

**BEFORE THE HONOURABLE NATIONAL GREEN TRIBUNAL  
(SZ) CHENNAI**

**O.A.No. 155 OF 2020**

Applicant : Vijeesh Kumar

And

Respondents : Union of India & others

**I N D E X**

Sl.No.	Particulars	Page No.
1.	Additional Counter Affidavit of the 3 <sup>rd</sup> Respondent	1 - 16(a)
2.	<b>Annex.R3(a):-</b> True copy of the relevant pages of the mining plan approved by the competent authority on 29-4-2015	17 - 25
3.	<b>Annexure R3(b):-</b> True copy of the Judgment passed by the Hon'ble High Court of Kerala in R.P.No. 389/2020 dated 6-7-2020	26 - 44
4.	<b>Annexure R3(c):-</b> True copy of the report submitted by the Director, Mining & Geology Department before the SEIAA	45 - 51
5.	<b>Annexure R3(d):-</b> True copy of the covering letter, which was filed along with the application for extension of Environmental Clearance submitted before the SEIAA	52
6.	<b>Annexure R3(e):-</b> True copy of relevant pages of Article of Association of this respondent	53 & 54
7.	<b>Annexure R3(f):-</b> True copy of relevant pages of Application for quarrying lease	55 - 58
8.	<b>Annexure R3(g):-</b> True copy of order sanctioning quarrying lease by the Director, Mining & Geology	59 - 60



9. **Annexure R3(h):-** True copy of relevant pages of draft quarrying lease issued from the office of the Director, Mining & Geology Department 61 - 65
10. **Annexure R3(i):-** True copy of relevant pages of quarrying lease executed between the competent authority and Sri.Sabu Joseph 66 - 73
11. **Annexure R3(j):-** True copy of the D & O License issued by the Local Panchayat and translation 74 - 77
12. **Annexure R3(j)(1):-** True copy of the D & O License issued by the Local Panchayat and translation 78- 81
13. **Annexure R3(j)(2):-** True copy of the D & O License issued by the Local Panchayat and translation 82 - 85
14. **Annexure R3(j)(3):-** True copy of the D & O License issued by the Local Panchayat and translation 86 - 89
15. **Annexure R3(j)(4):-** True copy of the D & O License issued by the Local Panchayat and translation 90 - 93
16. **Annexure R3(j)(5):-** True copy of the D & O License issued by the Local Panchayat and translation 94 -97
17. **Annexure R3(j)(6):-** True copy of the D & O License issued by the Local Panchayat and translation 98 - 101
18. **Annexure R3(k):-** True copy of Form D1R-12 letter downloaded from the official web site of the Registrar of Companies 102-109
19. **Annexure R3(l):-** True copy of letter dated 17-7-2017 issued by Sri.Sabu Joseph and its English translation 110-111
20. Petition to accept additional documents

---

Dated this the 15<sup>th</sup> day of FEBRUARY, 2021.

  
Counsel for the 3<sup>rd</sup> Respondent

**EFORE THE HONOURABLE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONAL BENCH, CHENNAI**

**O.A.No. 155 OF 2020**

Applicant : Vijeesh Kumar  
Vs...

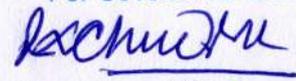
Respondents : Union of India & others

**ADDITIONAL COUNTER AFFIDAVIT ON BEHALF OF THE  
3<sup>RD</sup> RESPONDENT**

I, K.C.Ramachandran (Kattil Chittezhath Ramachandran), Aged 76 years, S/o.Krishnan Kartha, residing at 'Ramya', Welcome Road, Ayyappankavu – 682 018, do hereby solemnly affirm and state as follows:

1. I am the Director of M/s.Covenant Stones Pvt. Ltd; the 3<sup>rd</sup> respondent in the above Original Application. I know the facts of the case. It is submitted that it is become necessary to bring on record some very relevant facts, contentions and documents, which according to this respondent are absolutely necessary to dispose of the matter justly and fairly.
2. At the outset it is submitted that the present Original Application is filed without any bonafides. The same is filed as a pressure tactics and nothing, but a bargaining in disguise. The applicant has approached this Hon'ble Tribunal by distorted facts, suppression and without impleading the necessary parties as well.

For Covenant Stones Pvt. Ltd.



Director



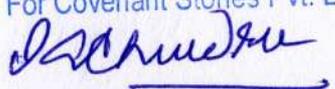
**Environmental Clearance & Mining plan:**

3. The allegation of the applicant with respect to Environmental Clearance and Mining plan, which is extracted as follows:-

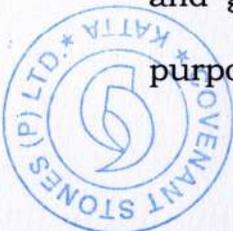
**“it has to be noted that the project proponent has obtained Environmental Clearance by submitting forged mining plan, which are the primary documents to be relied on by the authority for the issuance of E.C.”**

4. Apart from the above, it is also alleged that the respondent herein had submitted ***one and the same mining plan for obtaining the Environmental Clearance initially in the year 2014 and for extension of the same in the year 2019.***
5. The above allegations are absolutely incorrect, wrong and deliberately raised to mislead this Hon'ble Tribunal.
6. It is submitted that, the respondent had submitted its application for Environmental Clearance with respect to its quarry project on 25-3-2014. At that point of time, the SEIAA was not insisting for any approved Mining Plan for filing an application for Environmental Clearance or grant of Environmental Clearance since, the Government of Kerala had not notified the standards for preparing a mining plan and empowered any authority to approve a mining plan. It is submitted that, this respondent has filed the application for Environmental Clearance on 25-3-2014, with all the necessary supporting documents insisted by the SEIAA at the relevant point of time. It is submitted that the SEIAA/SEAC had not asked for any approved mining plan as well.



For Covenant Stones Pvt. Ltd.  
  
 Director

7. At this juncture, it is pertinent to notice that, though the Ministry of Environment and Forest had issued Guidelines for filing application for Environmental Clearance for B2 projects, on 24-12-2013, the necessary follow up steps for implementing the same were taken by the Government of Kerala only by the year 2015. The Government had empowered the competent authority to approve a mining plan only on 12-1-2015.
8. By 6-2-2015, the Government had introduced Kerala Minor Mineral Concession Rules, 2015 in supersession of its predecessor ie. Kerala Minor Mineral Concession Rules, 1967 and thereby, for the first time, in the State of Kerala, the Government had introduced the necessary Norms and Standards for preparing and approving a Mining Plan for Minor Minerals, by way of Chapter VI of the Rules, 2015 and made it compulsory to have approved mining plan even for existing quarries. It is pertinent to see that, vide Rule 66 of the Rules, 2015, the Government insisted for preparation and filing of Mining Plans for **existing quarry lease holders**. Thus the requirement of mining plan as regards the minor minerals become mandatory only by 6-2-2015. The Rules, initially granted one year time for such process.
9. This respondent, being an **existing lease holder**, who falls within the purview of Rule 66 of the KMMCR, 2015, had prepared and submitted a Mining Plan through Registered Qualified Person (RQP) and got it approved by the competent authority appointed for the purpose of Chapter VI, within the time stipulated by Rule 66.



For Coyenant Stones Pvt. Ltd.

Director

10. It is submitted that the Mining Plan filed by this respondent included Working Plan for the first 5 years, Tentative plan for the second 5 years, Conceptual plan which extent to 30 years Progressive Quarry Closure plan etc., as required by the relevant Rules.

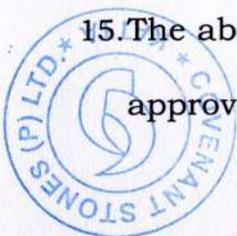
11. True copy of the relevant pages of the approved Mining Plan submitted in terms of Rule 66 of the KMMCR, 2015 and approved by the competent authority are produced herewith and marked as **Annexure R3(a)**.

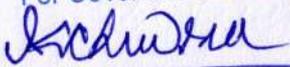
12. Annex.R3(a) was approved by the competent authority on 29-4-2015. In view of such approval on 29-4-2015, the Mining plan is valid till the expiry of the Quarrying Lease and Working plan for the first 5 years would expire only by 28-4-2020.

13. It is submitted that Annex.R3(a), is the only mining plan which this respondent had prepared and got **approved** by a competent authority with respect to the quarrying project.

14. It is submitted that, since there was no insistence/requirement for any approved mining plan for sustaining an application for Environmental Clearance during 2013- 2014, it is absolutely illogical and irrational to say that the respondent, in spite of such non-insistence/non-requirement had submitted a mining plan bearing official seal and post dated approval ie. 29-4-2015 and submitted the same **along** with the application for Environmental Clearance on 25-3-2014.

15. The above allegation of submission of mining plan bearing post dated approval along with application for Environmental Clearance on 25-



For Covenant Stones Pvt. Ltd.  
  
 Director

3-2014, is absolutely wrong, imaginary and raised to mislead this Hon'ble Tribunal.

**Enquiry of Director, Mining & Geology with respect to the allegation of filing forged and false mining plan along with the application for Environmental Clearance:-**

16. It is submitted that, after the passing of Annex.A5 and A6, a complaint was filed in the name of one Sri.Sakkeer Hussain before the SEIAA, alleging that **one and the same mining plan** was submitted for the purpose of original grant of Environmental Clearance as well as for the extension, by merely replacing the front pages. It seems that the SEIAA had forwarded the complaint to the Director, Mining & Geology and sought for a report. It is pertinent to notice that the SEIAA had not entered into any finding or conclusion that any malpractice or forgery has been committed.
17. The Mining & Geology Director had forwarded the matter to the District Geologist, Trivandrum for enquiry and report. While the matter was pending before the District Geologist, a writ petition was caused to be filed before the Hon'ble High Court of Kerala. The writ petition was finally disposed off directing the Director, Mining & Geology to dispose of the matter. True copy of the Judgment in R.P No.389/2020, dt.6-7-2020, is **Annexure R3(b)**.
18. Later, after concluding the enquiry by hearing all the parties concerned, the Director, Mining & Geology had prepared and forwarded report to the SEIAA. In the report, it is clearly stated by the Director as follows:-

***"It is relevant to note that for Environmental Clearance granted prior to 2015, approved mining plan is not necessitated and in such a circumstance, there is absolutely***



For Covenant Stones Pvt. Ltd.

*[Handwritten Signature]*

Director

**no requirement to place a forged/manipulated mining plan before SEIAA for granting EC. It is stated that the mining plan for the period 2015 - 16 to 2019 - 20, approved on 29-4-2015 can only be treated as an official document. Forgery comes when there is manipulation of official documents. There is no question that 2015 - 16 to 2019 - 20 mining plan is manipulated based on which E.C. was granted"**

True copy of the Report of the Director submitted on 16-6-2020 is produced herewith and marked as **Annexure R3(c)**.

19. From a perusal of Annex.R3(c), it will clearly show that the allegation of forgery and submission of false mining plan etc. are absolutely incorrect and wrong. The allegation of manipulation of mining plan is equally incorrect and wrong.

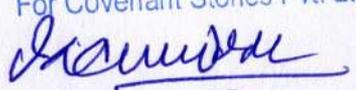
**Application for extension of Environmental Clearance & Mining Plan:-**

20. The allegation of the applicant, which is extracted as follows:-

***"It is most respectfully submitted that along with the application for renewal the project proponent to submit a mining plan. The 3<sup>rd</sup> respondent instead of preparing a new changed the first few pages of earlier mining plan and resubmitted it."***

The above allegation is absolutely incorrect and rooted in misconception of law.



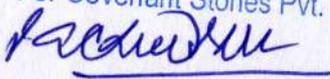
For Covenant Stones Pvt. Ltd.  
  
 Director

21. At this juncture, it is pertinent to notice that this respondent had submitted the application for extension of validity of Environmental Clearance on 28-6-2019, in view of the approaching expiry of the Environmental Clearance by 26-11-2019. It is submitted that, this respondent had submitted Annex.R3(a), along with the said extension application, since the validity of the same was not expired by then. It is pertinent to notice that, the working plan which form part of the approved Mining plan was valid for 5 years, and expiring only on 28-4-2020 and the application for extension was filed as early as on 28-6-2019. At this juncture, it is also pertinent to see that an approved mining plan is valid for the entire duration of the quarry lease and the quarrying lease is expiring only on 22-5-2023. In such circumstances, there was no need to file any fresh mining plan, nor any fresh mining plan was insisted by the SEIAA as well. True copy of the covering letter, dated 28-6-2019, which was filed along with the application for extension of Environmental Clearance submitted before to SEIAA is produced herewith and marked as **Annexure R3(d)**.

22. The application was appraised by the SEAC and recommended to the SEIAA. Later the SEIAA had extended the validity for a short period of 5 months only. The extension is procedurally proper and legally valid.

23. In view of the above it is clear that the allegations raised by the applicant is rooted in total misconception of law and in distortion of



For Covenant Stones Pvt. Ltd.  
  
Director

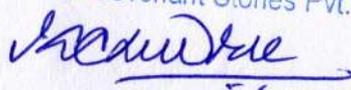
true facts. The said allegations are raised only to mislead this Hon'ble Tribunal.

**The Role of the Former Managing Director:**

24. It is submitted that this respondent company was incorporated on 11-3-2011. One Sri. Sabu Joseph, S/o.K.I.Joseph, Villa No.4, Palm Hill Villas, Pallimukku, Kallayam P.O., Kudappanakkunnu, Thiruvananthapuram, was appointed as the first Managing Director of the Company. The relevant pages of the Article of Association of this respondent company is produced herewith and marked as **Annexure R3 (e)**. He was appointed for a period of five years initially and later he was again appointed as Managing Director.

25. Sri.Sabu Joseph had managed to win the full confidence and trust of the Company. Sri.Sabu Joseph was in direct charge and responsible for the day to day affairs and business of the company. The decisions for filing the applications for various licenses, before various statutory authorities for mineral concessions were taken under his supervision, involvement, knowledge, consent and active participation. All the applications were filed before the various authorities for various statutory lease/license/clearance, with the full knowledge, supervision, directions, consent and control of Sri.Sabu Joseph. He used to convince the company that he was acting in the best interest of the company. In view of the trust and confidence, he had gained, no one would interfere with the decisions and conducts of Sri.Sabu Joseph.



For Covenant Stones Pvt. Ltd.  
  
 Director

26. However, Sri.Sabu Joseph had his own devious intentions from the very inception of the Company. It is submitted that though the Company had resolved to conduct quarrying operations in its name, Sri.Sabu Joseph managed to obtain the quarry lease executed in his personal name and also obtained various vital licenses in his personal name. Sri.Sabu Joseph had cleverly concealed all these from the notice of the Company and other Directors of the company. Such fraudulent conducts of Sri.Sabu Joseph were never suspected or discovered by the other members of the company, in view of the trust and confidence he managed to maintain.

27. True copy of the relevant pages of the application for quarrying lease dated 28-4-2011 is produced herewith and marked as **Annexure R3(f)**.

28. True copy of the Order sanctioning quarrying lease by the Director, Mining & Geology Directorate, dated 20-5-2011 is produced herewith and marked as **Annexure R3(g)**. True copy of the relevant pages of the draft quarrying lease, dated 18-6-2017 issued from the office of the Director, Mining & Geology Department for preparing quarrying lease deed is produced herewith and marked as **Annexure R3(h)**. True copy of the relevant pages of the quarrying lease deed executed between the competent authority and Sri.Sabu Joseph, dated 23-5-2011 in his personal capacity is produced herewith and marked as **Annexure R3(i)**.

29. From the above, it is crystal clear that the quarrying lease deed was fraudulently executed in the name of Sri.Sabu Joseph.



For Covenant Stones Pvt. Ltd.

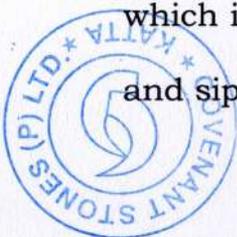
*[Handwritten Signature]*

Director

30. True copy of the license issued by the local Self Government Institutions in the personal name of Sri.Sabu Joseph issued from the year 2011 to 2016 are produced herewith and marked as **Annexure R3(j)** to **Annexure R3(j)(6)**.

31. It is submitted that Sri.Sabu Joseph has obtained the vital documents viz. lease deed and Panchayat license, etc. in his personal name with clear intention of cheating the company and to use the same as a tool of bargaining in the event of finding his fraudulent conducts. It is submitted that the said fraudulent conducts of Sri.Sabu Joseph, happened to be discovered only by 2016 - 2017, gradually, when the company approached a bank for loan. At that time, the relevant documents were sought for verification, by the bank. Sri.Sabu Joseph, had tried to delay the processing. Ultimately when the documents reached the bank for verification and in such verification, it was intimated that no loan can be sanctioned in the name of the company, since the quarrying lease and other documents are standing in the name of Sri.Sabu Joseph and not in the name of the Company. According to them, the company was not the lessee, and therefore cannot sustain an application for loan.

32. It is submitted that in such circumstances, extensive enquiries were conducted into the affairs of Sri.Sabu Joseph, as Managing Director, for the tenure starting from 2011 to 2017, and huge malpractices, which includes fraud, forgery, misappropriation, suppression of facts and siphoning of funds, loss of records etc. were discovered.



For Covenant Stones Pvt. Ltd.

*J. S. D. S.*

Director

33. It is submitted that later, a complaint was caused to be filed against Sri.Sabu Joseph and an FIR was registered into the same as crime No.2592/2020 of Vattappara Police Station and the same is being investigated by the Police.
34. At this juncture, Sri.Sabu Joseph, had resigned from the company. True copy of Form D1R-12 letter downloaded from the official web site of the Registrar of Companies and got attested, is produced herewith and marked as **Annexure R3(k)**.
35. Ever since such exit, Sri.Sabu Joseph, had taken earnest efforts to see that the quarrying operations are stopped and not resumed any further. It is submitted that in retaliation of the discovery of his fraudulent conducts and consequent exit from the Company, Sri.Sabu Joseph had been submitting objections and filing false complaints against the company, before various authorities including Mining & Geology Department, *inter alia* insisting not to issue any further movement permits, pass, renewal of license of various statutory authorities, etc. True copy of the letter dated 17-7-2017 issued by Sri.Sabu Joseph and its translation are produced herewith and marked as **Annexure R3(l)**. Similar objections were also filed before the other statutory authorities.
36. It is submitted that in view of the objections raised by Sri.Sabu Joseph, before various statutory authorities, the quarrying operations were obstructed and stopped since the last week of July 2017 onwards.



For Covenant Stones Pvt. Ltd.

*[Handwritten Signature]*

Director

37. The disputes, led to litigations and still later Sri.Sabu Joseph voluntarily agreed to execute rectification deed with respect to the quarrying lease deed and effect change of name. Accordingly a rectification deed was executed on 6-2-2019.

38. It is submitted that the RMCU registration was renewed and the movement permit was issued for quarrying operations, only after the Rectification deed was executed. As already submitted that, quarrying operations were disrupted since the last week of July 2017 till 5-4-2019, in view of the objections and complaints filed by Sri.Sabu Joseph, before various authorities, except for a period of hardly 5 months.

**Synopsis of the functioning of the company is given as follows:-**

<b>Events</b>	<b>Date</b>
• Incorporation of Company	11-03-2011
• Execution of quarrying lease	23-05-2011
• Compounding of quarry lease with RMCU	27-03-2013
• Exit of Sri.Sabu Joseph from the company	30-06-2017
• Stopping of quarrying operation in view of complaints from Sabu Joseph	01-08-2017
• Restarting of quarrying operation	01-11-2017
• Stopping of quarrying operation in view of non-renewal of RMCU registration due to objection on the part of Sabu Joseph	01-04-2018
• Execution of Rectification of deed	06-02-2019
• Resumption of quarrying operation after	



For Covenant Stones Pvt. Ltd.

*[Handwritten Signature]*

Director

the execution of rectification deed 05-04-2019

- Stopping of quarrying operation 07-03-2020

39. It is submitted that, from 2011 – 2017, Sri.Sabu Joseph, as the Managing Director of the company, is in the direct charge and responsible for the conducting of the business of the company and the excavation were being conducted under his direct control and supervision. It was only during this time, that the quarrying operations were being conducted in its optimum capacity and more than 90% of the production was made during this period. In such circumstances, if at all, without admitting so,, any violation/fault/excess quarrying and consequent environmental degradation are found, it is Sri. Sabu Joseph, **who alone** is responsible for the same, since he was the Managing Director of the Company and was **in charge of and responsible for the conduct of the business of the company, which very well include excavation**, during the relevant period. In such circumstances, Sri.Sabu Joseph is a necessary party to this O.A. It is submitted that Sri.Sabu Joseph, had been cheating the company through out. He had got the quarrying lease fraudulently executed in his personal name and obtained licenses also in his personal name and purchased properties in his personal name by spending the money of the company. He had caused huge monetary loss to the company and landed the company in legal complications. The company never achieved profit so far. Sri.Sabu Joseph is a necessary party to this

Original Application.



For Covenant Stones Pvt. Ltd.

Director

**Present applicant and his locus standi:**

40. It is submitted that Sri.Sabu Joseph, had been filing complaints and raising false allegations against this respondent and its present chairman, before various Forums through third parties as well. The applicant in the present case is also a proxy of Sri.Sabu Joseph, otherwise, there is absolutely no reasonable cause for Sri.Vijeesh Kumar, who is residing almost 5 KM away from the site of the quarry, to have any grievance against the quarry and to approach this Hon'ble Tribunal.

41. It is submitted that the applicant herein had approached this Hon'ble Tribunal by submitting absolutely false statements as to the distance of his residence with the quarry. It is submitted that the applicant, in para 1 had averred as follows:-

***“His residence is situated 500 meters away  
from the quarry site”***

42. It is submitted that the quarry of the 3<sup>rd</sup> respondent is located at a place locally known as **‘Katta’**, whereas the residence of the applicant is situated at a place locally known as **‘Enthivila’**. The **quarry situates in Ward No.VII** of Vembayam Grama Panchayat, whereas the **applicant’s residence is situated in Ward No.VI**. It is submitted that there is a distance of more than 5 Km from the residence of the applicant with the quarry of this respondent. The applicant does not have any residential/proprietary interest anywhere near to the quarry of this respondent. In view of such long distance, there is absolutely no reason to believe that the functioning



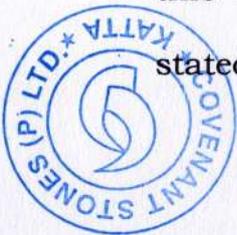
For Covenant Stones Pvt. Ltd.

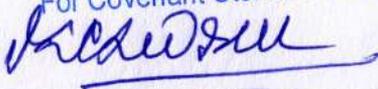
*Jacobus*

Director

of the quarry will cause any prejudice to the interest of the applicant. In addition to that, there are three more quarries situated in between the residence of the applicant and the quarry of this respondent. It is curious to see, what prompted the applicant to **selectively** challenge against this respondent **alone** in spite of such long distance and the presence of 3 more quarries in between. It is submitted that, the applicant has approached this Hon'ble Tribunal, without any bonafides and suppressing material facts and in distortion of true facts and for extraneous reasons. The applicant has no **locus standi**. The applicant has filed the above O.A. at the instance of third persons, which includes the former Managing Director of the Company Sri.Sabu Joseph.

