

**MINUTES OF THE 111th MEETING OF THE STATE LEVEL
ENVIRONMENT IMPACT ASSESSMENT AUTHORITY (SEIAA)
KERALA, HELD ON 17th & 18th AUGUST 2021 THROUGH VIDEO
CONFERENCING.**

Present:

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

The 111th meeting of the SEIAA was held online on 17th & 18th August 2021 observing all the COVID protocols stipulated by the Government for video conferencing. Chairman participated from his home office at Bangalore, Member Secretary participated from his office in the Government Secretariat, Thiruvananthapuram and the Member from his office at Kottayam. The meeting started at 11.00 AM on 17th and agenda items were taken up for discussion.

Physical Files

Item No.111.01 **Minutes of the 110th meeting of SEIAA held on 29th & 30th June 2021 for information**

Noted

Item No.111.02 **Action Taken Report of 109th & 110th meeting of SEIAA**

Authority appreciated the follow up actions taken by SEIAA team under difficult circumstances of COVID Pandemic in the state.

Item No.111.03 **Report of the District Collector, Palakkad regarding the quarrying operations in Sy. Nos. 2, 14, 15 and 16/1 at Akathethara Village and Panchayath, Palakkad Taluk, Palakkad District, Kerala by M/s Royal Sand & Gravels Pvt. Ltd (File No.160/SEIAA/KL/3490/2013)**

Authority noted the follow up actions taken on the decisions taken in the 107th meeting of SEIAA.

Authority noted that the Judicial Section, NGT Chennai vide e-mail dated 22.06.2021, has forwarded a judgement in O.A.No.124/2021 filed by Sri.Sibi Joseph against the illegal operation of quarries in Palakkad District owned by M/s Royal Sand & Gravels Pvt. Ltd and M/s Mary Matha Granites. The NGT has directed to constitute a Committee in which the Mining and Geology Department will be the Nodal Agency for coordination and providing necessary logistics to conduct necessary studies. The Committee was directed to submit the report to the Tribunal on or before 02.08.2021. Vide e-mail dated 28.06.2021, Chairman, SEAC nominated Dr.S.Sreekumar, Member SEAC to the Joint Committee.

Authority noted that the District Collector, Palakkad has also furnished his report vide letter dated 08.07.2021 regarding the quarrying operations of M/s Royal Sand & Gravels Pvt. Ltd.

Authority decided to inform the Director, Dept. of Mining and Geology to speed up submission of report to NGT as the time fixed for the same is already over and Authority decided to wait for the decision of NGT for taking any decision on EC issued.

The Legal Officer in SEIAA has to coordinate with Standing Counsel in NGT till the case is disposed of and arrange to place the proposal before SEIAA for further course of action.

Item No.111.04 **Judgment dated 02.03.2020 in WP (C) No.6149/2020 filed by M/s Marath Enterprises and crushers Pvt. Ltd (File No.310/SEIAA/KL/1693/2014)**

Authority noted that subsequent to judgment in WP (C) No.6149/2020, the Project Proponent has filed WP(C) 14476/2021, which is pending. Authority decided to file a

detailed Statement of Facts on priority answering all the issues para by para. In the Statement of Factsthe following shall be mentioned:

1. As Hon'ble High Court has already quashed the EC issued by SEIAA, the Authority may have to issue a fresh EC unless it is directed by court otherwise.
2. As SEIAA has issued EC almost 4 years back, SEAC has to conduct a fresh field inspection to ascertain the realities in the field. Followed by that, SEIAA has to take a decision based on the recommendation of SEAC, for which the Hon'ble Court has to grant sufficient time.
3. Even if the prayer of the petitioner to extend the EC till 22.6.2022 is considered, the proponent will hardly get 10 months and whole exercise has to be repeated once again either to extend the validity of EC or to issue a fresh EC, depending on the life of mine as mentioned in mining plan.
4. In any case the fee paid by him will not go lapse and it will be considered for further processing and his application will be considered on priority.

Authority further noticed that in the Statement of Facts, the Project Proponent has stated that if his prayer is not considered, his quarry will remain closed for more than a year. It is to be ascertained from the petitioner whether he is operating the quarry at present, if so, how he can operate the quarry without a valid EC.

Item No.111.05 Environmental clearance for the Development of Govt. Medical College cum Hospital in Sy.No.643 at Iravan Village, Kodencherry Taluk, Pathanamthitta District, Kerala by The Principal in Charge, Konni Medical College (File No. 810.A/SEIAA/EC4/2373/2015)

The Principal-in-Charge, Konni Medical College, Office of the Director of Medical Education, Medical College P.O., Thiruvananthapuram, vide his application received on 23/06/2015, has sought Environmental Clearance under EIA Notification, 2006 for the Development of Govt.Medical College cum Hospital at Sy. No. 643 inIravan Village, Kodencherry Taluk, Pathanamthitta District, Kerala. It is *interalia*, noted that the project comes under the Category B, 8(a) of the Schedule of EIA Notification 2006 and violation procedures have to be completed before issuing the prior EC.

Authority noted the action taken by SEIAA and SEAC so far. In the 108th SEIAA meeting held on 22nd& 23rd March 2021, it was decided to direct the Project Proponent to submit a Bank Guarantee equivalent to the amount of remediation plan and the Natural and Community resource Augmentation plan to the KSPCB as per clause 7 of S.O.1030 (E) of MoEF&CC dated 8th March 2018 and inform the same to SEIAA so that the prior EC can be issued. Accordingly, the decision of 108th SEIAA meeting was conveyed to the Project Proponent vide Authority's letter dated 13.04.2021.

The Kerala State Pollution Control Board vide letter dated 14.07.2021, has forwarded the compliance report on the remedial action plan after a field inspection. The project proponent vide letter dated 28.07.2021 has requested to exempt Govt. Medical College, Konni from the submission of Bank Guarantee and to grant EC at the earliest, giving certain reasons.

Authority noted the Project Proponent's letter dated 28.07.2021 in which he has stated the following:

1. The total cost of the approved Remediation Plan and Natural and Community Resource Augmentation plan is 28.80 crore and most of the activities proposed in the remediation plan have already been executed and remaining activities are in pipeline.
2. The total cost of the completed activities is 21.10 crore and remaining activities will be executed through funding of KIIFB which is in principle approved by Govt. of Kerala.
3. The Project Proponent has requested for exemption from Bank guarantee quoting some reasons.

Authority noted that as per clause 7 of S.O.1030 (E) of MoEF&CC dated 8th March 2018 of EIA Notification 2006, the Project Proponent shall furnish a Bank guarantee equivalent to approved Remediation plan and Natural and Community resources Augmentation plan to KSPCB and it will be released after the recommendation of SEAC and approved by Regulatory Authority.

Under the above narrated circumstances, as it is a Medical College funded by Govt. of Kerala to provide the medical facilities to needy poor people and medical education to

large number of medical students, Authority decided to direct the SEAC to conduct a field inspection to confirm the status of activities already carried out and activities to be completed by the Project Proponent as stated in the letter dated 28.07.2021. The field inspection team of SEAC shall include a representative from KSPCB, concerned Divisional Forest Officer, a representative from Department of Health and Family Welfare, Govt. of Kerala, a representative each from Local Panchayat and Town Planning Department. The Project Proponent shall coordinate and facilitate the field inspection and based on the recommendation of SEAC after the field inspection, a decision will be taken on exemption of Bank Guarantee.

The decision of SEIAA shall be conveyed to Project Proponent and SEAC for urgent follow up action.

Item No.111.06 **Common judgment dated 11.12.2019 in WP (C) No.5589/2019, WP (C) No.9656/19 and WP (C) No.25439/2019 filed by Sri.UnnikrishnanK.P and the President, Vaniyamkulam Grama Panchayat against M/s JMC Granites, Palakkad (File No.4429/A2/2019/SEIAA)**

The Authority noted that the following decisions were taken in the 110th SEIAA meeting held on 29th & 30th June 2021:

1. As the required follow up actions have been taken in obedience to the directions of Hon'ble High Court's Common judgment dated 11.12.2019 in WP (C) No.5589/2019, WP (C) No.9656/19 and WP (C) No.25439/2019, Authority decided to dispose of the Exhibit, P5 representation filed by Sri. Unnikrishnan K.P and Exhibit, P14 representation filed by Vaniyamkulam Grama Panchayat represented by its President, explaining the entire range of follow up actions taken.
2. The Project Proponent shall attend to all the observations made by District Collector in his letter dated 28.4.21, District Geologist in his letter dated 27.11.20, Director General of Mines & Safety letters dated 24.4.20 and 5.3.21 and observations of SEAC in its field inspection held on 27.02.20. The copies of these

documents/inspection notes shall be made available to Project Proponent by SEIAA.

3. After attending all the observations made by different agencies cited above, the Project Proponent shall submit a compliance report to SEIAA. Immediately after the receipt of compliance report, a combined field inspection will be conducted by a joint team consisting of members from these agencies led by SEAC to verify the status of compliance of their observations and a collective decision will be taken on the further operation of the quarry.

Based on the decision of the 110th SEIAA meeting, proceedings for disposing the Exhibit, P5 representation filed by Sri. Unnikrishnan K.P and Exhibit, P14 representation filed by Vaniyamkulam Grama Panchayat represented by its President, were issued 28.07.2021 and the same was forwarded to the Standing Counsel vide e-mail dated 02.08.2021 for information and necessary follow up action.

The letter from District Collector dated 28.4.2021, letter from District Geologist dated 27.11.2020, letter from Director General of Mines & Safety dated 24.4.2020 and 5.3.2021 and observations of SEAC in its field inspection held on 27.02.2020 were forwarded to the project proponent vide Authority's letter dated 19.07.2021, as per the decision of the 110th SEIAA meeting. Later, a reminder dated 05.08.2021 was also sent to the project proponent for submitting compliance report to SEIAA. The report from the proponent is not received yet.

The President Vaniyamkulam Grama Panchayat and Sri. Unnikrishnan K.P. submitted hearing notes vide letters dated 07.07.2021. Authority decided to forward the hearing notes to SEAC for their verification during field inspection scheduled to be held after obtaining a compliance report from Project Proponent.

Authority noted that another complaint has been received from Shri. E. Sreedharan vide e-mail dated 19.07.2021 regarding the quarrying operations of M/s JMC Granites. Authority decided to forward the petition to DC Palakkad for enquiry and report under intimation to Petitioner. Copy of the petition shall be forwarded to SEAC also for verification during field inspection stated above.

Item No.111.07

Amendment in Environmental Clearance issued for the Ordinary Earth Quarry in Block No. 2, Sy. Nos. 394/1, 1-2, 1-3, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 15-2, 397/1, 3, 4, 14, 15, 16, 19, 20, 398/5 & 398/9 in Kidangannur Village, Kozhenchery Taluk, Pathanamthitta District, Kerala by Shri.K. H. Shajahan Rawather (SIA/KL/MIN/125574/2019, 1584/EC4/2019/SEIAA)

Authority noted that an Environmental Clearance was issued vide EC No.27/O.E./2021 dated 07.06.2021 for mining the Ordinary Earth in Kidangannur Village, Kozhenchery Taluk, Pathanamthitta District, Kerala to Shri.K. H. Shajahan Rawather. EC is valid for a period of one year from the date of issue of permit from Department of Mining and Geology.

The proponent vide e-mail dated 19.06.2021 has informed that the purpose mentioned in the EC was to use the ordinary earth only for railway work. Now he has requested to amend the EC purpose as per the following three active work orders, as Railways do not require the ordinary earth

1. KSTD/KTR/AC Road
2. PWD Work
3. Thakazhi Panchayath Work

Authority agreed to amend the names of user agency in the EC as requested by the Project Proponent, with all other EC conditions remaining the same.

Item No.111.08

Letter from the District Collector, Pathanamthitta regarding the building stone quarry project in V-Kottayam Village, Konni Taluk, Pathanamthitta District of Sri.Sadanandan (File No. 200/SEIAA/EC4/86/2014)

Authority noted the follow up action taken on the decisions of 105th SEIAA meeting held on 22nd and 23rd October 2020. Authority also noted that the Project Proponent has filed WP(C) No.12420/2020 dated 02.11.2020 for revalidation of EC and in response to this SEAC

has conducted a field inspection on 15.7.2021, but there was no recommendation by SEAC for revalidation of EC.

Authority noted that there are repeated complaints about the status of the land and the complaints were forwarded to DC Pathanamthitta for verification and report. DC, Pathanamthitta vide letter dated 29.07.2021 has forwarded report on the status of land and quarrying operations of Sri. Sadanandan, the Project Proponent, but there are ambiguities about the status of the land.

Under the circumstances Authority decided the following:

- 1. The field inspection report shall clearly state the field observations and the observations made by SEAC expert team during field inspection have to be attended before recommendation for revalidation of EC. There shall be a clear recommendation of SEAC for revalidation of EC.**
- 2. The ambiguities about the status of land noticed in the letter of DC Pathanamthitta should be clarified in clear terms as to whether the land in question is a plantation land or commercial land, if so whether the quarry operations can be allowed or not.**
- 3. As per Letter Dt.05.11.2018, District Collector has made certain observations about the functioning of the quarry. District Collector may be requested to give definite recommendations, in case the EC issued has to be cancelled after getting a report from District Geologist.**

Item No.111.09 Environmental Clearance Proceedings No.44/SEIAA/KL/7164/2012 dated 22.02.2013 issued to Sri. Biju Augustine, Managing Partner, M/s Puliyanickal Granites- For obtaining Remarks- (File No. 44/SEIAA/KL/7164/2012)

Environmental Clearance was issued to Sri. Biju Augustine, Managing Partner, M/s Puliyanickal Granites as per Proceedings No.44/SEIAA/KL/7164/2012 dated 22-02-2013. As per order No. 1218/EC4/2016/SEIAA dated 24-09-2016 change of name of project proponent was issued to Smt. Betty Biju, wife of late Sri. Biju Augustine

Complaints against quarrying have been received from Sri. Siju K. Joseph, Sri. Ajeesh Sebastian, Shri. Sijo Varghese and Sri. Jils Augustine. The said petitions have been forwarded to District Collector, Idukki for urgent report vide letter dated 21-06-2021. No report has been received so far.

