Laterite Building Stone Quarry project in Re.Survey No.477/1-2 in Vazhakkad Village, Kondotty Taluk, Malappuram District, Kerala for an extent of 0.7649 Ha by Sri.Abu Thahir P.K (Proposal No.SIA/KL/MIN/174851/2020, File No.1800/EC6/2020/SEIAA)

Sri.Abu Thahir P.K, Pandikadavath House, Oorakam, Melmuri Post, Karathode, Malappuram submitted an application in SEIAA through PARIVESH on 24.09.2020 for Environmental Clearance for the Laterite Building Stone Quarry in Re.Survey No.477/1-2 in Vazhakkad Village, Kondotty Taluk, Malappuram District, Kerala.

The proposal was placed in the 120th meeting of SEAC held on 24th to 26th March 2021. The Committee scrutinized the proposal submitted by the proponent and decided to invite the proponent for presentation alongwith certain documents included in the presentation slides and the same to be uploaded in the PARIVESH portal after the presentation. The proposal was placed in the 122nd meeting of SEAC held on 15th to 18th June 2021. The proponent and RQP were present and the RQP made the presentation. The Committee directed the proponent to submit certain documents. A field inspection was also carried out on 06.08.2021 by Sub-Committee of SEAC and certain observations were made.

The proposal was placed in the 125th meeting of SEAC held on 18th & 19th March 2022. The Committee has decided to recommend for EC with a project life of 3 years with certain Specific Conditions in addition to the general condition.

Authority decided to issue EC for 3 years from the date of issue of permit from the Department of Mining & Geology for a quantity mentioned in the approved Mining Plan subject to the following Specific Conditions in addition to General Conditions.

- 1. 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. Maximum depth of mining must be limited to 6 m below ground level bgl.*
- 2. Mining should be carried out by providing benches at every 2m*
- 3. The drainage channel and silt traps should be maintained periodically to avoid obstruction free drainage from the mine site and surroundings.*
- 4. As per OM no F.No.22-65/2017-IA.III dated 30th September 2020, under Corporate Environmental Responsibility (CER) the project Proponent shall prepare an Environment Management Plan (EMP) as directed by SEAC during appraisal , covering the issues to address the environmental problems in the project region, indicating both physical and financial targets year wise. The EMP shall be implemented in consultation with District Collector. The indicated cost for CER shall be 2% of the project cost depending upon the nature of activities proposed. The follow up action on implementation of CER shall be included in the half yearly compliance report which will be subjected to field inspection at regular intervals. A copy of the approved EMP shall be made available to the concerned Panchayat for information and implementation support*
- 5. As per the directions contained in the OM F.No.22-34/2018-IA.III dated 16th January 2020 issued by MoEF&CC, in obedience to the directions of the Honourable Supreme Court the Project Proponent shall, undertake re-grassing the mining area and any other area which may have been disturbed due to his mining activities and restore the land to a condition which is fit for growth of*

fodder, flora, fauna etc. The compliance of this direction shall be included in the half yearly compliance report which will be monitored by SEAC at regular intervals.

6. *The violation of EC condition may lead to cancellation of EC and action under The Environment (Protection) Act 1986.*

Item No.11 Environmental clearance for Granite Building Stone Quarry of M/s Brothers Quarry (Conversion ToR to E.C), Re-Sy. Block No:-25,Re-Sy:-194, 243/1, 198/4, 198/6-1, 242/1, 242/6, 242/8B, 242/7, 243/2 in Village- Pallickal, Taluk- Varkala, District- Thiruvananthapuram (Judgment dated 14.12.2021 in WPC 28684/2021) SIA/KL/MIN/ 196400/2021, 1415/EC2/2019/SEIAA & SIA/KL/MIN/ 39900/2019, 1415/EC2/2019/SEIAA

Mr.Nisarudheen., Managing Partner, M/s Brothers Quarry, submitted application for Environmental Clearance via PARIVESH for the Granite Building Stone Quarry in Re-Sy. Block No:-25,Re-Sy:-194, 243/1, 198/4, 198/6-1, 242/1, 242/6, 242/8B, 242/7, 243/2 in Village- Pallickal, Taluk- Varkala, District- Thiruvananthapuram over an extent of 2.9441 Ha. (Govt land 1.5002 Ha and private land 1.4439 Ha)

The proposal was placed in 112th SEAC meeting held on 12th to 14th August 2020. The proponent was not present. The RQP made the presentation. The Committee decided to direct the proponent to submit certain documents/details. The proponent submitted the documents on 11.02.2020. A field inspection was also carried out on 27.01.2021 by Sub-Committee of SEAC and certain observations were made.