43. From the above it is crystal clear that, after the exit of Sri.Sabu Joseph, the quarry of this respondent was not functioning regularly. It could function only for short durations. This respondent had to pay an amount of more than Rs.50 lakhs on the allegation of excess quarrying, which was happened due to fraudulent and deliberate mismanagement by the former Managing Director, viz. Sri.Sabu Joseph. It is submitted that, the said amount was levied and demanded by the Mining & Geology Department through a proceeding dated 30-1-2020 on allegation that a quantity of 71943.75 MT was unauthorizedly excavated and removed from the quarry. It is pertinent to notice that, from 1-11-2017 to 5-4-2019, this responded could operate the quarry only short duration as stated earlier. It is submitted that, it is absolutely improbable to



For Covenant Stones Pvt. Ltd.  
  
 Director

believe that a huge quantity of 71943.75 MT of rock could be excavated and removed during such short duration, that too without being caught the attention of any authority including the applicant before this Hon'ble Tribunal, who has claimed that he has been watching the quarry **closely**. It is submitted that the said excess quantity, was excavated prior to July, 2017, i.e. during the tenure of Sri.Sabu Joseph as Managing Director.

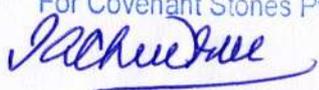
44. It is submitted that the respondent company had to bear the brunt of malpractices, fraud and other illegalities committed by the said Sri.Sabu Joseph.

Under the above circumstances, it is most humbly submitted that the contentions raised above may kindly be upheld and dismiss the above Original Application with cost to this respondent.

The facts stated above are true and correct.



Dated this the 15<sup>th</sup> day of February, 2022.

For Covenant Stones Pvt. Ltd.  
  
 Director **Deponent**

Solemnly affirmed and signed before me by the deponent on this the 15<sup>th</sup> day of February, 2022 at my office at Ernakulam.

  
**Philip J.Vettickattu, Advocate**

16 (a)

**VERIFICATION**

I, K.C.Ramachandran (Kattil Chittezhath Ramachandran), Aged 76 years, S/o.Krishnan Kartha, residing at 'Ramya', Welcome Road, Ayyappankavu - 682 018, do affirm that I am the Director of M/s Covenant Stones Pvt. Ltd; the 3<sup>rd</sup> respondent and hereby verify that the contents of this additional counter affidavit are true and correct , and that I have not suppressed any material facts.

Dated this the 15<sup>th</sup> day of February 2022.

For Covenant Stones Pvt. Ltd.

*Jacob Jose*

Director



**3<sup>rd</sup> Respondent**

*Philip J. Vettickattu*  
Philip J. Vettickattu  
Advocate

17

Annexure R3(a) (9)

# Quarry plan

Prepared under Rule 12

of

Granite Conservation & Development Rule 1999

of

Dimension and Building Stone Quarry of

**M/s. COVENANT STONES PVT. LTD.,**

Situated in Survey Nos: 29/2, 29/3 & 30/4 of Thekkada Village & Survey Nos., 470, 472/4/1, 474/1, 1/2, 472/5, 472/6, 469/4/3/4, 469/4/3/3, 469/4/2, 469/4/1/1, 469/4/1/2, 469/4/1/3 & 469/4 of Manickal village, Nedumangad Taluk, Thiruvananthapuram District of Kerala State. ,

**EXTENT : 8.9637 HA**

Prepared for the year  
2015 - 16 to 2019 -20

<b>PREPARED BY</b>	
<b>KANTHARAJ. K.</b>	
<b>RQP / GOA / 130 / 2000 / A</b>	
<b>METAMORPHOSIS<sup>SM</sup></b> <b>BR. OFFICE &amp; ENVIRONMENT</b> <b>LABORATORY :</b> <b>4<sup>TH</sup> MAIN, 2<sup>ND</sup> BLOCK, 2<sup>ND</sup> CROSS</b> <b>KUVEMPU NAGAR</b> <b>TUMKUR - 572103</b> <b>TELE FAX : +91816 2270769</b>	<b>METAMORPHOSIS<sup>S</sup></b> <b># 143, 2<sup>ND</sup> FLOOR, 4<sup>TH</sup> CROSS,</b> <b>39<sup>TH</sup> MAIN, BEHIND SILK BOARD,</b> <b>II STAGE, B T M LAYOUT,</b> <b>BANGALORE - 560 068</b> <b>TELEFAX : +9180 2678 3006</b>

*Handwritten signature*

18

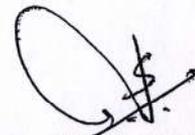
Annexure R3(a)  
2

AUTHORISATION LETTER

I the undersigned being the Managing Partner of M/s. COVENANT STONES PVT. LTD., do hereby authorize the R Q P Mr. Kantharaj K to prepare, submit and to get the approval of the Quarry Plan in respect our Dimension and Building Stone Quarry situated in Survey Nos: 29/2, 29/3 & 30/4 of Thekkada Village & Survey Nos., 470,472/4/1, 474/1, ½, 472/5, 472/6,469/4/3/4, 469/4/3/3, 469/4/2, 469/4/1/1, 469/4/1/2, 469/4/1/3 & 469/4 of Manickal village, Nedumangad Taluk, Thiruvananthapuram District of Kerala State. Extends over an area of 8.9637 Ha.

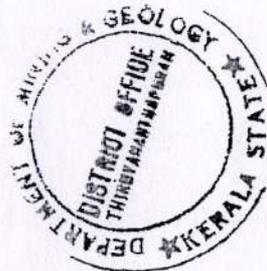
Date :

Place :



**SABU JOSEPH**

Managing Director

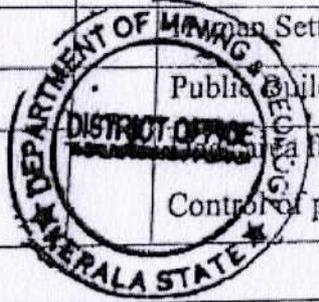


19

TABLE OF CONTENTS		
Chapter	Contents	Page No.
	INTRODUCTION	1
1.0	GENERAL	3
2.0	LOCATION AND ACCESSIBILITY	4
PART - A		
3.0	GEOLOGY, EXPLORATION AND RESERVES.	
	• Physiography	6
	• Regional Geology	6
	• Local Geology	8
	• Exploration	9
	• Exploration Proposed	10
	• Reserves	10
4.0	QUARRYING / MINING	
	• Existing / Proposed method for developing / working the deposit with designed parameters.	13
	• Indicate Quantum of Development, Tonnage and grade of Productions	14
	CONCEPTUAL MINING PLAN	15
	• Anticipated life of quarry	15
	• Rate of Production	16
	• Disposal of Waste rock.	16
	OPEN CAST MINING	
	• Salient features of the mode of working	17
	• Layout of mine workings, layout of faces and site for disposal of over burden	18
	• Extent of Mechanization	
5.0	BLASTING, DRILLING AND DISLODGING	
6.0	MINE DRAINAGE	20
	• Workings expected to be above the water table.	21
		Cont.,



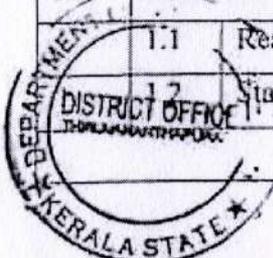
TABLE OF CONTENTS		
Chapter	Contents	Page No.
7.0	<b>STACKING OF MINERAL REJECTS AND DISPOSAL OF WASTE</b>	21
	• Top soil	21
	• Over burden / Waste	22
	• Land chosen for disposal of waste with proper justification	23
	• Attach note-indicating manner of disposal, and configuration, sequence of build up dump	23
8.0	<b>USE OF MINERAL</b>	
	• End use of the mineral	24
	• Physical and Chemical specifications stipulated by buyers	24
9.0	<b>OTHERS</b>	
	• Site services	24
	• Employment Potential	25
10.0	<b>MINERAL PROCESSING / BENEFICIATION</b>	25
	<b>PART - B</b>	
11.0	<b>ENVIRONMENTAL MANAGEMENT PLAN</b>	
	• Status of base line information and existing land use pattern	27
	• Flora & Fauna	27
	• Air, Water, Noise and Soil	28
	• Climatic Conditions	29
	• Temperatures	29
	• Relative Humidity	30
	• Rain fall	30
	• Human Settlement	30
	• Public Buildings, Places of worship & Monuments	31
	• Areas falls under notified area under the water (Prevention and Control of pollution) Act 1974	31
		Cont...



*Handwritten signature*

21

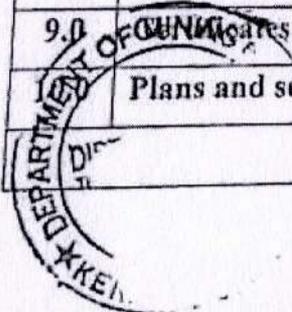
TABLE OF CONTENTS		
Chapter	Contents	Page No.
<b>ENVIRONMENTAL IMPACT ASSESSMENT</b>		
[	Land area likely to be de-graded due to pitting, dumping roads township & etc.,	32
[	Air quality	33
[	Water Quality	33
[	Noise Levels	33
[	Vibration levels due to Blasting	33
[	Socio - Economics	34
[	Historical Monuments	34
<b>MANAGEMENT PLAN</b>		
[	Temporary storage and utilization of top soil	35
[	Year wise proposal for reclamation of the land affected	35
[	Plantation Programme	37
[	Stabilization and vegetation of dumps with waste dump management.	37
[	Measure to control erosion	37
[	Treatment and disposal of water from mine	37
[	Measure for minimizing adverse effect on water regime	38
[	Protecting measure for Ground vibrations / air blast caused by blasting	38
[	Measure for protecting historical monument and for rehabilitation of human settlements likely to be disturbed.	38
[	Socio-economic benefits arising out of mining	38
<b>PROGRESSIVE MINE CLOSURE PLAN</b>		
1.0	<b>INTRODUCTION</b>	<b>40</b>
1.1	Reason for Closure	41
1.2	Statutory obligations	41
		Contd.,



*Handwritten signature*

22

TABLE OF CONTENTS		
Chapter	Contents	Page No.
	<b>PROGRESSIVE MINE CLOSURE PLAN</b>	
1.3	Progressive Mine Closure plan preparation	42
<b>2.0</b>	<b>MINE DESCRIPTION</b>	
2.1	Geology	42
2.2	Reserves	45
2.3	Mining Method	46
2.4	Mineral Beneficiation	46
<b>3.0</b>	<b>REVIEW OF MIPLEMENTATIONOF MINING PLAN</b>	46
<b>4.0</b>	<b>PROGRESSIVE MINE CLOSURE PLAN</b>	47
4.1	Mined out land	47
4.2	Water Quality management	48
4.3	Air Quality Management	48
4.4	Waste management	49
4.5	Top soil management	50
4.6	Tailing dam management	50
4.7	Infrastructure	50
4.8	Disposal of mining machinery	50
4.9	Safety and security	50
4.10	Disaster Management and risk management	50
4.11	Care and maintenance during temporary discontinuance.	51
<b>5.0</b>	<b>Economic repercussions of closure of mine and man power retrenchments</b>	51
<b>6.0</b>	<b>Time scheduling for abandonment</b>	51
<b>7.0</b>	<b>Abandonment cost</b>	52
<b>8.0</b>	<b>Financial assurance</b>	52
<b>9.0</b>	<b>Plans and sections</b>	53
		Contd.,



*Imp*

23

List of Annexure	
Details / Description of Annexure	Annxe. No.
Copy of MOA & AOA of the company	1
Copy of GO and lease deed	2
Copy of the letter issued by the DMG stating cancelation of lease	3
Copy of the consent (agreement) from M/s Corner stone Rocks Pvt, Ltd.	4
Copy of the consent (agreement) from M/s Logistic Distribution Systems India Pvt. Ltd.	5
Copy of the possession certificate of the land	6
Copy of the resolution of Board of meeting	7
Copy of NOC from panchayat for quarry operation.	8
Copy of consent for operation obtained from KSPCB	9
Copy of photo ID and address proof of Managing Director	10
Copy of the RQP certificate of RQP holder	11
Copy of the Air quality monitoring report	12
Copy of the Noise levels	13
Copy of the Water quality report	14
Copy of the Soil quality report	15

List of Plates	
Details / Description of Plates.	Plate No.
ESZ map	1
Key Plan showing the Environment Plan showing the monitoring locations	2
Location Plan	3
Cadastral Map showing the quarry area	4
Survey map showing the survey area (two maps)	5 & 6
Surface Plan	7
Geological Plan	8
Geological Cross Sections	9
Year wise production and Development Plan	10
Conceptual / Post mining Land use plan showing the year wise production and development dispositions	11
Conceptual / Post mining Land use plan 500 mts	12
Plant Process flow chart	13
	14
	15

24

Annexure R3(a)  
8

Year	Unit : in CuM	Unit : in MT	
	Dimension Stone	Building Stone	
	ROM	ROM	Waste rock
1 <sup>st</sup> Year 2015 - 16	9,000	85,500	4,500
2 <sup>nd</sup> Year 2016 - 17	25,000	2,37,500	12,500
3 <sup>rd</sup> Year 2017 - 18	30,000	2,85,000	15,000
4 <sup>th</sup> year 2018 - 19	30,000	2,85,000	15,000
5 <sup>th</sup> year 2019 - 20	30,000	2,85,000	15,000
<b>Total</b>	<b>1,24,000</b>	<b>11,78,000</b>	<b>62,000</b>

All the above waste is generated incidental to quarrying and due to quarry loss. (This is recovery loss)

The year wise projection of working is marked on the Production and Development plan and enclosed as Plate No. 10. The year wise proposed projection and its dispositions of the benches are shown on the Geological Cross Section and enclosed as Plate No. 11.

- f) Attach a note furnishing a conceptual Quarry plan for the entire lease period (for B category quarry) and up to the life of the quarry (for A category quarry) based on the geological, Quarry and environmental considerations.

**CONCEPTUAL MINING PLAN**

For any Mine / quarry, Preparation of Conceptual Plan amounts to, fore-seeing in totality and planning for quarrying and related activities through-out its life span, till such time all the usable mineral / ores are exhausted to the economic limits and lease area is reclaimed to the extent possible. The norms laid down by the government agencies from time to time do play important roles.

Therefore, preparation of ideal conceptual quarry plan for any quarry is difficult and such plan prepared, remains acceptable only under given circumstances. It cannot be over looked that, any such plan undergoes amendments and revisions in the course of progressive stages of exploitation.

**Anticipated Life of Quarry:**

Considering the present mineable reserves and the average rate of production of both Dimension Stone and Building Stone the life of the mine is about 26 years.



*Handwritten signature*

25

Annexure R3a  
19

**Rate of Production:**

The below table shows the production for the successive blocks of five years till the lease period:

Block of five years	Unit : in CuM	Unit : in MT
	Dimension Stone	Building Stone
1 <sup>st</sup> Block (2015 – 20)	1,24,000	11,78,000
2 <sup>nd</sup> Block (2020 – 25)	1,50,000	14,25,000
3 <sup>rd</sup> Block (2025 – 30)	1,50,000	14,25,000
4 <sup>th</sup> Block (2030 – 35)	1,50,000	14,25,000
5 <sup>th</sup> Block (2035 – 40)	1,50,000	14,25,000
6 <sup>th</sup> Block (2040 – 45)	76,300	7,28,000
<b>Total</b>	<b>8,00,300</b>	<b>76,06,000</b>

**Disposal of waste rock:**

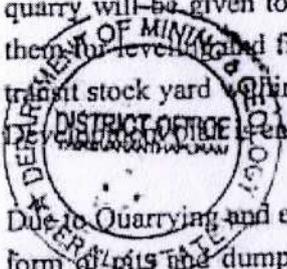
Mainly the c generated is the recovery loss due to the incidental to quarrying and the intercalated and overburden material.

Qty: in MT

Period of five years	Proposed Development
1 <sup>st</sup> Block (2015 – 20)	62,000
2 <sup>nd</sup> Block (2020 – 25)	75,000
3 <sup>rd</sup> Block (2025 – 30)	75,000
4 <sup>th</sup> Block (2030 – 35)	75,000
5 <sup>th</sup> Block (2035 – 40)	75,000
6 <sup>th</sup> Block (2040 – 45)	43,000
<b>Total</b>	<b>4,05,000</b>

The waste material generated at this quarry will be used as a road metal / building material. So the lessee is having the understanding with the buyer that the waste generated at this quarry will be given to the road construction companies, where this material is required for them for level and filling. Hence the waste generated at this quarry will be dumped in the transit stock yard in the lease, the location of the dump site shown in the production and is enclosed as Plate No. 10.

Due to Quarrying and exploitation of the ore, there will be change in the ground profile in the form of pits and dumps. The detail of the land use as at present, during the ensuing Plan period and till lease period is shown below in tabular form:



This is the true copy of document marked as EXHIBIT referred in the above case. ANNEXURE R3(a)

ADVOCATE

26

Annexure R3(b) b)

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS

MONDAY, THE 06TH DAY OF JULY 2020 / 15TH ASHADHA, 1942

RP.No.389 OF 2020 IN WP(C). 10035/2020

AGAINST THE ORDER/JUDGMENT IN WP(C) 10035/2020(D) OF HIGH COURT OF  
KERALA

REVIEW PETITIONER/S:

COVENANT STONES PVT LTD  
REPRESENTED BY ITS MANAGING DIRECTOR MR. NOBLE JOHN  
KATTA, CHEERNIKKARA P.O., VEMBAYAM, NEDUMANGAD,  
THIRUVANANTHAPURAM-695 013 REPRESENTED BY ITS  
DIRECTOR MR. K.C.RAMACHANDRAN, 'RAMYA' WELCOME ROAD,  
AYYAPPANKAVU, ERNAKULAM NORTH, KERALA-682 018.

BY ADV. SRI.ANIL THOMAS(T)

RESPONDENT/S:

- 1 STATE OF KERALA  
REPRESENTED BY THE PRINCIPAL SECRETARY TO GOVERNMENT,  
REVENUE DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM.
- 2 THE DIRECTOR  
MINING AND GEOLOGY, GOVERNMENT OF KERALA, VIKAS  
BHAVAN PO, THIRUVANANTHAPURAM-695 033.
- 3 THE KERALA STATE ENVIRONMENTAL IMPACT ASSESSMENT  
COMMITTEE  
PALLUMUKKU, KANNAMMOOLA ROAD, VELAKUDI, PETTA PO,  
THIRUVANANTHAPURAM-695 024 REPRESENTED BY ITS  
CHAIRMAN.
- 4 THE DISTRICT COLLECTOR  
COLLECTORATE, KUDAPPANAKKUNNU P.O.,  
THIRUVANANTHAPURAM-695 043
- 5 THE TAHSILDAR  
TALUK OFFICE, NEDUMANGAD, NEDUMANGAD PO,  
THIRUVANANTHAPURAM-695 541.
- 6 THE VILLAGE OFFICER  
MANICKAL VILLAGE, MANICKAL PO, NEDUMANGAD,  
THIRUVANANTHAPURAM-695 606.
- 7 THE GEOLOGIST

227  
Annexure R3 (b)  
2

DISTRICT OFFICE, KODAPPANAKUNNU PO,  
THIRUVANANTHAPURAM-695 043.

- 8 THE ENVIRONMENTAL ENGINEER  
KERALA STATE POLLUTION CONTROL BOARD, PATTOM .O.,  
THIRUVANANTHAPURAM-695 004.
- 9 THE DEPUTY CHIEF CONTROLLER OF EXPLOSIVES  
KAKKANAD, CSEZ PO, KAKKANAD, ERNAKULAM-682 037.
- 10 THE VEMBAYAM GRAMA PANCHAYAT  
REPRESENTED BY ITS SECRETARY, VEMBAYAM P.O.,  
THIRUVANANTHAPURAM-695 615.
- 11 THE MANICKAL GRAMA PANCHAYAT  
REPRESENTED BY ITS SECRETARY, PIRAPPANCODE P.O.,  
THIRUVANANTHAPURAM-695 607.
- 12 BIJU MON R @ BIJU  
AGED 41 YEARS  
S/O. REGHUNATHAN PILLAI, SANGEETHA BHAVAN, NETTARA,  
KUTHIRAKULAM P.O., MANICKAL, THIRUVANANTHAPURAM-695  
615.
- 13 GOPAKUMAR R  
AGED 49 YEARS  
S/O. RAVEENDRAN NAIR, IDAVILAKATH VEEDU, IDATHARA,  
KUTHIRAKULAM PO, MANICKAL, THIRUVANANTHAPURAM-695  
615.
- 14 SAJEEV R  
AGED 49 YEARS  
S/O. RAVEENDRAN, EENDHIVILA VEEDU, CHEERNIKKARA PO,  
VEMBAYAM, THEKKADA, THIRUVANANTHAPURAM-695 615.

R11 BY ADV. SRI.K.P.HARISH  
R12-14 BY ADV. SMT.SREEDEVI KYLASANATH  
R12-14 BY ADV. SRI.ACHUTH KYLAS  
R12-14 BY ADV. SRI.R.MAHESH MENON  
R12-14 BY ADV. SRI.DEAGO JOHN K  
R12-14 BY ADV. SHRI.AMAL DEV C.V.

OTHER PRESENT:

SRI.M.P.SREEKRISHNAN, SC, SRI.T.NAVEEN, SC

THIS REVIEW PETITION HAVING BEEN FINALLY HEARD ON  
06.07.2020, ALONG WITH WP(C).10933/2020(N), THE COURT ON THE  
SAME DAY PASSED THE FOLLOWING:

*Handwritten signature*

28

Annexure R 3 b  
3

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS

MONDAY, THE 06TH DAY OF JULY 2020 / 15TH ASHADHA, 1942

WP (C) .No.10933 OF 2020 (N)PETITIONER/S:

- 1 COVENANT STORES PVT. LTD.  
REPRESENTED BY ITS ADDITIONAL DIRECTOR, MR.  
RAGHUNATHAN, KATA, VEMBAYAM, THIRUVANANTHAPURAM-695  
615.
- 2 RAGHUNATHAN  
AGED 67 YEARS  
S/O. KUNJU KRISHNAN, RESIDING AT KNRA-40, TC  
20/1786, PRASANTHAM, KARTHIKEYA NAGAR, KARAMANA,  
THIRUVANANTHAPURAM-695 002.

