



सत्यमेव जयते

Validity expires on 22-12-2020

**Proceedings of the State Environment Impact Assessment Authority
Kerala**

Present: Prof. (Dr.) K. P. Joy, Chairman, Dr. J. Subhashini, Member, Sri. P. Mara Pandiyan I.A.S., Member Secretary.

Sub: SEIAA- Environmental Clearance for the proposed quarry project in Sy. Nos. 781/1-23-1 & 781/1-23-2 at Athikkayam Village, Ranni Taluk, Pathanamthitta District, by M/s Manimaaleth Crusher Industries - Granted. Orders issued.

STATE ENVIRONMENTAL IMPACT ASSESSMENT AUTHORITY

No. 121/SEIAA/EC4/2200/2014

dated, Thiruvananthapuram 23-12-2015

- Read:
1. Application dated 2-8-2013 submitted by Sri. Tomy Abraham, M/s Manimaaleth Crusher Industries, Manimaaleth House, Vechoochira, Ranni Taluk, Pathanamthitta District-686511
 2. Minutes of the 19th meeting of SEAC held on 9/10-9-2013
 3. Minutes of the 23rd meeting of SEAC held on 6/7-1-2014
 4. Minutes of the 26th meeting of SEIAA held on 24-1-2014
 5. Minutes of the 30th meeting of SEIAA held on 9-5-2014
 6. Minutes of the 32nd meeting of SEAC held on 12/13-8-2014
 7. Minutes of the 38th meeting of SEIAA held on 4-6-2015
 8. Judgment dated 8-5-2015 of the Hon. High Court of Kerala in W.P. No.13773/15 filed by Sri. Tomy Abraham
 9. Minutes of the 44th meeting of SEAC held on 12/13-8-2015
 10. Minutes of the 42nd meeting of SEIAA held on 1-10-2015
 11. Minutes of the 44th meeting of SEIAA held on 13-11-2015

Environmental Clearance No. 112 /2015

Sri. Tomy Abraham, M/s Manimaaleth Crusher Industries, Manimaaleth House, Vechoochira, Ranni Taluk, Pathanamthitta District-686511 vide his application received on 02-08-2013, has sought Environmental Clearance under EIA Notification, 2006 for the building stone quarry project in Sy. Nos. 781/1-23-1 & 781/1-23-2 at Athikkayam Village, Ranni Taluk, Pathanamthitta District, Kerala for an area of 4.2755 hectares. The project comes under Category B, Activity 1(a), (i) as per the Schedule of EIA Notification 2006 (since it is below 50 hectares) and as per O.M. No.L-11011/47/2011-IA.II (M) dated 18th May 2012 of Ministry of Environment and Forests. It is further categorized as Category

DESPATCHED

Date: 28/12/15

B2 as per the O.M. No. J-13012/12/2013-IA-II (I) dated 24-12-2013 of Ministry of Environment and Forests, since the area of the project is below 25 hectares. Other details of the case are as under:

<i>Details of project cost</i>	Rs.5.5 Crores
Environmental parameters considered	
WATER	
Water requirement & sources	Domestic consumption – well water Dust suppression: Rain water harvesting pond
RWH units proposed	Rain water harvesting ponds are being constructed which will act as both rain water harvesting and water recharging.
Facilities for liquid waste treatment	Septic Tank & soak pit.
Impoundment, damming, culverting, realignment or other changes to the hydrology of watercourses or aquifers?	Nil
Water quality meeting requirements	Monitoring and analysis carried out and results found within the permissible limits.
Does it have provisions for use of recycled water	Quarrying activity does not require water hence no recycling.
LAND	
Proximity to forest lands	Ranni reserve forest is about 0.50 km from the quarry lease boundary site.
Access road to the site –Width & Condition	5 - 7 m from SW
Storage of explosives /hazardous substances	Hazardous materials like spent oil being disposed off as per the existing Rules & Guidelines of Hazardous Waste (Management & Handling) Rules, 1989 and 2003 and are being sent to stores for disposal through authorized agents.
Facility for solid waste management	Quarry waste will be utilized for road and construction works.
Proneness of the area for landslides	The material exposed in the quarry is Charnockite, which is hard in nature and as per the seismic zone map, Kerala falls under zone III which is moderate.
Significant land disturbance resulting in erosion, subsidence & instability	No, quarry area is not susceptible to natural hazard as there is no history of such incidents.
Top soil, overburden etc.	Top soil –16,000 tonnes
AIR	
Likely emissions	Due to quarry activity and operation of heavy earth moving