Request letter has been received from Panchayath Deputy Director, Idukki for obtaining a clarification with respect to the WP(C) No. 12018 of 2016 dated 05-02-2020 where in the Hon'ble High court recorded observation for renewal of license from the respective office.

Authority decided to inform the Panchayath Deputy Director, Idukki that as per the judgement in the WP(C) No. 12018 of 2016 dated 05-02-2020, the quarrying operations have been prohibited for the reasons mentioned thereby and hence quarry licence/lease of quarry in question cannot be renewed.

Item No.111.10 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/EC3/20218/SEIAA)

Authority noted the circumstances leading to field inspection by MoEF&CC, Regional Office, Bangalore and observations made thereby.

Authority noticed that as per S.O. 637 (E) dated 28-02-2014 cited by MoEF& CC, Regional Office, Bangalore, a show cause shall be given for cancellation of EC for violating EC conditions. In this case the validity of EC had already expired on 22-01-2021 and hence there is no sanctity in issuing show cause for cancellation of EC.

Under the circumstances the Authority decided the following:

- 1. The Project Proponent shall attend all the observations made by MoEF&CC, Regional Office, Bangalore and submit the relevant pending documents within one month and submit a compliance report to SEIAA.**
- 2. District Geologist Ernakulum may be requested 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 for submitting a report to MoEF&CC, Regional Office, Bangalore. A copy of the communication from MoEF& CC, Regional Office, Bangalore shall be made available to District Geologist Ernakulum for necessary follow up action.

Item No: 111.11 Judgment in WP(C) No: 22161 of 2020 (U) by Ashiq K.S. against M/s Thomsun Sands and Metals, Kottayam (File No: 963/EC4/4473/2015/SEIAA)

Authority noted that the Judgment of Honourable High court in WP(C) No. 22161 of 2020 dated 19-10-2020, was received in the office of SEIAA on 02-11-2020. In the judgement the Hon'ble High Court has ordered to take a decision on Ext.P4 representation submitted by Ashik K.S. within two months. A copy of the judgment with enclosures was forwarded to District Collector, Kottayam for an urgent report but no reply was received.

In order to expedite the action on Ext.P4, Authority decided to post the case to SEAC for an urgent field inspection and report along with District Geologist. The District Collector was again requested to submit the report within 15 days to comply with the directions of Hon'ble High Court within the time limit. Authority also decided to seek extension of time for 2 months for the compliance of the directions of the Hon'ble High Court of Kerala quoting reasons for seeking extension.

The file was placed in the 121st SEAC meeting held on 22nd, 23rd and 27th of April, 2021. The Committee discussed the proposal and decided to conduct a field inspection by a Sub Committee consisting of Expert Members of SEAC and an extension of 3 months time was sought. The field inspection could be conducted only on 09-07-2021 owing to lockdown and other restrictions relating to Covid-19 Pandemic in the State. The field inspection report of Sub Committee of SEAC was placed in the SEAC meeting held from 27th to 30th July 2021. The Committee discussed and accepted the Field Inspection Report and decided to recommend to SEIAA as follows:

1. The Project proponent has not complied with some of the important EC conditions and therefore, the EC issued to the project may be suspended. Only after the District

Geologist, Mining & Geology Department, Kottayam ensures that all the EC conditions are complied with, the quarry operations shall be resumed.

2. A vibration study shall be undertaken by a reputed institute to assess the impact of the mining activities. The project proponent shall submit the report of the study to the SEIAA along with an affidavit to strictly follow the recommendations.
3. Immediate action to transport top soil dumped at elevated places to designated place with gabion protection wall.

The recommendation of SEAC was placed in the meeting of SEIAA held on 17.08.2021 and Authority accepted the recommendation of SEAC and decided issue orders suspending all quarry operations till all EC conditions are complied with to the satisfaction of SEAC and District Geologist. Authority decided to communicate other observations of SEAC to the Project Proponent for compliance. Authority also decided to communicate the actions taken by SEIAA and its decisions to the Ashik K.S through email to comply with the directions of Hon'ble High court.

Authority also noted that a Contempt of Court case (Civil) 1013/2021(S), in WP(C) No. 22161 of 2020 was also filed and the Judgement of which was received in the office of SEIAA on 09-08-2021. In the Judgment, Hon'ble High Court has ordered that the Chairman, SEIAA to appear before the Court in person on 26-08-2021 at 10.15 A.M. and shall continue to attend the Court on all days thereafter to which date the case against Chairman stands adjourned subject to orders passed by the court from time to time and show cause why such action as is deemed fit should not be taken against.

Authority noted that in obedience to the directions of Hon'ble High Court all sincere steps have been taken to comply with the directions of Hon'ble High Court. However, there was some delay due to prevailing Covid 19 pandemic restrictions in the State. As the directions of Hon'ble High Court have been complied with and under the circumstances narrated above, Authority decided to request the Standing Counsel of SEIAA to file an exemption petition for the personal appearance of Chairman SEIAA who is currently stationed at Bangalore condoning the delay.

Item No.111.12 **Revision of remedial plan- Environmental Clearance proceedings No. 28/2020 dated 27-02-2020 M/s Adlux Medicity& Convention Centre Pvt. Ltd(File No. 1186/A2/2018/SEIAA)**

Environmental Clearance was issued to M/s.Adlux Medicity & Convention Centre Pvt. Ltd as per E.C. No. 28/2020 dated 27-02-2020. The Authority noted the request of the Project Proponent to revise the remediation plan and revisit the decisions of the 107th SEIAA meeting held on 18th & 19th February 2021 and SEAC meeting held on 24-26, March, 2021.

As requested by the Project Proponent authority decided to give him an opportunity of being heard in the next SEIAA meeting. In the meantime the Environmental Officer/Scientist in SEIAA to put up available guidelines/procedure for estimation of ecological damages, estimation of cost involved in Remediation Plan, Natural and Community Resource Augmentation Plan. They shall also study the items proposed in EMP and their relevance for environmental stability in the project region for the realistic estimate of cost.

Item No: 111.13 **Judgment in WP (C) 28500/2020 filed by M/s Gimsak Developers (P) Ltd - regarding the validity of EC(File No. 1388/EC2/2019/SEIAA)**

Environmental Clearance was issued to Shri. Jilmon John, Managing Director, M/s Gimsak Developers Pvt. 27/609, M.G. Square, Thodupuzha, Idukki- 685 584, for the quarry project in Re Survey Nos 163/1, 163/2 (Block No.30) in Alakkod Village, Thodupuzha Taluk, Idukki District, Kerala for an area of 2.2430 Ha vide SEIAA Proceedings order dated 04-08-2020.

M/s Gimsak Developers (P) Ltd. has requested for extension of validity period on 11-01-2021 till the life of mine. Judgment in WP (C) 28500/2020 filed by M/s Gimsak Developers (P) Ltd also received on 11-01-2021. Authority noted the steps taken by SEAC to appraise the proposal for revalidation of EC.

Now the Project Proponent requested to withdraw the EC revalidation application through his email dated 07.08.2021.

Authority agreed to the withdrawal of the revalidation proposal by the Project Proponent as recommended by SEAC.

Item No. 111.14 Application for Environmental Clearance for removal of Ordinary Earth in Sy.No.604/5-A,604/5-B,604/2-A,604/2-B at Onakkoor Village, Muvattupuzha Taluk, Ernakulam District by Sri.Saji P.K. [File No.2797/EC4/2019/SEIAA]

Sri.Saji P.K, Palakkattuthottathil House, Ooramana P.O, Kainad, Ernakulam-686766 submitted application to SEIAA on 06.08.2019 for Environmental Clearance for the removal of ordinary earth from the property at Sy Nos. 604/2-A,604/2-B,604/5-A,604/5-B, in Onakkoor Village, Muvattupuzha Taluk, Ernakulam District. The quantity of the earth to be removed is 21922 m³ (as per the mining plan, 18,282 m³) from an area of 1.2015 Ha (as per the mining plan submitted on 19-2-2021 99.90 Ares *i.e.*, 0.999 Ha) of ordinary earth for commercial purpose. Expected cost of the project is 10 Lakh.

Authority noted the action taken by SEAC to appraise the proposal and the minutes of the 122nd SEAC meeting held on 15th – 18th June, 2021. Authority decided to bring to the notice of SEAC that the WP(C) and NGT order quoted in the minutes are applicable only to stone quarrying where blasting is involved and not applicable for mining of ordinary earth and hence it is suggested to reconsider the recommendation.

Item No.111.15 Rejection of Environmental Clearance for Granite building stone quarry Project at Block No.2, Re.Sy.No.114pt in Chekkyad Village, Vadakara Taluk, Kozhikode District, Kerala (SIA/KL/MIN/140734/2020) {1429/EC3/2019/SEIAA}

As per the decision of the 110th meeting of SEIAA the rejection order was issued to Sri.Kunhiraman M.P, S/o Chathu, Aryakkandy House, Muliylilnada, Thiruvangad P.O, Kannur-670103 as per order No. 1429/EC3/SEIAA/2019 Dt.19.07.2021 for the granite building stone quarry, in Block No.2, Re.Sy.No.114pt, in Chekkyad Village, Vadakara Taluk, Kozhikode District, Kerala for an extent of 3.8680 Ha.

Now, the proponent has submitted a judgment in WP (C) No.12161 of 2021 dated 01.07.2021 in which SEIAA is represented by its Member Secretary and SEAC is represented by its Chairman as 1st and 2nd respondents respectively. The Hon'ble High Court stated that the short grievance of the petitioner is that, without providing a copy of the field inspection report and an opportunity of hearing, the second respondent i.e. State Level Expert Appraisal Committee has decided to recommend to SEIAA to reject the proposal of the petitioner for Environmental Clearance. All that the petitioner seeks for is for a copy of the report and an opportunity of hearing by the committee.

Hon'ble High court observed that the prayer of the petitioner is only reasonable and liable to be granted. It is order that, the second respondent shall issue a copy of the Field Inspection Report and affording an opportunity of hearing to the petitioner and take a decision regarding the proposal. The decision taken in Ext.P4 is the minutes of the 121st meeting of SEAC held during 22,23 & 27 April 2021.

Authority decided to forward the copy of the Judgement to SEAC for compliance and make fresh recommendation to SEIAA accordingly on priority adhering to the time limit fixed by Hon'ble High Court.

Item No.111.16 Environmental Clearance for the Laterite Stone quarry project in Re-Survey Nos. 44/1,41/1 of Thalakulathur Village, Kozhikode Taluk, Kozhikode District by Sri.Moyimonul Rasheed, Kozhikode (SIA/KL/MIN/150010/2020) (1627/EC4/2020/SEIAA)

Sri.Moyimonul Rasheed, OKH House, Mankavu, Kozhikode vide his application dated 20.03.2021 sought Environmental Clearance for the laterite stone quarry project in Re. Sy.No.44/1 and 44/1 in Thalakulathur Village, Kozhikode Taluk, Kozhikode District, Kerala. The area proposed for mining is 0.9919 Ha. The proposal was placed in the 112th SEAC meeting. A subcommittee consisting of Sri.G.Sankar and Dr.N.Anil Kumar were constituted for field inspection and certain field observations were made.

Authority noted the steps taken by SEAC for the appraisal of the proposal further and the directions of the Hon. High Court in WP(C) No. 5572 of 2019. Authority decided the following:

1. Direct SEAC to give definite recommendation about the action to be taken on EC in the light of the observation made by the Hon. High Court in WP(C) No. 5572 of 2019, on priority as the time period given by Hon. High Court is already over, though there are lapses on the part of Project Proponent in submitting the required details.
2. Direct the Project Proponent to submit the required details to SEAC for appraising the proposal on priority so that the delay can be avoided.
3. The action taken by both SEIAA and SEAC shall be informed to the Standing Counsel for defending the case further as and when it comes up.

Item No.111.17 **Environmental Clearance for the proposed Building Stone Quarry project in Re-Survey Nos. 127/1 of Pulingome Village, Taliparamba Taluk, Kannur District by Mr. Sri.Jaisal M.P, M/s Rajagiri Granites, Kannur (1038/EC4/2021/SEIAA)**

Environmental Clearance was issued by DEIAA, Kannur to Sri.JaisalM. P, M/s Rajagiri Granites, Kannur as per order No.224/KNR/2017/DEIAADt.23.02.2018 for a period of 5 years from 23.02.2018 for the quarry project in Re.Sy. No.127/1 at Pulingome Village, Taliparamba Taluk, Kannur District, Kerala. The validity of EC will be expired on 22.02.2023. The District Level Single Window Committee, Kannur issued clearance for the project on 2.03.2019.