BY ADVS.  
SRI .ANIL THOMAS (T)  
SMT .K.V.RASHMI

RESPONDENT/S:

- 1 THE STATE OF KERALA  
REPRESENTED BY THE SECRETARY, DEPARTMENT OF  
INDUSTRY, SECRETARIAT, THIRUVANANTHAPURAM-695 001.
- 2 REVENUE DIVISIONAL OFFICER  
NEDUMANGAD, THIRUVANANTHAPURAM DISTRICT-695 541.
- 3 TAHSILDAR  
TALUK OFFICE, NEDUMANGAD P.O., THIRUVANANTHAPURAM-  
695 541.
- 4 THE DISTRICT GEOLOGIST  
MINING AND GEOLOGY DEPARTMENT, GOVERNMENT OF  
KERALA, KODAPPANAKUNNU P.O., THIRUVANANTHAPURAM-695  
043.
- 5 THE DISTRICT COLLECTOR  
COLLECTORATE, , KODAPPANAKUNNU PO,  
THIRUVANANTHAPURAM-695 043.
- 6 THE DIRECTOR  
DEPARTMENT OF MINING AND GEOLOGY GOVERNMENT OF

29

Annexure R3 b  
4

KERALA, VIKAS BHAVAN PO, THIRUVANANTHAPURAM-695  
033.

- 7 DEPARTMENT OF REVENUE  
REPRESENTED BY ITS SECRETARY, SECRETARIAT,  
THIRUVANANTHAPURAM-695 001.
- 8 THE DIRECTOR GENERAL OF POLICE  
POLICE HEAD QUARTERS, VAZHUTHACAUD,  
THIRUVANANTHAPURAM-695 010.
- 9 THE KERALA STATE ENVIRONMENTAL IMPACT ASSESSMENT  
COMMITTEE,  
PALLIMUKKU-KANNANMOOLA ROAD, VELAKUDI, PETTA P.O.,  
THIRUVANANTHAPURAM - 695 024, REPRESENTED BY ITS  
CHAIRMAN, IMPEADED AS ADDITIONAL RESPONDENT NO. 9  
AS PER ORDER DATED 24-06-2020 IN I.A. 01/2020

R1-8 BY GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON  
06.07.2020, ALONG WITH RP.389/2020, THE COURT ON THE SAME DAY  
DELIVERED THE FOLLOWING:

*[Handwritten signature]*

**ALEXANDER THOMAS, J.**

-----  
**R.P.No.389 of 2020 in W.P.(C.) No. 10035 of 2020**  
**&**  
**W.P.(C.) No. 10933 of 2020**  
-----

**Dated this the 6<sup>th</sup> day of July, 2020**

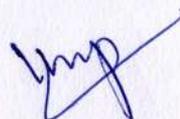
**ORDER/JUDGMENT**

Since certain issues in the afoercaptioned Review Petition as well as Writ Petition (Civil) [W.P.(C.) No.10933/2020] are inter-related as it pertain to the operation of the same quarrying unit, these matters are disposed of on the basis of a common order/judgment.

**R.P.No.389/2020 [arising out of W.P.(C.) No.10035/2020]**

The review petitioner herein has been arrayed as contesting respondent No.12 in W.P.(C.) No.10035/2020 and he seeks review of the impugned judgment dated 21.5.2020 rendered by this Court in W.P.(C.) No.10035/2020 filed by the writ petitioners therein (who have been arrayed as contesting respondents 12 to 14 in the review petition).

2. Heard Sri.Anil Thomas, learned counsel appearing for the review petitioner, Sri.K.J.Manuraj, learned Government Pleader appearing for the official respondents, Sri.M.P.Sreekrishnan, learned Standing Counsel for Kerala State Environmental Impact Assessment Authority appearing for the said respondent authority, Sri.T.Naveen, learned Standing Counsel for Kerala State Pollution Control Board appearing for



31

Annexure R3 bRP  
6/6

respondent Pollution Control Board and Sri.Achuth Kailas, learned Advocate appearing for contesting respondents 12 to 14 in the RP. In the nature of the orders proposed to be passed in this petition, notices to other respondents in the RP will stand dispensed with.

3. The main contention urged by Sri.Anil Thomas, learned counsel appearing for the review petitioner is to the effect that revenue authorities like the District Collector, Revenue Divisional Officer, Tahsildar etc. do not have any jurisdiction or competence to deal in respect of the matters affecting a quarrying unit, which are exclusively covered by the provisions contained in the Mines and Minerals (Regulation and Development) Act, 1957 ('MMDR Act' for short) as well as Kerala Minor Mineral Concession Rules, 2015 ('KMMC Rules, 2015' for short) framed under the MMDR Act. Therefore, the direction given by this Court to the respondent-District Collector to take decision on the complaints against the review petitioner at the instance of the writ petitioners etc. is illegal and ultra vires and hence, unenforceable and that on this basis, this Court may recall the said impugned judgment dated 21.5.2020 rendered by this Court in W.P.(C.) No.10035/2020 and may pass orders afresh in the said Writ Petition (Civil) etc., so that the authorities like the revenue officials concerned like the District Collector, RDO etc. who do not have any jurisdiction to deal with the matter, should not be directed and decided on the merits of the complaints against the review petitioner. This appears to be the sum and

substance of the case put up by the review petitioner.

4. The learned Government Pleader appearing for the official respondents would say that though the primacy of the jurisdictional competence in such matters affecting a quarrying unit will be with the competent statutory authorities as envisaged in the MMDR Act and the KMMC Rules, 2015, viz, namely, the competent officials of the Mining & Geology Department of the Government of Kerala as well as the Environment Impact Assessment Authority etc., it cannot be said that revenue officials like the District Collector, Sub-Collector, Revenue Divisional Officer/Dy.Collector, Tahsildars etc. who have been empowered as District Magistrates, Addl.District Magistrates, Sub-Divisional Magistrates, Taluk level Executive Magistrates in terms of the provisions contained in Sec.133 of the Code of Civil Procedure, do not have any jurisdiction whatsoever, even if there is great threat to the life and safety of persons and property in the locality. Further that, the District Collector, who is also the ex-officio Chairman of the District Disaster Management Authority, will also have certain powers and functions as envisaged in the provisions contained in the Disaster Management Act, 2005.

5. After hearing all the parties concerned, *prima facie*, this Court is not fully prepared to countenance the said submission made on behalf of the review petitioner that the revenue officials like the District Collector, RDO, Tahsildar etc. do not have any jurisdiction whatsoever to deal in

Imp

respect of any matters concerning the operation of a quarry, even if it relates to great threat to the life and safety of the persons in the locality or even which causes great danger to the nearby properties etc. However, in the light of the orders proposed to be passed by this Court in this Review Petition, there is no necessity for this Court to pronounce any final opinion on that issue. The operative portions of the directions and orders issued by this Court in clauses (i) to (iv) of para No.4 of the impugned judgment dated 21.5.2020 rendered by this Court in W.P.(C.) No.10035/2020 reads as follows :

- (i) *"The 4th respondent-District Collector will ensure that a joint enquiry may be conducted by the 7th respondent-Geologist and the 5th respondent-Tahsildar into the various allegations made by the petitioners, except the allegation regarding the manipulation of documents, etc., and the 5th & the 7th respondents may conduct such enquiry with due prior notice to the 12th respondent as well as one among the petitioners and then may give their report in the matter to the 4th respondent-District Collector within one month from the date of production of a certified copy of this judgment.*
- (ii) *After receipt of the said enquiry reports, the 4th respondent District Collector will ensure that copies of the said reports are given to the 12th respondent as well as to the 1st petitioner and thereafter reasonable opportunity of being heard to the petitioners as well as 12th respondent is granted and thereafter the 4th respondent-District Collector will take appropriate decisions in the matters raised in Ext.P-8 dated 13.5.2020 without much delay, preferably within a period of 6 weeks from the date of receipt of the enquiry report to be submitted by the 5th & 7th respondents as aforesaid.*
- (iii) *Until appropriate orders are passed by the 4th respondent District Collector on the matters raised in Ext.P-4 petition as aforesaid, it shall be ensured that directions in Ext.P-3 stop memo are enforced if the same has not been vacated or modified.*
- (iv) *The 2nd respondent-Director of Mining and Geology will immediately take up the matters on which clarification has been sought by the 3rd respondent-Kerala State Environment Impact Assessing Authority regarding the allegations that the application for extension of EC was accompanied by false/ manipulated mining plans, etc., and should give reply thereto to the 3rd respondent within a period of 3 weeks from the date of receipt of a certified copy of this judgment."*

6. On a specific query as to whether the respondent-District Geologist and the respondent-Tahsildar have already conducted the joint enquiry/joint inspection and have given their joint report in the matter,

34

Annexure R3 (b)  
9

Sri.K.J.Manuraj, learned Government Pleader appearing for the official respondents would submit on the basis of instructions that the said joint inspection/joint enquiry directed to be conducted by the respondent District Geologist and the respondent-Tahsildar has already been completed and the joint report of the said officials has also been forwarded to the respondent-District Collector.

7. Further, it is also pointed out that the allegations are raised against the review petitioner regarding the alleged manipulation of the documents said to have been submitted along with the mining plan before the respondent-State Environmental Impact Assessment Authority at the time of the submission of the application for extension of the Environmental clearance. Further, it is pointed out that the Director of Mining & Geology has already given a report for the attention of this Court regarding his *prima facie* assessments on the allegations raised against the review petitioner in regard to the alleged manipulation of documents, said to have been allegedly submitted at the time of application for extension of Environmental clearance said to have been given before the respondent-State Environment Impact Assessment Authority. This Court need not get into those issues and those are all matters which may be duly considered by the respondent-Director of Mining & Geology. Now, it is common ground of both sides that the Director of Mining & Geology and the District Geologist have primary jurisdiction in the matter in relation to the

35 35

Annexure R3(B)  
10

operation of a quarrying unit covered by the provisions of the MMDR Act and the KMMC Rules, 2015. Therefore, there cannot be any dispute for the review petitioner if the merits of the complaints directed to be considered by the respondent-District Geologist are instead considered by the respondent-Director of Mining & Geology, who is the head of the Department of the Mining & Geology, Government of Kerala.

8. Sri.C.Anil Thomas, learned counsel appearing for the review petitioner submits that the review petitioner has no objection whatsoever for his case is that the jurisdiction is mainly conferred on the competent officials of the Department of Mining & Geology, Government of Kerala.

9. Accordingly, after hearing both sides, it is ordered that the directions given as per clauses (i) to (iv) of para No.4 of the impugned judgment dated 21.5.2020 rendered by this Court in W.P.(C.) No.10035/2020 will stand modified and substituted as follows :

1. *It is now brought to the notice of this Court that the respondent –District Geologist and the respondent-Tahsildar have already conducted their joint enquiry/joint inspection and have given their joint report in the matter to the respondent-District Collector. The said joint inspection report could be considered on merits by the respondent-Director of Mining & Geology. It cannot be said that a competent Taluk level Executive Magistrate like the Tahsildar has no power ~~ever~~ to conduct enquiry/inspection in that regard.*

2. *The counsel for the review petitioner submits on the basis of instructions that the review petitioner has no objections if the respondent-Director of Mining & Geology is directed to consider on merits, the nature of the allegations raised by the writ petitioners as well as the matters in relation to the joint enquiry/joint inspection report given by the respondent-District Geologist and the respondent-Tahsildar, provided the copy of the said joint inspection report is given to the review petitioner in advance. The said submissions made on behalf of the review petitioner are recorded.*

36

36

Annexure R3(b)  
11

3. Accordingly, it is ~~ordered~~ that the respondent-District Collector will ensure that he need not act upon the said joint inspection report as the directions issued in the judgment in this W.P.(C.) are now being reviewed and modified. The respondent-District Collector will ensure that copy of the joint enquiry/joint inspection report given by the respondent-District Geologist and the respondent-Tahsildar is immediately forwarded to the respondent-Director of Mining & Geology, Government of Kerala, Thiruvananthapuram for his consideration and decision. To obviate any further delay, since the learned Government Pleader has also been given a copy of the said joint inspection report, it may be ensured by the learned Government Pleader that the copy of the said inspection report is immediately forwarded to the respondent-Director of Mining & Geology along with a certified copy of the order in this RP, without any further delay. The Government Pleader will also ensure that copies of the said joint inspection report are also furnished to Sri.Anil Thomas, learned counsel appearing for the review petitioner as well as Sri.Achuth Kailas, learned counsel appearing for the writ petitioners within a day or two.

4. Thereafter, the respondent-Director of Mining & Geology will afford reasonable opportunity of being heard to the review petitioner as well as the writ petitioners through their authorized representative/counsel, if any and then should consider on merits the matters disclosed in the said joint inspection/joint enquiry report submitted by the respondent-District Geologist and the respondent-Tahsildar and after considering the submissions of the rival parties may take a considered decision on the matters arising thereon, without much delay, preferably within a period of 2 weeks from the date of hearing of the parties concerned.

10. It is also placed on record that the learned Government Pleader has already furnished copies of the report of the respondent-Director of Mining & Geology on his *prima facie* assessment regarding the allegations raised against the review petitioner on the matters regarding the alleged submission of the manipulated documents along with the mining plan etc. and thus it is placed on record that the counsel for the review petitioner as well as the counsel for the writ petitioners have already received copies of the said report of the respondent-Director of Mining & Geology. Therefore, there is no necessity to again furnish copies of those reports to those parties. The copies of the abovesaid reports as furnished by the learned

37 37

Annexure R3 (b)  
T2

Government Pleader to the learned Advocates appearing for the review petitioner as well as the writ petitioners should be treated as furnishing copies of those reports to those parties concerned. As otherwise, unnecessary time will again be taken for completing such formalities. The learned Government Pleader has submitted that he is instructed to submit by the respondent-Director of Mining & Geology that as of now, the review petitioner's quarrying unit is not having environmental clearance as it has not now been extended by the respondent-State Environmental Impact Assessment Authority.

11. Accordingly, it is ordered that the Member-Secretary of the respondent-Kerala State Environment Impact Assessment Authority should send a formal letter to the respondent-Director of Mining & Geology as to whether the review petitioner's quarrying unit is having valid environmental clearance etc. and copies of the said letter should also be sent to the review petitioner as well as the 1<sup>st</sup> writ petitioner viz, contesting respondent No.12 in the W.P.(C.).

12. The respondent-Director of Mining & Geology will take into account as to whether the review petitioner has valid environmental clearance as of now for the conduct of his quarrying unit. The respondent-Director of Mining & Geology will also take into account his own *prima facie* assessment of the nature of the allegations raised against the review petitioner regarding the alleged manipulation of documents at the time of

38

Annexure R3 (b)  
13

the alleged submission of the mining plan etc., while considering the matters arising out of the joint inspection report given by the respondent-District Geologist and the respondent-Tahsildar as aforesaid.

13. It is made clear that the review petitioner can operate his quarry, only if he gets permission in that regard not only from the respondent-Director of Mining & Geology, after consideration of the matters as aforesaid, but also only if he has valid environmental clearance from the respondent-Kerala State Environmental Impact Assessment Authority. In case the review petitioner has any issues relating to the environmental clearance required from the respondent-Kerala State Environmental Impact Assessment Authority. Liberty is accorded to the review petitioner to work out remedies in that regard before the said respondent-State Impact Assessment Authority. In case the petitioner gets the necessary permission from the respondent-Director of Mining & Geology after consideration of the matters aforesaid and the petitioner also secures valid environmental clearance from the respondent-Kerala State Environmental Impact Assessment Authority, then it will be open to the review petitioner to function his quarry, notwithstanding issuance of the impugned stop memo (Ext.P13 dated 7.3.2020) by the respondent-Tahsildar, Nedumangad, Thiruvananthapuram.

14. The learned Government Pleader would submit on the basis of instructions that in case the respondent-Director of Mining & Geology

3939

Annexure R3(b)  
14

wants any clarifications or further details in respect of the matters covered by the joint inspection report of the abovesaid officers, then liberty may be accorded to the respondent-District Geologist either to seek such clarifications from the respondent-District Geologist and the respondent-Tahsildar or even to call for any further inspection and report, if it is really necessary and warranted. Liberty in that regard is accorded to the respondent-Director of Mining & Geology. If any such further action is taken, then copies of any further reports of the clarifications or further inspection report etc. should then be acted upon only if copies of such reports are given to both the review petitioner as well as the writ petitioners in advance and if any such further inspection is proposed to be done, then such inspection should also be with due notice to the review petitioner as well as the 1<sup>st</sup> writ petitioner as already directed hereinabove. Copies of such further inspection report should also be given to the review petitioner and the writ petitioners in advance. In such a case, the time line for taking final decision in the matter will be 3 weeks from the date of submission of such additional reports/further inspection reports etc. as the case may be.

15. Sri.Anil Thomas, learned counsel appearing for the review petitioner would also submit on the basis of instructions that the review petitioner has existing stocks of the quarrying materials meant for export kept in his unit which has been duly quarried, during the

*[Handwritten signature]*

40

Annexure R3(b)  
15

time when he had lawful permission and this Court may direct that the review petitioner should be permitted to clear such stocks as otherwise he will not be able to meet export obligation and it would also have serious legal consequences etc. and in that regard, it will be open to the review petitioner to raise those issues before the respondent-District Geologist, who may ascertain the correctness of such submissions and then may take a decision on the plea of the review petitioner for such permission, in accordance with the provisions contained in the Rules governing the field.

16. However, it shall be ensured by all the officials concerned including the respondent-Director of Mining & Geology that unnecessary delay should be avoided, at any cost in view of the urgency expressed by the review petitioner. Those aspects of the matter should also be seriously borne in mind by the respondent-Director of Mining & Geology in case, any such further action is proposed by him.

17. It is made clear that this Court has not entered into the merits of the controversy in any manner and all matters and merits of all such allegations now directed to be considered by the respondent-Director of Mining & Geology would fall within the exclusive province and consideration and he shall take decision in the matter independently and strictly in accordance with law, and untrammelled by any of the observations in the impugned judgment in the W.P.(C.) as well as the orders in the present RP.

Imp

41

Annexure R3 (B)

HB

18. The review petitioner may ensure that the certified copy of the order in this RP as well as his written submissions in the matter may be duly forwarded to the respondent-Director of Mining & Geology for necessary information and further action. The directions and orders in the impugned judgment dated 21.5.2020 in W.P.(C.) No.10035/2020 will stand modified and substituted as above.

With these observations and directions, the above Review petition will stand finally disposed of.

**W.P.(C.) No.10993/2020**

The prayers in W.P.(C.) 10993/2020 are as follows :

1. A writ of certiorari or any other appropriate writ, order or direction, call for the file No.A 1747/2020(1) of the 2<sup>nd</sup> respondent and the File No.D1-773/2020 of the 3<sup>rd</sup> respondent leading to Ext.P13 and the related proceedings and to quash Ext.P13 stop memo including the further proceedings originated from it.
2. To declare that the respondents 2 and 3 have no power or authority to act under the MMDR Act 1957, KMMC Rules 2015 and KM(PIMS&T) Rules 2015, except to the extent of seizure of the vehicles, tools etc, as empowered in the Ext.P22.
3. A writ of mandamus or any other appropriate writ, order or direction, directing the respondents 1 to 3 to compensate the petitioners, for the loss sustained by it, due to the illegal Ext.P13 stop memo of the 3<sup>rd</sup> respondent, as it is illegal and ultravires the provisions of the statute,
4. A writ of mandamus or any other appropriate writ, order or direction, directing the 1<sup>st</sup>, 7<sup>th</sup> and 8<sup>th</sup> respondents to consider and pass orders on Ext.P18, P19 and P20 respectively, on a time frame fixed by this Hon'ble Court.
5. To grant such other reliefs sought from time to time including the cost of this proceeding."

2. It is now submitted by Sri.Anil Thomas, learned counsel appearing for the writ petitioners that the issues in this W.P.(C.) have become practically infructuous and redundant in view of the directions and orders already issued by this Court in the abovesaid order rendered today (6.7.2020 in R.P.No.389/2020 (arising out of W.P.(C.) No.10035/2020)

42 42 Annexure R3(b)  
17

and that the above W.P.(C.) may be closed accordingly, without prejudice to the rights of the writ petitioners to work out their remedies in accordance with law, in case they have any further legally justiciable grievances. The respondents do not have any serious objection to the factual correctness of the abovesaid submission made on behalf of the writ petitioners.

Recording the abovesaid submission made on behalf of the petitioners, it is ordered that the above Writ Petition (C) will stand disposed of as infructuous.

Sd/-

**ALEXANDER THOMAS,  
JUDGE**

SKS

*[Handwritten signature]*

43

Annexure R3(b)  
78**APPENDIX OF WP(C) 10933/2020****PETITIONER'S/S EXHIBITS:**

- EXHIBIT P1 TRUE COPY OF THE CERTIFICATE OF INCORPORATION ISSUED BY THE REGISTRAR OF COMPANIES DATED 11.3.2011.
- EXHIBIT P2 TRUE COPY OF THE LICENSES ISSUED BY THE MANIKKALPANCHAYAT DATED 28.4.2020.
- EXHIBIT P3 TRUE COPY OF THE LICENSE ISSUED BY THE VEMBAYAM GRAMA PANCHAYAT.
- EXHIBIT P4 TRUE COPY OF THE QUARRYING LEASE EXECUTED BETWEEN THE DEPARTMENT OF MINING AND GEOLOGY DATED 23.5.2011.
- EXHIBIT P5 TRUE COPY OF THE EXPLOSIVE LICENSE ISSUED BY THE JOINT CONTROLLER OF EXPLOSIVES SOUTH CIRCLE, CHENNAI, DATED 29.2.2016.
- EXHIBIT P6 TRUE COPY OF THE LICENSE ISSUED BY THE DEPARTMENT OF FACTORIES AND BOILERS DATED 18.9.2019.
- EXHIBIT P7 TRUE COPY OF THE LICENSE ISSUED BY THE POLLUTION CONTROL BOARD FOR THE QUARRY DATED 2.2.2020.
- EXHIBIT P8 TRUE COPY OF THE LICENSE ISSUED BY THE POLLUTION CONTROL BOARD FOR THE CRUSHER DATED 18.5.2019.
- EXHIBIT P9 TRUE COPY OF THE ENVIRONMENTAL CLEARANCE ISSUED BY SIEAA DATED 10.12.2019.
- EXHIBIT P10 TRUE COPY OF THE BANK GUARANTEE ISSUED BY THE FEDERAL BANK DATED 27.10.2017.
- EXHIBIT P11 TRUE COPY OF THE DEALER'S LICENCE DATED 16.5.2018.
- EXHIBIT P12 TRUE COPY OF THE FORM G DATED 11.7.2019.
- EXHIBIT P13 TRUE COPY OF THE STOP MEMO ISSUED BY THE 3RD RESPONDENT DATED 7.3.2020.
- EXHIBIT P14 TRUE COPY OF THE REPORT SUBMITTED BY THE 3RD RESPONDENT TO THE 2ND RESPONDENT DATED 16.3.2020.