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affecting environment	machinery generation of dust, noise is likely. However, mitigative measures are proposed accordingly in the EMP.
ENERGY	
Energy requirement	Lighting 0.5 KVA used from solar energy.
Extent of usage of alternative energy resources	Solar
BIODIVERSITY	
Presence of any endangered species or red listed category	Nil
Loss of native species and genetic diversity	There will not be any loss of native species of genetic diversity as the quarry already exists and continuation of the same will not affect or loss of native species in general.
Likely displacement of fauna	Unlikely
Any introduction of alien / invasive species	Nil
SOCIAL ASPECTS	
Proximity to nearest habitation	Koothattukalam Village at a distance of 1.0 kms from quarry towards southwest.
CSR related to the project / allocation / time frame (details mandatory)	Rs. 8 Lakhs/annum will earmarked as corpus fund for Socio-Economic welfare measures. Rs. 10 Lakhs/annum will be earmarked towards Corporate Environmental Policy & Mitigative Measures, including for BMC of the concerned Grama Panchayat
GENERAL	
Litigation/court cases, if any, against the project (Provide details)	Nil
Right & nature of ownership of land	Private Patta land
Is the property forest land/govt. land/own land	Private Patta land
Details of Authorised Signatory	Sri. Tomy Abraham M/s Manimallethu Crusher Industries, Manimallethu House, Vechoochira, Ranni Taluk, Pathanamthitta-686511
Details of NABET approved EIA consultant organisation	M/s Metamorphosis #143, 2 nd Floor, 39 th Main, 4 th Cross Behind Silk Board, BTM Layout 2 nd Stage, Bengaluru – 560068. TeleFax: +9180 26783006/07 Email: mail@metamorphosis-india.com

2. The proposal was considered as agenda item no. 19.06 in the 19th meeting of SEAC meeting held on 9th and 10th September 2013 and was deferred for site inspection and seeking certain additional clarifications from the proponent. Field visit was carried out on 23rd September 2013. In the meantime, SEIAA received complaints against the functioning of quarries in Chembanmudi Hills of Athikkayam Village, Ranni Taluk, Pathanamthitta District, including the quarry of the proponent.

3. The proposal was again placed in the 23rd SEAC held on 6th and 7th January 2014 for verification of the documents and decision. The Committee verified the additional clarifications/documents provided by the proponent and found that the proponent has addressed all the queries raised by SEAC. The Committee also examined and discussed the complaints received by SEIAA against the functioning of quarries in Chembanmudi Hills of Athikkayam Village, Ranni Taluk, Pathanamthitta District, including the quarry of the proponent. Considering the allegations made in the complaints, the Committee decided to recommend the proposal to be considered as B1 category, to address the proponent to get the public hearing conducted and to report to SEAC based on the General Terms of Reference followed by Expert Appraisal Committee (EAC) for non-coal mining. Additionally, the Terms of Reference should address the complaints from public regarding landslide proneness and tribal settlements. The proponent was also directed to address the clarifications sought earlier, as above, complete in all respects, for reconsideration of the proposal following public hearing and EIA report in accordance therewith.

4. The proposal was placed in the 26th SEIAA meeting held on 24th January 2014. The Authority approved the recommendations of 23rd SEAC. As per the request of the proponent, copy of complaint was given to him. Subsequently, the proponent submitted a request to reconsider the decision to categorize his project as B1. In the 30th meeting of SEIAA held on 9th May 2014, the matter was taken and made the decision to consider the project as B2 category as per OM dated 24.12.2013 of MoEF and directed to submit a report addressing the allegations in the complaints raised against the project by the public and the proponent has submitted a representation. Further to the explanations on the complaints, the proponent also submitted a representation regarding the allegations in the complaint and also the consent from PCB, NOC given by the District Collector, explosive license, mine safety license and certificate from the mine engineer appointed at site.