Sri.Abdul Saleem Managing Partner, Rajagiri Granites, Kannur has submitted a petition dated 17.03.2021 in which the proponent informs that the Panchayath committee has refused to accept the Clearance issued by District Level Single Window Clearance Committee, Kannur and filed a case before the Hon'ble High Court of Kerala. A stop memo was also issued from Panchayath.

As per the judgment of the Hon'ble High Court, the District Single Window Clearance Committee, Kannur convened a meeting on 13.10.2020 to hear the representation of the quarry project and the Panchayat. In the meeting the committee decided to intimate SEIAA to relook in to the Environmental Clearance issued to the proponent by the DEIAA, Kannur on the basis of the recent climate change and flood situation. The same was accepted by the State Level Single Window Clearance Committee. Since DEIAA is not functional, the

proponent submitted the request to SEIAA to relook in to the EC issued vide order No.224/KNR/2017/DEIAA dated 23.03.2018.

The proposal was placed in the 109th meeting of SEIAA held on 26th& 27th April 2021. Authority decided to inform the concerned Panchayath President that, DEIAA, Kannur has issued EC after considering all relevant issues and it can be reconsidered only with a request from District Collector, the Chairman of District Disaster Management Authority with sufficient justification. Authority also decided to intimate the decision of SEIAA to Project Proponent.

Authority noted the history of the proposal and action taken by SEIAA in its meeting held on 26th& 27th April 2021 and subsequent developments. Authority decided to inform the Panchayath President, Cherupuzha GramaPanchayat that District Collector, Kannur is the Chairman of District Disaster Management Authority and in that capacity he can order for the EIA study through a recognised agency for which permission of SEIAA is not required. After the EIA study, the Collector shall forward the same to SEIAA for appraisal by SEAC with definite recommendation. After that SEIAA shall take steps for the cancellation of EC as per EIA Notification 2006, if required. The copy the communication may be sent to Project Proponent also for information and necessary follow up action.

Item No.111.18 Application for Environmental Clearance of Granite Building Stone quarry in Re Survey No-109 of Kinalur Village, Thamarassery Taluk, Kozhikode District, Kerala for an area of 4.0558 hectares by Mr. Vishnu Sukumaran (File No-1393(A)/EC2/2019/SEIAA)

Mr. Vishnu Sukumaran, Managing Partner, Mankayam, M. M. Paramba P.O, Kinalur, Kozhikode, Kerala, 673574 vide his application received on 12/06/2019 has sought Environmental Clearance under EIA Notification, 2006 for the building stone quarry project in Re Survey No- 109 of Kinalur Village, Thamarassery Taluk, Kozhikode District, Kerala for an area of 4.0558 hectares The project comes under Category B2, Activity 1(a) as per the Schedule of EIA Notification 2006.

Authority noted the steps taken by SEAC to appraise the proposal and decision taken by SEIAA in its meeting held on 22nd, 23rd & 24th June 2020. Authority noted that the Project Proponent has submitted a letter dated 24.04.2021, in which he has referred to the minutes of 108th meeting of SEIAA wherein, Authority has decided to give conditional EC to M/s High Range Metal Crusher of Mr. Raji Mathew, subject to the condition that “EC will be operative only if the petitioner obtains Clearance from the Standing Committee of the National Board for Wildlife, for the quarry proposal by Project Proponent” In the present case also as the proposed quarry site is within 10 KMs from Malabar Wildlife Sanctuary and hence the Project Proponent should obtain a Clearance from NBWL. Authority noted that SEAC has appraised the proposal and recommended for issuance of EC.

Authority decided to issue EC initially for a period of 5 years for the quantity mentioned in the approved mining plan subject to the Clearance from the National Board for Wild Life and 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 validity of the EC will be further extended at the end of 5 years after a field inspection SEAC to ensure that there are no Violation of EC condition.*
- 3. As the quarry site is located within 10 km radius of the Malabar Wildlife Sanctuary, as per OM dated 8.8.2019 of MoEF&CC clearance from Standing Committee of the National Board for Wildlife is mandatory for starting a quarry. Hence Project Proponent is directed to obtain a clearance from Standing Committee of the National Board for Wildlife before starting any activity at site.*
- 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 by SEAC shall be forwarded to the concerned local self-government institute for information and to support the project proponent in implementation of activities proposed in the EMP.

5. *Considering the seriousness of COVID Pandemic in the state, the project Proponent shall carry out certain activities under Corporate Environmental responsibility (CER) leading to creation of temporary Covid care facilities and other related activities connected with managing the Covid pandemic in the state. This will be done in consultation with local self-governments and as per an action plan approved by District Collector and SEAC. The indicated cost for this purpose will be 50% of the CER cost estimated in the EMP. The EMP may be modified to accommodate these activities in consultation with SEAC. The activities so implemented shall be shown in the half yearly completion report. . A copy of the approved EMP by SEAC shall be forwarded to the concerned local self-government institute for information and to support the project proponent in implementation of activities proposed in the EMP.*
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. ***Authority makes it amply clear that EC issued does not necessarily imply that Wildlife clearance shall be granted to the Project Proponent and that the proposal for Wildlife clearance will be considered by the respective Authorities on its merit and decision taken accordingly. The investment made in the project if any based on this EC in anticipation of clearance from Wildlife angle shall be entirely at the cost and risk of the Project Proponent and MoEF&CC and SEIAA shall not be responsible in this regard in any manner.***

9. *A copy of the EC shall be marked to IGF(WL), MoEF&CC, PCCF and Chief wild life Warden, Kerala, SEAC, District Collector, Kozhikode and Director Mining and Geology, Department of Industries GOK, besides others for information and necessary further action.*

Item No.111.19 **Environmental clearance for the Proposed Mining of Heavy Mineral Sand in Re survey Nos. 81/3 to 81/4, 81/7 to 81/13, 82, 83, 84/1 to 84/14, 85 to 93, 122 to 126, 127/1 to 127/4, 127/7 to 127/13, 128, 129/1, 129/4 to 129/16, 139/1 to 139/5, 139/9, 139/10, 140 to 142, 143/1 to 143/3, 143/6 to 143/10, 151/1, 151/2, 152, 153, 168 at Alappad Village and 1, 2/1, 2/8 to 2/18, 5/1 to 5/4 at Panmana Village, Karunagappally Taluk, Kollam District, by M/s Indian Rare Earth Ltd. (File No. 610/SEIAA/KL/4639/2014)**

Shri.A.J. Janarthanan, Head, Chavara Unit, M/s Indian Rare Earth Ltd, Chavara, Kollam, Kerala, Pin 691583, vide his application received on 27.9.2014(Hard Copy), has sought Environmental Clearance under EIA Notification, 2006 for the proposed mining of heavy mineral sand.

Authority had issued EC as per EIA Notification 2006 in which Authority has referred to a case(OA No. 76/2019), pending before NGT where in NGT has imposed certain penalties for the violations committed by IREL and KMML. Authority is neither a respondent nor there had been any directions to SEIAA in the said OA.

Authority noted that a letter has been received from KSPCB in which it was requested SEIAA to take necessary actions to calculate the Environmental Compensation to comply with the NGT order in OA No.76/2019 dated 29.06.2021. Authority decided to inform KSPCB that SEIAA, Kerala is neither a respondent in OA No. 76/2019 nor a member of the Committee constituted by Hon'ble NGT to assess the irregularities and damage caused by IREL and KMML. Authority also decided to inform KSPCB that SEIAA does not have sufficient manpower and expertise to carry out such exercises. Hence no action is called for from SEIAA Kerala.

Item No.111.20 **Environment Clearance for proposed Granite Building Stone Quarry over an extent of 0.500 Hectare in Sy. Nos. 9/9 part, 8/30part, 8/2part Veliyam Village, Kottarakara Taluk, Kollam District, Kerala – Rejected- Reconsideration SIA/KL/MIN/42781/2019, 1544/EC2/2019/SEIAA**

Mr. Asokan N, Murahara, Mukhathala P.O, Kollam District, Kerala State-691577, vide application received on 17/09/2019 has sought for Environmental Clearance for the proposed Granite Building Stone Quarry over an extent of 0.500 Hectares in Sy. Nos. 9/9 part, 8/30part, 8/2part Veliyam Village, Kottarakara Taluk, Kollam District.

Authority noted that SEAC has appraised the proposal as per EIA Notification 2006 and rejected the EC proposal for certain reasons. The proposal was placed in the 107th SEIAA meeting held on 18th & 19th February 2021, decided to reject the proposal for Environmental Clearance and communicate the same to Project Proponent quoting the reasons for rejection and accordingly rejection order was issued on 15.03.2021.

Authority noted that a request has been received from Project Proponent on 05.07.2021, to reconsider the decision of 107th SEIAA meeting held on 18th & 19th February 2021.

Authority decided to inform the Project Proponent that the rejection order was issued as per the recommendation of SEAC which was based on certain reasons which are already mentioned in the rejection order and it is not possible to reconsider the rejection order issued by SEIAA. However, against this rejection order the proponent can file an appeal to NGT under Section 16 of NGT Act.

Item No.111.21 **Environmental Clearance for the quarry project in Sy. Nos. 2066/1, 2067/2, 2063, 2057, 2056/2, 3 and 2067/1 at Kuttichira Village, Kodassery Panchayath, Chalakkudy Taluk, Thrissur District by Sri. Shibu Pynadath John, Managing Director, M/s Pynadath Granite Pvt.Ltd. – Judgment dated 18.11.2020 in WP(C) No.24278 of 2020 - Revalidation of EC. (File No.606/SEIAA/ EC1/4633/2014)**

Environmental Clearance was issued to the quarry project in Sy. Nos. 2066/1, 2067/2, 2063, 2057, 2056/2, 3 and 2067/1 at Kuttichira Village, Kodassery Panchayath, Chalakkudy Taluk, Thrissur District owned by Sri. Shibu Pynadath John, Managing Director, M/s

Pynadath Granite Pvt. Ltd. on 17.02.2016 for a period of five years. Validity of EC expired on 16.02.2021.

Authority noted the directions contained in the WP (C) No.17533/2020 filed by 23 petitioners for revalidation of EC period based on life of mine/ life of project as estimated in the Mining Plan, instead of 5 years norm generally followed by SEIAA, WP (C) No.24278 of 2020 (H) filed by M/s Pynadath Granite Pvt.Ltd, for extension of EC, WP(C) No.5870/2021 filed by Sri.P.V.Rappai for violation of EC conditions, WP(C) No.9931/2021 filed by M/s Pynadath Granites Pvt.Ltd against the recommendation of SEAC for cancellation of EC.

Authority also noted that vide Letter No.EP/12.1/2015-16/17/SEIAA/KER/403 dated 18.03.2021, MoEF&CC, Integrated Regional Office, Bangalore has informed that the project was monitored on 08th February 2021 and certain non-compliances were observed.

Proponent stated that he had submitted Compliance Report to MoEF&CC and attended all the queries raised in the MoEF&CC Letter No.EP/12.1/2015-16/17/SEIAA/KER/403 dated 18.03.2021 and has also submitted all the documents sought by MoEF&CC.

The proposal was placed in the 109th meeting of SEIAA held on 26th & 27th April 2021. The Authority decided to forward the copies of letter from MoEF&CC Regional Office, compliance report of Project Proponent, the complaint of Sri.P.V.Rappai and the Judgment in WP(C) No.5870/2021 to SEAC to conduct a site inspection with a notice to Project Proponent and Sri.P.V.Rappai and report whether EC has to be cancelled or not.

The proposal was placed in the 122nd SEAC Meeting held on 15th to 18th June 2021. The Committee discussed the direction of SEIAA as well as relevant orders of the Hon'ble High Court in this regard. The Committee decided to await further orders of the Hon'ble HC on the petition filed by the proponent on 21-04-2021 against the cancellation of the EC. Since there are separate directions from the Hon'ble HC in this regard, the SEAC decided to place the matter before SEIAA for a decision.

As decided by SEIAA in its 109th meeting held on 26th & 27th April 2021, the Project Proponent and the Complainant Sri.P.V.Rappai was informed to attend the 111th meeting of SEIAA for personal hearing through Video Conferencing. The Project Proponent along with his advocate presented his case. The complainant Sri. P.V. Rappai did not attend the online hearing personally. An advocate Shri Arun Chand who claimed to be a representative of Sri.

P.V. Rappai, attended the online hearing without any authorisation from the complainant. He could not present the case as he was under home quarantine and he stated that he does not have any access to case files, under the circumstances he has sought for extension.

Under the circumstances Authority decided the following:

- 1. SEAC should conduct a field inspection to confirm whether the project proponent has attended all the non-compliances mentioned in the Letter No.EP/12.1/2015-16/17/SEIAA/KER/403 dated 18.03.2021, of MoEF&CC, Integrated Regional Office, Bangalore and recommend whether EC has to be cancelled or not. During the field inspection SEAC should also verify the issues raised by Sri P.V.Rappai after giving a notice to him about the date of inspection.**
- 2. The representation of Sri P.V.Rappai shall be disposed of stating that though an opportunity of hearing was given to him to dispose of his representation as directed by Hon'ble High court, his advocate couldn't present the case due to Covid related issues and he has no access to file and he has sought for an extension. As requested by his advocate Sri P.V.Rappai will be given one more opportunity of being heard after the proposed field inspection of SEAC to verify the compliance status of observations made in the Letter No.EP/12.1/2015-16/17/SEIAA/KER/403 dated 18.03.2021, MoEF&CC, Integrated Regional Office, Bangalore, as well as the issues raised by him in his representation to SEIAA.**
- 3. Standing Counsel shall be requested to file extension petition for a period of 4 months in relevant WP(C)s to comply with the directions of Hon'ble High Court.**

Item No. 111.22 Application for Environmental Clearance for integrated complex "Sobha City" located in Survey No 217, 218,534 to 544, 546 to 556 in Puzhakkal, Guruvayoor Road, Thrissur District, Kerala (File No 1449/EC2 /2019/SEIAA)

Sri Nisanth M.N, M/s Sobha Limited, Sarjapur-Marathahalli, Outer Ring Road, Bangalore vide his application received online and the hard copy of the project received on 12/7/19 has sought Environmental Clearance under EIA Notification, 2006 for the building

project in Survey Nos. 217,218,534 to 544, 546 to 556 at Puzhakkal Village, Kuttur Taluk, Thrissur District, Kerala, for an area of 22.26 Ha. The total built up area is 2,56,017m². The project comes under Category B, Activity 8(b) as per the Schedule of EIA Notification 2006.