44

Annexure R3(B)  
19

- EXHIBIT P14 (A) TRUE COPY OF THE COMMUNICATION OF THE 2ND RESPONDENT TO THE 4TH RESPONDENT DATED 24.3.2020.
- EXHIBIT P15 TRUE COPY OF THE REQUEST LETTER ADDRESSED TO THE 2ND RESPONDENT ON 11.3.2020 BY THE 2ND PETITIONER.
- EXHIBIT P16 TRUE COPY OF THE REPORT OF THE 4TH RESPONDENT ADDRESSED TO THE 2ND RESPONDENT DATED 14.5.2020.
- EXHIBIT P17 TRUE COPY OF THE LAWYER NOTICE ISSUED ON 20.5.2020 TO 2ND AND 3RD RESPONDENT.
- EXHIBIT P18 TRUE COPY OF THE REPRESENTATION DATED 6.5.2020 SUBMITTED BEFORE THE MINISTER FOR INDUSTREIS.
- EXHIBIT P19 TRUE COPY OF THE REPRESENTATION DATED 24.4.2020 SUBMITTED BEFORE 7TH RESPONDENT.
- EXHIBIT P20 TRUE COPY OF THE COMPLAINT PREFERRED BEFORE THE CHIEF MINISTER OF KERALA WITH EXTRACT OF EMAIL RECEIVED DATED 28.5.2020.
- EXHIBIT P21 TRUE COPY OF THE GO(P) NO.76/2015/ID DATED 5.6.2015.
- EXHIBIT P22 TRUE COPY OF THE GO(P) 55/2015/ID DATED 6.5.2015.

This is the true copy of document  
marked as EXHIBIT referred  
ANNEXURE R3(B)  
in the above case.

ADVOCATE

45

Annexure R3 (C)

No. 2988/M4/2020

Directorate of Mining and Geology,  
Kesavadasapuram, Pattom Palace P.O,  
Thiruvananthapuram 695 004.  
Tel./Fax : 0471-2447429  
email: [director.dir.dmg@kerala.gov.in](mailto:director.dir.dmg@kerala.gov.in)  
[www.dmg.kerala.gov.in](http://www.dmg.kerala.gov.in)  
Dated 16.6.2020

From

The Director of Mining and Geology

To

The Administrator,  
State Environment Impact Assessment Authority (SEIAA),  
Thiruvananthapuram

Sir,

Sub : **M/s. Covenant Stones Pvt. Ltd** – Mining Plan - Allegations on  
forgery - report forwarding – reg.

Ref : Letter No. 1422/ECI/2019/SEIAA dated 07.3.2020 of SEIAA

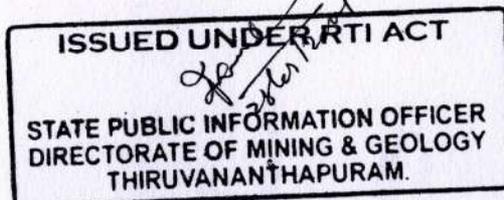
Kind attention is invited to the reference cited above. I may submit the  
report in connection with the enquiry conducted by this office in response to the  
letter referred above received from SEIAA for kind perusal.

Yours faithfully,

Encl: as above

16/6/20

Director of Mining and Geology (i/c)



*[Handwritten signature]*

46

Annexure R3 (C)  
2

**Report submitted by the Director of Mining and Geology  
regarding the allegations on forged Mining Plan  
by M/s. Covenant Stones Pvt. Ltd.**

The SEIAA vide letter No.1422/ECI/2019/SEIAA dated 07.3.2020 requested Director of Mining and Geology to enquire about the allegations raised against M/s. Covenant Stones Pvt. Ltd. that the company has committed certain frauds/irregularities while submitting revised mining plan at the time of seeking extension of Environmental Clearance. The letter says that in the complaint filed by one Sri. Sakeer Hussain it is alleged that mining plan for the period 2013-'14 to 2017-'18 has been duplicated by just replacing the mining plan period to 2015-'16 to 2019-'20 in the cover page.

An enquiry in this regard has been conducted through the Geologist, Thiruvananthapuram who personally heard quarrying lease holder's representative and one of the complainants (raised the same complaint before the Geologist Thiruvananthapuram and also filed W. P. (C) No. 10035/2020 in this regard before the Hon. High Court of Kerala) and also made efforts to gather evidences from SEIAA.

A notice was served to Recognized Qualified Person (RQP) who had prepared the mining plan in question, for a personal hearing, he forwarded a reply stating that he could not turn up due to the present COVID-19 restrictions and finally he appeared for hearing on 09.6.2020. The outcome of enquiry conducted by this office through the Geologist Thiruvananthapuram Thiruvananthapuram and recommendations are narrated hereunder.

M/s. Covenant Stones Pvt. Ltd. was granted a quarrying lease in an area of 5.7782 Ha of land confined in Re-Sy. no. 29/3, 29/2, 30/4 of Thekkada village and Re-Sy. No. 470, 472/4-1, 474/1-1, 474/1, 474/1-2, 472/5, 6 of Manikkal village in Nedumangad Taluk vide order No. 98/2011-12/3499/M3/2011 dated 20.05.2011, under the provisions in the erstwhile KMMC Rules 1967. The lease holder obtained Environmental Clearance from SEIAA in the year 2014 vide order No. 237/SEIAA/KL/885/2014. It is a fact

ISSUED UNDER RTI ACT  
der/ser/2020

W.P.

47

Annexure R3 (C)  
3

that approved mining plan is insisted for minor mineral quarrying only in the year 2015 through the introduction of the newly framed KMMC Rules 2015. (G.O. (P) No. 16/2015/ID dated 07.02.2015). Until then quarrying operations are conducted in accordance with the conditions in the lease order and other connected statutory licenses.

In connection with this enquiry, the Geologist Thiruvananthapuram personally visited SEIAA office on 25.5.2020 and gathered information from the Administrator and concerned section heads. It is appraised that prior to year 2015, environmental clearances are granted based on Form I application, Pre-feasibility report and a quarry plan. In the application submitted by M/s. Covenant Stones Pvt. Ltd. for Environmental Clearance extension in the year 2019 (28.6.2019) the documents attached were Form 6, Form I, Pre-feasibility report and approved mining plan.

It is learnt that when one Sri. Sakkir Hussain raised complaint before SEIAA that fraudulent activities/irregularities have been committed by the company in the mining plan while submitting application for extension of EC, SEIAA authorities verified the connected files through which EC was granted in the year 2014 and observed that a mining plan prepared for the period 2013-'14 to 2017 - '18 was enclosed along with other documents. In mining plan it is observed that in the certificate page, Geologist Thiruvananthapuram had approved the same on 29-4-2015, with designation seal and office seal affixed. Also in the entire pages office seal is found affixed.

The SEIAA authorities expressed that the reason for submission of this mining plan, when there is no requirement to submit an approved mining plan prior to 2015 is conspicuous and need to be enquired. However it is a fact that a mining plan prepared for the period 2013-'14 to 2017-'18 exists and the same is submitted before SEIAA. RQP on hearing informed that he had prepared mining plan for 2013-'14 to 2017-'18 but the same was not submitted to SEIAA by himself and neither submitted the same to District Geologist Thiruvananthapuram for any approval.

ISSUED UNDER RTI ACT

*[Handwritten signature]*  
Tms

48

Annexure R3(C)  
4

In the files pertaining to renewal of EC submitted before SEIAA, it is observed that a mining plan approved for the period 2015-'16 to 2019-'20 is enclosed. The same was also found approved on 29.4.2015 (identical to that in 2013-'14). It is reported that this mining plan is available in the District Office and uploaded in the KOMPAS website. It is reported that the plan period expired on 2020 March and the company had placed a new Scheme of Mining before Geologist for the remaining period for approval. The RQP also admitted that he had prepared the said mining plan (2015-'16 to 2019-'20) as required by the proponent and the same was approved by the Geologist Thiruvananthapuram.

It is pointed out that both the mining plans prepared for an area of 8.9637 Ha for two different periods is identical in nature, (prepared by same RQP), except the entries in tables and in the covering sheet. While preparing the plan for 2015-'16 to 2019-'20, only the respective years in 2013-'14 plans are modified without changing the production and other details. No recalculation of reserves is carried out in the new plan based on the production during 2013-'14 and 2014-'15. For easy understanding, production proposed and stated in the two different plans submitted is produced hereunder. RQP admitted that he has prepared the mining plan 2015-'16 to 2019-'20 adopting the production details from 2015-'16 to 2019-'20 mining plan. But he affirmed that he had not submitted the 2013-'14 Plan before SEIAA for grant of EC or before Geologist for approval.

2013-'14 Plan - quantity in MT			2015-'16 plan - quantity in MT		
Year	Dimension Stone	Building stone	Year	Dimension Stone	Building Stone
1 <sup>st</sup> year 2013-'14	9,000	85,500	1 <sup>st</sup> year 2015-16	9,000	85,500
2 <sup>nd</sup> year 2014-'15	25,000	2,37,500	2 <sup>nd</sup> year 2016-17	25,000	2,37,500
3 <sup>rd</sup> year 2015-'16	30,000	2,85,000	3 <sup>rd</sup> year 2017-18	30,000	2,85,000
4 <sup>th</sup> year 2016-'17	30,000	2,85,000	4 <sup>th</sup> year 2018-19	30,000	2,85,000

ISSUED UNDER RTI ACT  
STATE PUBLIC INFORMATION OFFICER  
DIRECTORATE OF MINING & GEOLOGY  
THIRUVANANTHAPURAM.

16/6/20

amp

49

Annexure R3 (C)

From the afore-said table it is obvious that data in 2013-'14 plan is adopted as such in 2015-'16 plan without taking in to account the production during 2013-'14 and 2014-'15. It is reported by the Geologist, Thiruvananthapuram that before going for physical verification of the documents submitted before SEIAA, he conducted a hearing of the company authorities and the complainant, Sri. Biju on 20.5.2020. Sri. Biju Devaraj representative of the company stated that mining plans are prepared by Sri. Kantha Raj, RQP and he was not entrusted to prepare a mining plan for submission to SEIAA for EC for the period 2013-'14 to 2017-'18 since it was not a mandatory document then. The company is functioning in accordance with the mining plan prepared for the period 2015-'16 to 2019-'20, which was approved on 29.4.2015. Sri. Kantha Raj, RQP is also entrusted to submit the approved mining plan before SEIAA for obtaining EC and the company is not aware of mining plan if any prepared for applying for EC for the year 2013-'14 to 2017-'18. It is requested that since the litigant has submitted the complaint enclosing official documents which were not obtained under RTI, necessary enquiry may be conducted with the help of police/vigilance authorities to bring out the conspiracy involved.

Advocate Sri. Ajith Kumar represented Sri. Biju, the complainant and submitted that as per his knowledge, the company placed a mining plan before the District office in the year 2013. He alleged that while submitting application for extension of EC, the company authorities have manipulated the data and replaced the cover page of the mining plan prepared for the year 2013-'14 with 2015-'16 to 2019-'20. It was stated that the complainant had obtained the official documents from a social worker residing near the alleged quarry. A further request was made to recommend the matter for a vigilance/police enquiry.

*It is reported that the concerned section clerk of the office of Geologist Thiruvananthapuram had stated that he is not aware of a mining plan prepared and submitted for the year 2013 and no file exists with regard to the approval*



Handwritten signature and date: 20.5.2020

issued in the year 2015. He further stated that mining plan available in the KOMPAS portal in the one approved in the year 2015 for the period 2015-'16 to 2019-'20 by the then Geologist Thiruvananthapuram Sri. Jyothishkumar (who retired from service subsequently). Based on the afore-stated discussions, documents verified and the inputs received from the SEIAA authorities, the following inference is made and reported by the Geologist, Thiruvananthapuram.

Mining plan for minor mineral quarries is insisted only in the year 2015 when the newly framed KMMC Rules 2015 came in to force. Prior to that the District Geologist Thiruvananthapuram is not empowered to approve mining plans, though prepared for the sake of obtaining EC. The RQP prepared a quarry plan for the period 2013-'14 to 2017-'18 for submitting before SEIAA for grant of EC. Subsequently when the new rules came in to existence the RQP modified the covering sheet and year wise entries in the 2013-'14 plan to suit the requirements for 2015-'16 to 2019-'20 and submitted the same before the Geologist, Thiruvananthapuram for approval. It is noted that changes are made only in pages where yearly production is explained without altering other contents of the plan. The Geologist Thiruvananthapuram in office in the year 2015 approved the same and handed over copies to the lease holder. This copy along with other documents was submitted by the Company before the SEIAA in the year 2019 for extension of EC.

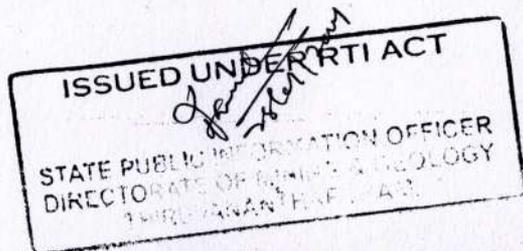
I may submit that the actual issue is how the office seal appeared in the plan prepared in the year 2013-'14 and also the approval of Geologist Thiruvananthapuram (dated 29.4.2015) in the plan prepared on 2013-'14. **It is relevant to note that for Environmental Clearance granted prior to 2015, approved mining plan is not necessitated and in such a circumstance, there is absolutely no requirement to place a forged/manipulated mining plan before SEIAA for granting EC. It is stated that the mining plan for the period 2015- '16 to 2019-'20, approved on 29.4.2015 can only be treated as an official document.** Forgery comes

51

Annexure R3 (c)  
7

when there is manipulation of official documents. There is no question that 2015-'16 to 2019-'20 mining plan is manipulated based on which EC was granted. The RQP made necessary changes in mining plan prepared in the year 2013-'14 to suit the necessity in the 2015 rules and submitted before the District Geologist Thiruvananthapuram for approval. It is therefore reported that how the mining plan (2013-'14 to 2017-'18 seen approved in 2016) became an official document in granting EC by SEIAA in 2015 seems unexplained. The person who submitted the alleged mining plan before SEIAA is also to be enquired into because both the company and RQP refuses the same. The question how official seal has appeared in 2013-'14 to 2017-'18 mining plan is also vague. The date of receipt of mining plan (2013-'14 to 2017-'18) before SEIAA and by whom, also needs to be enquired into as both the quarry owner and RQP deny any such submission. It is also obvious that official documents reached public without availing the data under RTI Act. Hence the enquiry officer recommends as follows "it is evident that there exists a conspiracy behind the events, which requires an investigation by police authorities. Along with the matter of forgery, the leakage of official documents to general public also needs to be enquired. Hence it is reported that necessary steps may be taken to handover the matter to the police authorities for a thorough investigation". In these circumstances this office addressed Police authorities for a detailed enquiry in the matter.

16/6/20  
Director of Mining and Geology (i/c)



This is the true copy of document marked as EXHIBIT referred in the above case. ANNEXURE R3(c)

ADVOCATE

52

Ref. No.

Date : 28/06/2019

To,  
The Member Secretary,  
State Environment Impact Assessment Authority (SEIAA)  
4<sup>th</sup> Floor, KSRTC Bus Terminal, Thampanoor,  
Thiruvananthapuram - Kerala.

Dear Sir,

**Sub:** Extension of Validity of Environmental Clearance in respect to our Dimension and Building Stone quarry situated at the survey Nos., 29/2, 29/3 & 30/4, of Thekkada village, und 470, 472/4-1, 472/4-1 & 474/1-1, 472/5, 472/6, 474/1, 474/1-2, 469/4/3/4, 469/4/3/3, 469/4/2, 469/4/1/1, 469/4/1/2, 469/4/1/3, & 469/4 Manickal Village, Nedumangad Taluk of Thiruvananthapuram District of Kerala State. Extends over an area of 8.9637 Ha.

- Ref:** 1. File No. 237/SEIAA/KL/885/2014  
2. Environmental Clearance No. 237/SEIAA/KL/885/2014dt. 27/11/2014

With reference to above subject, we would like to bring to your notice, that the said Environmental Clearance (mentioned under Sl. 2 of reference) is getting expired on 26/11/2019.

We are seeking extension of validity of the existing Environmental Clearance towards preparation of Mining Scheme for the next five years and also for continued operation. In view of this we hereby request your good selves to kindly consider our renewal application and do the needful at the earliest possible.

Further we wish bring to your kind notice that, duly filled Form - 6, (i.e. as per the Office memorandum, dated 11<sup>th</sup> June 2019, OM attached) is enclosed along with Form - 1 and following documents are attached herewith for your kind perusal:

1. Form - 6 (As per the Office memorandum dated 11<sup>th</sup> June 2019, OM attached)
2. Form - 1
3. Pre Feasibility Report
4. Approved Mining Plan



*[Handwritten Signature]*



Covenant Stones Pvt. Ltd., No. 237, Nettayam P.O., Nedumangad Taluk, Thiruvananthapuram - 695 013  
Ph: +91 4722 833800/700

This is the true copy of document referred marked as EXHIBIT ANNEXURE R3@ in the above case. *[Handwritten Signature]*

THE COMPANIES ACT, 1956  
(COMPANY LIMITED BY SHARES)

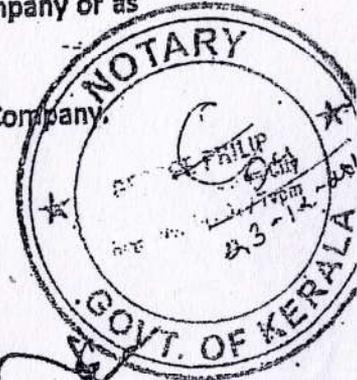
ARTICLES OF ASSOCIATION  
OF  
COVENANT STONES PRIVATE LIMITED

PRELIMINARY

In these Regulations unless the context otherwise requires expressions defined in the Act or any statutory modification thereof shall have the meanings so defined; the words imparting the singular shall include the plural and vice versa, and words imparting the masculine shall include the feminine and the words imparting persons shall include bodies corporate.

In these articles unless there is something in the subject or context inconsistent therewith:-

- a) 'The Act' means the Companies Act, 1956.
- b) 'The Company' or 'This Company' means COVENANT STONES PRIVATE LIMITED.
- c) 'Seal' means the common seal for the time being of the company and as regards the transaction of the business of the company outside India the official Seal which shall be used in accordance with the provisions of Section 50 of Companies Act, 1956.
- d) 'Register' means the Register of Members maintained in pursuance of section 150 of the Act.
- e) The 'Chairman' means the Chairman of the Board of Directors for the time being of the company.
- f) 'The Board' or the 'Board of Directors' means a meeting of the Directors duly called and constituted or as the case may be the Directors assembled at a Board, or the requisite number of Directors entitled to pass a circular resolution in accordance with these articles.
- g) 'The Directors' means the Directors for the time being of the company or as the case may be, the Directors assembled at a Board.
- h) 'The Office' means the Registered Office for the time being of the Company.



*Amirvethu*

*Amirvethu*

**BORROWING POWERS**

20) The Board of Directors may from time to time raise or borrow any sums of money for and on behalf of the Company from the members, or other persons, companies or banks or financial institutions.

21) The Board of Directors may secure and /or guarantee the borrowings of the company as per clause 20 above in such manner and upon such terms and conditions as it thinks fit, by making, drawing, accepting or endorsing on behalf of the company any promissory note or bills of exchange or giving or issuing any other securities of the company or by mortgaging or charging/ hypothecating/pledge/lien all or any part of the property, assets of the company, both present and future, including its uncalled capital for the time being and the Directors may on behalf of the company guarantee the whole or any part of the loans or debt incurred by the company with power for them to secure the guarantors against the liability in respect of such loans by means of mortgage or charge of the Company's property, movable, immovable or otherwise.

22) The Board also may give by way of security/ charge/ hypothecation and mortgage Company's property/assets in favour of Banks/Institutions or any other persons for loans/guarantee granted to any persons with whom company has transactions or otherwise.

23) The Board of Directors may authorize the Managing Director or any other Director or Manager of the company to negotiate, execute, sign all loan documents notwithstanding the fact that such amounts exceed the paid up capital of the Company and Reserves and also hypothecate/create Equitable Mortgage on the assets of the company in favour of the lenders in respect of the amounts borrowed which includes Term loans for capital expenditure and also Working Capital requirements of the company sanctioned/availed from Banks/financial Institutions and that executions by the Managing Director on such documents shall be binding on the company.

**DIRECTORS**

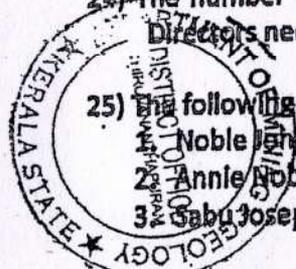
24) The number of Directors shall not be less than two and not more than twelve. The Directors need not hold any qualification shares.

25) The following persons shall be the first Directors of the company:-

- 1- Noble John
- 2- Annie Noble
- 3- Sabu Joseph

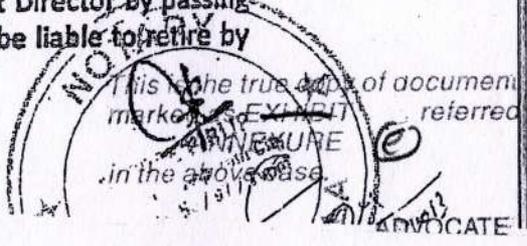
26) The first Managing Director of the Company shall be Sri. Sabu Joseph for a period of five years.

27) The first directors shall be the permanent directors of the company. The company in general meeting may appoint any other person as a Permanent Director by passing an ordinary resolution and such director or directors shall not be liable to retire by rotation.



*[Handwritten signature]*

Annie Noble



This is the true copy of document marked as EXHIBIT referred ANNEXURE R3 @ in the above case.

ADVOCATE

**FORM-B**

(See Rule 18,39 and 48)

Received at (Place) Thiruvananthapuram  
 on (date) 28.4-2011  
 at (Hour) 11.30 AM  
 Initials of the receiving Officer [Signature]

**APPLICATION FOR GRANT / RENEWAL OF QUARRYING LEASE**

(For all types of lands)

From **SABU JOSEPH**  
**MANAGING DIRECTOR**  
**COVENANT STONES, PVT LTD**  
**TRINITY HILL, NARYVAMOODY PO**  
**THIRUVANANTHA PURAM - 20**

To  
 The Director of Mines and Geology,  
 Through the Geologist,  
 Mining & Geology Department,  
 District Office,  
 Trivandrum

Sir,  
 I/We beg to apply for the grant / renewal of a quarrying lease under the Kerala minor Mineral Concession Rules, 1967.

2. A sum of Rs. .... being the application fee in respect of this application payable under rule 18 (2) a of the said rules has been deposited.

3. The required particulars are given below  
 i. Name and complete address of the Applicant

Managing Director  
 COVENANT STONES PRIVATE LIMITED  
 TRINITY HILL, POOVADA, NARYVAMOODY P.  
 TRIVANDRUM - 695020

ii. Is the applicant a private individual private company / public company / firm or association

PRIVATE COMPANY

Ref. 1675 DOTIML 17

Issued to Sri. Dr. Rajan M. Ned

per Right to Information Act 2005 vide

d. 18/05/17 Page 1

[Signature]

State Public Inform. Commission

[Signature]

Contd...

56

Ref... 16.75 | DOT | MCL | '17

Issued to: DSD D246M12020.

as per Right to... the request

dated... 18/08/2017

Thiruvananthapuram State Public Information Act  
Date: 6/11/17

-2-

iii. In case the applicant is  
(a) An individual, his Nationality

(b) Private company, the names and Nationality of all members and place of registration

1) SABU JOSEPH, INDIAN  
 2) NOBLE JOHN, INDIAN  
 3) ANNIE NOBLE, INDIAN  
 PLACE - TRIVANDRUM  
 (ROC, ERNAKULAM)

(c) A Public company the names and Nationality of the directors, the percentage of share capital held by Indian National and place of incorporation

NA

(d) A firm or association, the names and Nationality of all the partners of the firm or members of the association and place of registration

NA

iv. Profession or nature of business of the applicant

BUSINESS

v. Whether the application is for a fresh lease previously granted.