5. The proposal was placed in 32nd SEAC held on 12th and 13th August 2014 as agenda item no. 32.06. Taking into consideration of the facts including the complaints against the quarry, the Committee decided to consider this as B1 category and recommended for public hearing at an early date. The earlier decision of SEAC was upheld. The proponent submitted a request dated 16-4-2015 to consider his application at the earliest. In the meantime the proponent filed a Writ Petition as W.P. © No. 13773 of 2015 before the Hon'ble High Court of Kerala. The Hon'ble High Court of Kerala delivered a judgment dated 08-05-2015, stating that the

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application by petitioner shall be considered by SEIAA in any of the next two meetings. The proponent has also submitted the approved Mining Plan.

The explanation submitted by the proponent against categorising his project as B1 as earlier recommended by SEAC and was placed in the 38th meeting of SEIAA held on 4-6-2015. The Authority examined the report submitted by the proponent in compliance with the direction of 30th SEIAA containing the following contentions:

- (i) There is no cluster situation. But the inspection report says that there is a quarry (Kavumkal group) on the southern part. If both and other quarries exceed 25 ha then it will be B1.
- (ii) The landslide occurred in the areas covering the other quarry, cannot affect the mining area of his quarry. Risk assessment would be necessary to ensure that this is not a landslide prone area.
- (iii) Quarry site is not in ESZ. It is also not an ESA as per HLWG (Kasthurirangan) report.
- (iv) Nearest residence is 300 m away.

It was considering the above explanation that SEAC recommended to make it B1. Proponent has submitted Mine Plan. In such cases the general decision of SEIAA was to refer to SEAC for further appraisal with reference to the Mining Plan.

6. The Authority also examined the decisions of previous SEAC/SEIAA meetings regarding the proposal. As per the provisions of the EIA notification and the O.M of MoEF as applicable, such a mining project can be categorised as B1 only if the mining area is > 25 ha. The Authority on detailed examination of the explanations w.r.t. the guidelines, wanted to ensure that no cluster situation or buffer zone condition as applicable to ESAs as per the report of the HLWG report (Kasturirangan report) warranting categorisation as B1 is available in this case, for which it was decided to refer the case to SEAC to decide finally. In the Mining Plan it is mentioned that an area of 0.0809 Ha is falling in ESZ-1 (WGEEP report) and is not proposed for quarrying.

7. The proposal was considered in the 44th SEAC held on 12th and 13th August 2015. The proponent informed that there will not be any overburden. The top soil will be stored separately for plantation purpose. The lowest ground level at present is 255 m. The Committee apprehended that majority of avian fauna mentioned in the report is of wetland type. The proposal was considered in the 23rd meeting of SEAC held on 6th and 7th October 2014 and it was classified as B1 as series of complaints against the quarry were raised by public. Although SEIAA in its 26th meeting held on 24-01-2014 accepted the decision of SEAC, the SEIAA demitted back the proposal to reconsider the classification of the project based on the OM dated 24-12-2013 in its 38th meeting held on 04-06.2015. The Committee appraised the proposal based on the Form I, Mining Plan, Prefeasibility Report and other documents and found that the proposal falls within the classification as B2 and the complaints made by the public are not against this quarry as revealed in the NOC issued by District Collector and Directorate General of Mines Safety. Therefore the Committee decided to

recommended issuance of Environmental Clearance with the following specific conditions in addition to the general conditions stipulated for mining projects.

1. The lowest pit level should be limited to 245 m.
2. The 1% of project profit preferably be given to BMC of the concerned Panchayat and other 1% is for sustainable need based developmental activities of the locality.
3. Reclamation and eco-restoration should be done by planting native species.

