

**Confirmed MINUTES OF THE 4TH MEETING OF THE STATE LEVEL
ENVIRONMENT IMPACT ASSESSMENT AUTHORITY (SEIAA) KERALA HELD
ON 23.05.2012 AT THE DIRECTORATE OF ENVIRONMENT AND CLIMATE
CHANGE**

The meeting started at 8.30 am. The following persons were present.

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| 1. | Dr. A.E. Muthunayagam
Former Secretary to Government of India | - | Chairman, SEIAA |
| 2. | Dr. K.P. Joy
Former Director, School of
Environmental Studies of M.G.
University and Kannur University | - | Member, SEIAA |
| 3. | Shri. James Varghese IAS
Principal Secretary to Government
Environment Dept. & LSG Department
Govt. of Kerala | - | Member Secretary, SEIAA |
| 4. | Sri. P. Sreekantan Nair
Director, Department of Environment
& Climate Change, Govt. of Kerala | - | Secretary, SEAC (special invitee) |

The meeting was chaired by Dr. A.E. Muthunayagam. He welcomed all the members.
The Authority discussed the agenda items one by one and took the following decisions:

Item No. KLA/04.01 Confirmation of the Minutes of the 3rd meeting of State Level Environment Impact Assessment Authority (SEIAA) Kerala, held on 8th May, 2012 at Directorate of Environment and Climate Change, Thiruvananthapuram

Confirmed the minutes of the 2nd meeting held on 23.04.2012 and the minutes of the 3rd meeting held on 08.05.2012.

Item No. KLA/04.02 Action taken report on the decisions of the 3rd SEIAA meeting

It was noted that the action taken report on 2nd and 3rd meetings based on the confirmed minutes shall be presented in the next meeting.

The authority discussed the following items for its effective and efficient functioning.

- (i) The present system of maintaining separate files for every Project proposals for EC should be continued. These files should contain all communications with Project proponent, SEAC, SEIAA, Government agencies, statutory authorities etc and their responses. The relevant abstract of the agenda notes and minutes of SEAC and SEIAA must also be filed in addition to the original Project proposal. This file should be complete in all respect.

- (ii) The proposals for EC to SEIAA should be comprehensive with
 - a) a brief summary of the project,
 - b) applicable clause/ section in EIA notification, necessitating the EC from the authority,
 - c) relevant proceedings of SEAC, including Summary of deliberations with special reference to parameters having impact on the environment, Conditions to be stipulated while granting EC as measures to mitigate adverse impact on environment, if any, Specific recommendation of SEAC. These proposals should have the approval of Chairman or an authorized nominee of SEAC.
- iii) A register may be maintained under the custody of Member Secretary with records of only approved minutes of all the meetings in the serial order.
- iv) Periodical statements of the progress of activities of the authority may be made available to all the members.

Item No. KLA/04.03 **Application for obtaining environmental clearance for the IT Building “Leela Lace Holdings Pvt. Ltd.”(Leela Soft Pvt. Ltd.) at Infopark Special Economic Zone, Kusumagiri, Kakkanadu Village, Kanayannur Taluk, Ernakulam District in Sy.Nos. 633-5, 669-1, 609-2, 671-1, 684-4 (File No: 1/SEIAA/KL/233/2012)**

SEIAA recalled the discussions and decisions under agenda items KLA/02.09 on 23.04.2012 and KLA/03.05 on 08.05.2012 on the guidelines of MoEF on the height of buildings. SEIAA recognized that the communication from MoEF is guidelines and not mandatory requirements and SEIAA Kerala should take a view on the subject. After detailed discussions SEIAA approved the proposal for issuance of environmental clearance stipulating the specific condition that height of the building may be as regulated by KMBR also considering the guidelines of MoEF.

SEIAA also decided to incorporate in our response to the Government of Kerala regarding the query on MoEF guidelines our decision to adopt KMBR and justifying our position in view of the prevailing conditions in the State though it is in variance with MoEF guidelines. SEIAA also decided to request Government of Kerala not to relax further the existing KMBR rules and regulations regarding width of the roads. The Authority also decided to address the State Government for legal action against violations with appropriate penalties.

Item No. KLA/04.04 **Application for environmental clearance for the proposed construction of Hotel project at Poonithura Village, Kanayannur Taluk, Ernakulam District, Kerala in Sy. Nos. 447/2, 446, 525/1, 525/1, 2, 444, 445, 446, 438/2, 3.437 by M/s Jomer Properties & Investments (Pvt.) Ltd. (File No: 4/SEIAA/KL/375/2012)**

The proposal was discussed in detail. It was informed that the construction activities are in an advanced stage and nearing completion. Deferred the item and decided to have more detailed notes from SEAC for considering it in the next SEIAA meeting.