FRESH LEASE

vi. Minor mind or minerals which the applicants intends to mine

GRANITE BUILDING STONE

vii. Period for which the quarrying lease is required

12 YEARS

viii. Approximated quantity of mineral expected to the raited per year

1,300,000 MT/YEAR  
ONE LAKH

*[Signature]*

57

Annexure R3(4)

165 DOT/ML/17

3

18/08/17

-3-

18/08/17

ix. Manner in which the miner mineral raised is to be utilised

a. For Manufacturer

b. For sale

FOR SALE

c. Any other purpose

In case of manufacturer the industries in connection with which it is required should be specified

x. Details of the area in respect of which Quarrying lease is required attested copies of the survey Map of the area with survey numbers clearly marked should be attached to each copy of the application wide rule 27

District : THIRUVANANTHAPURAM  
Taluk : NEDUMANGAD  
Village : THEKKADA, MANICKAL  
Survey No : THEKKADA RESY 29/2, 29/3, 30/4  
MANICKAL RESY 472/5, 472/6, 474/14-1-2,  
RESY 470, 472/4-144-1, 474/1-1  
05-77-82 Hefy

xi. Nature of tennure of the land over which Quarrying lease is applied for (documentary proof to show the land owners right if any over the mineral should be submitted in the case of lands in which the minerals rest partly with the Govt. and partly with the registered holder of the land vide rule 48)

LEASED AND OWN PROPERTY LEASE AGREEMENT, POSSESSION AND ENJOYMENT CERTIFICATE ATTACHED

xii. No. and date of the income-tax clearance certificate attached.

EXEMPTED FROM INCOME TAX

xiii. Financial resources of the applicant

SELF

xiv. Particulars of receipted treasury Chalan attached for the amount referred to of 2 above.

Rs 1000/- Chalan no: 79.  
Dt 28.4.2011, STM College -  
Contd....

58

ANNEXURE R3(P)

4

1675/100T/ML/17

dated to 07/02/2017

Right to Information Act 2009 vide no.

18/08/17 (page 1)

*[Signature]*

State Public Information Off.  
Geologist

-4-

xv. Any other particulars which the applicant wishes to furnish

I/we do hereby declare that the particulars furnished above are correct and am/are ready to furnish any other details including security deposit etc. as may be required by me/us.

Place:  
Date:

Yours faithfully,  
**GOVERNMENT STONES PVT. LTD.**

*[Signature]*

Managing Director

N.B: In respect of cases governed by Chapter VI only the necessary details as specified in the related rules may be furnished

This is the true copy of documents marked as EXHIBIT referred ANNEXURE R3(P) in the above case.

*[Signature]*

ADVOCATE

## PROCEEDINGS OF THE DIRECTOR OF MINING AND GEOLOGY

Sub : Mines and Minerals-Minor Minerals-Granite Building Stone Quarrying lease to Shri Sabu Joseph, Managing Director, Covenant Stones (P) Ltd., Trinity Hill, Naruvamood PO, Thiruvananthapuram District – sanction- orders issued.

- Ref : 1. Application dated 28.4.2011 from Shri Sabu Joseph, Managing Director, Covenant Stones (P) Ltd., Trinity Hill, Naruvamood PO, Thiruvananthapuram District  
 2. Letter No. 632/DOT/ML/2011 dtd. 7.5.2011 from the Geologist, District Office, Thiruvananthapuram  
 3. Kerala Minor Mineral Concession Rules, 1967

No. 98/2011-2012/3499/M3/2011

Dated, Tvpm., 20.5.2011

### ORDER

A quarrying lease is granted to Shri Sabu Joseph, Managing Director, Covenant Stones (P) Ltd., Trinity Hill, Naruvamood PO, Thiruvananthapuram District to quarry Granite Building Stone over an area of 5.7782 hectares of Private land 3.4335 Hectares comprised in Re-Sy.No.470, 472/4-1 & 4-1 and 474/1-1 in Manickal village and 0.6627 Hectares comprised in Re-Sy.Nos 29/2, 29/3 and 30/4 of Thekkada <sup>village</sup> and 1.6820 Hectares of land comprised in Re-Sy.No.472/5, 472/6, 474/1 & 1-2 in Manickal village Nedumangad Taluk, Thiruvananthapuram District for 12(Twelve) years from the date of execution of the quarrying lease deed under the Kerala Minor Mineral Concession Rules, 1967 and as per the Survey map issued by the Tahsildar, Nedumangad and submitted by the applicant subject to the under mentioned conditions.

1. Royalty is payable to Government as per Rule 29(1)(c) of the Kerala Minor Mineral Concession Rules, 1967 in respect of minor mineral quarried and moved out of the quarry subject to revision from time to time on the basis of amendments to the schedule I of the said Rules.
2. Dead rent is realizable under 29(1)(d) of the said rules subject to revision from time to time on the basis of amendments to the schedule II of the said rules.
3. Surface rent realizable under 29(1)(e) of the said rules will be equal to the land revenue assessed by the Revenue Department subject to revision from time to time on the basis of the land revenue.
4. The lessee shall execute a quarrying lease deed within a period of three months from the date of this order in form 'H' as per Rule 32 of the Kerala Minor Mineral Concession Rules, 1967.
5. The lessee shall also deposit an amount of Rs. 1000/- (Rupees one thousand only) as security deposit for the observance of the terms and conditions of the lease before the deed is executed as per rule 31 of the said rules. The lessee shall commence quarrying operation only after the deed is executed.
6. The quarrying area shall be demarcated and boundary stones fixed at the lessee's expenses before execution of the quarrying lease deed.
7. The lessee shall not win and dispose any type of dimension and decorative stones from the area over which the quarrying lease has been sanctioned on the strength of this order.



8. The production of Granite Building Stone from the area covered under this grant shall be restricted to 1,00,000 MT (One lakh Metric Tonne only) per year during the tenure of this quarrying lease.
9. The lessee should exhibit a sign board and a notice board for the intimation of the public at the entrance of the quarry. The following information should be inscribed on the notice board, both in English and in Malayalam for information of the public:

Licence No.	Validity period of the permit	Name of permit/lease holder	Quantity permitted to be extracted.

10. The lessee should provide retention wall/barricade/fencing/compound wall surrounding the quarry before the commencement of the quarrying operation for preventing accidents by falling of human beings animals and materials into the quarry. The Lessee should take effective preventive measures for the safety of labourers as well as the general public.
11. The lessee should leave a distance of 7.5 mts from the adjacent boundary lands including Government Puramboke land while carrying out quarrying operation.
12. The lessee should not assign, sublet or transfer his lease or any right or interest therein to any person without previous permission the Director of Mining & Geology
13. The lessee shall pay tax related to Revenue Department as directed by them and the details should be furnished to the Geologist periodically

The terms and conditions stated in this order are subject to such further modifications as may be made by the State Government from time to time.

Sd/-  
C. BALARAMAN  
DIRECTOR OF MINING AND GEOLOGY i/c

To:  
Shri Sabu Joseph, Managing Director, Covenant Stones (P) Ltd.,  
Trinity Hill, Naruvamood PO, Thiruvananthapuram District

- Copy to :
1. The Director of Mines Safety, Bangalore Region, No. 27, 24<sup>th</sup> Main, Next to IDBI Bank V Phase, J.P. Nagar, Bangalore-560078
  2. The District Collector, Thiruvananthapuram
  3. The Geologist, Dist. Office : Thiruvananthapuram
  4. The Tahsildar, Nedumangad
  5. Stock File(2), File Copy

(BY ORDER)

*Arundhanis*  
21.5.2011

SENIOR SUPERINTENDENT

Vsk.21.5

This is the true copy of document marked as EXHIBIT referred ANNEXURE R3(9) in the above case.

ADVOCATE

61

281

1675/201/M.L.R.D.17  
 issued to Sri. D. R. N. M. K. M. K.  
 of Right to Information Act 2005 vide request  
 no. 18-06-17 (page 1)  
[Signature]  
 Thiruvananthapuram State Public Information Officer &  
 Geologist  
 Date:

FORM - 'H'  
(See Rule 32)

Quarrying Lease

This indenture made this \_\_\_\_\_ day of \_\_\_\_\_ 200 between the Governor of Kerala (hereinafter referred to as the "State Government" which expression shall, where the context so admits be deemed to include his successors and assigns) of the one part and Shri. Sabu Joseph aged 52 son of K. I. Joseph resident of Villa No. 4 Palm Hill Villas, Pallimukku, Kallayaru P.O. in the village of Kattayam Nedumayalauk of the Tuom District (hereinafter called the "lessee/lessees" which expression shall where the context so admits, include his/her/their heirs, executors, administrators, representatives and permitted assigns) of the other part

Witnesseth that in consideration of the rents and royalties and lessee / lessee's covenants, hereinafter reserved and contained the State Government both hereby demise upto the lessee/lessees the land measuring 5.7782 hectares described in the schedule hereunder the delineated on the plan here to annexed and therein coloured red (hereinafter called the "said lands") to hold the same for a period of 12 (Twelve) years commencing from the \_\_\_\_\_ and ending on the \_\_\_\_\_ for the purposes of extracting minor minerals and subject to the terms and conditions contained in the Kerala Minor- Mineral Concession rules, 1967 (hereinafter referred to as "the Rules") and to the terms and conditions hereinafter appearing.

1. The lessee/lessees shall have the right in and upon the said lands to extract GRBS Granite Building Stone (hereinafter called the said mineral/minerals) and to do all acts necessary for the extraction of the said mineral/minerals including the erection on the said lands, buildings and plant required for the purposes and also to take lead and carry away over the said lands and to dispose off the said minerals extracted as aforesaid.
2. The lessee/lessees shall during the subsistence of this lease have the liberty to work the said mineral/minerals and remove the same from the quarry hold on permits issued by the State Government/competent authority or any other officer authorised by him in this regard. The permits shall be issued only on the basis of pre-paid royalty at the rates specified in schedule I to these Rules. The royalty rates shall be subject to revision from time to time as the State Government may order.
3. The lessee/lessees shall pay to the State Government an yearly surface rent equal to the land revenue if any, assessable under the rules for the time being the force, or if the land be the property of Government or in reserve forest then equal to the land revenue plus cess, if any per hectare of the land the surface whereof shall be occupied or used by the lessee/lessees for any of the purposes of this demise and so in proportion for any area less than a hectare. The said surface rent shall be paid by yearly payments the first of such payments to be made on or before the last day of the first year of

[Signature]



working place except for the purpose of removing the danger of saving life shall be prevented by securely fencing the full width of all entrances to the place.

- 10 The lessee/lessees shall at all reasonable times allow any officer authorised by the Central Government or by the State Government in that behalf to inspect the said lands and the buildings and plants erected thereon and the lessee/lessees shall assist such persons in conducting the inspection and afford them all information they may reasonably require, and shall conform to and observe all orders which the Central and State Governments as the result of such inspection or otherwise, may from time to time pass.
  - 10A. The lessee shall be responsible for implementing the provisions of the various labour laws applicable, from time to time to the quarry.
  - 11 The lessee/lessees shall not assign or underlet the said lands or any part thereof or the rights or privileges, therein hereby granted or any of them without the previous permission in writing of the State Government/competent authority.
  - 11A. Where the lease or any right, title or interest therein has been assigned, sublet or transferred as provided in rule 34 read with condition 11, then the person in whose favour such assignment, sublease or transfer has been made shall be responsible for implementing the provisions of the various labour laws applicable, from the time to time, to the quarry.
  - 12. The lease may be surrendered by the lessee/lessees at any time after 3 months notice in writing to the State Government/competent authority.
- Provided that the lessee/lessees has/have paid all sums due on account of the lease. Provided further that if the lessee/lessees elect to determine this lease before the expiry of the term of the lease, shall pay in addition to other dues a sum equal to the dead rent payable for the remaining part of the terms of the lease deed.
- 13. On the expiration of the term of this lease or on its earlier determination under clause 12 the lessee/lessees shall pay to the State Government for all land which has been rendered useless for agriculture through the exercise of the powers demised by this lease such sum as the District Collector may fix as equivalent to the capitalized value or the land revenue of such land rendered useless. The lease shall continue if the sums are not cleared before the date of determination of notice.
  - 14. If the lessee/lessees shall be desirous of taking a further lease of the said lands for a further term of years he/they shall give three months previous notice in writing of such desire to the State Government/competent authority and if the lessee/lessees has/have duly observed all the conditions of this lease, the State Government/competent authority may agree to renew the lease for such further term and on such terms and conditions as the State Government/competent authority may determine which shall be in accordance with the provisions of these rules.
  - 15 If the lessee/lessees shall at any time during the said term use the said lands or any part thereof in any manner other than an authorised by this lease or fail to carry on quarrying operations continuously without sufficient cause of which the State Government/competent authority shall be the judge or shall commit a breach of any of the conditions of this lease it shall be lawful for the State Government/competent authority to cancel this lease and take possession of the said lands or in the alternative to receive from the

16.11.2014  
 Issued to Sri. RA. ...  
 Right to Information Act 2005 vide request  
 14.06.17 (page 1)  
 State Public Information Officer  
 Manthapuram

Wyp

... 2017

... to Sri... 2017

Right to Information Act 2005 vide no...

Dated 18-06-2017 (page)

*[Signature]*

Thiruvananthapuram State Public Information Officer &  
Geologist

64

Annexure R3 (b)  
4

- lessee/lessees such penalty for the breach not exceeding five times the amount of the said yearly dead rent as the State Government/competent authority may fix.
- 16 If at the expiration of three calendar months after the expiry of the lease or its sooner determination, there shall remain in or upon the said lands any engines, machinery, plant buildings, structures and other works erections and conveniences the said minerals or other property which the lessee is/lessees are entitled to remove from the said lands. the same shall, if not removed by the lessee/lessees within one calendar month after notice in writing requiring their removal be given to the lessee/lessees by the State Government/competent authority be deemed to become the property of the State Government in such manner as they may deem fit without liability to pay any compensation or to account to the lessee/lessees in respect thereof
  17. This lease is subject to all rules and regulations which may from time to time be issued by the State Government regulating the working of the quarries and other matters affecting the safety, health and convenience of the lessee's/lessees employees or of the public, whether under the Indian Mines Act or otherwise.
  18. The lessee/lessees shall without delay send to the District Collector and the competent authority or the officer authorised by him in this regard report of any accident causing loss of life or serious bodily injuries or seriously affecting or endangering life or property which may at any time occur at or in the said lands in the course of operations under this lease.
  19. The lessee/lessees shall furnish such reports and returns relating to output, labourers employed and other matters as the State Government may prescribe.
  20. The lessee/lessees shall make and pay such reasonable satisfaction and compensation as may be assessed by lawful authority in accordance with the law in force on the subject for all damage, injury or disturbance which may be done by him/them in exercise of the powers granted by this lease and shall indemnify and shall keep indemnified fully and completely the State Government against all claims which may be made by any person or persons in respect of any such damage, injury or disturbance and all costs and expenses in connection therewith.
  - 21 Any condition prescribed in the Kerala Minor Mineral Concession Rules, 1967 but left out in this lease which may be found applicable to the lessee/lessees shall be treated as binding on the lessee/lessees. In this case anticipated royalty for the mineral at the rate of Rs. 16/-. (*Rs. Sixteen only*) per tonne for a period of one year is Rs. 16,00,000/- (*Rupees Sixteen lakh*)
  22. Dead rent realizable at the rate of Rs. *first year Nil, second year Rs. 200/ha. and Rs. third year onwards Rs. 500/ha* per hectare subject to revision from time to time Surface rent at the rate of Rs. 100/- (*one hundred only*) per hectare for *one* year is Rs. 578/- (*Rupees five hundred and seventy eight only*) security deposit is Rs. 1000/- (*one thousand only*)

Lessee.

*[Signature]*

65

Annexure R3 (h)  
5

235

Ref... 16.7.2017/ML/2017

Issued to Sri. P. S. Varma MLA

as per Right to Information Act 2005 vide request dated 16.06.2017 (page.....1.....)

*[Signature]*

Thiruvananthapuram State Public Information Officer & Censor

Date: \_\_\_\_\_

The schedule above referred to Description of Land.

District Taluk	Village or Amsam	Re-Survey/Survey No. of the area	Area in Hectares
Thiruvananthapuram	Thekkad	29/2, 29/3 and 30/4	0.6627
Nedumangad	Municipal	470, 474-1, 472/4-1 and 474/1-1	3.4335
	Municipal	472/5, 472/6, 474/1 and 1-2	1.6820
			5.7782

Bounded by Re-Sy. Nos.

- On the North by : 469/4
- On the East by : 29/5, 30/2, 30/2-2
- On the South by : 475, 474/1, 29/3, 30/5
- On the West by : 471, 472/2, 474/2

In witness whereof the parties hereto have set their hands hereunto on the day and year first above written.

Signed by .....

for and on behalf of the Governor of Kerala

In the presence of

- 1.
- 2.

Signed by .....

for and on behalf of the lessee/lessees

*[Signature]*  
2015

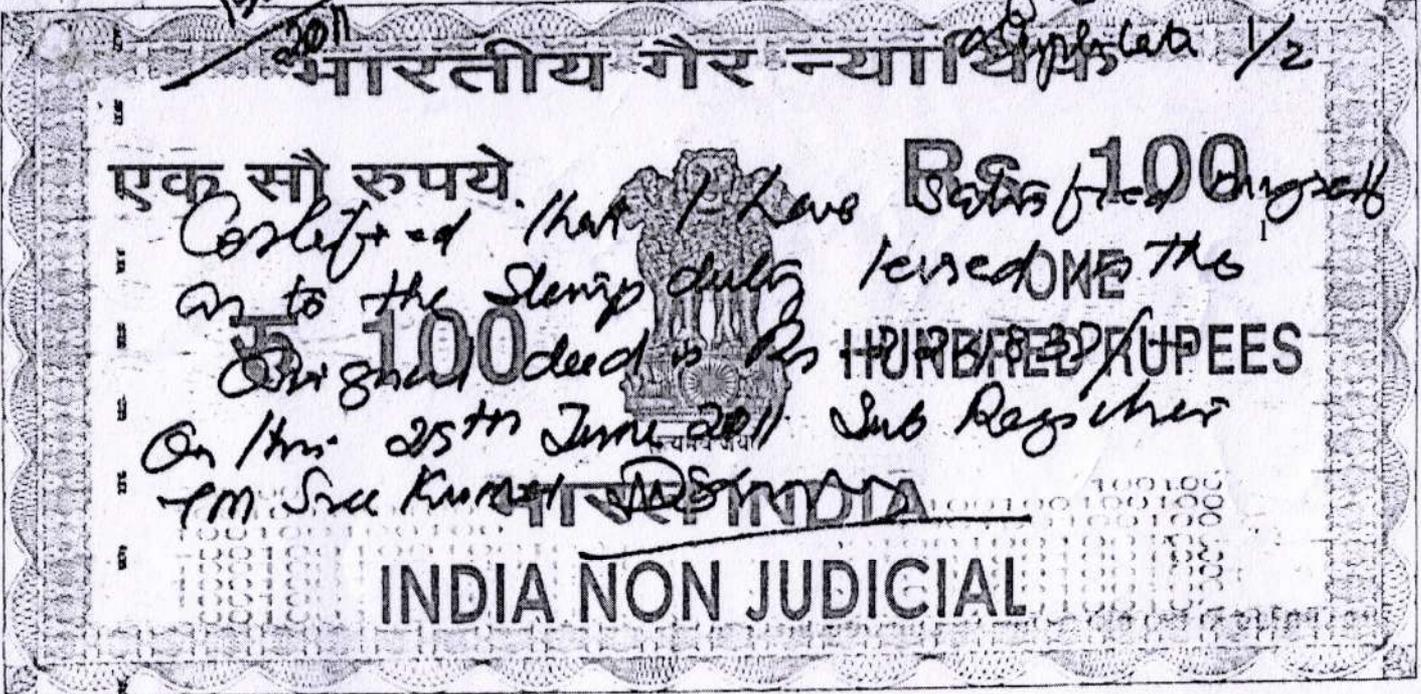
*[Signature]*  
2015

This is the true copy of document marked as EXHIBIT referred ANNEXURE R3(B) in the above case.

*[Signature]*  
ADVOCATE

17/2011

Asphyllata 1/2



കേരളം കേരल KERALA

M 103060

FORM - 'H'  
 (See Rule 32)  
 Quarrying Lease

This indenture made this the 23<sup>rd</sup> Day of MAY 2011 between the Governor of Kerala (hereinafter referred to as the "State Government" which expression shall, where the context so admits be deemed to include his successors and assigns) of the one part and Shri Sabu Joseph aged 52 years, S/o. Shri. K.I. Joseph, resident of Villa No. 4, Palm Hill Villas, Pallimukku, Kallayam P.O. in the village of Kudappanakkunnu, Thiruvananthapuram taluk of the Thiruvananthapuram District (hereinafter called the "lessee" which expression shall where the context so admits, include his heirs, executors, administrators, representatives and permitted assigns) of the other part.

Witnesseth that in consideration of the rents and royalties and lessee covenants, hereinafter reserved and contained the State Government both hereby demise upto the lessee the land measuring 5.7782 hectares described in the schedule hereunder the delineated

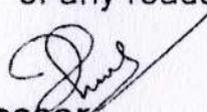
*[Signature]*  
 Lessor  
 C. CHAMBERLAIN  
 Geologist  
 Dept. of Mining & Geology



*[Signature]*  
 Lessee  
*[Signature]*

on the plan here to annexed and therein coloured red (hereafter called the "said lands") to hold the same for a period of 12 (Twelve) years commencing from **23-05-2011** and ending on **22-05-2023** for the purposes of extracting minor minerals and subject to the terms and conditions contained in the Kerala Minor Mineral Concession rules, 1967(hereinafter referred to as "the Rules") and to the terms and conditions hereinafter appearing.

1. The lessee shall have the right in and upon the said lands to extracts **Granite Building Stone** (hereinafter called the said mineral) and to do all acts necessary for the extraction of the said mineral including the erection on the said lands, buildings and plant required for the purposes and also to take lead and carry away over the said lands and to dispose off the said minerals extracted as aforesaid.
2. The lessee shall during the subsistence of this lease have the liberty to work the said mineral and remove the same from the quarry hold on permits issued by the competent authority or any other officer authorized by him in this regard. The permits shall be issued only on the basis of pre-paid royalty at the rates specified in schedule 1 to these Rules. The royalty rates shall be subject to revision from time to time as the State Government may order.
3. The lessee shall pay to the State Government an yearly surface rent equal to the land revenue if any, assessable under the rules for the time being the force, or if the land be the property of Government or in reserve forest then equal to the land revenue plus cess, if any per hectare of the land the surface whereof shall be occupied or used by the lessee for any of the purposes of this demise and so in proportion for any area less than a hectare. The said surface rent shall be paid by yearly payments, the first of such payments to be made on or before the last day of the first year of occupation provided always that no such rent shall be paid or demanded in respect of any roads or ways now in existence.