8. The proposal was placed in the 42nd meeting of SEIAA held on 1st October 2015. The Authority decided that a site visit to ascertain the ground situation is necessary, as there are complaints as well as previous recommendations about of B1 and B2 categorization. As per the decision taken by 42nd SEIAA, site visit was conducted by Authority on 9-10-2015. The major observations are as follows:

The quarry is situated in an elevated and comparatively sparsely populated area in Chembanmudi in Naranammoozhi Grama Panchayat of Pathanamthitta District. Extent of the mining area is 4.2755 hectares. The proponent informed that the quarry operations are stopped since March 2013, under orders of the Mining & Geology Department. The action was also on the basis of a judgment of the Hon: High court requiring environmental clearance and denial of D& O license by the Naranammoozhy Grama Panchayat.

The team inspected the mining area in detail. There is no mine pit formed as yet. Top soil and overburden are stacked outside the mining area. There are no streams originating from the site or nearby. There is a small stream which the operator says seasonal flowing along the eastern periphery of the existing mining area about 10 meters away. It is said that it would dry up during summer. It is not originating from the site and the mining in the mining area might not affect the stream. P.W.D road is about 700 meters away towards Vechoochira. The Chembanmudi hill where land slide occurred earlier is about 1½ kms away as the crow flies. There are no residences or civil structures except that of the project proponent.

The inspection team did not find any apparent situations that warrant denial of environmental clearance to the quarry. However this being an elevated area the overburden and loose soil stalking in the mining area needs special care and it shall be prevented from slope failure and consequent land slip. The small stream / nala near the site shall not be blocked in any manner at any time. Natural drainage that exists shall not be altered. Mining should be such that the stream is not disturbed in any manner and the depth shall not go below the level of the water flow in monsoon or the lowest limit of pit level being 245 m as allowed by the SEAC, whichever is higher. Proper retaining structures shall be constructed at the cost of the proponent with sufficient provision for surface and ground water drainage where there is possibility for debris flow, deposit in nala or land slide. Structures with large water holding capacity shall not be formed in the site. Modification of the streams or drainage channels shall not be done. Blasting activity shall be strictly in accordance with the conditions of the Mine Safety Directorate and Chapters 2 Part A of the mining plans submitted, with special care to the threats if any that may cause to the hilly terrain as a whole.

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It has been recommended that Environmental Clearance may be given subject to the specific recommendations of SEAC and the above site specific in addition to the general conditions stipulated for mining projects. Validity may be five years subject to inspection by SEIAA on annual basis and compliance of the conditions, subject to earlier review of E.C in case of violation or non-compliance of conditions or genuine complaints from residents within the security area of the quarry.

9. The proposal was again placed in the 44th meeting of SEIAA held on 13th November 2015. The Authority considered the position and decided to grant E.C. to the quarry subject to all the site specific conditions proposed by SEAC and the inspection team of SEIAA. The mitigation measures undertaken in the PFR and Mining Plan will also be deemed to be part of the E.C. to be issued. There will also be a condition that the bonafide complaints from people within the security area of the quarry will be a reason to reconsider the E.C. during its operation. Validity will be for five years subject to earlier review/ reconsideration as above. The documents called for having been submitted and on being satisfied that there are no other quarry in operation within 500 meters of this quarry, and there is no notified Protected Areas, Wild Life Sanctuaries, or Ecologically Sensitive Areas within 200 meters from the periphery of the mining area and there is proper undertaking that the committed CSR activities will be implemented the State Environmental Impact Assessment Authority, Kerala hereby accord environmental clearance under the EIA notification 2006, for the quarry project of Sri. Tomy Abraham, M/s Manimalath Crusher Industries, Manimalath House, Vechoochira, Ranni Taluk, Pathanamthitta District-686511 from 4.2755 hectares of private land in Sy. Nos. 781/1-23-1 & 781/1-23-2 at Athikkayam Village, Ranni Taluk, Pathanamthitta District.

10. The clearance issued will also be subject to full and effective implementation of all the undertakings given in the application form, mitigation measures as assured in the Environment Management Plan, (pages 30 to 56) and the mining features including progressive mine closure plan as submitted with the application and relied on for grant of this clearance. The above undertakings and the conditions and undertakings in chapter 4 (Mining), Chapter 5 (Blasting), Chapter 6 (Mine Drainage), Chapter 7 (stacking of mineral rejects and disposal of wastes) Chapter 11 (EMP) of the Mining Plan and the entire Progressive Mine Closure Plan as submitted will be deemed to be part of these proceedings as conditions as undertaken by the proponent, as if incorporated herein.