This is a case where the Project Proponent is seeking extension of period of EC but he has failed to apply for the same within the period prescribed as per section 9(iii) of EIA Notification 2006. The Authority noted the entire background of the case and action taken by SEIAA and SEAC at different points of time.

The Proposal was placed in the 107th meeting of SEIAA held on 18th& 19th February 2021 and after perusing all relevant documents the Authority decided the following:

- (1) As per EIA notification 2006, Authority has no powers to grant EC for the works carried out after the expiry of the EC period.*
- (2) Authority can issue EC for such violation cases only after completing violation proceedings as per S.O.1030 (E) dated 8th March 2018 issued by MoEF&CC.*
- (3) The Project Proponent may approach MoEF&CC for obtaining extension as per the OM dated 12.4.2016, narrating entire range of developments as the initial EC was given by MoEF&CC and they have also issued a ToR in July 2018.*
- (4) Authority decided to post the case back to SEAC with the above observations for their clarification and necessary further action.*

The proposal was placed in the 120th meeting of SEAC held on 24th to 26th March 2021. The Committee noted the decision of the SEIAA but there was no recommendation.

The Proponent vide email dated.16.03.2021, requested to provide a personal hearing to submit their clarifications on the queries/matters raised by the Authority.

The proposal was placed in the 109th meeting of SEIAA held on 26th& 27th April 2021. Authority decided to give an opportunity of being heard to the Project Proponent through video conferencing in the next SEIAA meeting. The Proponent was informed vide email dated 16.06.2021 to attend the hearing through video conferencing in the 110th meeting of SEIAA scheduled on 29th June 2021.

The proposal was placed in the 110th meeting of SEIAA held on 29th& 30th June 2021. The proponent attended the hearing on 29-06-2021 through video conferencing and explained the difficulties in approaching MoEF&CC as indicated by SEIAA. Authority directed the Project Proponent to submit a detailed hearing note within a week covering the issues tagged

during the personal hearing and other relevant issues if any in support of his claim for the examination of SEIAA. The Proponent submitted the hearing note on 01.07.2021.

Authority studied the developments so far and perused the hearing note in which Project Proponent states that there is no violation as defined in EIA notification 2006 as he has started the construction with a valid EC. The Project Proponent further states that Authority can give extension for EC case by case condoning the delay in submitting the application for extension.

Authority is of the opinion that as made out by the Project Proponent in the hearing note, there may not be a case for violation as they have started the work with a valid EC. However as per section 9 (iii) of EIA notification, beyond 90 days after the validity period of EC, Authority has no power to consider the application for extend the EC.

Under the circumstances Authority decided to inform the Project Proponent that as communicated already, beyond 90 days after the validity period of EC, Authority has no power to consider the application for extension of the EC. As informed already, the Project Proponent may approach MoEE&CC for obtaining extension of EC, under OM dated 12.04.2016, narrating entire range of developments as the initial EC was given by MoEF&CC and they have also issued a TOR in July 2018.

Item No. 111.23 Application for transfer of Environmental Clearance issued to Sri.Jyothiskumar.M (Proposal No.SIA/KL/MIN/216981/2021, File No.1906/EC6/2021/SEIAA)

An application for transfer of Environmental Clearance was submitted by Smt.Amrutha.M through Parivesh vide Proposal No.SIA/KL/MIN/216981/2021 on 26.06.2021. The EC was issued by DEIAA, Malappuram vide order No.DEIAA/MAL/EC/020/2017 dated.23.12.2017, to Sri. Jyothishkumar.M for the granite building stone quarry project in Sy.No.78/1, 79/1 and 79/5 of Urangattiri Village, Ernad Taluk, Malappuram District for an area of 1.4075 ha. The validity of EC expires on 22.12.2022.

On the demise of Sri.Jyothishkumar.M, Wife Smt.Amrutha.A requested to transfer the EC in favour of her vide Proposal No.SIA/KL/MIN/216981/2021 through PARIVESH. The

Proponent has submitted all the supporting documents in PARIVESH and submitted the hard copy in SEIAA on 14.07.2021.

In PARIVESH, for transfer files, there is no provision to create agenda and hence the matter cannot be included in the agenda of online files. The proposal needs to be processed physically and the transfer Order can be uploaded in PARIVESH.

Authority agreed to the transfer of EC in the name of Smt.Amrutha.M as per Section 11(i) of EIA Notification 2006 on the same terms and conditions under which the Prior EC was initially issued.

Item No.111.24 SEIAA meeting – Audit Memo No.78, Point 2 – Defects in issue of Environment Clearance and Post Monitoring Mechanism- Reg. (File No.1047/EC1/899/SEIAA/2016)

Audit Memorandum 78 dated, 08.06.2021 furnished by Principal Accountant General (Au)-II, Kerala, Thrissur in which point 2 relates to the matter of EC issued to Lulu International Shopping Mall, Thiruvananthapuram.

The audit note mainly focuses on the non-receipt of half yearly compliance reports, CRZ clearance and the consideration of the project of M/S Lulu's by SEIAA under Category 8(b) of EIA Notification, 2006.

The Authority noted the reply furnished and approved the same with a suggestion that all other issues raised shall also be answered point by point.

Item No. 111.25 WP(C)No.2667/2021 filed by Sri.Muhammed Rafeeqe before the Hon'ble High Court (File No.426/A2/2021/SEIAA)

The petitioner Sri.Muhammed Rafeeqe filed the petition before the Hon'ble High Court seeking appropriate orders on the application for prior Environmental Clearance submitted by him for starting Laterite Building Stone mining. As per the Judgment in WP(C) No.2667/2021 (G) dated, 07.04.202. Hon'ble High Court disposed of the WP and directed 1st Respondent i.e., Member Secretary, SEIAA to consider the petitioner's Expt. P3 application (EC application) expeditiously as possible and at any rate within a period of three months

from the date of receipt of copy of the judgment. Copy of the judgment received in this office on 01.06.2021, hence the time limit expires on 31.08.2021.

Sri.Muhammed Rafeeqe Kotherikundu House, Karippur P.O, Malappuram – 673 638 submitted online application for Environmental Clearance on 28.12.2019 for Laterite Building Stone Quarry project in Re-Survey No. BL 11 239/2 of Pallikkal Village, Kondotty Taluk, Malappuram District, Kerala. The proposed production will be 15,301.125 MT. The life of mine is 2 years. The project cost is 2 Lakh. Proposal is being examined in file No.1678/EC6/2020/SEIAA.

The proposal was placed in the 114th meeting of SEAC held on 06th to 08th October 2020. The Committee decided to invite the proponent for presentation. The proposal was placed in the 116th meeting of SEAC held on 02nd, 03rd & 07th December 2020. The proponent and consultant were present. The consultant made the presentation. The processing at the SEAC level has been completed; the final decision will be taken by the SEAC after the final disposal of the WP (C) No.16367/2020 by the Hon'ble High Court of Kerala.

The Proposal was placed in the 122nd meeting of SEAC held on 15th to 18th June 2021. The Committee decided to inform the SEIAA that final decision on the proposal could not be taken in the light of the minimum distance norms of 200m. for mining involving blasting and 100m. for mining not involving blasting stipulated by the Hon'ble NGT wherein final orders are awaited.

Authority decided inform SEAC to reconsider the proposal as Hon'ble NGT order relates to stone quarries where blasting is involved and in case of laterite stone mining generally no blasting is involved, provided all other conditions for EC are fulfilled.

The Project Proponent shall be informed about the decisions taken by both SEIAA and SEAC in obedience to directions of Hon'ble High Court.

Standing Counsel in the Hon'ble High Court shall be informed about the decision of SEIAA to defend the case if it comes up.

Item No.111.26 **Approval of appreciation letter to Joint Commissioner (LR) for his timely action in filing Joint Committee report in OA No. 1/2021. (File No. 84/A1/2021/SEIAA)**

In the 100th SEIAA held o 29th& 30th June 2021 decided to issue an appreciation letter to Joint Commissioner, Land Revenue for an appropriate timely action taken by him amidst his Covid 19 related emergency responsibilities. A draft letter of appreciation is placed before the Authority for approval.

Authority approved the draft letter of appreciation.

Item No. 111.27 **Proposals for Environmental Clearance in which application for withdrawal is received from proponent (File No.96/A1/2021/SEIAA)**

The following Proponents have submitted applications for withdrawing the proposal for EC in PARIVESH Portal.

1. M/s Ceekay Sons Crushers, Kannur (Proposal No. SIA/KL/CMIN/62337/2021)
2. M/s Palakkal Granites Products Pvt. Ltd., (Proposal No. SIA/KL/MIN/35590/2019 & SIA/KL/MIN/34567/2019)
3. M/s Star Rock Products Pvt. Ltd. (Proposal No. SIA/KL/MIN/59637/2018)
4. Granite Building Stone Quarry of Shri. Muhammad K.K. (Proposal No. SIA/KL/MIN/130145/2019)
5. Laterite Building Stone Quarry of Shri. Sivappa Purusha (Proposal No. SIA/KL/MIN/137770/2020)

Sanction from the Authority is sought for the withdrawal of above proposals from PARIVESH Portal.

Authority accorded sanction for the withdrawal of Proposals.

Item No.111.28 **Action against the project ‘Construction of Group Housing Project at Olavana Village, Kozhikkode by M/s. TC One Properties and Projects (India Pvt.Ltd), Parayachery, Mavoor**

Road, Calicut' for Violation and Non-Compliances of EC conditions (File No.840/A1/2020/SEIAA).

Authority noted the steps taken by SEIAA subsequent to MoEF&CC(SZ) Bangalore letter dated 05.03.2020.

In response to show cause notice issued by SEIAA, Sri.Ahmed T. C, Managing Director, TC One properties Pvt.Ltd has furnished the documents asked for with his explanation for non-completion of work within the stipulated EC period. He has stated that, he couldn't complete the work due to special circumstances of Covid-19 pandemic in the state and has requested for extension of EC for one year.

Authority perused the relevant documents and decided the following;

- 1. MoEF&CC (SZ) Bangalore vide letter dated 05.03.2020 has informed SEIAA to take action against project proponent as per SO 637 (E) dated 28.02.2014.As per this SO, SEIAA can issue directions to project proponent for keeping the EC in abeyance or withdrawing the same for violation cases. In this case EC period has already expired on 12.3.2019 and action proposed under said SO cannot be taken. This position may be informed to MoEF&CC (SZ) Bangalore with a brief history of the case and action taken by SEIAA.**
- 2. As per section 9(iii) of EIA notification 2006, had the Project Proponent applied for extension within 90 days of expiry of EC period he would have got extension for 3 years i.e till 12.3. 2022 but he did not attend to it.As per EIA notification 2006, SEIAA has no power to extend the EC period if the application for extension is not made within 90 days validity of EC period.**
- 3. Project Proponent may take up the matter for extension of EC with MoEF&CC explaining the entire range of events for consideration as a special case.**

Item No.111.29 **Judgment dated 2.11.2020 in WP (C) 17533/2020 and other cases - regarding the validity of EC-Request from proponents without judgment to extend their validity of EC.
(FileNo.1858/A1/2020/SEIAA)**

WP (C) No.17533/2020 and other WP(C)s were filed before Hon'ble High Court stating that the EC period shall be life of mine/ Life of Project as estimated in the Mining plan, instead of 5 years norm generally followed by SEIAA for the previous few years. The authority noted the Judgement dated 2.11.2020 in WP (C) 17533/2020 and 23 other cases which in nutshell states that EC period shall be project life as estimated by SEAC rather 5 years norm generally followed by SEIAA.

Authority noted that Quarry holder's association had submitted a request to make the order directing SEIAA & SEAC to grant Environmental Clearance for the life of the project, binding to all stakeholders rather than petitioner specific.

Authority decided to inform the legal opinion of Standing Counsel which states that each of the project proponents has to file separate application for revalidations of EC and the same has to be scrutinized and processed in accordance with the direction issued by Hon'ble High Court. Hence, the Quarry Owner Association's submission is liable to be rejected.

Item No. 111.30 **Proposal to be submitted to Government for sanctioning additional manpower to SEIAA - reg. (File No. 2483/A1/2019/ SEIAA)**

Authority agreed to the proposal to be submitted to Government for sanctioning additional manpower in SEIAA for its smooth functioning with sufficient justification.