The proposal was placed in 118th SEAC meeting held on 1st, 2nd & 3rd February, 2021. The Committee discussed the Field Inspection Report and decided to direct the proponent to submit certain additional documents/details. The proposal was placed in 120th SEAC meeting held on 24th-26th, March, 2021. Further decision on this proposal will be taken in SIA/KL/MIN/196400/2021, 1415/EC2/2019/SEIAA as they have applied for conversion of ToR to EC.

The proposal was placed in 121st SEAC meeting held on 22nd, 23rd and 27th of April, 2021. The Committee discussed and accepted the additional details submitted by the proponent. The processing at the SEAC level has been completed. As per the judgment of

the Hon'ble High Court of Kerala dt 21.12.2020, the Committee decided to await the NGT order on the minimum distance criteria. Shri.S.Nisarudeen, Managing Partner, M/s Brothers Quarry vide letter dated 07.01.2022 submitted judgment dated 14.12.2021 in WP(C) No.28684/2021 regarding distance criteria.

The proposal was placed in 125th SEAC meeting held on 18th – 19th March, 2022. The Committee decided to recommend EC for a project life of 10 years, subject to certain Specific Conditions in addition to the General Conditions. Authority noticed that the SEAC had appraised the proposal based on Form I, Pre-Feasibility Report, additional details/documents obtained from the proponent during Appraisal, Mining Plan and the Filed Inspection Report. After the due appraisal SEAC had recommend to issue EC subject to certain conditions.

Authority decided to issue EC initially for a period of 5 years for the quantity mentioned in the approved Mining Plan subject to the following Specific Conditions in addition to the General Conditions.

- 1. 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.*
- 2. The EC period will be further extended to cover the project life (10 years) as estimated by SEAC after a field inspection by SEAC to ensure that the Project Proponent has followed all EC conditions and there is no damage to the environment in the project region and there is no violation of any Act, Rules and Regulation applicable for quarrying.*
- 3. Compensatory afforestation should be done from the 1st year itself and the coordinates of the area with geotagged photos shall be submitted with HYCR.*
- 4. Periodic maintenance of drainage channel, silt trap and garland drain for ensuring the unobstructed drainage.*
- 5. As per OM no F.No.22-65/2017-IA.III dated 30th September 2020, under Corporate Environmental Responsibility (CER) the project Proponent shall prepare an Environment Management Plan (EMP) as directed by SEAC during appraisal , covering the issues to address the environmental problems in the project region, indicating both physical and financial targets year wise. The EMP shall be implemented in consultation*

with District Collector. The indicated cost for CER shall be 2% of the project cost depending upon the nature of activities proposed. The follow up action on implementation of CER shall be included in the half yearly compliance report which will be subjected to field inspection at regular intervals. A copy of the approved EMP shall be made available to the concerned Panchayat for information and implementation support.

- 6. 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.*
- 7. As per the directions contained in the OM F.No.22-34/2018-IA.III dated 16th January 2020 issued by MoEF&CC, in obedience to the directions of the Honourable Supreme Court the Project Proponent shall, undertake re-grassing the mining area and any other area which may have been disturbed due to his mining activities and restore the land to a condition which is fit for growth of fodder, flora, fauna etc. The compliance of this direction shall be included in the half yearly compliance report which will be monitored by SEAC at regular intervals.*
- 8. The violation of EC condition may lead to cancellation of EC and action under The Environment (Protection) Act 1986.*