11. Validity of the environmental clearance will be five years form the date of this clearance, subject to earlier review in the event of violation or non- compliance of any of the conditions stipulated herein.

12. Compliance of the conditions herein will be monitored by the Directorate of Environment and Climate Change or its agencies and also by the regional office of the Ministry of Environment & Forests, Govt. of India, Bangalore.

i) Necessary assistance for entry and inspection should be provided by the project proponent and those who are engaged or entrusted by him to the staff for inspection or monitoring.

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

iii) The given address for correspondence with the authorised signatory of the project is Sri. Tomy Abraham, M/s Manimaleth Crusher Industries, Manimaleth House, Vechoochira, Ranni Taluk, Pathanamthitta District-686511.

Sd/-

P. MARA PANDIYAN, I.A.S.,
Member Secretary (SEIAA)

&

Addl. Chief Secretary
Environment & Forests Department
Government of Kerala.

To,

Sri. Tomy Abraham,
M/s Manimaleth Crusher Industries,
Manimaleth House,
Vechoochira, Ranni Taluk,
Pathanamthitta District-686511

Copy to:

1. MoEF Regional Office, Southern Zone, Kendriya Sadan, 4th Floor, E& F Wing, IIBlock, Koramangala, Bangalore-560034.
2. Addl. Chief Secretary to Government, Environment Department
3. The District Collector, Pathanamthitta
4. The Director, Department of Environment & Climate Change, TVPM-4
5. The Director, Mining and Geology Department, Govt. of Kerala
6. The Secretary, Athikayam Grama Panchayat, Athikayam, Ranni, Pathanamthitta District
7. Chairman, SEIAA
8. Website
9. Stock File
- ✓ 10. O/C

Forwarded/By Order



Administrator, SEIAA



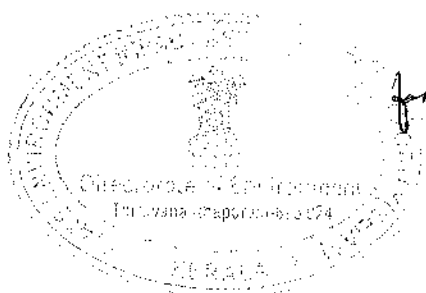
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GENERAL CONDITIONS (for mining projects)

- (i) Rain Water Harvesting facility should be installed as per the prevailing provisions of KMBR / KPBR, unless otherwise specified.
- (ii) Environment Monitoring Cell as agreed under the affidavit filed by the proponent should be formed and made functional.
- (iii) Suitable avenue trees should be planted along either side of the tarred road and open parking areas, if any, including of approach road and internal roads.
- (iv) Maximum possible solar energy generation and utilization shall be ensured as an essential part of the project.
- (v) Sprinklers shall be installed and used in the project site to contain dust emissions.
- (vi) Eco-restoration including the mine closure plan shall be done at the own cost of the project proponent.
- (vii) At least 10 percent out of the total excavated pit area should be retained as water storage areas and the remaining area should be reclaimed with stacked dumpings and overburden and planted with indigenous plant species that are eco-friendly.
- (viii) Corporate Social Responsibility (CSR) agreed upon by the proponent should be implemented
- (ix) ***The lease area shall be fenced off with barbed wires to a minimum height of 4ft around, before starting of mine.***
- (x) Warning alarms indicating the time of blasting (to be done at specific timings) has to be arranged as per stipulations of Explosive Department.
- (xi) Control measures on noise and vibration prescribed by KSPCB should be implemented.
- (xii) Quarrying activities should be limited to day time as per KSPCB guidelines.
- (xiii) Blasting should be done in a controlled manner as specified by the regulations of Explosives Department or any other concerned agency.
- (xiv) A licensed person should supervise/ control the blasting operations.
- (xv) Access roads to the quarry shall be tarred to contain dust emissions that may arise during transportation of materials.
- (xvi) Overburden materials should be managed within the site and the old quarries, if any, should be reclaimed and restored.
- (xvii) Height of benches should not exceed 5 m and width should not be less than 5 m.
- (xviii) Mats to reduce fly rock blast to a maximum of 10 PPV should be provided.
- (xix) ***Maximum depth of mining from general ground level at site shall not exceed 10m***
- (xx) No mining operations should be carried out at places having a slope greater than 45°.
- (xxi) Acoustic enclosures should have been provided to reduce sound amplifications in addition to the provisions of green belt and hollow brick envelop for crushers so that the noise level is kept within prescribed standards given by CPCB/KSPCB.
- (xxii) The workers on the site should be provided with the required protective equipment such as ear muffs, helmet, etc.
- (xxiii) Garland drains with clarifiers to be provided in the lower slopes around the core area to channelize storm water.
- (xxiv) The transportation of minerals should be done in covered trucks to contain dust emissions.
- (xxv) The proponent should plant trees at least 5 times of the loss that has been occurred while clearing the land for the project.
- (xxvi) Disposal of spent oil from diesel engines should be as specified under relevant Rules/ Regulations.
- (xxvii) Explosives should be stored in magazines in isolated place specified and approved by the Explosives Department.
- (xxviii) ***A minimum buffer distance of 100m from the boundary of the quarry to the nearest dwelling unit***