  
Lessor

  
Lessee

**G. THAMBU GUERIAN**  
Geologist  
Dept. of Mining & Geology  
District Office



4. The lessee shall at all time during the currency of the demise keep correct and intelligible books of account showing accurately the quantity of the said minerals extracted and the weight and value of the said mineral sold or exported together with the names of the purchasers or consignees. The lessee shall also, maintain a register of employees showing therein separately men, women and children employed daily and shall at all reasonable times allow the competent authority appointed under the rules (hereinafter referred to as "competent authority") or the officer authorized by him/her them to examine the said books of account and the register of employees and to take copies and extracts there from. The lessee shall submit reports in Forms 'F' and 'G' on the specified dates.
5. All sums found due under or by virtue of this deed from the lessee may be recovered from him jointly and severally from them and his/her/their properties movable and immovable under the provisions of the Revenue Recovery Act for the time being in force as though such sums are arrears of land revenue or in any other manner as the State Government may deem fit.
6. The lessee shall at the lessee's own expense erect and at all time maintain and keep in repair boundary marks and pillars along the boundaries of the said lands according to the demarcation shown in the plan hereto annexed.
7. No quarrying operations or working shall be carried on or permitted to be carried on by the lessee in or under the said lands at any point within a distance of 75 meters from any railway line except with the previous permission in writing of the railway administration concerned and from any bridge on the National Highway or 50 meters from any reservoir, canal or other public works such as public roads and buildings or inhabited site, burial ground etc...shown on the plan thereto annexed except with the previous permissions in writing of the State Government/competent authority or otherwise than in accordance with such instructions, restrictions and condition either general or special which may be attached to such permission. The said distance of 50 meters shall be measured

  
Lessor

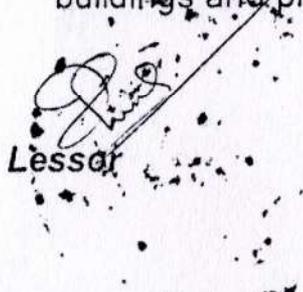
  
Lessee

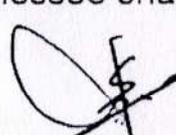
C. THIAMBU CHERIAN  
Geologist  
Dept. Of Mining & Geology  
District Office, Tiruvannam



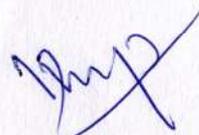
in the case of a railway, reservoir, or canal horizontally from the outer edge of the bank or outer edge of the cutting as the case may be and in the case of a building horizontally from the plinth thereof. In the case of village roads no workings shall be carried on within a distance of 10 meters of the outer edge of the cutting except with the previous permission in writing of the State Government/competent authority. For the purposes of this clause the expression "railway and railway administration" shall have the same meaning as defined in sub section (4) and (6) of section 3 of Indian Railway Act, 1890 (IX of 1890).

8. The sides of open workings shall sloped, stepped or secured by the lessee in such a manner as to prevent danger from falls of material, when an open working is worked in steps, steps shall be of sufficient breadth in relation to their height to secure safety. In open workings trees liable to fall and all loose ground and material shall be removed by the lessee sufficiently far from the edge or otherwise made source in order to prevent danger to persons employed in the quarry.
9. If a working place is found to be unsafe all persons shall be withdrawn by the lessee, immediately from the dangerous area and all access to such working place except for the purpose of removing the danger of saving life shall be prevented by securely fencing the full width of all entrances to the place.
10. The lessee shall at all reasonable times allow any officer authorised by the Central Government or by the State Government in that behalf to inspect the said lands and the buildings and plants erected thereon and the lessee shall assist

  
Lessor

  
Lessee

C. THAMBU CHERTAN  
Geologist  
Dept. Of Mining & Geology  
District Office, Tiruvandram



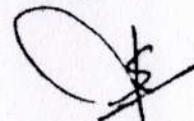
such persons in conducting the inspection and afford them all information they may reasonably required, and shall conform to and observe all orders which the Central and State Governments as the result of such inspection or otherwise, may from time to time pass.

- 10A. The lessee shall be responsible for implementing the provisions of the various labour laws applicable from time to time to the quarry.
11. The lessee shall not assign or underlet the said lands or any part thereof or the rights or privileges, therein hereby granted or any of them without the previous permission in writing of the competent authority.
- 11A. Where the lease or any right title or interest therein has been assigned, sublet or transferred as provided in rule 34 read with condition 11, then the person in whose favour such assignment, sublease or transfer has been made shall be responsible for implementing the provisions of the various labour laws applicable, from the time to time, to the quarry.
12. The lease may be surrendered by the lessee at any time after 3 months notice in writing to the competent authority.

Provided that the lessee has paid all sums due on account of the lease. Provided further that if the lessee elect to determine this lease before the expiry of the term of the lease, shall pay in addition to other dues a sum equal to the dead rent payable for the remaining part of the terms of the lease deed.

13. On the expiration of the term of this lease or on its earlier determination under clause 12 the lessee shall pay to the State Government for all land which has been rendered useless for agriculture through the exercise of the powers demised by this lease such sum as the District Collector may fix as equivalent to the capitalized value or the land revenue of such land rendered useless. The lease shall continue if the sums are not cleared before the date of determination of notice.

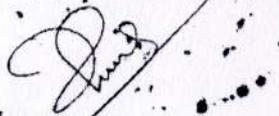
  
Lessor

  
Lessee

G. JIHAMIRI CHERIAN  
Geologist  
Dept. Of Mining & Geology  
District Office, Tiruvannam



- 14. If the lessee shall be desirous of taking a further lease of the said lands for a further term of years he/they shall give three months previous notice in writing of such desire to the competent authority and if the lessee has duly observed all the conditions of this lease, the competent authority may agree to renew the lease for such further term and on such terms and conditions as the competent authority may determine which shall be in accordance with the provisions of these rules.
- 15. If the lessee shall at any time during the said term use the said lands or any part thereof in any manner other than an authorized by this lease or fail to carry on quarrying operations continuously without sufficient cause of which the competent authority shall be the judge or shall commit a breach of any of the condition of this lease it shall be lawful for the competent authority to cancel this lease and take possession of the said lands or in the alternative to receive from the lessee such penalty for the breach not exceeding five times the amount of the said yearly dead rent as the Competent authority may fix.
- 16. If at the expiration of three calendar months after the expiry of the lease or its sooner determination, there shall remain in or upon the said lands, any engines, machinery, plant buildings, structures and other works erections and conveniences the said minerals or other property which the lessee is entitled to remove from the said lands, the same shall, if not removed by the lessee within one calendar month after notice in writing requiring their removal be given to the lessee by the competent authority be deemed to become the property of the State Government in such manner as they may deem fit without liability to pay any compensation or to account to the lessee in respect thereof.
- 17. This lease is subject to all rules and regulations which may from time to time be issued by the State Government regulating the working of the quarries and other matters affecting the

  
Lessor

  
Lessee

G. THAMRICHIRIAN  
Geologist  
Dept. Of Mining & Geology  
District Office, Ernakulam



72

72

Annexure R302  
7

7

safety, health and convenience of the lessee's employees or of the public, whether under the Indian Mines Act or otherwise.

18. The lessee shall without delay send to the District Collector and the competent authority or the officer authorized by him in this regard report of any accident causing loss of life or serious bodily injuries or seriously affecting or endangering life or property which may at any time occur at or in the said lands in the course of operations under this lease.
19. The lessee shall furnish such reports and returns relating to output, labourers employed and other matters as the State Government may prescribe.
20. The lessee shall make and pay such reasonable satisfaction and compensation as may be assessed by lawful authority in accordance with the law in force on the subject for all damage, injury or disturbance which may be done by him/them in exercise of the powers granted by this lease and shall indemnify and shall keep indemnified fully and completely the State Government against all claims which may be made by any person or persons in respect of any such damage, injury or disturbance and all costs and expenses in connection therewith.
21. Any condition prescribed in the Kerala Minor Concession Rules, 1967 but left out in this lease which may be found applicable to the lessee shall be treated as binding on the lessee. In this case anticipated royalty for the mineral at the rate of Rs.16/- (Rupees sixteen only) per tonne for a period of one year is Rs.16,00,000/- (Rupees Sixteen lakhs only).
22. Dead rent realizable at the rate of Rs. 1st year NIL, 2<sup>nd</sup> year Rs. 200/- & 3<sup>rd</sup> year onwards Rs.800/- per hectare subject to revision from time to time. Surface rent at the rate of Rs.100/- (Rupees One hundred only) per hectare for one year is Rs.578/- (Rupees Five hundred and seventy eight only); Security deposit is Rs.1000/- (Rupees One thousand only).

  
Lessor

  
Lessee

C. THAMBU CHERIAN  
Geologist  
Dept. Of Mining & Geology  
District Office, Tirunelveli



7312

Annexure R3 (i)  
8

The Schedule above referred to Description of land

District, Taluk	Village	Panchayat	Re-Survey/ Survey No. of the area	Area in Hectares
Thiruvananthapuram Nedumangad	Thekkada	Vembayam	29/2, 29/3 & 30/4	0.6627
	BL. No: 30		470, 472/4-1, 472/4-1 & 474/1-1	3.4335
	Manickal	Manickal	472/5, 472/6, 474/1 & 1-2	1.6820
	BL. No: 29			
				5.7782

Bounded by  
Sy.Nos.

- On the North by 469/4
- On the East by 29/5, 30/2, 30/2-2
- On the South by 475, 474/1, 29/3, 30/5
- On the West by 471, 472/2, 474/2

Two duplicates are accompanied with this document.

In witness whereof the parties hereto have set their hands hereunto  
on the day and year first above written

Signed by: C. Thambucherian,  
Geologist .....

C. THAMBUCHERIAN  
Geologist & Geodetist  
District Office, Thiruvananthapuram

For and on behalf of the Governor of Kerala  
In the presence of

1. J. S. R. Asst. Geologist, District Office, Mining Geology, Thiruvananthapuram
2. S. L. Rani S, Asst. Geologist, Dist. Office, M. & C. Dept., Thiruvananthapuram

Signed by .....  
for and on behalf of the lessee

1. T. C. Kunjumon
2. Jacob Domes

This is the true copy of document  
marked as EXHIBIT referred  
ANNEXURE k30  
in the above case.

Advocate

74

(5)

Annexure R3(9)



നമ്പർ A2-1555/12 99/11-12 വിവരവാചി ഗ്രാമ പഞ്ചായത്ത്

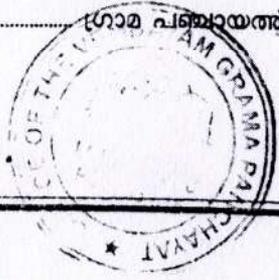
1994 ലെ കേരളാ പഞ്ചായത്ത് രാജ് ആക്ട് (1994 ലെ 13) 232, 233, 234, 254 എന്നീ വകുപ്പുകൾ പ്രകാരവും അതേ തുടർനൂള്ള ചട്ടങ്ങളും അനുസരിച്ചു കൊടുത്ത

ലൈസൻസ്

ലൈസൻസുടമസ്ഥന്റെ പേരും മേൽവിലാസവും	നാബു ഭരോസമ് . ചന്ദ്രൻ വിജ് . 6 ടി.വി.സെന്റർ, ക്ഷേമം. പി.ഒ .
എന്താവശ്യത്തിന് ലൈസൻസ് അനുവദിച്ചു എന്ന്	ജ്വാനി പ്രവർത്തിപ്പിക്കുന്നതിന് .
കെട്ടിടത്തിന്റെ നമ്പരും വാർഡു നമ്പരും	VP VII
ലൈസൻസിന്റെ കാലാവധി	2011-2012 ( 31.03.2012 )
ലൈസൻസ് ഫീസ്	2000/- രൂപ                      പൈസ
റിമാർക്സ്	ഡ്യൂ: 2000    Instaltn fee 1000 PT : 2500                      Gr : 5 Machinery : 8600

വിവരവാചി ഗ്രാമ പഞ്ചായത്ത്

തീയതി 8/03/2012



Handwritten signature of the Secretary

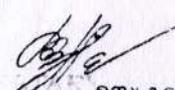
SECRETARY (Special Grade)

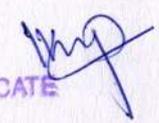
സെക്രട്ടറി (മറുവശം)

Handwritten signature at the bottom

ലൈസൻസുടമസ്ഥൻ താഴെ പറയുന്ന വ്യവസ്ഥകൾ അനുസരിക്കേണ്ടതാകുന്നു.

1. പഞ്ചായത്ത് രാജ് ആക്ടും അതേ തുടർന്നുള്ള ചട്ടങ്ങളും അനുസരിച്ചു പ്രവർത്തിക്കേണ്ടതാകുന്നു.
2. തൊഴിൽ സ്മലവും പരിസരങ്ങളും വെടിപ്പായും വൃത്തിയായും സാംക്രമികരോഗാണുക്കൾ ഉണ്ടാകാത്തവിധത്തിലും പൊതുജനോപദ്രവമാകാത്ത വിധത്തിലും വ്യാപാരത്തിനു വച്ചിട്ടുള്ള ഭക്ഷണപദാർത്ഥങ്ങൾ ഈച്ച, അണുക്കൾ, പൊടി മുതലായവയുടെ ശല്യം ഉണ്ടാകാത്ത വിധത്തിലും സൂക്ഷിക്കേണ്ടതാണ്.
3. തൊഴിൽ സ്മലവും അതിലുള്ള സാധനസാമഗ്രികളും പഞ്ചായത്തധികാരികൾക്കോ/സെക്രട്ടറി അധികാരപ്പെടുത്തുന്ന മറ്റ് ഉദ്യോഗസ്ഥർക്കോ പരിശോധിക്കുന്നതിന് ലൈസൻസുടമസ്ഥൻ വേണ്ട സൗകര്യം നൽകേണ്ടതും അവർ ആവശ്യപ്പെട്ടാൽ ഈ ലൈസൻസ് കാണിക്കേണ്ടതുമാകുന്നു.
4. പഞ്ചായത്തിൽ നിന്നും അനുവാദം സിദ്ധിച്ചശേഷമല്ലാതെ തൊഴിൽ സ്മലം മാറ്റാവുന്നതല്ലാത്തതും തൊഴിൽ നിർത്തുന്ന പക്ഷം വിവരം മുൻകൂട്ടി പഞ്ചായത്തിൽ അറിയിക്കേണ്ടതുമാകുന്നു.
5. ഏതൊരു പ്രവർത്തി ദിവസത്തിന്റേയും ഒടുവിൽ സ്മലം വൃത്തിയാക്കേണ്ടതാണ്.
6. ആ സ്മലത്തിന്റേയോ പുരയിടത്തിന്റേയോ, ഏതെങ്കിലും ഭാഗത്ത് വീഴുകയോ നിക്ഷേപിക്കപ്പെടുകയോ ചെയ്യുന്ന ചപ്പുചവറോ, മൃഗങ്ങളുടെ തുണ്ടുകളോ മറ്റ് പദാർത്ഥമോ ശേഖരിച്ച് സെക്രട്ടറിക്ക് തൃപ്തികരമായ രീതിയിൽ നീക്കം ചെയ്യിക്കേണ്ടതാണ്.
7. ലൈസൻസുകാരൻ ഏതൊരു കെട്ടിടത്തിന്റേയും ചുമരുകളുടെ അകവശത്തിന്റേ ഏതൊരു ഭാഗവും മേൽപറഞ്ഞ പുരയിടത്തിലുള്ള തറയും നടപ്പാതയും അവിടെ തെറ്റിച്ചുവീഴാനിടയുള്ള ഏതെങ്കിലും ദ്രാവകമോ, മാലിന്യമോ ചപ്പുചവറോ, അസഹ്യമോ, ഉപദ്രവകരമായ ഏതെങ്കിലും പദാർത്ഥമോ അവിടെ ലയിക്കുന്നത് തടയത്തക്കവിധം എപ്പോഴും നന്നായും കേടുപാട് തീർത്തും വയ്പിക്കേണ്ടതാണ്.
8. ലൈസൻസുകാരൻ മേൽപറഞ്ഞ പുരയിടത്തിലോ, അതോടു ചേർന്നോ ഉള്ള ഏതൊരു ഓവുചാലും, അഴുക്കുജലം കളയുന്നതിനുള്ള ഉപകരണവും എപ്പോഴും നന്നായും കേടുപാടുതീർത്തും വയ്പിക്കേണ്ടതാണ്.
9. ഏതെങ്കിലും തരത്തിലുള്ള ത്വക്ക് രോഗമോ കുഷ്ഠ രോഗമോ പ്രണമോ ഉള്ള യാതൊരാളും കച്ചവടം നടത്തുന്നതിന് ഉപയോഗിക്കുന്ന യാതൊരു പരിസരത്തും പ്രവർത്തിക്കുവാൻ പാടില്ലാത്തതാകുന്നു.
10. ഏത് സ്മലത്തിന്റേ കാര്യത്തിൽ ലൈസൻസ് നൽകിയിരിക്കുന്നുവോ ആ സ്മലത്ത് എല്ലാവരും കാണത്തക്കവിധത്തിലുള്ള ഒരു ഭാഗത്ത് ലൈസൻസുകാരൻ തന്റേ പേരും, ലൈസൻസിന്റേ നമ്പരും ഉദ്ദേശവും കാണിക്കുന്ന ഒരു അടയാളപ്പലക വച്ചിരിക്കേണ്ടതാണ്.
11. അധിത്തം ആചരിക്കുന്ന കടകളുടെ ലൈസൻസ് റദ്ദുചെയ്യുന്നതാണ്.
12. മുകളിൽ കാണിച്ചിരിക്കുന്ന വ്യവസ്ഥകളിൽ ഏതെങ്കിലും ലംഘിക്കുന്ന പക്ഷം ഈ ലൈസൻസ് റദ്ദു ചെയ്യുന്നതാണ്.

  
 SBCI സെക്രട്ടറി  
 Vembayam Grama

This is the true copy of document  
 marked as EXHIBIT referred  
 ANNEXURE R3(j)  
 in the above case.  
 ADVOCATE 



Licensee shall obey the conditions sited below:-

1. Licensee shall act according to the Rule and Bye Laws as per the Panchayat Raj Act;
2. The workplace and its surroundings has to be kept hygienic and without any room for contagious diseases and nuisance to the general public. The food articles for sale shall be kept out of reach of dust, flies and other pests
3. Licensee shall make access to inspect the equipments and workplace by the officials of the Panchayat/Secretary if needed the license also shown to them
4. To change the location of the workplace permission from the Panchayat has to be obtained, for closing the unit prior notice to the panchayat has to be given
5. Each and every day, the work place has to be cleaned and kept in good condition
6. Animal waste as well as other waste materials dumping near the work place has to be reported to the Secretary and see that the Secretary is removing the same.
7. The licensee shall maintain neat and hygienic inside all the walls of the building, floor and footpath where the workplace situates from any waste and other articles harmful to human life and the building shall be kept in good condition without and wear and tear
8. Licensee shall maintain and keep in good condition the work places and its surroundings and make the authorities to clean and maintain the drainage in good condition
9. Persons having any skin diseases, leprosy, unhealed wounds and contagious diseases shall not be allowed to come near the workplace and its surroundings
10. A notice board has to be exhibited in the workplace for which the license is issued, showing the name of the licensee, the number of the license and its purpose
11. License of the unhygienic shops will be cancelled
12. Violation of any of the conditions mentioned above will result in the cancellation of the license

Sd/-  
Secretary





ലൈസൻസുമസ്ഥൻ താഴെ പറയുന്ന വ്യവസ്ഥകൾ അനുസരിക്കേണ്ടതാകുന്നു.

1. പഞ്ചായത്ത് രാജ് ആക്ടും അതേ തുടർന്നുള്ള ചട്ടങ്ങളും അനുസരിച്ചു പ്രവർത്തിക്കേണ്ടതാകുന്നു.
2. തൊഴിൽ സ്ഥലവും പരിസരങ്ങളും വെടിപ്പായും വൃത്തിയായും സാംക്രമികരോഗാണുക്കൾ ഉണ്ടാകാത്തവിധത്തിലും പൊതുജനോപദ്രവമാകാത്ത വിധത്തിലും വ്യാപാരത്തിനു വച്ചിട്ടുള്ള ഭക്ഷണപദാർത്ഥങ്ങൾ ഈച്ച, അണുക്കൾ, പൊടി മുതലായവയുടെ ശല്യം ഉണ്ടാകാത്ത വിധത്തിലും സൂക്ഷിക്കേണ്ടതാണ്.
3. തൊഴിൽ സ്ഥലവും അതിലുള്ള സാധനസാമഗ്രികളും പഞ്ചായത്തധികാരികൾക്കോ/സെക്രട്ടറി അധികാരപ്പെടുത്തുന്ന മറ്റ് ഉദ്യോഗസ്ഥർക്കോ പരിശോധിക്കുന്നതിന് ലൈസൻസുമസ്ഥൻ വേണ്ട സൗകര്യം നൽകേണ്ടതും അവർ ആവശ്യപ്പെട്ടാൽ ഈ ലൈസൻസ് കാണിക്കേണ്ടതാകുന്നു.
4. പഞ്ചായത്തിൽ നിന്നും അനുവാദം സിദ്ധിച്ചശേഷമല്ലാതെ തൊഴിൽ സ്ഥലം മാറ്റാവുന്നതല്ലാത്തതും തൊഴിൽ നിർത്തുന്ന പക്ഷം വിവരം മുൻകൂട്ടി പഞ്ചായത്തിൽ അറിയിക്കേണ്ടതാകുന്നു.
5. ഏതൊരു പ്രവർത്തി ദിവസത്തിന്റെയും ഒടുവിൽ സ്ഥലം വൃത്തിയാക്കേണ്ടതാണ്.
6. ആ സ്ഥലത്തിന്റെയോ പുരയിടത്തിന്റെയോ, ഏതെങ്കിലും ഭാഗത്ത് വീഴുകയോ നിക്ഷേപിക്കപ്പെടുകയോ ചെയ്യുന്ന ചപ്പുചവറോ, മൃഗങ്ങളുടെ തുണ്ടുകളോ മറ്റ് പദാർത്ഥമോ ശേഖരിച്ച സെക്രട്ടറിക്ക് തൃപ്തികരമായ രീതിയിൽ നീക്കം ചെയ്യിക്കേണ്ടതാണ്.
7. ലൈസൻസുകാരൻ ഏതൊരു കെട്ടിടത്തിന്റെയും ചുമരുകളുടെ അകവശത്തിന്റെ ഏതൊരു ഭാഗവും മേൽപറഞ്ഞ പുരയിടത്തിലുള്ള തറയും നടപ്പാതയും അവിടെ തെറിച്ച് വീഴാനിടയുള്ള ഏതെങ്കിലും ദ്രാവകമോ, മാലിന്യമോ ചപ്പുചവറോ, അസഹ്യമോ, ഉപദ്രവകരമായ ഏതെങ്കിലും പദാർത്ഥമോ അവിടെ ലയിക്കുന്നത് തടയത്തക്കവിധം എപ്പോഴും നന്നായും കേടുപാട് തീർത്തും വയ്പിക്കേണ്ടതാണ്.
8. ലൈസൻസുകാരൻ മേൽപറഞ്ഞ പുരയിടത്തിലോ, അതോടു ചേർന്നോ ഉള്ള ഏതൊരു ഓവുചാലും, അഴുക്കുജലം കളയുന്നതിനുള്ള ഉപകരണവും എപ്പോഴും നന്നായും കേടുപാടുതീർത്തും വയ്പിക്കേണ്ടതാണ്.
9. ഏതെങ്കിലും തരത്തിലുള്ള ത്വക്ക് രോഗമോ കൃഷ്ണ രോഗമോ വ്രണമോ ഉള്ള യാതൊരാളും കച്ചവടം നടത്തുന്നതിന് ഉപയോഗിക്കുന്ന യാതൊരു പരിസരത്തും പ്രവർത്തിക്കുവാൻ പാടില്ലാത്തതാകുന്നു.
10. ഏത് സ്ഥലത്തിന്റെ കാര്യത്തിൽ ലൈസൻസ് നൽകിയിരിക്കുന്നുവോ ആ സ്ഥലത്ത് എല്ലാവരും കാണത്തക്കവിധത്തിലുള്ള ഒരു ഭാഗത്ത് ലൈസൻസുകാരൻ തന്റെ പേരും, ലൈസൻസിന്റെ നമ്പരും ഉദ്ദേശ്യം കാണിക്കുന്ന ഒരു അടയാളപ്പലക വച്ചിരിക്കേണ്ടതാണ്.
11. അധിഷ്ഠിത ആചരിക്കുന്ന കടകളുടെ ലൈസൻസ് റദ്ദുചെയ്യുന്നതാണ്.
12. മുകളിൽ കാണിച്ചിരിക്കുന്ന വ്യവസ്ഥകളിൽ ഏതെങ്കിലും ലംഘിക്കുന്ന പക്ഷം ഈ ലൈസൻസ് റദ്ദു ചെയ്യുന്നതാണ്.