Item No.12 Environmental Clearance for Building Stone Quarry Project of Mr. Ajikumar.N in Re-Survey Number: 270/3 Malayalappuzha Village, Konni Taluk, Pathanamthitta District - Judgement dated 15.11.2021 inWP(C)No.25297/2021SIA/KL/MIN/41701/2019, 1497(A)/EC1/2019/SEIAA & SIA/KL/MIN/242348/2021, 1497(A)/EC1/2019/SEIAA

Sri. Ajikumar N.,S/o Sukumaran, Niraniathu (H), Malayalappuzha, Pathanamthitta – 689664, submitted application for Environmental Clearance via PARIVESH for the Building

Stone Quarry Project in Re-Survey Number: 270/3 Malayalappuzha Village, Konni Taluk, Pathanamthitta District over an extent of 0.6661 Ha.

The proposal was placed in 110th SEAC meeting held on 11th & 12th February, 2020. The RQP made the presentation. The Committee directed the proponent to apply for EC. A field inspection was also carried out on 20th September 2020 by a team of experts of SEAC and certain observations were made by the team. The proposal was placed in 115th SEAC meeting held on 3 – 5, November 2020. The Committee discussed and accepted the field inspection report, and decided to direct the proponent to submit certain additional documents/details.

The proposal was placed in 117th SEAC meeting held on 28th, 29th and 30th December, 2020. The Committee scrutinised the additional documents/details submitted by the proponent. The processing at the SEAC level has been completed. As per the judgment of the Hon'ble High Court of Kerala dt.21.12.2020, the Committee decided to await the NGT order on the minimum distance criteria. Sri.Ajikumar vide letter dated 22.11.2021 forwarded judgment dated 15.11.2021 in WP(C)No.25297 of 2021 regarding distance criteria. The proposal was placed in 125th SEAC meeting held on 18th – 19th March, 2022. The Committee decided to recommend for EC for a project life of 4 years, subject to certain Specific Conditions in addition to the general condition.

Authority noticed that the SEAC had appraised the proposal based on Form I, Pre-feasibility Report, additional details/documents obtained from the proponent during Appraisal, Mining Plan and the Filed Inspection Report. After the due appraisal SEAC had recommend to issue EC subject to certain conditions.

Authority decided to issue EC for a period of 4 years (project life as estimated by SEAC) for the quantity mentioned in the approved Mining Plan subject to the following Specific Conditions in addition to the General Conditions

- 1. 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.*
- 2. The PP should submit an affidavit declaring the water requirement for the purpose of drinking water and environmental management and appropriate storage facility will be*

established for storing three times of the total daily water requirement prior to commencement of mining.

- 3. Compensatory afforestation should be done from the 1st year itself and the coordinates of the area with geotagged photos should be submitted with HYCR.*
- 4. The topsoil dump should be protected by a gabbion wall to avoid erosion.*
- 5. The level of mining should be limited to 100 m above MSL*
- 6. The PP should ensure adequate measures to prevent leakage or breach of impounded water, if any, from the quarry pit, to prevent related adversities in the low-lying area since the fracture density of the rock is less.*
- 7. The peak particle velocity, amplification and displacement factor of the ground vibration should be monitored and ensured compliance to DGMS guidelines prior to commencement of mining and submit the details along with HYCR.*
- 8. As per OM no F.No.22-65/2017-IA.III dated 30th September 2020, under Corporate Environmental Responsibility (CER) the project Proponent shall prepare an Environment Management Plan (EMP) as directed by SEAC during appraisal , covering the issues to address the environmental problems in the project region, indicating both physical and financial targets year wise. The EMP shall be implemented in consultation with District Collector. The indicated cost for CER shall be 2% of the project cost depending upon the nature of activities proposed. The follow up action on implementation of CER shall be included in the half yearly compliance report which will be subjected to field inspection at regular intervals. A copy of the approved EMP shall be made available to the concerned Panchayat for information and implementation support.*
- 9. 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.*
- 10. As per the directions contained in the OM F.No.22-34/2018-IA.III dated 16th January 2020 issued by MoEF&CC, in obedience to the directions of the Honourable Supreme Court the Project Proponent shall, undertake re-grassing the mining area and any other*

area which may have been disturbed due to his mining activities and restore the land to a condition which is fit for growth of fodder, flora, fauna etc. The compliance of this direction shall be included in the half yearly compliance report which will be monitored by SEAC at regular intervals.

