

**MINUTES OF THE 93rd MEETING OF THE STATE ENVIRONMENT
IMPACT ASSESSMENT AUTHORITY (SEIAA) KERALA HELD ON
30th MAY 2019 AT 2.15 P.M IN THE CONFERENCE HALL, STATE
ENVIRONMENT IMPACT ASSESSMENT AUTHORITY (SEIAA)
KERALA**

Present:

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

The meeting started at 2.15 pm and agenda items were taken up for discussion.

**Item No.93.01 Minutes of the 92nd meeting of SEIAA held on 02nd May 2019 for
information**

Chairman requested to take follow up actions on the decisions taken in the previous meeting and put up the same as agenda for review by Authority in the subsequent meeting.

**Item No. 93.02 Environmental Clearance for removal of Ordinary Earth in
Sy.No.168/1 at Thazhakkara Village, Mavelikkara Taluk,
Alappuzha District, Kerala by Sri. Babu Divakaran (File No.
544/EC2/2019/SEIAA)**

Authority decided to issue EC subject to general conditions in addition to the following specific conditions:

- 1. Maximum depth of mining of Ordinary Earth must be limited to 4 m below existing ground level.*
- 2. Quantity of ordinary earth removed must be limited to a maximum depth of 4.0 m and it works out to be about 7500 m³*
- 3. Excavation must be done after obtaining Consent from nearby land Owners.*

4. *Action must be taken for avoiding depletion of ground water level in the area due to excavation and removal of soil from the project site by forming terrace bunds and planting locally available trees and plants.*
5. *Action must be taken for providing suitable, site specific rain water harvesting measures for allowing penetration of maximum quantity of storm water in the land area for recharging the local ground water table to the extent possible.*
6. *Action for transporting excavated soil during night time for avoiding traffic congestions in the main as well as sub roads leading to the site with precaution such as covering/ washing of wheels of transporting truck.*
7. *Action for obtaining an Affidavit from the applicant agreeing deposition of the excavated earth by avoiding filling up of wetland/ paddy field and without preventing flow of storm water in the area.*
8. *The Corporate Environmental Responsibilities to be carried out as per OM F.No.22-65/2017-IA-III dt.01.05.2018 in consultation with the District Collector.*
9. *The proponent should strictly follow the Kerala Minor Mineral Concession Rules 2015 and amendments thereby. Follow other guidelines of OM No.L-I-1011/47/2011-IA II (M) dated.24.06.2013 of MoEF, GoI.*

Item No.93.03

Application for environmental clearance for mining of Laterite Stone - Sri. Suresh T, Kozhikode (File No.550/A1/2019/SEIAA)

Authority decided to issue EC for an area of 0.097 hectare to mine laterite stone as recommended by District Geologist & SEAC subject to general conditions in addition to the following specific conditions:

1. *The Corporate Environmental Responsibilities to be carried out as per OM F.No.22-65/2017-IA-III dt.01.05.2018 in consultation with the District Collector.*
2. *The proponent should strictly follow the Kerala Minor Mineral Concession Rules 2015 and amendments thereby.*

Item No.93.04

Change in year wise production of mineral stipulated in Mining Plan and conditions contrary to KMMC Rules 1967,

**M/s Adani Vizhinjam Port Pvt. Ltd (File No.1200/
EC2/2018/SEIAA)**

Authority decided to reinstate the EC already given for a quantity of 700000 MT for a period of first two years as given in Mining Plan.

Item No.93.05 **Application for Terms of Reference for the Proposed Expansion of Mixed Land use (Master Plan Project by M/s Dragonstone Realty Pvt. Ltd at Attipra village, Thiruvananthapuram Taluk, Thiruvananthapuram District, Kerala by Mr. Ajay Prasad & Mr.R.Anil Kumar, Authorized Signatories, M/s Dragonstone Realty Pvt. Ltd. (File No. 1202/EC2/2018/SEIAA)**

NGT vide order dt.26.02.2019 has directed to SEIAA, Kerala to examine the facts and circumstances set out in a letter petition by Sri.Sanjeev S.J complaining of M/s Dragon Stone Pvt. Ltd. And after verification if the allegation are found to be true to take appropriate action. Along the side Regional Officer, MoEF &CC was directed to examine the matter jointly with SEIAA, Kerala and furnish a factual action taken report to NGT.