Item No. 111.31 **Checklist for documents to be submitted under different category of project dealt by SEIAA/SEAC (File No.1487/A1/2020/SEIAA)**

Authority noted the efforts put in by SEIAA and SEAC in preparing a checklist of documents to be submitted by the Project Proponent for the appraisal of the Project so that delay in obtaining the documents repeated times can be avoided. This was observation of

MoEF&CC also. Authority approved the check list and appreciated the sincere efforts put in by SEIAA and SEAC and decided the following:

- 1. As this check list mainly pertains to mining projects it is suggested to get inputs from Department of Mining and Geology within one week and the final check list shall be uploaded in the website of SEIAA for the benefit of Project Proponents.**
- 2. It is once again reiterated that to the extent possible all additionally required documents shall be collected only twice i.e. for the first time at the level of initial scrutiny of documents by SEIAA while admitting the proposal and for the second time at the level of SEAC after conducting the field inspection, if field inspection is proposed or the presentation of proposal as the case may be.**
- 3. A similar checklist shall be prepared for the Building and Construction projects also and placed before SEIAA for approval within one month.**

**Item No. 111.32 Disposal of old physical file – decision sought for - Reg.
(File No.2058 /A1/2021/SEIAA)**

Authority noted that the State Environment Impact Assessment Authority, Kerala started accepting and processing applications for Environment Clearance completely online through the PARIVESH Portal of MoEF&CC from August 2019 onwards. Till then applications were received and processed as physical files and as of now 89 such files are still pending disposal for one or more of the following reasons.

1. Delay in submitting documents/submitting incomplete and faulty documents by proponents.
2. Petitions/ Complaints by third parties and consequent Court interventions.
3. Awaiting final decision of NGT in the common distance criteria case for mining.
4. Reports to be received from other offices viz. District Collectorates, Mining & Geology Departments, and Pollution Control Board etc.

Authority decided the following on the disposal of above files respectively:

- 1. Direct the project proponent through Speed Post to submit the required details within 15 days from the date of receipt of the letter otherwise the file would be closed at his risk and close the file accordingly.**
- 2. If the cases are pending in the Court, the present status may be ascertained from Standing Counsel and follow up action may be taken to dispose of the cases. If the cases are pending in High Court for want of disposal of representations/petitions at the level of SEIAA action may be taken to put up those files before SEIAA to speed up the process.**
- 3. It may wait for the final order of Supreme Court/NGT. EC Revalidation cases may be taken up on priority for field inspection by SEAC as directed by Hon'ble High Court.**
- 4. If the replies are pending with other offices viz. District Collectorates, Mining & Geology Departments, Pollution Control Board etc. a reminder shall be sent to concerned officers/authorities through speed Post for providing the reply within 15 days of the receipt of the communication or else the file will be closed at their risk quoting reasons for such an emergency. After two reminders a DO letter may be sent from MS. Followed by, this files may be placed before SEIAA for decision.**

At any cost, all files pending for more than 6 months both physical and online files on PARIVESH portal shall be attended on priority as these files are being reviewed by Secretary MoEF&CC every month to facilitate quick disposal of files.

Item No.111.33 Judgment in WP (C) 13113/2020 filed by Alpha Bricks & Metals – regarding the validity of EC. (File No.388/SEIAA/EC4/2170/2014)

Alpha Bricks and Metals filed WP (C) 13113/2020 before the Hon'ble High Court regarding the revalidation of EC. This was placed in the 118th SEAC meeting held on 1st, 2nd & 3rd February, 2021. The proponent and consultant were present. The consultant made the presentation. Authority noted the steps taken by SEAC to appraise the proposal for

revalidation of EC. During the field inspection conducted on 13-07-2021 SEAC has made certain observation.

The proposal was placed in the 123rd meeting of SEAC held on 27th, 28th, 29th & 30th July 2021. The Committee discussed the Field Inspection Report in this regard and decided to recommend to the SEIAA to direct the proponent to comply with the following 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 eleven years from the date of issuance of the first EC order subject to review every five years:

- 1) Mining to be carried out as per the approved mining plan and no deviation is permitted –sworn affidavit to be submitted
- 2) Green belt development along buffer area to be completed
- 3) Top soil seen dumped at different places. To be dumped only at designated place with protective measures.
- 4) Ensure proper bench formation
- 5) Proper maintenance of haulage roads
- 6) Follow top to bottom approach in mining
- 7) Specific condition on reclamation and eco- restoration to be implemented without further delay

Authority decided to convey the decision of SEAC to Project Proponent for compliance within 6 months, and followed by that one more field inspection will be conducted by SEAC to verify the compliance status of observations made by SEAC and then the proposal will be placed before SEIAA for an appropriate decision.

Item No.111.34

Application for environmental clearance for removal of ordinary earth in Sy.No.270/6 & 270/3 at Kulakkada Village, Kottarakkara Taluk, Kollam District by Sri.Thambu.S [File No.916/A1/EC1/2019/ SEIAA]

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Item No.111.35. Application for environmental clearance for mining of brick clay in Sy.No. 111/1 & 111/2 in Puthoor Village, Kottarakkara Taluk, Kollam District by Sri.P.Sundaran[File No.929/A1/2019/SEIAA]

As the contents of these two agenda are related to each other they are clubbed together and Authority decided the following

As the issues raised by Authority in its 101st meeting of SEIAA held on 17th & 18th January 2020 were not answered inspite of repeated efforts, to put an end to an issue which is more than one year old, in the SEIAA meeting held on 22nd & 23rd March 2021, Authority has requested SEAC to conduct a field inspection of both the sites afresh and give a report answering all the issues raised in the 101st meeting of SEIAA held on 17th & 18th January 2020. However, the field inspection was not carried out.

The proposal was placed in the 123rd meeting of SEAC held on 27th – 30th July 2021 SEAC and Project Proponent Sri.P.Sundaran has given some figures to answer the difference in volume of soil indicated by the Authority repeatedly. Even if we go by the figures now provided by Sri.P.Sundaran, the doubt still remains as to why the Project Proponent Sri.P.Sundaran did not carry out the mine closure activities all these years and how is he going cover up the balance quantity of 9112 m³ (15832-6720) even if Shri.Thambu's present proposal for 6720 m³ is approved. It should also be clarified as to how the Project Proponent Shri Thambu proposes to attend mine closure activities if it is not already done. Further there are lots of complaints from the locals about the mining activities being carried out by the Project Proponents and Authority has the responsibility of verifying the same before EC is issued so that the local inhabitants are not put to trouble.

Under the circumstances Authority once again decided request SEAC to conduct a field inspection of both the sites with District Geologist and answer all the issues raised by SEIAA in its 101st meeting held on 17th & 18th January 2020 and SEIAA meeting held on 17th & 18th August 2021. SEAC may carry the copies of the minutes all meetings of SEIAA and SEAC, copy of the previous field inspection report of SEAC, copies of complaint received from Shri.P.R.Anil Kumar & Mr.T.S. Akhilakumar, copies of Judgements relating to mining by these two Project proponents for field verification.

Authority noted with displeasure that considerable energy of Authority is wasted by providing misleading information repeatedly. Authority decided to inform both the

Project Proponents that this will be the last opportunity and issues raised by the Authority and SEAC are not answered to the satisfaction of SEIAA and SEAC, the file will be closed at their risk and cost.

Item No.111.36 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)

Environmental Clearance vide proceedings dated 05.12.2014 was issued to Mr. Sinil V. Mathew, M/s Excel Granites., Pazhuvathadam, Parathodu P.O., Kanjirapally, Kottayam-686 512 for the building stone quarry project in Sy. Nos. 13/2,13pt,11/3-1,11/3,11/1, 11/1-1-1,11/1-1-1,11/1-1,11/2,12/2-11,12/2,12/1 and 11/1-1-1-2 falling in Edakunnam Village, Parathodu Panchayath, Kanjirapally Taluk, Kottayam district for an area of 4.1885 Ha.

M/s Excel Granites has requested for extension of validity period on 08-12-2021. Judgment in WP (C) 3814/2021 filed by M/s Excel Granites also received on 15-03-2021. In the judgment the court has ordered that the SEIAA shall, on receipt of the application inform the petitioner of the further documents/details if any required from him for processing the application within 2 weeks there from. On receipt of the information called for SEIAA shall consider the application and pass orders within 4 months from the date of receipt of information from the petitioner.

As per intimation from this office dated 15-03-2021, the proponent has submitted all the six documents except, the compliance details and report from R.O., MoEF&CC, Bangalore. The proponent submitted the documents on 20-03-2021. The file was placed in the 120th SEAC meeting held on 24-26, March, 2021. The Committee decided to invite the proponent for presentation.

The file was placed in the 121st SEAC meeting held on 22nd, 23rd and 27th of April, 2021. The proponent and consultant were present. The consultant made the presentation. A field inspection was also carried out on 09-07-2021 and certain observations were made. The file was placed in the 123rd SEAC meeting held on 27th – 30th July 2021. The Committee

discussed and accepted the Field Inspection Report. The Committee decided to recommend the issuance of revalidated EC with a project life of ten years from the date of issuance of the first EC order subject to review every five years.

Authority noticed that a letter from MoEF&CC was received on 28-07-2021 stating that the required documents have not been provided by the project proponent for the issuance of Certified Compliance Reports. MoEF&CC directed the project proponent to submit all the details sought before 10th August 2021 to verify the compliance of stipulated EC conditions.

Authority also noticed that Chairman, SEAC has forwarded a complaint received against the project via email on 16-08-2021.

Under the circumstances Authority decided the following:

- 1. Direct the Project Proponent to submit all the documents required by MoEF&CC and produce the Certified Compliance Report.**
- 2. Forward the complaint against the project received on 16-08-2021 via email to District Geologist to enquire and report within 15days with notice to Project Proponent and Complainant.**

Item No.111.37 Application for Environmental Clearance for mining of ordinary earth – Sri. Gee Varghese Varghese, Palalkalappurayil, Ernakulam (File No. 1165/A2/2019/ SEIAA)

Sri. Gee Varghese submitted an application in SEIAA on 10.04.2019 for EC for mining of ordinary earth from the property at Re.Survey No. 675/4-6-2 at Kakkanad Village, Kanayanur Taluk, Ernakulam District from an area of 1.2734 hectares (as per Mining plan area is 99.68 Ares *ie.*, 0.9968 hectares) for private purpose. Quantity of earth to be removed is 40,000 cu.m. The quantity of mineable resources as per Mining Plan is 60851m³.

The proposal was placed in the 96th SEAC Meeting held on 26th& 27th April 2019. The Committee decided to invite the proponent for presentation in the next meeting and to produce approved Mining Plan and photographs of the site.

The proponent was invited for presentation on 21.05.2019. The proposal was placed in the 97th SEAC Meeting held on 21st & 22nd May, 2019. The proponent was also present during the meeting. The proponent was directed to submit an affidavit regarding details on the dumping yard for the excavated earth.

The proponent had submitted the documents as per the 97th SEAC Meeting. The proposal was placed in the 99th SEAC meeting held on 26th & 27th June 2019. The Committee decided to recommend the issuance of EC.

Later, the proposal was placed in 95th meeting of SEIAA held on 29th July 2019. Authority decided to refer back the proposal to SEAC for providing dimensions (length, breadth & height) of the mining area of the ordinary earth, with rough estimation of quantity and prescribing period of EC. The proponent has submitted the documents on 29.08.2019 on the basis of the decision of the 95th SEIAA meeting. The proposal was placed in 103rd meeting of SEAC held on 17th & 18th September 2019. The SEAC provided the dimensions of mining area.

The proponent has submitted the letter dated 24.09.2019 where he has pointed out that the length of excavation is 180.30 meter but the SEAC recommended the height of excavation is 180.30 meter.

The proposal was placed in the 98th SEIAA meeting held on 18th & 19th October 2019. In the meeting it was noticed that the quarrying is proposed upto a depth of 6.67 mts. As per the norms of Department of Mining & Geology for quarrying beyond 2 mts an approved Mining Plan is required. A perusal of the file shows that there is no approved Mining Plan. Hence the proponent is asked to submit a fresh proposal with an approved Mining Plan & Letter of Intent issued by Department of Mining & Geology. The proponent submitted the approved Mining Plan & Letter of Intent issued by Department of Mining & Geology on 06-03-2021.

The file was placed in the 108th SEIAA meeting held on 22nd & 23rd March 2021. Authority decided to forward the approved mining plan submitted by the Project Proponent along with correction in length of mining area as pointed out by the Project Proponent, to SEAC for a fresh recommendation.

The file was placed in the 121st SEAC meeting held on 22nd, 23rd and 27th of April, 2021. A field inspection was also carried out by SEAC on 8th July 2021 after giving prior notice. During field inspection, the proponent explained the details of the excavation.