or other structures, not being any facility for mining shall be provided

- (xxix) 200 m buffer distance should be maintained from forest boundaries.
- (xxx) Consent from Kerala State Pollution Control Board under Water and Air Act(s) should be obtained before initiating activity.
- (xxxii) All other statutory clearances should be obtained, as applicable, by project proponents from the respective competent authorities including that for blasting and storage of explosives.
- (xxxiii) In the case of any change(s) in the scope of the project, the project would require a fresh appraisal by this Authority.
- (xxxiv) The Authority reserves the right to add additional safeguard measures subsequently, if found necessary, and to take action including revoking of the environment clearance under the provisions of the Environment (Protection) Act, 1986, to ensure effective implementation of the suggested safeguard measures in a time bound and satisfactory manner.
- (xxxv) The stipulations by Statutory Authorities under different Acts and Notifications should be complied with, including the provisions of Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and control of Pollution) act 1981, the Environment (Protection) Act, 1986, the Public Liability (Insurance) Act, 1991 and EIA Notification, 2006.
- (xxxvi) The project proponent should advertise in at least two local newspapers widely circulated in the region, one of which (both the advertisement and the newspaper) shall be in the vernacular language informing that the project has been accorded Environmental Clearance and copies of clearance letters are available with the Department of Environment and Climate Change, Govt. of Kerala and may also be seen on the website of the Authority at www.seiaakerala.org. The advertisement should be made within 10 days from the date of receipt of the Clearance letter and a copy of the same signed in all pages should be forwarded to the office of this Authority as confirmation.
- (xxxvii) A copy of the clearance letter shall be sent by the proponent to concerned Grama Panchayat/ District Panchayat/ Municipality/Corporation/Urban Local Body and also to the Local NGO, if any, from whom suggestions / representations, if any, were received while processing the proposal. The Environmental Clearance shall also be put on the website of the company by the proponent.
- (xxxviii) The proponent shall submit half yearly reports on the status of compliance of the stipulated EC conditions including results of monitored data **(both in hard copies as well as by e-mail)** and upload the status of compliance of the stipulated EC conditions, including results of monitored data on their website and shall update the same periodically. It shall simultaneously be sent to the respective Regional Office of MoEF, Govt. of India and also to the Directorate of Environment and Climate Change, Govt. of Kerala.
- (xxxix) The details of Environmental Clearance should be prominently displayed in a metallic board of 3 ft x 3 ft with green background and yellow letters of Times New Roman font of size of not less than 40. *Sign board with extent of lease area and boundaries shall be depicted at the entrance of the quarry, visible to the public.*
- (xl) The proponent should provide notarized affidavit *(indicating the number and date of Environmental Clearance proceedings)* that all the conditions stipulated in the EC shall be scrupulously followed.
- (xl) The above conditions shall prevail notwithstanding anything to the contrary, in consistent, or simplified, contained in any other permit, license or consent given by any other authority for the same project




Member Secretary, SEIAA Kerala