A joint field inspection was conducted by Shri.John Thomas, Research Officer, MoEF & CC, Regional Office, Bengaluru, Dr.C.Bhaskaran, Chairman, SEAC and Smt.Beena Govindhan, member, SEAC. During the site visit the petitioner Shri.Sanjeev S.J, Shri.Hrishikesh Nair, CEO Technopark, Sri.R.Anil Kumar, COO, M/s Dragon Stone Reality Pvt. Ltd, Sri.Sunichandran, Counsellor Attipra Ward, Shri.Jayan, Village Officer, Attipra Village were present. Upon examination of the documents and field observations in the project location the Committee has observed that the area was found to be areas of paddy field cultivation. However the area of land has been exempted from the provision of Section 3 under the Kerala Conservation of Paddy & Wetland Act 2008 vide GO (MS) 40/2018/Rev dt.03.02.2018. It was also observed by the team that a rivulet passing through the western portion of the project area has been clogged with construction residue.

The above inspection report suggests that the ToR applied for by M/s Dragon Stone Pvt. Ltd. for the built up area of 2,71,164.4 m² with the total plot area of 3.937 ha as a category 8(b) project can be considered and ToR issued by SEAC. Then SEIAA also decided to send the report to NGT.

Item No.93.06 **Environmental clearance for the proposed granite building stone quarry project in Survey No. 217 pt (Govt land) at Pallickal Village, Block No-26, Varkala Taluk, Thiruvananthapuram District, Kerala by Shri. Alexander.K.J. (File No. 1203/EC2/2018/SEIAA)**

Both DEIAA & SEAC have rejected the proposal hence Authority decided to reject the proposal.

Item No.93.07 **Environmental clearance for the proposed building stone quarry project in Survey Nos. 1673/1, 1-1, 1-2, 1-11 & Re Sy No. 65/1, 2, 3, 4, 5 at Karikkodu, Karimkunnam Village, Thodupuzha Taluk, Idukki District, Kerala by Mr. Varghese Kurian (File No. 1207/EC2/2019/SEIAA)**

Authority decided to issue EC subject to general conditions in addition to the following specific conditions:

- 1. Since the Thodupuzha river is flowing nearby the outlet drain should have a large siltation tank*
- 2. Take actions for periodic cleaning of silt trap and garland canal*
- 3. Construction of protection walls for the OB dumping site to check spill over*
- 4. The Corporate Environmental Responsibilities to be carried out as per OM F.No.22-65/2017-IA-III dt.01.05.2018 in consultation with the District Collector.*
- 5. The proponent should strictly follow the Kerala Minor Mineral Concession Rules 2015 and amendments thereby.*

Item No: 93.08 **Report of Conservator of Forests on illegal functioning of Vijaya and Periyar Quarry (File No. 221/A1/2018/SEIAA)**

Conservator of Forests has submitted a report to SEIAA on the illegal functioning of Vijaya Quarry and Periyar Rocks alleging that these two quarry units are functioning adjacent to Forest area under the control of the Nature Study Centre, Kalady. It is reported that both the Quarries obtained Environmental Clearance by hiding the fact that the Quarrying land is

near to forest land (Zero distance from forest land) and functioning in violation of Kerala minor and mineral concession Rules 2015.

Of the two Quarries pre-mentioned, application for Environmental Clearance for Periyar Rocks was delisted by this Authority vide No. 625/SEIAA/EC3/4808/2014 dated 09-09-2016. Vijaya Quarry was issued Environmental Clearance vide proceedings No. 115/SEIAA/EC3/2181/2017 dated 11-02-2016.

The report was placed in the 83rd SEIAA meeting for discussion and decision. The 83rd meeting of SEIAA held on 22.10.2018 decided to forward the file to SEAC for inspection in the field through a sub committee and for submitting report within two months, on the basis of the report from Conservator of Forests, Ernakulam.

The 92nd meeting of SEAC held on 22.01.2019, after considering the report of Sub Committee decided to inform the proponent for fencing around and benching in the quarry as stipulated within 45 days and to produce a compliance report.

The proposal was placed in the 89th SEIAA Meeting held on 27.02.2019 & SEIAA decided to inform proponent (Vijaya quarry) to strengthen the fence in the boundary of the forest with additional strands at a height of atleast 7-8 m sealing all possibilities of animals straying in, in consultation with the Forest Department, within 45 days and report with photographs. The bench slopes are also to be maintained while confining the operation strictly within the prescribed boundary. With regard to Periyar quarry Authority decided to inform the proponent for making fencing around and benching in the quarry as stipulated within 45 days and to produce a compliance report with photographs and proponent shall follow the mining rules and regulations as per KMMCR 2015 and amendments thereby.

The Periyar quarry furnished the documents sought by 89th SEIAA. Authority noted that the lease of Periyar quarry will end on 26.06.2020. The lease was obtained in 2008 when EC was not mandatory. The application for EC was delisted by SEIAA dt.09.09.2016. Following the promulgation of KMMCR 2015, the proponent obtained the approved Mining Plan on 17.10.2016 from the District Geologist, Ernakulam. The Authority decided to seek legal opinion as to whether the company requires an EC for it to function now.