  
 സെക്രട്ടറി  
 SECRETARY  
 (General Grade)  
 Vembayam Grama Panchayat

This is the true copy of document  
 marked as EXHIBIT referred  
 ANNEXURE R3J(1)  
 in the above case.

  
 ADVOCATE



89

Annexure R3 J(1) / 2

Licensee shall obey the conditions sited below:-

1. Licensee shall act according to the Rule sand Bye Laws as per the Panchayat Raj Act;
2. The workplace and its surroundings has to be kept hygienic and without any room for contagious diseases and nuisance to the general public. The food articles for sale shall be kept out of reach of dust, flies and other pests
3. Licensee shall make access to inspect the equipments and workplace by the officials of the Panchayt/Secretary if needed the license also shown to them
4. To change the location of the workplace permission from the Panchayat has to be obtained, for closing the unit prior notice to the panchayat has to be given
5. Each and every day, the work place has to be cleaned and kept in good condition
6. Animal waste as well as other waste materials dumping near the work place has to be reported to the Secretary and see that the Secretary is removing the same.
7. The licensee shall maintain neat and hygienic inside all the walls of the building, floor and footpath where the workplace situates from any waste and other articles harmful to human life and the building shall be kept in good condition without and wear and tear
8. Licensee shall maintain and keep in good condition the work places and its surroundings and make the authorities to clean and maintain the drainage in good condition
9. Persons having any skill diseases, leprosy, unhealed wounds and contagious diseases shall not be allowed to come near the workplace and its surroundings
10. A notice board has to be exhibited in the workplace for which the license is issued, showing the name of the licensee, the number of the license and its purpose
11. License of the unhygienic shops will be cancelled
12. Violation of any of the conditions mentioned above will result in the cancellation of the license

Sd/-  
Secretary

This is the true copy of document  
marked as EXHIBIT referred  
ANNEXURE R3 J(1)  
in the above case.

ADVOCATE



നമ്പർ 10/2013-14

വെമ്പയാല

ഗ്രാമ പഞ്ചായത്ത്

1994 ലെ കേരളാ പഞ്ചായത്ത് രാജ് ആക്ട് (1994 ലെ 13) 232, 233, 234, 254 എന്നീ വകുപ്പുകൾ പ്രകാരവും അതേ തുടർനുള്ള ചട്ടങ്ങളും അനുസരിച്ചു കൊടുത്ത

ലൈസൻസ്

ലൈസൻസുടമസ്ഥന്റെ പേരും മേൽവിലാസവും	ഡോ. ബിജു ജോസഫ് ചാം എൻ വിജ. 6, ടി. വി. നമ്പ്യാർ, കല്ലച്ചം. P.O. കൂടലിനങ്കുന്ന്, തിരുവനന്തപുരം.	
എന്താവശ്യത്തിന് ലൈസൻസ് അനുവദിച്ചു എന്ന്	ജോറ്റ് അവർക്കിജനത്തിന്	
കെട്ടിടത്തിന്റെ നമ്പരും വാർഡു നമ്പരും	Vii	
ലൈസൻസിന്റെ കാലാവധി	31.03.2014 (2013-14)	
ലൈസൻസ് ഫീസ്	DBO - 2500/രൂപ	പൈസ
റിമാർക്സ്	PT 2500/- Main 8600/- CF 5/-	

വെമ്പയാല



തീയതി 01.04.2013

*[Signature]*

സെക്രട്ടറി  
R.B. HARIKUMAR  
Secretary  
Vembayam Grama Panchayat  
Ph: 0472 2832025 / 9496040693

*[Handwritten mark]*

83

Annexure R3 j(2)  
2

**ലൈസൻസുടമസ്ഥൻ താഴെ പറയുന്ന വ്യവസ്ഥകൾ അനുസരിക്കേണ്ടതാകുന്നു.**

1. പഞ്ചായത്ത് രാജ് ആക്ടും അതേ തുടർന്നുള്ള ചട്ടങ്ങളും അനുസരിച്ചു പ്രവർത്തിക്കേണ്ടതാകുന്നു.
2. തൊഴിൽ സ്മലവും പരിസരങ്ങളും വെടിപ്പായും വൃത്തിയായും സാംക്രമികരോഗാണുക്കൾ ഉണ്ടാകാത്തവിധത്തിലും പൊതുജനോപദ്രവമാകാത്ത വിധത്തിലും വ്യാപാരത്തിനു വച്ചിട്ടുള്ള ഭക്ഷണപദാർത്ഥങ്ങൾ ഈച്ച, അണുക്കൾ, പൊടി മുതലായവയുടെ ശല്യം ഉണ്ടാകാത്ത വിധത്തിലും സൂക്ഷിക്കേണ്ടതാണ്.
3. തൊഴിൽ സ്മലവും അതിലുള്ള സാധനസാമഗ്രികളും പഞ്ചായത്തധികാരികൾക്കോ/സെക്രട്ടറി അധികാരപ്പെടുത്തുന്നമറ്റ് ഉദ്യോഗസ്ഥർക്കോ പരിശോധിക്കുന്നതിന് ലൈസൻസുടമസ്ഥർ വേണ്ട സൗകര്യം നൽകേണ്ടതും അവർ ആവശ്യപ്പെട്ടാൽ ഈ ലൈസൻസ് കാണിക്കേണ്ടതുമാകുന്നു.
4. പഞ്ചായത്തിൽ നിന്നും അനുവാദം സിദ്ധിച്ചശേഷമല്ലാതെ തൊഴിൽ സ്മലം മാറ്റാവുന്നതല്ലാത്തതും തൊഴിൽ നിർത്തുന്ന പക്ഷം വിവരം മുൻകൂട്ടി പഞ്ചായത്തിൽ അറിയിക്കേണ്ടതുമാകുന്നു.
5. ഏതൊരു പ്രവർത്തി ദിവസത്തിന്റെയും ഒടുവിൽ സ്മലം വൃത്തിയാക്കേണ്ടതാണ്.
6. ആ സ്മലത്തിന്റെയോ പുരയിടത്തിന്റെയോ, ഏതെങ്കിലും ഭാഗത്ത് വീഴുകയോ നിക്ഷേപിക്കപ്പെടുകയോ ചെയ്യുന്ന ചപ്പുചവറോ, മൃഗങ്ങളുടെ തൂണ്ടുകളോ മറ്റ് പദാർത്ഥമോ ശേഖരിച്ച സെക്രട്ടറിക്ക് തൃപ്തികരമായ രീതിയിൽ നീക്കം ചെയ്യിക്കേണ്ടതാണ്.
7. ലൈസൻസുകാരൻ ഏതൊരു കെട്ടിടത്തിന്റെയും ചുമരുകളുടെ അകവശത്തിന്റെ ഏതൊരു ഭാഗവും മേൽപറഞ്ഞ പുരയിടത്തിലുള്ള തറയും നടപ്പാതയും അവിടെ തെറിച്ചുവീഴാനിടയുള്ള ഏതെങ്കിലും ദ്രാവകമോ, മാലിന്യമോ ചപ്പുചവറോ, അസഹ്യമോ, ഉപദ്രവകരമായ ഏതെങ്കിലും പദാർത്ഥമോ അവിടെ ലയിക്കുന്നത് തടയത്തക്കവിധം എപ്പോഴും നന്നായും കേടുപാട് തീർത്തും വയ്പിക്കേണ്ടതാണ്.
8. ലൈസൻസുകാരൻ മേൽപറഞ്ഞ പുരയിടത്തിലോ, അതോടു ചേർന്നോ ഉള്ള ഏതൊരു ഓവുചാലും, അഴുക്കുജലം കളയുന്നതിനുള്ള ഉപകരണവും എപ്പോഴും നന്നായും കേടുപാടുതീർത്തും വയ്പിക്കേണ്ടതാണ്.
9. ഏതെങ്കിലും തരത്തിലുള്ള താക്ക് രോഗമോ കുഷ്ഠ രോഗമോ വ്രണമോ ഉള്ള യാതൊരാളും കച്ചവടം നടത്തുന്നതിന് ഉപയോഗിക്കുന്ന യാതൊരു പരിസരത്തും പ്രവർത്തിക്കുവാൻ പാടില്ലാത്തതാകുന്നു.
10. ഏത് സ്മലത്തിന്റെ കാര്യത്തിൽ ലൈസൻസ് നൽകിയിരിക്കുന്നുവോ ആ സ്മലത്ത് എല്ലാവരും കാണത്തക്കവിധത്തിലുള്ള ഒരു ഭാഗത്ത് ലൈസൻസുകാരൻ തന്റെ പേരും, ലൈസൻസിന്റെ നമ്പരും ഉദ്ദേശവും കാണിക്കുന്ന ഒരു അടയാളപ്പലക വച്ചിരിക്കേണ്ടതാണ്.
11. അധിഷ്ഠിതം ആചരിക്കുന്ന കടകളുടെ ലൈസൻസ് റദ്ദുചെയ്യുന്നതാണ്.
12. മുകളിൽ കാണിച്ചിരിക്കുന്ന വ്യവസ്ഥകളിൽ ഏതെങ്കിലും ലംഘിക്കുന്ന പക്ഷം ഈ ലൈസൻസ് റദ്ദു ചെയ്യുന്നതാണ്.



*[Signature]*  
 സെക്രട്ടറി  
**R.B. HARIKUMAR**  
 Secretary  
 Vembayam Grama Panchayat  
 Ph. 0472 2832025 / 9496040693

*This is the true copy of document marked as EXHIBIT referred ANNEXURE R3 j(2) in the above case.*

*[Signature]*  
 ADVOCATE

84

English Translation of  
Annexure R3 J(2)

No.10/2013-14

Vembayam Grama Panchayat

Kerala Panchayath Raj Act, 1994 (13 of 1994) issued according to the provisions contained in Sections 232, 233, 234, 254

**LICENSE**

Name and Address of the Licensee - Sabu Joseph  
Palm Hill Villa  
6, T.V. Centre,  
Kallayam P.O  
Kuttapanakunnu, Thiruvananthapuram

Purpose for which the license is issued - For the purpose of quarrying

Building No. and Ward No. - VII

Validity of the License - 31.03.2014 (2013-14)

License Fees - D&O 2500/-Rupees      Paisa

Remarks - PT:2500  
Machinery:8600  
CF :5

Vembayam Grama Panchayat

(Seal)

Sd/-  
Secretary,  
Vembayam Grama Panchayat

Dated 01/04/2013

*[Handwritten signature]*

85

English Translation of  
Annexure R3j(e)  
2

Licensee shall obey the conditions sited below:-

1. Licensee shall act according to the Rule sand Bye Laws as per the Panchayat Raj Act;
2. The workplace and its surroundings has to be kept hygienic and without any room for contagious diseases and nuisance to the general public. The food articles for sale shall be kept out of reach of dust, flies and other pests
3. Licensee shall make access to inspect the equipments and workplace by the officials of the Panchayt/Secretary if needed the license also shown to them
4. To change the location of the workplace permission from the Panchayat has to be obtained, for closing the unit prior notice to the panchayat has to be given
5. Each and every day, the work place has to be cleaned and kept in good condition
6. Animal waste as well as other waste materials dumping near the work place has to be reported to the Secretary and see that the Secretary is removing the same.
7. The licensee shall maintain neat and hygienic inside all the walls of the building, floor and footpath where the workplace situates from any waste and other articles harmful to human life and the building shall be kept in good condition without and wear and tear
8. Licensee shall maintain and keep in good condition the work places and its surroundings and make the authorities to clean and maintain the drainage in good condition
9. Persons having any skill diseases, leprosy, unhealed wounds and contagious diseases shall not be allowed to come near the workplace and its surroundings
10. A notice board has to be exhibited in the workplace for which the license is issued, showing the name of the licensee, the number of the license and its purpose
11. License of the unhygienic shops will be cancelled
12. Violation of any of the conditions mentioned above will result in the cancellation of the license

Sd/-  
Secretary

This is the true copy of document  
marked as EXHIBIT referred  
ANNEXURE R3j(e)  
in the above case.

ADVOCATE

86

Annexure 23 J(3)

Vembayam Grama Panchayath



നമ്പർ 10/2014-15

വെമ്പായം

ഗ്രാമ പഞ്ചായത്ത്

1994 ലെ കേരളാ പഞ്ചായത്ത് രാജ് ആക്ട് (1994 ലെ 13) 232, 233, 234, 254 എന്നീ വകുപ്പുകൾ പ്രകാരവും അതേ തുടർനുള്ള ചട്ടങ്ങളും അനുസരിച്ചു കൊടുത്ത

ലൈസൻസ്

ലൈസൻസുടമസ്ഥന്റെ പേരും മേൽവിലാസവും

സാബുജോലാൾ  
ചാമിൻ വിഴി,  
6, TV റോഡ് ജജലം. P.O  
തിരുവനന്തപുരം.

എന്താവശ്യത്തിന് ലൈസൻസ് അനുവദിച്ചു എന്ന്

ക്യാമ്പ്രെസ്സ് ചെയ്യാനായി

കെട്ടിടത്തിന്റെ നമ്പരും വാർഡു നമ്പരും

VII

ലൈസൻസിന്റെ കാലാവധി

31.03.2015

ലൈസൻസ് ഫീസ്

D/o 2500 രൂപ പൈസ

റിമാർക്സ്

PT 2500  
mah 8600  
CP 5  
13605

വെമ്പായം

HARIKUMAR R.B  
തിരുവനന്തപുരം 10/1/2014



HARIKUMAR R.B  
Secretary  
Vembayam Grama Panchayath

Handwritten signature

ലൈസൻസുടമസ്ഥൻ താഴെ പറയുന്ന വ്യവസ്ഥകൾ അനുസരിക്കേണ്ടതാകുന്നു.

1. പഞ്ചായത്ത് രാജ് ആക്ടും അതേ തുടർന്നുള്ള ചട്ടങ്ങളും അനുസരിച്ചു പ്രവർത്തിക്കേണ്ടതാകുന്നു.
2. തൊഴിൽ സ്ഥലവും പരിസരങ്ങളും വെടിപ്പായും വൃത്തിയായും സാംക്രമികരോഗാണുക്കൾ ഉണ്ടാകാത്തവിധത്തിലും പൊതുജനോപദ്രവമാകാത്ത വിധത്തിലും വ്യാപാരത്തിനു വച്ചിട്ടുള്ള ക്ഷണപദാർത്ഥങ്ങൾ ഈച്ച, അണുക്കൾ, പൊടി മുതലായവയുടെ ശല്യം ഉണ്ടാകാത്ത വിധത്തിലും സൂക്ഷിക്കേണ്ടതാണ്.
3. തൊഴിൽ സ്ഥലവും അതിലുള്ള സാധനസാമഗ്രികളും പഞ്ചായത്തധികാരികൾക്കോ/സെക്രട്ടറി അധികാരപ്പെടുത്തുന്ന മറ്റ് ഉദ്യോഗസ്ഥർക്കോ പരിശോധിക്കുന്നതിന് ലൈസൻസുടമസ്ഥൻ വേണ്ട സൗകര്യം നൽകേണ്ടതും അവർ ആവശ്യപ്പെട്ടാൽ ഈ ലൈസൻസ് കാണിക്കേണ്ടതുമാകുന്നു.
4. പഞ്ചായത്തിൽ നിന്നും അനുവാദം സിദ്ധിച്ചശേഷമല്ലാതെ തൊഴിൽ സ്ഥലം മാറ്റാവുന്നതല്ലാത്തതും തൊഴിൽ നിർത്തുന്ന പക്ഷം വിവരം മുൻകൂട്ടി പഞ്ചായത്തിൽ അറിയിക്കേണ്ടതുമാകുന്നു.
5. ഏതൊരു പ്രവർത്തി ദിവസത്തിന്റെയും ഒടുവിൽ സ്ഥലം വൃത്തിയാക്കേണ്ടതാണ്.
6. ആ സ്ഥലത്തിന്റെയോ പുരയിടത്തിന്റെയോ, ഏതെങ്കിലും ഭാഗത്ത് വീഴുകയോ നിക്ഷേപിക്കപ്പെടുകയോ ചെയ്യുന്ന ചപ്പുചവറോ, മൃഗങ്ങളുടെ തൃണ്ടുകളോ, മറ്റ് പദാർത്ഥമോ ശേഖരിച്ച് സെക്രട്ടറിക്ക് തൃപ്തികരമായ രീതിയിൽ നീക്കം ചെയ്യിക്കേണ്ടതാണ്.
7. ലൈസൻസുകാരൻ ഏതൊരു കെട്ടിടത്തിന്റെയും ചുമരുകളുടെ അകവശത്തിന്റെ ഏതൊരു ഭാഗവും മേൽപറഞ്ഞ പുരയിടത്തുള്ള തറയും നടപ്പാതയും അവിടെ തെറിച്ചുവീഴാനിടയുള്ള ഏതെങ്കിലും ദ്രാവകമോ, മാലിന്യമോ ചപ്പുചവറോ, അസഹ്യമോ, ഉപദ്രവകരമായ ഏതെങ്കിലും പദാർത്ഥമോ അവിടെ ലയിക്കുന്നത് തടയത്തക്കവിധം എപ്പോഴും നന്നായും കേടുപാട് തീർത്തും വയ്പിക്കേണ്ടതാണ്.
8. ലൈസൻസുകാരൻ മേൽപറഞ്ഞ പുരയിടത്തിലോ, അതോടു ചേർന്നോ ഉള്ള ഏതൊരു ഓവുചാലും, അഴുകുഴലം കളയുന്നതിനുള്ള ഉപകരണവും എപ്പോഴും നന്നായും കേടുപാടുതീർത്തും വയ്പിക്കേണ്ടതാണ്.
9. ഏതെങ്കിലും തരത്തിലുള്ള ത്വക്ക് രോഗമോ കുഷ്മിരോഗമോ വ്രണമോ ഉള്ള യാതൊരാളും കച്ചവടം നടത്തുന്നതിന് ഉപയോഗിക്കുന്ന യാതൊരു പരിസരത്തും പ്രവർത്തിക്കുവാൻ പാടില്ലാത്തതാകുന്നു.
10. ഏത് സ്ഥലത്തിന്റെ കാര്യത്തിൽ ലൈസൻസ് നൽകിയിരിക്കുന്നുവോ ആ സ്ഥലത്ത് എല്ലാവരും കാണത്തക്കവിധത്തിലുള്ള ഒരു ഭാഗത്ത് ലൈസൻസുകാരൻ തന്റെ പേരും, ലൈസൻസിന്റെ നമ്പരും ഉദ്ദേശവും കാണിക്കുന്ന ഒരു അടയാളപ്പലക വച്ചിരിക്കേണ്ടതാണ്.
11. അധിത്തം ആചരിക്കുന്ന കടകളുടെ ലൈസൻസ് റദ്ദുചെയ്യുന്നതാണ്.
12. മുകളിൽ കാണിച്ചിരിക്കുന്ന വ്യവസ്ഥകളിൽ ഏതെങ്കിലും ലംഘിക്കുന്ന പക്ഷം ഈ ലൈസൻസ് റദ്ദു ചെയ്യുന്നതാണ്.

HARIKUMAR R.B  
Secretary  
Vembayam Grama Panchayat



HARIKUMAR R.B  
Secretary  
Vembayam Grama Panchayat

This is the true copy of document  
marked as ANNEXURE  
in the above case.

R3 j(3)  
ADVOCATE

88

English Translation of  
Annexure R3 j(3)

No.10/2014-15

Vembayam Grama Panchayat

Kerala Panchayath Raj Act, 1994 (13 of 1994) issued according to the provisions  
contained in Sections 232, 233, 234, 254

**LICENSE**

Name and Address of the Licensee - Sabu Joseph  
Palm Hill Villa  
6, T.V. Centre,  
Kallayam P.O Thiruvananthapuram

Purpose for which the license is issued - For the purpose of quarrying

Building No. and Ward No. - VII

Validity of the License - 31.03.2015

License Fees - D&O: 2500/-Rupees      Paisa

Remarks  
PT :2500  
Machinery :8600  
CF :5  
13605

---

Vembayam Grama Panchayat

(Seal)

Sd/-  
Secretary,  
Vembayam Grama Panchayat

Dated 1/04/2014

89  
89

English Translation of  
Annexure R3 J(3)

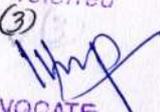
2

Licensee shall obey the conditions sited below:-

1. Licensee shall act according to the Rule sand Bye Laws as per the Panchayat Raj Act;
2. The workplace and its surroundings has to be kept hygienic and without any room for contagious diseases and nuisance to the general public. The food articles for sale shall be kept out of reach of dust, flies and other pests
3. Licensee shall make access to inspect the equipments and workplace by the officials of the Panchayt/Secretary if needed the license also shown to them
4. To change the location of the workplace permission from the Panchayat has to be obtained, for closing the unit prior notice to the panchayat has to be given
5. Each and every day, the work place has to be cleaned and kept in good condition
6. Animal waste as well as other waste materials dumping near the work place has to be reported to the Secretary and see that the Secretary is removing the same.
7. The licensee shall maintain neat and hygienic inside all the walls of the building, floor and footpath where the workplace situates from any waste and other articles harmful to human life and the building shall be kept in good condition without and wear and tear
8. Licensee shall maintain and keep in good condition the work places and its surroundings and make the authorities to clean and maintain the drainage in good condition
9. Persons having any skill diseases, leprosy, unhealed wounds and contagious diseases shall not be allowed to come near the workplace and its surroundings
10. A notice board has to be exhibited in the workplace for which the license is issued, showing the name of the licensee, the number of the license and its purpose
11. License of the unhygienic shops will be cancelled
12. Violation of any of the conditions mentioned above will result in the cancellation of the license

Sd/-  
Secretary

This is the true copy of document  
marked as EXHIBIT referred  
ANNEXURE R3 J(3)  
in the above case.