Item No. KLA/04.05 **Application for environmental clearance for the proposed construction of IT Building project at Village Pallippuram, Cherthala, Alappuzha District, Kerala in Sy. Nos. 72/11, 72/12, 73/1, 75/13, 97/1, 97/2, 97/16, 97/17, 98/1 by M/s Infoparks Kerala (File No: 5/SEIAA/KL/376/2012)**

Secretary SEAC presented the proposal with details of SEAC deliberations in two meetings of SEAC. SEIAA advised him to update the minutes in consultation with Chairman, SEAC. After detailed discussion the proposal is approved for issuance of environmental clearance stipulating the specific condition that the proponent should enter into an agreement with any authorized recycler for common e-waste management.

Item No. KLA/04.06 **Application for obtaining environmental clearance for the proposed construction of PRESTIGE FORUM MALL at Maradu Municipality, Maradu Village, Kanayanoor Taluk, Ernakulam District, Kerala State, in Sy Nos. 138/1,2,3,4,5,6,9,11,12,13,14,15,16, 139/1,3,4., 140/2,3,4,5, 141/11,13,14, 145/4,6,7,8, 176/21, 179/1,10,11,25,26 by M/s Thomsun Realtors (P) Ltd. (File No: 13/SEIAA/KL/491/2012)**

SEIAA observed that the proponent had already submitted the application for environmental clearance to the Ministry of Environment and Forests and the EAC of MoEF is reported to have examined this case. Later on MoEF sought clarifications from KCZMA, which in turn has reported that the proposed area is outside the CRZ Regulations. Subsequently, the proponent has applied to MoEF for withdrawal of their application and then applied to the SEIAA, since it came into existence by then.

The details of the recommendations of EAC of MoEF are not available. Importantly the current status of the application in MoEF is not known. Hence, SEIAA decided to address MoEF seeking clarification as to whether the proposal is approved by EAC of MoEF, or

under process in MoEF, or withdrawn from MoEF, or rejected by MoEF to proceed further accordingly on receipt of MoEF response.

Item No. KLA/04.07 Application for environmental clearance for the proposed construction of Hospital Complex cum Hotel & Convention Centre at Village Cheranelloor, Taluk Kanayannur, District Ernakulam, Kerala, in Sy. Nos. 198, 199, 200, 204, 205, 211, 212, 213, 214, 215, 219 and 220 by M/s DM Medcity Hospitals India Pvt. Ltd, M/s DM Healthcare Pvt. Ltd. & M/s Ambady Infrastructure Pvt. Ltd. (File No: 14/SEIAA/KL/580/2012)

Secretary SEAC presented the proposal with details of deliberations on this in the two meetings of SEAC. SEIAA advised him to update the minutes in consultation with Chairman, SEAC. After detailed discussion the proposal is approved for issuance of environmental clearance stipulating the specific condition that the height of the building should not be greater than that stipulated by the Airports Authority of India.

Item No. KLA/04.08 Request for withdrawal of application for environmental clearance of proposed Service Apartment cum Tourist Village project at Sy. No. 84 (Re-Survey No. 5/3), Pallikkunnu Panchayat & Sy. No. 264, 260, 84 (Re-survey No. 178/5, 179/5) Chirakkal Panchayat, Kannur district, Kerala by M/s MIR Builders & Developers Pvt. Ltd. (File No: 10/SEIAA/KL/395/2012)

The matter was discussed in detail and the Authority decided to inform the concerned local body that the construction work done by the project proponent is a violation of EIA Notification 2006, as the proponent has started construction works without securing prior environmental clearance which was mandatory. It was also decided to address the concerned local body(s) to cancel the building permit issued which is not in order.

Item No. KLA/04.09: Office Memorandum No. L - 11011/47/2011-IA.II(M) dt 18th May 2012 of MoEF stating that all mining projects of minor minerals including their renewal irrespective of the size of the lease require prior environmental clearance.

The item was noted.

Item No. KLA/04.10: WP(C) 10656/2012 of Honourable High Court of Kerala filed by Sri. Jyothish Kumar - Order of the Hon. High Court to SEIAA to file a report regarding the averments made in the writ petition – Referred to SEAC to examine and report (File No. DoECC/E3/2026/2012)

SEIAA noted the order of the High Court of Kerala to file a report regarding the averments made in the writ petition within two weeks. Secretary SEAC informed that an

extension application for one month from 19.05.2012 has been made and the matter is referred to SEAC for scrutiny on priority and a report within two weeks. SEIAA proposed to have a joint meeting with Chairman, Vice Chairman and Secretary SEAC on 2nd June to decide upon the further course of action.

The meeting ended at 11 am.