The proposal was placed in the 123rd SEAC meeting held on 27th – 30th July 2021. The Committee discussed the Field Inspection Report and decided to recommend the issuance of EC for excavating 60850 M³ of ordinary earth from the project area and to take 40850 M³ soil outside for road development works under KSTP on production of the recent demand letter from the end user subject to the following special conditions:

- 1) Step cutting is to be adopted on the northern end.
- 2) Concrete protective walls to be constructed on the northern side.
- 3) Proper drainage system to channel both surface and sub- surface water to the southern end of the project area.
- 4) Ensure proper dust suppression system during excavation and transportation
- 5) Green belt development (one tree for every 80 sq.m)

Authority decided to issue for EC for one year from the date of issue of permit from Department of Mining and Geology, for excavating 60850 M³ of ordinary earth from the project area and to take 40850 M³ soil outside for road development works under KSTP on production of the recent demand letter from the end user subject to the following special conditions and general conditions:

- 1) Step cutting is to be adopted on the northern end.**
- 2) Concrete protective walls to be constructed on the northern side.**
- 3) Proper drainage system to channel both surface and sub- surface water to the southern end of the project area.**
- 4) Ensure proper dust suppression system during excavation and transportation**
- 5) Green belt development (one tree for every 80 sq.m)**

Item No.111.38 **Environmental Clearance for masonry stone mine (quarry) Project in in Sy.no.186/1A2, 186/1A/4/5 at Neriya Mangalam Village, Kavalangad Panchayat, Kothamangalam Taluk, Ernakulam district, Kerala by Shri. K.M. Abdul Rasheed – Managing Director, Ernakulam District, for Ever-One Properties India Pvt. Ltd. - Judgment in WP (C) 27620 of 2020 (B) filed by M/S, Ever One Properties India Pvt. Ltd., Kothamangalam, Ernakulam- Revalidation of EC (File No. 838/SEIAA/EC3/2716/2015)**

Environmental Clearance for masonry stone mine (quarry) Project in Sy.no.186/1A2, 186/1A/4/5 at Neriya Mangalam Village, Kavalangad Panchayat, Kothamangalam Taluk, Ernakulam district, Kerala by Shri. K.M. Abdul Rasheed – Managing Director, Ernakulam District, for Ever-One Properties India Pvt. Ltd. for an area of 4.9286 hectares vide Order no 838/SEIAA/EC3/2716/2015 dated 07.10.2016.

Judgment dated 11-12-2020 in WP (C) 27620 of 2020 (B) filed by M/S, Ever One Properties India Pvt. Ltd., Kothamangalam, Ernakulam has specified process for revalidation of EC based on project life as estimated by SEAC. The proposal was placed in the 117th SEAC meeting held on 28th, 29th and 30th December, 2020.

The Committee discussed the matter in detail and decided to invite the sixty petitioners (applicants) which includes for Ever-One Properties India Pvt. Ltd. Also to make brief on-line presentations before the SEAC furnishing the details of their proposals including the remaining minable reserves as per approved mining plan and the recent District Survey Report (DSR), the Compliance Certificates on EC conditions, the proposed scheme of mining as per the KMMC Rules, the EMP incorporating the specific CER activities etc., so as to enable the SEAC to stipulate the project life, case by case, as directed by the Hon'ble High Court of Kerala. The on-line presentations by the applicants will be scheduled during 2nd and 3rd of February, 2021.

The proposal was placed in the 119th SEAC meeting held on 23rd - 25th February, 2021. The proponent and consultant were present. The consultant made the presentation. The Committee decided to examine the file further.

The file was placed in the 120th meeting of SEAC held during 24-26, March, 2021. The subcommittee members K.Krishna Panicker and Dr.N. Ajithkumar visited the site on 6-

7-2021 and certain observations were made. The proposal was placed in the 123rd SEAC meeting held on 27th – 30th July 2021. The Committee discussed the Field Inspection Report in this regard and decided to recommend to the SEIAA the following:

- 1) To inform the District Geologist about extraction of blocked reserves from buffer zone for appropriate action
- 2) To initiate steps for the suspension of the operation of the quarry for six months for non- satisfactory compliance of EC conditions and to direct the proponent to comply with the following conditions and submit a satisfactory compliance report within six months so that the revalidation of EC can be taken up further after a second visit:
 - a) Mining to be carried out as per the approved mining plan and no deviation is permitted –sworn affidavit to be submitted
 - b) Compliance of special conditions
 - c) Fencing the boundary
 - d) Providing buffer zone and green belt development along buffer zone
 - e) Garland drain with silt traps and storm water management plan
 - f) Top soil dump at designated place with gabion wall
 - g) Functioning of EMC
 - h) Repair and maintenance of haulage roads

Followed by this the Project Proponent has submitted a request to re-examine the decision of 123rd SEAC and to conduct field Inspection.

Under the circumstances Authority decided the following:

- 1 Direct the Project Proponent to comply with the observations made by SEAC within 6 months and produce a compliance report for the consideration of SEAC. After obtaining the compliance report SEAC will conduct a field inspection along with District Geologist to verify the compliance status and SEIAA will take an appropriate decision on the revalidation of EC based on the recommendation of SEAC. A copy of the inspection report of SEAC shall be made available to Project Proponent.**
- 2 As recommended by SEAC, inform the District Geologist about the unauthorised extraction of blocked reserves and even from buffer zone for an appropriate action under KMMC rules and to get a report on the same.**

PARIVESH FILES

CONSIDERATION/RECONSIDERATION OF ENVIRONMENTAL CLEARANCE

Item No.01 Application for obtaining Environmental clearance for removal of ordinary Earth from 0.6313 Ha in survey no.947/3- A-1-2 in Onakkoor Village, Muvattupuzha Taluk by Kuriakose Vettilothe Proposal No.SIA/KL/MIN/127980/2019, File No. 1513/EC4/2019/SEIAA

Shri.Kuriakose V. K., Vettilothe House, Onakkoor P. O, Muvattupuzha-686667 submitted an application through online on 28/11/2019 for the removal of ordinary Earth from 0.7952 Ha in survey no.947/3- A-1-2 in Onakkoor Village, Muvattupuzha Taluk,Ernakulam District. The total project cost was Rs.10 Lakhs

The proposal was placed in the 108th SEAC meeting held on 13th & 14th January, 2020. The Committee decided to invite the proponent for presentation along with all documents including photographs of the proposed site. The proposal was placed in the 110th SEAC meeting held on 11th & 12th February, 2020. The proponent was present. The Committee directed the proponent to submit approved mining plan.

The proposal was placed in the 114th meeting held on 6th-8th October 2020. The Committee decided to direct the proponent to submit certain additional documents/details. A field inspection was also carried out on 29.11.2020 by a team of experts of SEAC and certain observations were made by the team.

The proposal was placed in the 117th meeting of SEAC Kerala held during 28th, 29th and 30th December, 2020. The Committee discussed and accepted the Field Inspection Report and decided to direct the proponent to submit certain documents/details: The proposal was placed in the 119th meeting of SEAC Kerala held during 23rd - 25th February, 2021. The Committee scrutinized the additional details submitted by the proponent. The Committee decided to recommend the issuance of EC subject to the specific condition that

- a. Submission of the original of demand letter from KINFRA

The proposal was placed in the 108th meeting of SEIAA Kerala held during 22nd & 23rd March 2021. As recommended by SEAC Authority decided to inform the proponent to submit the original demand letter from KINFRA to process his EC application further. The Project proponent submitted the work order on 26/07/2021 from Survey Construction Engineers and contractors for a project of Indian Oil Corporation Limited, in place of KINFRA as KINFRA have already completed their work.

Authority decided to issue EC for one year from the date of issue of permit from the Department of Mining & Geology for the 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. The excavated soil shall not be used for filling the paddy fields or wetlands. The excavated soil shall be used for works relating to Indian Oil Corporation Limited as mentioned in the work order.*
- 3. As the project cost is only 10.00 lakhs authority decided to exempt the Project Proponent from usual CER responsibilities as per OM no F.No.22-65/2017-IA.III dated 30th September 2020. However Considering the seriousness of COVID Pandemic in the state, the project Proponent shall carry out certain activities under Corporate Environmental responsibility (CER) leading to creation of temporary Covid care facilities and other related activities connected with managing the Covid pandemic in the state. This will be done in consultation with local Panchayat and as per the activities approved by the District Collector. The indicated cost for this purpose will be 2 percent of the project cost. The activities so implemented shall be shown in the half yearly completion report. A copy of the EC 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 Honorable 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.

Item No.02 Environmental Clearance for the Laterite Stone Quarry Of Mr.George Joseph, over an extent of 0.1942 Ha.Re.Sy.No.143/1 in Perumanna Village, Kozhikode Taluk, Kozhikode District, Kerala . (SIA/KL/MIN/167079/2020) {1787/EC4/2020/SEIAA}

Sri.George Jospeh, S/o C.J Joseph, Chirayil House, Vatapuram, Malappuram-676542 vide application dated 10/08/2020 has sought environmental clearance for the laterite building stone quarry project at Re.sy No-143/1 in Perumanna Village, Kozhikode Taluk, Kozhikode District, Kerala from an area of 0.1942 ha.

The proposal was placed in the 120th meeting of SEAC held on 24th, 25th & 26th March 2021. The Committee scrutinized the proposal submitted by the proponent and decided to invite the proponent for presentation along with certain documents. The Proponent has not submitted the documents on PARIVESH portal.

The proposal was placed in the 122nd meeting of SEAC held on 15th, 16th, 17th & 18th June 2021. The proponent and the RQP were present. The RQP made the presentation. The Committee decided to recommend the issuance of EC subject to certain specific condition 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.*
- 2. Submission of swornin affidavit regarding post-mining activity as directed by SEAC.*
- 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. Considering the seriousness of COVID Pandemic in the state, the project Proponent shall carry out certain activities under Corporate Environmental responsibility (CER) leading to creation of temporary Covid care facilities and other related activities connected with managing the Covid pandemic in the state. This will be done in consultation with local self-governments and as per an action plan approved by District Collector and SEAC. The indicated cost for this purpose will be 50% of the CER cost estimated as above. The EMP may be modified to accommodate these activities under intimation to SEAC. The activities so implemented shall be shown in the half yearly completion report. A copy of the EC and 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 Honorable 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.*

CONSIDERATION OF TOR PROPOSALS

Item No. 01 Application for Residential Building Project – Kent Mahal of M/s. Kent Constructions Pvt. Ltd., at Sy. Nos. 141/3, 141/4, 141/5 & 141/8 of Puthencruz Village, Vadavucode Puthencruz GramaPanchayat, Kunnathunadu Taluk, Ernakulam District, Kerala State. Proposal No: SIA/KL/NCP/57270/2020, File No: 1890/EC3/2019/SEIAA

Sri.K.C. Raju, Director, Kent Constructions Pvt. Ltd. has applied for Environmental Clearance of Residential Building Project – Kent Mahal of M/s. Kent Constructions Pvt. Ltd., at Sy. Nos. 141/3, 141/4, 141/5 & 141/8 of Puthencruz Village, Vadavucode Puthencruz Grama Panchayat, Kunnathunadu Taluk, Ernakulam District, Kerala State.

M/s. Kent Constructions Pvt. Ltd., has developed residential building Project at Survey No's 141/3, 141/4, 141/5 & 141/8, Puthencruz Village, Vadavucode Puthencruz Gramapanchayat Kunnathunadu Taluk, Ernakulam District, Kerala State. This project has been developed on a plot of land measuring 1.1729 ha i.e. 11,729.38 Sqm with the built up area of 60,738.66 Sqm. The residential building consisting of 6 blocks naming 1, 2, 3, 4, 5, & 6. The block 1, 2, & 3 having 1 basement + 1 Ground parking + 19 Upper floors and the maximum height of the building is 58.55m. The block 4, 5, & 6 consists of 3 basement + 1 ground parking + 17 Upper floors. The maximum height of the building is 54.4m. The block 6 has 14 Upper floors and height of 40.25m. The road width in front of the project is 7 m. The project proponent has obtained following statutory approvals.

- Building Permit from Puthencruz GramaPanchayat under Kerala Panchayat Building rules.

- Consent to Establish from Kerala State Pollution Control Board
- NOC from Fire and Rescue Services, Govt. of Kerala
- Height clearance approval from Southern Naval Command.

The proposal was placed in the 122nd SEAC meeting held on 15th, 16th, 17th & 18th June 2021. The Committee discussed the proposals. The application of the proponent is dated 23-10-2020 which is outside the window period for remediation of violation cases prescribed

by MoEF&CC and hence cannot be appraised by SEAC. These facts have to be brought to the notice of SEIAA for consideration.

Authority decided to inform the decision of SEAC to Project Proponent enclosing the copies relevant OMs related to violation cases and copy of the OM prescribing the window period.

ADDITIONAL AGENDA

CONSIDERATION/RECONSIDERATION OF ENVIRONMENTAL CLEARANCE

Item No.01 Environmental Clearance for the Granite (Building Stone) Quarry with Permit at Re Survey No.400 /1, Block No: 64 in Elankur Village, Ernad Taluk, Malappuram District, Kerala for an area of 0.4761 hectares by Sri.Suny Joseph. (Proposal No.SIA/KL/MIN/129095/2019, File No.1579/EC3/2019/SEIAA

Sri.Sunny Joseph, Mittathanikkal house, Vadapuram post, Malappuram – 676 542 Kerala submitted application in SEIAA through PARIVESH on 03.12.2019 for Environmental Clearance for the Building Stone Quarry project situated in Re Survey No. 400 /1, Block No: 64 in Elankur Village, Ernad Taluk, Malappuram District, Kerala for an area of 0.4761 hectares.

The proposed project site falls within Latitude (N) 11° 7'43.05"N to 11° 7'46.42"N Longitude (E) 76°11'26.13"E to 76°11'30.35"E. The proposed production capacity is 20,454 MTA. The nearest habitation is located at a distance of 200.3m. The daily water demand will be only 2.5 KLD. The total power requirement will be 75 kW, which will be drawn from diesel engine. Expected cost of the project is Rs. 50 lakh. The life of mine is 3 years as mentioned in the approved mining plan.

The Proposal was placed in the 115th meeting of SEAC held on 03rd to 05th November 2020. The Committee decided to direct the proponent to submit certain documents/details. The proposal was placed in the 117th meeting of SEAC held on 28th to 30th December 2020. The Committee scrutinized the additional documents/details submitted by the proponent and the Committee decided to invite the proponent for presentation.