11. The violation of EC condition may lead to cancellation of EC and action under The Environment (Protection) Act 1986.

Item No.13

Environmental Clearance for Granite Quarry M/s Tasna Mines in Re - Sy. No. 345/1, 340/2, 339/11, 340/4, 340/5, 339/2, 345/7, 345/9 of Pallikkal Village, Varkala Taluk of Thiruvananthapuram District., Kerala - Judgement dated 10.11.2021 in WPC 2357/2021 (SIA/KL/MIN/45585/2019, 1494/EC1/2019/SEIAA)

Shri.Nixon John, Partner, M/s Tasna Mines submitted application for Environmental Clearance via PARIVESH on 28/10/2019 for Granite Quarry of M/s Tasna Mines in Re - Sy. No. 345/1, 340/2, 339/11, 340/4, 340/5, 339/2, 345/7, 345/9 of Pallikkal Village, Varkala Taluk of Thiruvananthapuram District., Kerala over an extent of 2.4925 Ha.

The proposal was placed in the 108th SEAC meeting held on 13th& 14th January, 2020. The Committee directed the proponent to submit certain documents/details. The proposal was placed in the 110th SEAC meeting held on 11th& 12th February, 2020. A field inspection was also carried out on 14.03.2020 by a Sub-Committee of SEAC and certain observations were made by the team.

The proposal was placed in 111th SEAC meeting held on 2nd - 4th, June 2020. The Committee decided to approve the Field Inspection Report and directed the proponent to present the project proposal. The proposal was placed in 113th SEAC meeting held on 15th – 17th September 2020. The proponent was present and the RQP made the presentation. The Committee decided to direct the proponent to submit certain documents/details. The proposal was placed in 115th SEAC meeting held on 3 – 5, November 2020. The Committee scrutinised the ADS by the proponent and decided to direct to submit certain additional documents/details.

The proposal was placed in 117th SEAC meeting held on 28th, 29th and 30th December, 2020. The Committee scrutinised the additional documents/details submitted by the proponent. The processing at the SEAC level has been completed. As per the Judgment of the Hon'ble High Court of Kerala dt.21.12.2020, the Committee decided to await the NGT order on the minimum distance criteria. M/s Tasna Mines vide letter dated 06.12.2021 forwarded judgment dated 10.11.2021 in WP(C) No.2357 of 2021 regarding distance criteria.

The proposal was placed in 125th SEAC meeting held on 18th – 19th March, 2022. The Committee decided to recommend EC for a project life of 10 years subject to certain Specific Conditions in addition to the General Conditions.

Authority noticed that the SEAC had appraised the proposal based on Form I, Pre-Feasibility Report, additional details/documents obtained from the proponent during Appraisal, Mining Plan and the Field Inspection Report. After the due appraisal SEAC had recommend to issue EC subject to certain conditions.

Authority decided to issue EC initially for a period of 5 years for the quantity mentioned in the approved Mining Plan subject to the following Specific Conditions in addition to the General Conditions.

- 1. 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.*
- 2. The EC period will be further extended to cover the project life (10 years) as estimated by SEAC after a field inspection by SEAC to ensure that the Project Proponent has followed all EC conditions and there is no damage to environment in the project region and there is no violation of any Act, Rules and Regulation applicable for quarrying.*
- 3. The mining as proposed in the mining plan will lead to a very high wall of width 7.5m between the proposed mine area and the adjacent old quarry as a standalone feature between BP1 and BP2. As it is not desirable, appropriate action should be taken to maintain the buffer between BP1 and BP2 without the standalone feature after seeking directions from the District Geologist prior to the commencement of mining activity.*