The Authority also noted the fencing done around the quarry and the compliance report filed by the company. It is decided to ask the Geologist to monitor quarrying

operations so that KMMC Rules are followed while quarrying and the Forest Conservator to examine the suitability of the fencing.

Vijaya quarry furnished the documents sought by the 89th SEIAA and Authority examined the details.

In the light of the above, SEIAA has observed that the fencing arrangements done are totally inadequate. The conditions given in the EC/lease have not been complied with by the two quarries, posing danger not only to animals but also to human beings and the local environment. Therefore SEIAA decided to request the Director, Mining & Geology to examine the satisfactory compliance of the lease conditions and take appropriate action for non compliance.

Item No. 93.09 **Request for extension of validity period of Environment Clearance issued – Puthenveetil Associates, Malappuram (File No.102/SEIAA/KL/1607/2013)**

Authority decided to extend the validity of EC for 5 years from 30.10.2018 as recommended by SEAC.

Item No. 93.10 **Application for Environmental Clearance for removal of Ordinary Earth- Shri. Thankachan Thomas.V., M/s Thomsun Realtors Pvt. Ltd (File No. 1269(A)/EC2/2019/SEIAA)**

The Sub Committee of SEAC after due inspection has sought an affidavit from the applicant agreeing deposition of the excavated earth in Sy No. 94/4 in Kizhakkumbhagom Village in Aluva Taluk, Ernakulam District in an eco-friendly manner by avoiding filling up of wetland/ paddy field and without preventing flow of storm water in the area.

An Affidavit dt.18.04.2019 has been sworn by the authorised signatory of the Contractor and not by the proponent which is not acceptable. Further it has to be clarified as to how the huge quantity of 22000 cu.m of excavated soil will be used without harming the ecology of the region.

SEIAA decided to ask the applicant to produce the affidavit in his name indicating the use of the excavated soil and adherence to the other conditions laid down by SEAC.

Item No.93.11 **WP(C) No.30828/17 and WP(C) No.8644/18 – Allegations regarding the violation of EC conditions and allegations against the issuance of EC (File No.212/SEIAA/KL/251/2014)**

SEIAA noted the recommendations of SEAC and decided to call Sri.Thankachan (in WP(C) No.30828/17) and Sri.Abdul Salam (in WP(C) No.8644/2018) for hearing on next date fixed for SEIAA meeting.

Item No.93.12 **Application for an extension of Environmental Clearance for mining of brick earth - Shri. Sarasan K.S, Alappuzha (File No. 251/A2/2019/ SEIAA)**

Authority decided to extend the validity of EC subject to general conditions in addition to the following specific conditions.

- 1. No further Extension of EC will be allowed.*
- 2. The Corporate Environmental Responsibilities to be carried out as per OM F.No.22-65/2017-IA-III dt.01.05.2018 in consultation with the District Collector.*
- 3. The proponent should follow the Kerala Minor Mineral Concession Rules 2015 and amendments thereby.*

Item No.93.13 **Application for Environmental Clearance for mining of Laterite Stone - Shri.Aneesh Kumar, Kozhikode (File No.551/A1/2019/ SEIAA)**

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

- 1. Mining should be carried out according to approved Mining Plan*
- 2. The Corporate Environmental Responsibilities to be carried out as per OM F.No.22-65/2017-IA-III dt.01.05.2018 in consultation with the District Collector.*
- 3. The proponent should follow the Kerala Minor Mineral Concession Rules 2015 and amendments thereby.*

Item No. 93.14 **Application for Environmental Clearance for mining of laterite stone - Shri. M.Rajmohan, Kollam (File No. 673/A1/2019/SEIAA)**

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

- 1. Mining should be carried out according to approved Mining Plan*
- 2. The Corporate Environmental Responsibilities to be carried out as per OM F.No.22-65/2017-IA-III dt.01.05.2018 in consultation with the District Collector.*
- 3. The proponent should follow the Kerala Minor Mineral Concession Rules 2015 and amendments thereby.*

ItemNo.93 .15 **Application for environmental clearance for mining of ordinary earth Sri.Johnson V.K, Thrissur (File No.814/A2/2019/SEIAA)**

Authority decided to issue EC for the removal of 2000 m³ of earth subject to general conditions in addition to the following specific conditions.