The Proposal was placed in the 119th meeting of SEAC held on 23rd to 25th February 2021. The proponent and RQP were present. The RQP made the presentation. The Committee directed the proponent to submit certain additional documents/details. A field inspection was

also carried out on 17th March 2021 by a team of experts of SEAC and certain observations were made by the team.

The proposal was placed in the 120th meeting of SEAC held on 24th to 26th March 2021. The Committee deferred the item. The proposal was placed in the 121st meeting of SEAC held on 22nd, 23rd & 27th April 2021. The Committee discussed the Field Inspection Report and decided to direct the proponent to submit certain documents/details:

The proposal was placed in the 123rd meeting of SEAC held on 27th to 30th July 2021. The Committee scrutinized the additional details submitted by the proponent. The Committee decided to recommend the issuance of EC subject to the specific condition that mining will be commenced only after the dismantling of the house as given in the undertaking submitted earlier.

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 3 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 Mining will be commenced only after the dismantling of the house as given in the undertaking submitted earlier.*
- 3. Authority noticed that there is one more quarry functioning in the locality within 500 mts from the project site, leading to a cluster situation. Hence as per EIA notification 2006, an Environment Management Plan has to be prepared to treat the entire area in the cluster, within 6 months, by the Project Proponent to the satisfaction of SEAC and both the quarry owners should carry out the activities proposed in the EMP for treating the entire area as one unit, to ensure the environmental stability in the project locality. The cost involved in the preparation of EMP and the implementation of activities shall be shared by both the quarry owners in the cluster. The compliance of*

the same shall be reported in the half yearly report which will be monitored by SEAC at regular intervals.

- 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. Considering the seriousness of COVID Pandemic in the state, the project Proponent shall carry out certain activities under Corporate Environmental responsibility (CER) leading to creation of temporary Covid care facilities and other related activities connected with managing the Covid pandemic in the state. This will be done in consultation with local self-governments and as per an action plan approved by District Collector and SEAC. The indicated cost for this purpose will be 50% of the CER cost estimated as above. The EMP may be modified to accommodate these activities in consultation with SEAC. The activities so implemented shall be shown in the half yearly completion report. 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.*

Item No.02 Environmental Clearance for the Granite Building Stone Quarry project in Re-Survey Nos. 370/1pt and 370/2pt Vallichira Village, Meenachil Taluk, Kottayam District, Kerala for an extent of 0.8525 Hectares of land by Sri. Muhammed Naha Salim (Proposal No: SIA/KL/MIN/134307/2019, File No: 1671/EC3/2020/SEIAA)

Sri.Muhammed Naha Salim, submitted application for Environmental Clearance for the Granite Building Stone Quarry project in Re-Survey Nos. 370/1pt and 370/2pt Vallichira Village, Meenachil Taluk, Kottayam District, Kerala for an extent of 0.8525 Hectares Kerala. The life of mine is 3 years as mentioned in the approved mining plan.

The proposal was placed in the 115th Meeting of SEAC Kerala held during 3 – 5, November 2020. The Committee decided to invite the proponent for presentation along with certain documents. The proposal was placed in the 117th Meeting of SEAC Kerala held during 28th, 29th and 30th December, 2020. The consultant and proponent were present. The consultant made the presentation. The Committee decided to direct the proponent to submit certain additional documents/details. A field inspection was also carried out on 08th April 2021 by a team of experts of SEAC and certain observations were made by the team.

The proposal was placed in the 121st meeting of SEAC Kerala held during 22nd, 23rd and 27th of April, 2021. The Committee discussed and accepted the Field Inspection Report and decided to direct the proponent to submit certain documents/details. The proposal was placed in the 123rd SEAC meeting held on 27th – 30th July 2021. The Committee scrutinized the additional details submitted by the proponent. The Committee decided to recommend the issuance of EC subject certain specific conditions in addition to 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 for a period of 3 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. *Top soil must be dumped at designated place only*
3. *Storm water management plan must be implemented as per approved plan*
4. *Green belt development along buffer zone must be taken up within first year itself.*
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. *Considering the seriousness of COVID Pandemic in the state, the project Proponent shall carry out certain activities under Corporate Environmental responsibility (CER) leading to creation of temporary Covid care facilities and other related activities connected with managing the Covid pandemic in the state. This will be done in consultation with local self-governments and as per an action plan approved by District Collector and SEAC. The indicated cost for this purpose will be 50% of the CER cost estimated as above. The EMP may be modified to accommodate these activities in consultation with SEAC. The activities so implemented shall be shown in the half yearly completion report. A copy of the approved EMP shall be made available to the concerned Panchayat for information and implementation support*
7. *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.*
8. *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.

9. *Authority noticed that in the SEAC report it is mentioned that a house is located within 165 meters from the boundary of the quarry. The Project Proponent shall produce a certificate from village officer to the effect that there are no residential buildings within 200mts from the boundary of the quarry.*

Item No.03 Environmental Clearance for the Laterite Stone Quarry Of Mr.Ramachandran.P at Re.Sy.No.19/245 in Koodathai Village, Thamarassery Taluk, Kozhikode District, Kerala (SIA/KL/MIN/144086/2020) {1597/EC4/2020/SEIAA}

Sri.Ramachandran.P, Peradimannil House, Chenoth, Chathamangalam P.O, Kozhikode-673601 vide application dated 19/02/2020 has sought environmental clearance for the laterite building stone quarry project at Re.sy No-19/245 in Kodathai Village, Thamarassery Taluk, Kozhikode District, Kerala from an area of 0.8094 ha. The proposal was placed in the 115th meeting of SEAC held on 03rd, 04th & 05th November 2020. The Committee decided to direct the proponent to submit certain documents/details. The proponent submitted the documents online on 21.12.2020

The proposal was placed in the 117th meeting of SEAC held on 28th, 29th & 30th December 2020. The Committee scrutinized the additional documents/details submitted by the proponent and the Committee decided to invite the proponent for presentation. The proposal was placed in the 119th meeting of SEAC held on 23rd, 24th & 25th February 2021. The proponent and RQP were present. The RQP made the presentation. The Committee also directed the proponent to submit certain additional documents/details. The proponent has not submitted the documents in Parivesh Portal.

The proposal was placed in the 121st meeting of SEAC held on 22nd, 23rd & 27th April 2021. The Committee discussed and accepted the Field Inspection Report and decided to direct the proponent to submit certain documents/details. The proponent submitted the documents online on 07.06.2021. The proposal was placed in the 122nd meeting of SEAC held on 15th, 16th, 17th & 18th June 2021. Defer for further scrutiny.

The proposal was placed in the 123rd meeting of SEAC held on 27th, 28th, 29th & 30th July 2021. The Committee scrutinized the additional documents/details submitted by the proponent and decided to recommend for issuance of EC subject to certain specific conditions in addition to 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.*
2. *Mining must be done in benches of 2m height and width*
3. *Ensure proper slope for natural drainage*
4. *Top soil must be used for reclaiming the mined out pit for planting trees.*
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. *Considering the seriousness of COVID Pandemic in the state, the project Proponent shall carry out certain activities under Corporate Environmental responsibility (CER) leading to creation of temporary Covid care facilities and other related activities connected with managing the Covid pandemic in the state. This will be done in consultation with local self-governments and as per an action plan approved by District Collector and SEAC. The indicated cost for this purpose will be 50% of the CER cost estimated as above. The EMP may be*

modified to accommodate these activities in consultation with SEAC. The activities so implemented shall be shown in the half yearly completion report. A copy of the approved EMP shall be made available to the concerned Panchayat for information and implementation support.

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.*

Item No.04 Environmental Clearance for the Granite building stone quarry at Re-Survey No.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)

Sri.J.Roberters, Ayyampurath Mele Veedu, Kulangarakonam, Thiruvananthapuram - 695571, submitted application for Environmental Clearance via PARIVESH on 14/08/2020, for the Granite building stone quarry at Re-Survey No.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.

The proposal was placed in the 121st SEAC meeting held on 22nd, 23rd and 27th of April, 2021. The Committee scrutinized the proposal submitted by the proponent. The Committee decided to direct the proponent to submit certain additional documents/details. The proposal was placed in the 123rd SEAC meeting held on 27th – 30th JULY 2021. The Committee scrutinized the addition documents submitted by the proponent and found that there is a building within 50m hence the application was rejected by SEAC.

Authority accepted the recommendation of SEAC to reject the proposal and decided to inform the same to Project Proponent quoting reasons for rejection.

Item No.05 Environment Clearance for Granite Building Stone Quarry of Mr. P. Abdulla at Re survey No. 274/ 45 in Panathady Village, Vellarikund Taluk, Kasaragod District, Kerala for an extent of 0.2104 Ha (SIA/KL/MIN/171976/2020, 1851/EC2/2020/SEIAA)

Abdulla.P, Puzhakkara house Panathady P.O Kasaragod, Kasaragod, Kerala-671532, seeking Environmental clearance for the proposed Granite Building Stone Quarry over an extent of 0.2104Ha at Re. Sy. No. 274/45, in Panathady Village, Vellarikund Taluk, Kasaragod District, Kerala, application received on 25/11/2020.

The proposal was placed in the 114th meeting of SEAC Kerala held during 6th – 8th October 2020. The Committee decided to invite the proponent for presentation. The proposal was placed in the 116th meeting of SEAC Kerala held during 2nd,3rd and 7th December, 2020. The proponent and consultant were present. The consultant made the presentation. The Committee decided to direct the proponent to submit certain additional documents/details. A field inspection was also carried out on 13.02.2021 by a team of experts of SEAC and certain observations were made by the team.

The proposal was placed in the 119th meeting of SEAC Kerala held during 23rd - 25th February, 2021. Conversion of TOR to EC was approved. The proposal was placed in the 120th meeting of SEAC Kerala held during 24-26, MARCH, 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.

The proposal was placed in the 122nd meeting of SEAC Kerala held during 15th, 16th, and 17th&18th JUNE 2021, Deferred for further scrutiny. The proposal was placed in the 123rd meeting of SEAC Kerala held during 27th – 30th, July 2021; The Committee scrutinized the additional documents/details submitted by the proponent. In the Field Inspection Report, it is reported that there are two houses within 200m. Since the Village Officer has certified that there are no residential houses or public buildings within 200m, the Committee decided to recommend for issuance of EC for a Project Life of three years subject to certain specific conditions in addition to 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 for a period of 3 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. Retaining wall should be provided for the dumping site to a height of about 1.5 m.*
- 3. The blasting should be done adopting NONEL technique.*
- 4. The garland drain and outflow channel should be provided with intermittent silt traps and should be maintained periodically by removing the obstructions, if any and deposited silt.*
- 5. The transportation of mined material should be prevented during the peak hours in the forenoon and afternoon.*
- 6. Sprinkling of water should be done on the unsurfaced road prior to each movement of truck.*
- 7. The green-belt development should initiate prior to the commencement of quarry operations. The species should include trees like Kunnivaka, Njaval, Kudakapala, Irul, Thani and Mahagony.*
- 8. The quarry pond of the abandoned quarry adjacent to the proposed quarry should be filled and closed.*
- 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. Considering the seriousness of COVID Pandemic in the state, the project Proponent shall carry out certain activities under Corporate Environmental responsibility (CER) leading to creation of temporary Covid care facilities and other related activities connected with managing the Covid pandemic in the state. This will be done in consultation with local self-governments and as per an action plan approved by District Collector and SEAC. The indicated cost for this purpose will be 50% of the CER cost estimated as above. The EMP may be modified to accommodate these activities in consultation with SEAC. The activities so implemented shall be shown in the half yearly completion report. A copy of the approved EMP shall be made available to the concerned Panchayat for information and implementation support*
- 11. 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.*
- 12. 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.*

Item No.06 See Consideration of ToR Proposal Item No.1

Item No.07 Environmental Clearance for proposed Hospital buildings within the existing Holy Cross Hospital complex in Re-survey no. 250/1, 249/11 of Adichanalloor Village & Panchayat, Kollam Taluk , Kerala by Sri. Vinny Vettukallel, Administrator, M/s Holy Cross Hospital (SIA/KL/MIS/153603/2020, 1673/EC2/2020/SEIAA)

Sri.Vinny Vettukallel, Administrator, Holy Cross Hospital, Kottiyam P.O, Kollam District Kerala-691571, seeking Environmental clearance for the proposed Hospital buildings in Re-survey no. 250/1, 249/11, Adichanalloor Village & Panchayat, Kollam Taluk & District, Kerala, application received on 29/05/2020.

The present project is construction of proposed building project within the existing Holy Cross Hospital Complex. The total plot area of the proposed project is 10.8501 ha. The total built-up area of the proposed buildings 34,402 sqm. The proposed buildings are Holy Cross Cancer Hospital Block, Post Graduate & Research Block, Physical Medicine & Rehabilitation Centre, Multi-Level Car Parking Block.

The proposal was placed in the 115th meeting of SEAC Kerala held during 3rd – 5th , November 2020. The Committee decided to invite the proponent for presentation along with certain documents/details:

The proposal was placed in the 117th meeting of SEAC Kerala held during 28th, 29th and 30th December, 2020, The proponent was present. The RQP made the presentation. A field inspection was also carried out on 31st January 2021 by a team of experts of SEAC and certain observations were made by the team. The proposal was placed in the 119th meeting of SEAC Kerala held during 23rd - 25th February, 2021, The Committee discussed the Field Inspection Report and decided to direct the proponent to submit certain documents/details. The proponent submitted the documents on 03.05.2021

The proposal was placed in the 122nd meeting of SEAC Kerala held during 15th, 16th, 17th & 18th June 2021. The Committee decided to defer for further scrutiny. The proposal was placed in the 123rd meeting of SEAC Kerala held during 15th, 16th, 17th & 18th July 2021. The Committee scrutinized the addition documents submitted by the proponent. The Committee decided to recommend the issuance of EC with certain specific conditions:

Authority accepted the recommendation of SEAC and decided to issue EC for 7 years subject to the following specific conditions in addition to the general conditions.