4. *The PP should strictly comply with the detailed transportation plan submitted considering the road density and road width and operational feasibility.*
5. *Establish a water storage facility to the tune of at least 30 KLD for meeting the requirement of environmental management needs.*
6. *Periodic maintenance of drainage channel, silt trap, and garland drain should be done for ensuring unobstructed drainage.*
7. *Compensatory afforestation should be done from the 1st year itself and the coordinates of the area with geotagged photos should be submitted with HYCR.*
8. *The plan submitted for implementation of the CER should be implemented in the first two years and it should be operated and maintained during the rest of the Project Life.*
9. *As per OM no F.No.22-65/2017-IA.III dated 30th September 2020, under Corporate Environmental Responsibility (CER) the project Proponent shall prepare an Environment Management Plan (EMP) as directed by SEAC during appraisal , covering the issues to address the environmental problems in the project region, indicating both physical and financial targets year wise. The EMP shall be implemented in consultation with District Collector. The indicated cost for CER shall be 2% of the project cost depending upon the nature of activities proposed. The follow up action on implementation of CER shall be included in the half yearly compliance report which will be subjected to field inspection at regular intervals. A copy of the approved EMP shall be made available to the concerned Panchayat for information and implementation support.*
10. *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.*
11. *As per the directions contained in the OM F.No.22-34/2018-IA.III dated 16th January 2020 issued by MoEF&CC, in obedience to the directions of the Honourable Supreme Court the Project Proponent shall, undertake re-grassing the mining area and any other area which may have been disturbed due to his mining activities and restore the land to a condition which is fit for growth of fodder, flora, fauna etc. The compliance of this*

direction shall be included in the half yearly compliance report which will be monitored by SEAC at regular intervals.

12. The violation of EC condition may lead to cancellation of EC and action under The Environment (Protection) Act 1986.

**CONSIDERATION/RECONSIDERATION OF ENVIRONMENTAL
CLEARANCE(Extension/Amendment/Corrigendum)**

Item No.1

Extension of Environmental Clearance for the Granite (Building Stone) Quarry of Shri.A. D. John in Survey Nos. 133/1, 133/1-1, 133/2, 133/3, 133/5, 133/6, 133/6-1, 133/6- 2, 133/6-3, 133/6-4, 133/6-5, 133/6-6, 133/6-7, 133/7, 133/7- 1, 133/7-2, 133/7-3, 133/7-4, 133/8-1, 133/9, 133/9-2, 107/4- 1, 107/6, 107/6-2, 107/7, 107/7-2, 107/7-3, 107/8, 107/8-1, 108/3, 108/3-1 at Kottangal Village, Mallapally Taluk, Pathanamthitta District, Kerala (SIA/KL/MIN/183508/ 2020, 803/EC4/2120/2015/SEIAA)

Environmental Clearance was issued for the building stone quarry project Shri.A. D. John in Survey Nos. 133/1, 133/1-1, 133/2, 133/3, 133/5, 133/6, 133/6-1, 133/6- 2, 133/6-3, 133/6-4, 133/6-5, 133/6-6, 133/6-7, 133/7, 133/7- 1, 133/7-2, 133/7-3, 133/7-4, 133/8-1, 133/9, 133/9-2, 107/4- 1, 107/6, 107/6-2, 107/7, 107/7-2, 107/7-3, 107/8, 107/8-1, 108/3, 108/3-1 at Kottangal Village, Mallapally Taluk, Pathanamthitta District, Kerala vide proceedings No. 803/EC4/2120/2015/SEIAA dated 05.03.2016, for a period of five years for an area of 4.0731 hectares. The validity of EC expired on 04.03.2021.

The project proponent submitted application via PARIVESH on 29.12.2020 for the Extension of Environmental Clearance. The proposal was placed in the 124th SEAC meeting held on 24 -27 August 2021. The decision of the Committee was – “since the issue highlighted by the proponent is purely administrative, SEAC does not have any role to recommend any measures”.

The proposal was placed in the 112th SEIAA meeting held on 14th, 15th & 16th September 2021. Authority noticed that with Covid Extension of one year, the validity of EC expires on 05.03.2022. In the meantime, the Project Proponent may submit relevant documents from respective authorities in proof of non-functioning of quarry with a revised mining plan so that his proposal for extension of EC can be processed further.