- 1. The Corporate Environmental Responsibilities to be carried out as per OM F.No.22-65/2017-IA-III dt.01.05.2018 in consultation with the District Collector.*
- 2. The proponent should follow the Kerala Minor Mineral Concession Rules 2015 and amendments thereby.*

Item No.93.16 **Environmental Clearance for the Proposed Mixed use Township Development Project ‘Landmark Trade Centre’ in Survey Nos. 27/1, 30/4c, 31/4, 7, 8, 9, 32/4, 351b of Pantheerankavu Village, Kozhikode Taluk & Kozhikode District, Kerala by Mr. Anwar Sadath, Director, M/s Calicut Landmark Builders & Developers (India) Pvt. Ltd (File No. 1193/EC2/2018/SEIAA)**

SEIAA accepted the recommendation of SEAC and decided the following

- 1) Direct the District collector and the Secretary, Kozhikkode Corporation to issue Stop Memo and report compliance.*

- 2) *Initiate violation proceedings against the proponent as per S.O 1030 (E) dt.08.03.2018 under EIA Notification 2006.*

ItemNo.93. 17 **Application for environmental clearance for mining of laterite stone Shri. Nizamudeen, Sasthamcotta, Kollam (File No.1258 (A)/ EC1/ 2019/SEIAA)**

Authority decided to issue EC subject to general conditions in addition to the following specific conditions;

- 1) *An affidavit from the proponent shall be obtained that after the quarrying is completed the area should be reclaimed with removed topsoil and suitable species will be planted and the area will be protected with fence.*
- 2) *Mining should be carried out according to approved Mining Plan*
- 3) *The Corporate Environmental Responsibilities to be carried out as per OM F.No.22-65/2017-IA-III dt.01.05.2018 in consultation with the District Collector.*
- 4) *The proponent should follow the Kerala Minor Mineral Concession Rules 2015 and amendments thereby.*

ItemNo.93. 18 **Application for environmental clearance for mining of laterite building stone - Sri.G.Ragasekharan Pillai,Kollam (File No.1653/A1/2019/SEIAA)**

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

1. *Mining should be carried out according to approved Mining Plan*
2. *The Corporate Environmental Responsibilities to be carried out as per OM F.No.22-65/2017-IA-III dt.01.05.2018 in consultation with the District Collector.*
3. *The proponent should follow the Kerala Minor Mineral Concession Rules 2015 and amendments thereby.*

Item No.93.19 **Environmental Clearance for the proposed construction of new buildings within the existing hospital campus in Sy. Nos. 43/1A, 1B, 43/2A, 2B, 42/1D, 43/1, 44/9, 43/3, 43/4, 44/8, 50/6, at Kottoli Village, Kozhikode Corporation, Kozhikode Taluk & District,**

**Kerala of Mr. Basheer.U, Executive Director, M/s Malabar
Institute of Medical Sciences Ltd. (File No. 1155/EC/SEIAA/KL/
2017)**

Authority decided to issue EC subject to general conditions in addition to the following specific conditions;

- 1) The proponent has to arrange alternate parking facility during the construction period.*
- 2) In addition to conditions put by local authorities the Environmental Conditions for building construction as described under S.O 3999(E) dt.09.12.2016 (of MoEF GoI Appendix XIV Category 3) to be followed in the best interest of the project and local environment.*
- 3) The Corporate Environmental Responsibilities to be carried out as per OM F.No.22-65/2017-IA-III dt.01.05.2018 in consultation with the District Collector (2% of total project cost). One of the CER responsibilities as indicated in the proposal could be prevention of water pollution in canoly canal. This is in addition to treating hospital waste before it is discharged into canal which is a part of project cost itself.*
- 4) 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.93.20

Environmenal Clearance granted to Sri.Abdul Rahman from DEIAA, Malappuram – Non issuance of License from Panchayat – requested SEIAA to give instructions to the Panchayat to issue License to the proponent

SEIAA decided to inform the proponent that the EC granted by DEIAA on 20.11.2018 has been deemed invalid by NGT. Therefore he can if interested apply to SEIAA for fresh EC.

Item No.93.21

Complaint from Shri.Arjun.C.K.- Further action (File No.1406/A1/2019/SEIAA)

SEIAA decided to ask SEAC to offer its remarks in consultation with Forest & Wild Life Department.

Item No. 93.22 Complaint from Sri. Devapalan Nair.T

It is noted that Sri.Devapalan Nair has submitted his resignation today. Hence no more action is required in this case.

Item No.93.23 Finalization of Accounts of SEIAA completed for the year 2018-2019. Receipts & payments particulars - Presented for approval

Expenditure Statement of SEIAA from 01.04.2018 to 31.03.2019 is approved and ratified.

The next meeting shall be held on 15.05.2019 in which a discussion will be held on Zero draft of the Environment Impact Assessment Notification 2019. It was decided to inform all concerned in SEIAA, SEAC & DoECC.

The meeting came to an end at 6.15 pm.

Dr.Usha Titus I.A.S.
Principal Secretary
& Member Secretary, SEIAA

Dr.H.Nagesh Prabhu IFS (Retd)
Chairman, SEIAA

Dr. Jayachandran.K
Member, SEIAA