1. *Implement proper sewage (waste water) conveyance system (Sewer line) for all proposed buildings, as well as, existing buildings, leading to the site of STP site, as the buildings are situated in scattered manner.*
2. *Add Tertiary Treatment Unit (Ultra Filtration Unit) in the existing STP and provide a proper treatment of extra quantity of 77 KLD of sewage, generated from the proposed buildings, for ensuring quality of treated water, fit for re-use /recycle for Flushing / Gardening/ Firefighting/ Recharge of local ground water.*
3. *Establish Storm Water Management System, with drains and intermittent Soak Pits, within the compound, for recharging of local ground water level.*
4. *Implement suitable garland drains, all around the proposed buildings, enabling recharge of local ground water, to the extent possible and allow balance quantity, to flow to the proposed pond, after imparting primary settling, by providing suitable settling tanks/ delay ponds.*
5. *Provide Rain Water Harvesting System in all Roof Tops of proposed buildings, and utilisation of Rain Water, for makeup water for toilet flushing, to the extent possible.*
6. *Provide on-site storage facility for Non-degradable solid waste, including existing hospital buildings, as well as, in the new buildings, for periodical handing over of the same to Recyclers/ Local body.*
7. *Provide on-site storage facility for biodegradable waste, for facilitating easy and hygienic storage and for imparting treatment, in the on-site treatment facility.*
8. *Provide on-site storage facility for Biomedical Waste, preferably in the Cellar Floor/ near to those buildings, in the proposed buildings for ensuring segregated storage and inside transport of biomedical waste, for facilitating/handing over the same to Common Operator, IMAGE, in compliance with the BMW Rules 2016.*
9. *Implement proper facilities for tapping Solar Energy from all Roof Tops of proposed buildings, as mentioned about harnessing solar power in the EMP.*
10. *Implement a realistic and suitable green area development, with suitable species of trees and plants, specifically suitable for hospital environment, by avoiding fruit bearing plants. Suitable vegetation should be developed,*

appropriately on the ground as well as over built structures such as roofs, basements, podiums etc.

- 11. Ensure a climate responsive design as per Green Building Guidelines in practice, and Exposed roof area and covered parking with material, having high solar reflective index.*
- 12. Ensure that building should have facilities for catering needs of differently-abled citizens.*
- 13. Ensure use of water efficient plumbing features and twin line plumbing system, for ensuring recycle/reuse of treated waste water.*
- 14. Ensure that the design of the building will be done in compliance to Energy Building Code as applicable.*
- 15. Ensure action for avoiding possible idle motor vehicle emissions, from the ramp type of MLCP proposed in the Hospital Complex.*
- 16. Ensure collection, storage and disposal of hazardous wastes including bio medical waste as per relevant rules.*
- 17. Considering the seriousness of COVID Pandemic in the state, the project Proponent shall carry out certain activities under Corporate Environmental responsibility (CER) leading to creation of temporary Covid care facilities and other related activities connected with managing the Covid pandemic in the state. This will be done in consultation with local self-governments and as per an action plan approved by District Collector and SEAC. The indicated cost for this purpose will be one percent of the total project cost. The activities so implemented shall be shown in the half yearly completion report.*
- 18. Provision shall be made for the housing of construction labour within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, crèche etc. The housing may be in the form of temporary structures to be removed after the completion of the project (Circular No.J-11013/41/2006-IA.II(I) of GoI, MoEF dt.22.09.2008).*

Item No.08 Capacity Enhancement of Secured Landfill Facility at Existing Common Hazardous Waste Treatment, Storage and Disposal Facility (TSDF) site proposed by KEIL at Block No. 37, Survey No. 205 of Puthenkurisu,

Kunnathunad Taluk, Ernakulam district, Kerala" (Proposal No: SIA/KL/MIS/42326/2018, File No: 1458/EC3/2019/SEIAA)

Dr. N.K.Pillai, Authorized signatory, Chief Executive officer, Kerala Enviro Infra Structure Limited has applied for Environmental Clearance of Capacity Enhancement of Secured Landfill Facility at Existing Common Hazardous Waste Treatment, Storage and Disposal Facility (TSDF) site proposed by KEIL at Block No. 37, Survey No. 205 of Puthenkurusu, Kunnathunad Taluk, Ernakulam district, Kerala.

The proposal was placed in the 108th SEAC meeting held on 13th & 14th January, 2020. The Committee decided to invite the proponent for presentation with all documents/details.

The proposal was placed in the 110th SEAC meeting held on 11th & 12th February, 2020. The consultant made the presentation. A field inspection was also carried out on 02nd January 2021 by a team of experts of SEAC and certain observations were made by the team.

The proposal was placed in the 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 the 122nd SEAC meeting held on 15th, 16th, 17th & 18th June 2021. The file was deferred for further scrutiny.

The proposal was placed in the 123rd SEAC meeting held on 27th – 30th July 2021. The Committee scrutinized the additional documents submitted by the proponent and decided to recommend the issuance of EC subject to certain specific conditions.

Authority accepted the recommendation of SEAC and decided to issue EC for 5 years for Capacity Enhancement of Secured Landfill Facility at Existing Common Hazardous Waste Treatment, Storage and Disposal Facility (TSDF) at Puthenkurusu, Kunnathunad taluk, Ernakulam subject to the following specific conditions in addition to the general conditions.

1. Action for avoiding stockpiling of Hazardous Waste in temporary holding areas (covered with roof) during monsoon months.

2. Action for keeping landfill areas capped with final cover/intermediate cover / rain protection cover, and action for suspending landfill operations, during monsoon period ,to reduce infiltration of rain water into the landfill. This action is very important as water body is situated only 290 m away from the boundary of SLF.
3. Action for providing proper maintenance of surface water drainage system comprising of drains, channels, catch drains, culverts and basins of the SLF and in the surrounding areas.
4. Action for full covering / closure of waste collected and deposited the Landfill, from various flood affected areas in the State, during the 2018 Floods and this portion of the SLF should be properly compacted and protected from rains to avoid further leachate generation.
5. Action for harnessing solar energy, to meet partial power requirement in the SLF and providing post type, solar yard lighting system, within the SLF and adjoining areas.
6. Action for planting of local species of trees (non -fruit bearing type trees) ,in the Green Belt area, as well as, in available open spaces, for maintaining a minimum Greenbelt width of 20 m all around, and ensure proper land scape for the compound and Office premise.
7. Provide suitable compensatory afforestation area, if additional area is available, including avenue plantations with local species of trees of non-fruit bearing type trees, within the compound.
8. Action for filling the gaps in the fencing / compound wall, provided in all around the compound of the existing as well as proposed SLF, for the protection of the area.
9. Action for collecting Rain Water falling on active tipping areas separately and managing it as leachate, via the leachate collection drain and leachate collection sumps and finally lead to the leachate treatment for treatment and disposal/ reuse.
10. Action for installing proper Fire Hydrants, in and around the SLF, as fires in hazardous waste landfill sites are not uncommon, and provide training / MOC drills, engaging the Plant Operators, for effectively addressing the problems associated with fire in consultation with Fire and safety Department.
11. Action for periodic monitoring of ground water quality by establishing Monitoring Wells, at the existing as well as in the proposed SLF, located at specified horizontal distance interval, as well as in vertical positions, for touching four underground geographic zones of (a) on and within the landfill; (b) in the unsaturated

subsurface zone (vadose zone) beneath and around the landfill; (c) in the groundwater (saturated) zone beneath and around the landfill and (d) in the atmosphere/local area air above and around the landfill, as stipulated in the Guidelines on Hazardous Waste Management issued by the CPCB and KSPCB.

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

Item No.01 Application for Extension of EC for the Granite Building Stone Quarry project, M/s Manimaleth Crusher Industries in Survey Nos 781/1-23-1 & 781/1-23-2 in Athikkayam Village, Ranni Taluk, Pathanamthitta District, Kerala by Shri. Tomy Abraham. (SIA/KL/MIN/167099/2020, 121/SEIAA/EC4/2200/2014)

Environmental Clearance was issued to M/s Manimaleth Crusher Industries in Survey Nos 781/1-23-1 & 781/1-23-2 in Athikkayam Village, Ranni Taluk, Pathanamthitta District, Kerala for an area of 4.2755 Ha vide proceedings No. 121/SEIAA/EC4/2200/2014 (EC No.112/2015) dated 23.12.2015. The validity of EC has expired on 22.12.2020. Shri. Tomy Abraham submitted an application for Extension of EC via PARIVESH on 07/08/2020.

The proposal was placed in the 114th SEAC meeting held on 6th – 8th October 2020. A field inspection was also carried out on January 20, 2021 by a team of experts of SEAC and certain observations were made by the team.

The proponent vide e-mail dated 15.03.2021 informed that in the minutes that the proposal is for expansion is not correct. They had actually applied for the extension of the validity of EC, but in the existing EC out of the total area of 4.3564 ha a very little area of 0.0809ha (809 sq.m) was not included and this area falls in the buffer zone in one of the lease area. The reason stated in earlier EC was “An area of 0.0809ha of land falling in ESZ-1 as per Western Ghats Ecology Expert Panel report gained attention in this area during the time of Environmental Clearance” This area has no relevance now as this area is exempted from Ecologically Sensitive Zone. Actually there is no mention of this 0.0809ha even in the original approved mining plan of both leases. They requested only to consider the area mentioned in the original EC i.e., 4.2755ha.

The proposal was placed in the 108th SEIAA meeting held on 22nd & 23rd March, 2021. Authority decided to forward the Email dated 15.03.2021 to SEAC for re-examination of their recommendation and report. The project Proponent may be directed to contact SEAC to clarify the issues he has raised in his Email. The proposal was placed in the

121st SEAC meeting held on 22nd, 23rd and 27th of April, 2021. The Committee decided to invite the proponent for presentation.

The proponent vide e-mail dated 14.07.2021, informed that in accordance with Covid pandemic notification dated 27.11.2020, EC validity is extended upto 22.12.2021 and not extending EC after 22.12.2021. Hence they are not attending the invited presentation for the 123rd SEAC meeting.

The proposal was placed in the 123rd SEAC meeting held on 27th – 30th JULY 2021. As per the request of the proponent, the proponent was allowed to withdraw the proposal.

Authority decided to allow the withdrawal of the proposal by Project Proponent as recommended by SEAC.

CONSIDERATION OF TOR PROPOSAL

Item No.1 Environmental Clearance for the granite building stone quarry of Mr.Hussain, at Re Survey No 19/2 of Village - Koodathayi Village, Thamarassery Taluk, Kozhikode District, Kerala for an extent of 0.2068 Ha. (SIA/KL/MIN/39525/2019) (File No.1411/EC1/2019/SEIAA)

Sri.Hussain, Owner, S/o.Kathiri Haji, Makkil House, Puthoor P.O, Koduvalli, Kozhikode-673585 vide application dated 18.07.2019 has sought Environmental Clearance for the granite building stone quarry project at Re.sy No-19/2 in Koodathai Village, Thamarassery Taluk, Kozhikode District, Kerala from an area of 0.2068 ha.

The proposal was placed in the 114th meeting of SEAC held on 06th,07th& 08th October 2020. The Committee decided to invite the proponent for presentation along with certain documents. The proponent submitted the documents on 25.01.2021.

The proposal was placed in the 118th meeting of SEAC held on 01st ,02nd& 03rd February 2021 and the Committee decided to invite the proponent for presentation.

The proposal was placed in the 120th meeting of SEAC held on 24th,25th& 26th March 2021. The Committee decided to allow for conversion of ToR to EC and directed the proponent to submit certain additional documents. A field inspection was also carried out on 19.07.2021 by a team of experts of SEAC and certain observations were made by the team. The proponent has not submitted the documents in parivesh portal.

The proposal was placed in the 123rd meeting of SEAC held on 27th,28th,29th& 30th July 2021. The Committee discussed the earlier Field Inspection Report in this regard and decided to reject the proposal due to the material for mining as proposed in the mining plan is mostly extracted unauthorizedly including from the portion of the buffer zone at places. Therefore, the application cannot be proceeded and the same should be informed to the Dept. of Mining and Geology.

As per the recommendation of SEAC Authority decided to reject the proposal and inform the same to Project Proponent quoting the reasons for rejection. Further as recommended by SEAC the issue of unauthorized mining by Project Proponent

including from the portion of the buffer zone shall be informed to District Geologist for taking appropriate action under KMMC Rules.

General Decisions:

1. Legal officer shall put up the list of pending court cases for the review of SEIAA every month in the format approved by Standing Counsel. As decided already legal officer shall take required follow up action on urgent cases without waiting for the meeting SEIAA.
2. A statement of pending EC cases shall be put before SEIAA every month in the format being followed by MoEF&CC to review the pending cases. An additional column for cases pending for more than 6 months shall also to be added.

Sd/-
Dr.H.NageshPrabhu IFS (Retd)
Chairman, SEIAA

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

Sd/-
Dr.Jayachandran.K
Member, SEIAA