The proponent submitted revised mining plan approved by District Geologist, Pathanamthitta on 13.09.2018 as per 112th SEIAA meeting. But the relevant documents regarding the proof of non-functioning of the quarry has not been received.

Authority decided to return the proposal to SEAC for further appraisal and recommendation.

CONSIDERATION OF TOR PROPOSALS

Item No.1 **Granite Building Stone Quarry of M/s Brothers Quarry (Conversion ToR to E.C), Re-Sy. Block No:-25, Re-Sy:-194, 243/1, 198/4, 198/6-1, 242/1, 242/6, 242/8B, 242/7, 243/2 in Village- Pallickal, Taluk- Varkala, District- Thiruvananthapuram (Judgment dated 14.12.2021 in WPC 28684/2021) (EC proposal- Item No.11) (NGT order regarding distance criteria)**

Considered and covered under tem No.11 of PARIVESH files

Item No.2 **Environmental Clearance for Building Stone Quarry Project of Mr. Ajikumar N. in Re-Survey Number: 270/3 Malayalappuzha Village, Konni Taluk, Pathanamthitta District-(Judgement dated 15.11.2021 in WP(C) No.25297/2021)- (EC proposal- Item No.12) (NGT order regarding distance criteria)**

General Decisions

1) Logistic Support to SEIAA/SEAC:

MOEF & CC, Govt. of India vide SO 984(E) dated 3rd March 2022 had constituted State Environmental Impact Assessment Authority and State Level Expert Appraisal Committee for Kerala State. As per the said SO Government of Kerala has to provide all financial and logistic support. Entire process of environmental clearance is done on line using PARIVESH portal hoisted by the MOEF & CC. All members of new SEIAA and SEAC have requested for laptops of suitable configuration for discharging their duties efficiently and effectively. The authority decided to take up the matter with Dept of Finance for additional allotment quoting the importance and emergency of the matter and decided to purchase the laptops with the additional allotment and the approval of Government of Kerala.

2) Field Inspection Fee / Honorarium:

Members of SEIAA/SEAC have to conduct a lot of field inspections as part of appraisal of projects. Now no honorarium is paid to members of SEIAA/SEAC for their field inspections. The experienced and qualified Members are using their technical expertise and time for field inspections and preparation of reports after arduous field work and sometimes even on holidays. Members of SEIAA/SEAC have requested that they should be adequately compensated for the effort they are putting in. The SEIAA and SEAC members are paid a sitting fee of Rs.5000/- per day. Authority decided to request government to sanction field inspection fee of Rs 5000/ to members of SEIAA/SEAC equivalent to their one days sitting fee of Rs 5000/- for the field inspections conducted by members of SEIAA/SEAC.

3) Review of pending court case:

Authority had given instructions to legal officer SEIAA to put up a statement of pending court cases for the review of Authority in the monthly meetings of SEIAA regularly. However such a statement is not put up before Authority even for once. In the recent past there have been instances wherein contempt court proceedings have been initiated by Hble High court against Chairman and Member Secretary for non-implementation of court directions. Authority once again directed the legal officer SEIAA to put a statement of pending court case in the monthly meetings of SEIAA as the first agenda item for review. The format for the same shall be finalized in consultation with Standing counsel and Chairman within 10days.

4) Time schedule for holding monthly meetings of SEIAA and SEAC:

As per the directions of MOEF&CC, monthly meetings of SEAC should be held at least twice in a month and SEIAA should meet at least once in a month. Accordingly the meetings are being held regularly after the reconstitution of SEIAA and SEAC. As the same staff is involved in preparation of Agenda and minutes of both SEIAA and SEAC, to streamline the scheduling of meetings of both SEIAA and SEAC, Authority decided to hold the meetings of SEIAA in the last week of every month and SEAC can schedule their meetings accordingly.

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

**Sd/-
Dr.V.Venu IAS
Member Secretary, SEIAA**

**Sd/-
Sri.K.KrishnaPanicker
Member, SEIAA**