  
ADVOCATE



നമ്പർ 1/2015-16.

വെമ്പായം ഗ്രാമ പഞ്ചായത്ത്

1994 ലെ കേരളാ പഞ്ചായത്ത് രാജ് ആക്ട് (1994 ലെ 13) 232, 233, 234, 254 എന്നീ വകുപ്പുകൾ പ്രകാരവും അതേ തുടർന്നുള്ള ചട്ടങ്ങളും അനുസരിച്ചു കൊടുത്ത

ലൈസൻസ്

ലൈസൻസുടമസ്ഥന്റെ പേരും മേൽവിലാസവും

സാബു ജോസഫ്,  
ചാണ്ടിൻ വിള,  
6, TV സെന്റർ, കല്ലം. P.O  
തിരുവനന്തപുരം.

എന്താവശ്യത്തിന് ലൈസൻസ് അനുവദിച്ചു എന്ന്

കൃഷി പ്രവർത്തിപ്പിക്കുന്നതിന്.

കെട്ടിടത്തിന്റെ നമ്പരും വാർഡു നമ്പരും

VII

ലൈസൻസിന്റെ കാലാവധി

31. 3. 2016

ലൈസൻസ് ഫീസ്

രൂപ

പൈസ

റിമാർക്സ്

D20 - 2500  
P1 - 2500  
MF - 8600  
CF - 5  
13605

വെമ്പായം



SECRETARY  
Vembayam Gram Panchayat

(മറുവശം)

*[Handwritten signature]*

**ലൈസൻസുമസ്ഥൻ താഴെ പറയുന്ന വ്യവസ്ഥകൾ അനുസരിക്കേണ്ടതാകുന്നു.**

1. പഞ്ചായത്ത് രാജ് ആക്ടും അതേ തുടർന്നുള്ള ചട്ടങ്ങളും അനുസരിച്ചു പ്രവർത്തിക്കേണ്ടതാകുന്നു.
2. തൊഴിൽ സ്മലവും പരിസരങ്ങളും വെടിപ്പായും വൃത്തിയായും സാംക്രമികരോഗാണുക്കൾ ഉണ്ടാകാത്തവിധത്തിലും പൊതുജനോപദ്രവമാകാത്ത വിധത്തിലും വ്യാപാരത്തിനു വച്ചിട്ടുള്ള ക്ഷേണപദാർത്ഥങ്ങൾ ഈച്ച, അണുക്കൾ, പൊടി മുതലായവയുടെ ശല്യം ഉണ്ടാകാത്ത വിധത്തിലും സൂക്ഷിക്കേണ്ടതാണ്.
3. തൊഴിൽ സ്മലവും അതിലുള്ള സാധനസാമഗ്രികളും പഞ്ചായത്തധികാരികൾക്കോ/സെക്രട്ടറി അധികാരപ്പെടുത്തുന്ന മറ്റ് ഉദ്യോഗസ്ഥർക്കോ പരിശോധിക്കുന്നതിന് ലൈസൻസുമസ്ഥൻ വേണ്ട സൗകര്യം നൽകേണ്ടതും അവർ ആവശ്യപ്പെട്ടാൽ ഈ ലൈസൻസ് കാണിക്കേണ്ടതുമാകുന്നു.
4. പഞ്ചായത്തിൽ നിന്നും അനുവാദം സിദ്ധിച്ചശേഷമല്ലാതെ തൊഴിൽ സ്മലം മാറ്റാവുന്നതല്ലാത്തതും തൊഴിൽ നിർത്തുന്ന പക്ഷം വിവരം മുൻകൂട്ടി പഞ്ചായത്തിൽ അറിയിക്കേണ്ടതുമാകുന്നു.
5. ഏതൊരു പ്രവർത്തി ദിവസത്തിന്റെയും ഒടുവിൽ സ്മലം വൃത്തിയാക്കേണ്ടതാണ്.
6. ആ സ്മലത്തിന്റെയോ പുരയിടത്തിന്റെയോ, ഏതെങ്കിലും ഭാഗത്ത് വീഴുകയോ നിക്ഷേപിക്കപ്പെടുകയോ ചെയ്യുന്ന ചപ്പുചവറോ, മൃഗങ്ങളുടെ തൂങ്ങുകളോ മറ്റ് പദാർത്ഥമോ ശേഖരിച്ച് സെക്രട്ടറിക്ക് തൃപ്തികരമായ രീതിയിൽ നീക്കം ചെയ്യിക്കേണ്ടതാണ്.
7. ലൈസൻസുകാരൻ ഏതൊരു കെട്ടിടത്തിന്റെയും ചുമരുകളുടെ അകവശത്തിന്റെ ഏതൊരു ഭാഗവും മേൽപറഞ്ഞ പുരയിടത്തിലുള്ള തറയും നടപ്പാതയും അവിടെ തെറിച്ച് വീഴാനിടയുള്ള ഏതെങ്കിലും ദ്രാവകമോ, മാലിന്യമോ ചപ്പുചവറോ, അസഹ്യമോ, ഉപദ്രവകരമായ ഏതെങ്കിലും പദാർത്ഥമോ അവിടെ ലയിക്കുന്നത് തടയത്തക്കവിധം എപ്പോഴും നന്നായും കേടുപാട് തീർത്തും വയ്പിക്കേണ്ടതാണ്.
8. ലൈസൻസുകാരൻ മേൽപറഞ്ഞ പുരയിടത്തിലോ, അതോടു ചേർന്നോ ഉള്ള ഏതൊരു ഓവുചാലും, അഴുക്കുപ്പാലം കളയുന്നതിനുള്ള ഉപകരണവും എപ്പോഴും നന്നായും കേടുപാടുതീർത്തും വയ്പിക്കേണ്ടതാണ്.
9. ഏതെങ്കിലും തരത്തിലുള്ള ത്വക്ക് രോഗമോ കുഷിര രോഗമോ വ്രണമോ ഉള്ള യാതൊരാളും കച്ചവടം നടത്തുന്നതിന് ഉപയോഗിക്കുന്ന യാതൊരു പരിസരത്തും പ്രവർത്തിക്കുവാൻ പാടില്ലാത്തതാകുന്നു.
10. ഏത് സ്മലത്തിന്റെ കാര്യത്തിൽ ലൈസൻസ് നൽകിയിരിക്കുന്നുവോ ആ സ്മലത്ത് എല്ലാവരും കാണത്തക്കവിധത്തിലുള്ള ഒരു ഭാഗത്ത് ലൈസൻസുകാരൻ തന്റെ പേരും, ലൈസൻസിന്റെ നമ്പരും ഉദ്ദേശവും കാണിക്കുന്ന ഒരു അടയാളപ്പലക വച്ചിരിക്കേണ്ടതാണ്.
11. അധിത്തം ആചരിക്കുന്ന കടകളുടെ ലൈസൻസ് റദ്ദുചെയ്യുന്നതാണ്.
12. മുകളിൽ കാണിച്ചിരിക്കുന്ന വ്യവസ്ഥകളിൽ ഏതെങ്കിലും ലംഘിക്കുന്ന പക്ഷം ഈ ലൈസൻസ് റദ്ദു ചെയ്യുന്നതാണ്.

SECRETARY  
Vembanam Grama Panchayat



SECRETARY  
Vembanam Grama Panchayat

This is the true copy of document  
marked as ANNEXURE R3 j(4)  
in the above case.

ADVOCATE

92

English Translation of  
Annexure B3 j(4)

No.1/2015-16

Vembayam Grama Panchayat

Kerala Panchayath Raj Act, 1994 (13 of 1994) issued according to the provisions contained in Sections 232, 233, 234, 254

**LICENSE**

Name and Address of the Licensee	-	Sabu Joseph Palm Hill Villa 6, T.V. Centre, Kallayam P.O Thiruvananthapuram
Purpose for which the license is issued	-	For the purpose of quarrying
Building No. and Ward No.	-	VII
Validity of the License	-	31.03.2016
License Fees	-	
Remarks	-	D&O: 2500/- PT :2500 Machinery :8600 CF :5 <u>13605</u>
		Rupees      Paisa

Vembayam Grama Panchayat

(Seal)

Sd/-  
Secretary,  
Vembayam Grama Panchayat

Dated 1/04/2015

93

English Translation of  
Annexure R3 (4)

2

Licensee shall obey the conditions sited below:-

1. Licensee shall act according to the Rule sand Bye Laws as per the Panchayat Raj Act;
2. The workplace and its surroundings has to be kept hygienic and without any room for contagious diseases and nuisance to the general public. The food articles for sale shall be kept out of reach of dust, flies and other pests
3. Licensee shall make access to inspect the equipments and workplace by the officials of the Panchayt/Secretary if needed the license also shown to them
4. To change the location of the workplace permission from the Panchayat has to be obtained, for closing the unit prior notice to the panchayat has to be given
5. Each and every day, the work place has to be cleaned and kept in good condition
6. Animal waste as well as other waste materials dumping near the work place has to be reported to the Secretary and see that the Secretary is removing the same.
7. The licensee shall maintain neat and hygienic inside all the walls of the building, floor and footpath where the workplace situates from any waste and other articles harmful to human life and the building shall be kept in good condition without and wear and tear
8. Licensee shall maintain and keep in good condition the work places and its surroundings and make the authorities to clean and maintain the drainage in good condition
9. Persons having any skill diseases, leprosy, unhealed wounds and contagious diseases shall not be allowed to come near the workplace and its surroundings
10. A notice board has to be exhibited in the workplace for which the license is issued, showing the name of the licensee, the number of the license and its purpose
11. License of the unhygienic shops will be cancelled
12. Violation of any of the conditions mentioned above will result in the cancellation of the license

Sd/-  
Secretary

This is the true copy of document  
marked as EXHIBIT referre-  
ANNEXURE R3(4)  
in the above case.

ADVOCATE

94

Annexure R3J(5)  
Municipal Council



നമ്പർ A4/354/12

മുനിസിപ്പൽ

ഗ്രാമ പഞ്ചായത്ത്

1994 ലെ കേരളാ പഞ്ചായത്ത് രാജ് ആക്ട് (1994 ലെ 13) 232, 233, 234, 254 എന്നീ വകുപ്പുകൾ പ്രകാരവും അതേ തുടർന്നുള്ള ചട്ടങ്ങളും അനുസരിച്ചു കൊടുത്ത

ലൈസൻസ്

ലൈസൻസുടമസ്ഥന്റെ പേരും മേൽവിലാസവും	ശ്രീ. സാമുവേൽ പുഴയിൽ, മി. വി. സെൻറർ കിഴക്ക. പി.ഒ.
എന്താവശ്യത്തിന് ലൈസൻസ് അനുവദിച്ചു എന്ന്	പാറവനം നടത്തുന്നതിന്
കെട്ടിടത്തിന്റെ നമ്പരും വാർഡു നമ്പരും	VII
ലൈസൻസിന്റെ കാലാവധി	19/3/12 ന്റെ 31/3/12
ലൈസൻസ് ഫീസ്	4000/- രൂപ                      പൈസ
റിമാർക്സ്	51850/44, 2013 ലെ സർവ്വേയിൽ 19/3/12 മുഖ്യ ലൈസൻസ് ഓഫീസർ അപേക്ഷ + നമ്പർ കോൺഫിര്മേഷൻ.

മുനിസിപ്പൽ



SECRETARY  
Municipal Council

തീയതി 19/3/12

95

Annexure R3 J(5) / 2

ലൈസൻസുടമസ്ഥൻ താഴെ പറയുന്ന വ്യവസ്ഥകൾ അനുസരിക്കേണ്ടതാകുന്നു.

1. പഞ്ചായത്ത് രാജ് ആക്ടും അതേ തുടർന്നുള്ള ചട്ടങ്ങളും അനുസരിച്ചു പ്രവർത്തിക്കേണ്ടതാകുന്നു.
2. തൊഴിൽ സ്ഥലവും പരിസരങ്ങളും വെടിപ്പായും വൃത്തിയായും സാംക്രമികരോഗാണുക്കൾ ഉണ്ടാകാത്തവിധത്തിലും പൊതുജനോപദ്രവമാകാത്ത വിധത്തിലും വ്യാപാരത്തിനു വച്ചിട്ടുള്ള ക്ഷേണപദാർത്ഥങ്ങൾ ഈച്ച, അണുക്കൾ, പൊടി മുതലായവയുടെ ശല്യം ഉണ്ടാകാത്ത വിധത്തിലും സൂക്ഷിക്കേണ്ടതാണ്.
3. തൊഴിൽ സ്ഥലവും അതിലുള്ള സാധനസാമഗ്രികളും പഞ്ചായത്തധികാരികൾക്കോ/സെക്രട്ടറി അധികാരപ്പെടുത്തുന്ന മറ്റ് ഉദ്യോഗസ്ഥർക്കോ പരിശോധിക്കുന്നതിന് ലൈസൻസുടമസ്ഥൻ വേണ്ട സൗകര്യം നൽകേണ്ടതും അവർ ആവശ്യപ്പെട്ടാൽ ഈ ലൈസൻസ് കാണിക്കേണ്ടതുമാകുന്നു.
4. പഞ്ചായത്തിൽ നിന്നും അനുവാദം സിദ്ധിച്ചശേഷമല്ലാതെ തൊഴിൽ സ്ഥലം മാറ്റാവുന്നതല്ലാത്തതും തൊഴിൽ നിർത്തുന്ന പക്ഷം വിവരം മുൻകൂട്ടി പഞ്ചായത്തിൽ അറിയിക്കേണ്ടതുമാകുന്നു.
5. ഏതൊരു പ്രവർത്തി ദിവസത്തിന്റെയും ഒടുവിൽ സ്ഥലം വൃത്തിയാക്കേണ്ടതാണ്.
6. ആ സ്ഥലത്തിന്റെയോ പുരയിടത്തിന്റെയോ, ഏതെങ്കിലും ഭാഗത്ത് വീഴുകയോ നിക്ഷേപിക്കപ്പെടുകയോ ചെയ്യുന്ന ചപ്പുചവറോ, മൃഗങ്ങളുടെ തുണ്ടുകളോ മറ്റ് പദാർത്ഥമോ ശേഖരിച്ച് സെക്രട്ടറിക്ക് തൃപ്തികരമായ രീതിയിൽ നീക്കം ചെയ്യിക്കേണ്ടതാണ്.
7. ലൈസൻസുകാരൻ ഏതൊരു കെട്ടിടത്തിന്റെയും ചുമരുകളുടെ അകവശത്തിന്റെ ഏതൊരു ഭാഗവും മേൽപറഞ്ഞ പുരയിടത്തിലുള്ള തറയും നടപ്പാതയും അവിടെ തെറിച്ചുവീഴാനിടയുള്ള ഏതെങ്കിലും ദ്രാവകമോ, മാലിന്യമോ ചപ്പുചവറോ, അസഹ്യമോ, ഉപദ്രവകരമായ ഏതെങ്കിലും പദാർത്ഥമോ അവിടെ ലയിക്കുന്നത് തടയത്തക്കവിധം എപ്പോഴും നന്നായും കേടുപാട് തീർത്തും വയ്പിക്കേണ്ടതാണ്.
8. ലൈസൻസുകാരൻ മേൽപറഞ്ഞ പുരയിടത്തിലോ, അതോടു ചേർന്നോ ഉള്ള ഏതൊരു ഓവുചാലും, അഴുക്കുജലം കളയുന്നതിനുള്ള ഉപകരണവും എപ്പോഴും നന്നായും കേടുപാടുതീർത്തും വയ്പിക്കേണ്ടതാണ്.
9. ഏതെങ്കിലും തരത്തിലുള്ള താക്ക് രോഗമോ കൂഷ്ഠ രോഗമോ വ്രണമോ ഉള്ള യാതൊരാളും കച്ചവടം നടത്തുന്നതിന് ഉപയോഗിക്കുന്ന യാതൊരു പരിസരത്തും പ്രവർത്തിക്കുവാൻ പാടില്ലാത്തതാകുന്നു.
10. ഏത് സ്ഥലത്തിന്റെ കാര്യത്തിൽ ലൈസൻസ് നൽകിയിരിക്കുന്നുവോ ആ സ്ഥലത്ത് എല്ലാവരും കാണത്തക്കവിധത്തിലുള്ള ഒരു ഭാഗത്ത് ലൈസൻസുകാരൻ തന്റെ പേരും, ലൈസൻസിന്റെ നമ്പരും ഉദ്ദേശവും കാണിക്കുന്ന ഒരു അടയാളപ്പലക വച്ചിരിക്കേണ്ടതാണ്.
11. അധിഷ്ഠിതം ആചരിക്കുന്ന കടകളുടെ ലൈസൻസ് റദ്ദ്ചെയ്യുന്നതാണ്.
12. മുകളിൽ കാണിച്ചിരിക്കുന്ന വ്യവസ്ഥകളിൽ ഏതെങ്കിലും ലംഘിക്കുന്ന പക്ഷം ഈ ലൈസൻസ് റദ്ദ് ചെയ്യുന്നതാണ്.

  
 SECRETARY  
 Manickal Grama Panchayat

This is the true copy of document  
 marked as EXHIBIT referred  
 ANNEXURE R3 J(5)  
 in the above case.  
 ADVOCATE 

96

English Translation of  
Annexure R3J(B)

(Emblem)

No.A4/354/12

Manickal Grama Panchayat

Kerala Panchayath Raj Act, 1994 (13 of 1994) issued according to the provisions contained in Sections 232, 233, 234, 254

**LICENSE**

Name and Address of the Licensee - Sabu Joseph  
Palm Hill Villa  
6 T V Centre, Kallayam P O

Purpose for which the license is issued - For the purpose of mining

Building No. and Ward No. - VII

Validity of the License - 19/3/12 to 31/3/13

License Fees - 4000/-Rupees Paise

Remarks - 51850/44,2013 Application has to be filed before 28<sup>th</sup> February for renewal of license

Manickal Grama Panchayat

(Seal)

Sd/-  
Secretary,  
Manickal Grama Panchayat

Dated 19/3/12

*[Handwritten Signature]*

97

English translation of  
ANNEXURE R3j(5)

2

Licensee shall obey the conditions sited below:-

1. Licensee shall act according to the Rule sand Bye Laws as per the Panchayat Raj Act;
2. The workplace and its surroundings has to be kept hygienic and without any room for contagious diseases and nuisance to the general public. The food articles for sale shall be kept out of reach of dust, flies and other pests
3. Licensee shall make access to inspect the equipments and workplace by the officials of the Panchayt/Secretary if needed the license also shown to them
4. To change the location of the workplace permission from the Panchayat has to be obtained, for closing the unit prior notice to the panchayat has to be given
5. Each and every day, the work place has to be cleaned and kept in good condition
6. Animal waste as well as other waste materials dumping near the work place has to be reported to the Secretary and see that the Secretary is removing the same.
7. The licensee shall maintain neat and hygienic inside all the walls of the building, floor and footpath where the workplace situates from any waste and other articles harmful to human life and the building shall be kept in good condition without and wear and tear
8. Licensee shall maintain and keep in good condition the work places and its surroundings and make the authorities to clean and maintain the drainage in good condition
9. Persons having any skill diseases, leprosy, unhealed wounds and contagious diseases shall not be allowed to come near the workplace and its surroundings
10. A notice board has to be exhibited in the workplace for which the license is issued, showing the name of the licensee, the number of the license and its purpose
11. License of the unhygienic shops will be cancelled
12. Violation of any of the conditions mentioned above will result in the cancellation of the license

Sd/-  
Secretary

This is the true copy of document  
marked as EXHIBIT referred  
ANNEXURE R3j(5)  
in the above case.

ADVOCATE

ലൈസൻസുമസ്ഥൻ താഴെ പറയുന്ന വ്യവസ്ഥകൾ അനുസരിക്കേണ്ടതാകുന്നു.

1. പഞ്ചായത്ത് രാജ് ആക്ടും അതേ തുടർന്നുള്ള ചട്ടങ്ങളും അനുസരിച്ചു പ്രവർത്തിക്കേണ്ടതാകുന്നു.
2. തൊഴിൽ സ്മലവും പരിസരങ്ങളും വെടിപ്പായും വൃത്തിയായും സാംക്രമികരോഗാണുക്കൾ ഉണ്ടാകാത്തവിധത്തിലും പൊതുജനോപദ്രവമാകാത്ത വിധത്തിലും വ്യാപാരത്തിനു വച്ചിട്ടുള്ള ഭക്ഷണപദാർത്ഥങ്ങൾ ഈച്ച, അണുക്കൾ, പൊടി മുതലായവയുടെ ശല്യം ഉണ്ടാകാത്ത വിധത്തിലും സൂക്ഷിക്കേണ്ടതാണ്.
3. തൊഴിൽ സ്മലവും അതിലുള്ള സാധനസാമഗ്രികളും പഞ്ചായത്തധികാരികൾക്കോ/സെക്രട്ടറി അധികാരപ്പെടുത്തുന്ന മറ്റ് ഉദ്യോഗസ്ഥർക്കോ പരിശോധിക്കുന്നതിന് ലൈസൻസുമസ്ഥൻ വേണ്ട സൗകര്യം നൽകേണ്ടതും അവർ ആവശ്യപ്പെട്ടാൽ ഈ ലൈസൻസ് കാണിക്കേണ്ടതുമാകുന്നു.
4. പഞ്ചായത്തിൽ നിന്നും അനുവാദം സിദ്ധിച്ചശേഷമല്ലാതെ തൊഴിൽ സ്മലം മാറ്റാവുന്നതല്ലാത്തതും തൊഴിൽ നിർത്തുന്ന പക്ഷം വിവരം മുൻകൂട്ടി പഞ്ചായത്തിൽ അറിയിക്കേണ്ടതുമാകുന്നു.
5. ഏതൊരു പ്രവർത്തി ദിവസത്തിന്റെയും ഒടുവിൽ സ്മലം വൃത്തിയാക്കേണ്ടതാണ്.
6. ആ സ്മലത്തിന്റെയോ പുരയിടത്തിന്റെയോ, ഏതെങ്കിലും ഭാഗത്ത് വീഴുകയോ നിക്ഷേപിക്കപ്പെടുകയോ ചെയ്യുന്ന ചപ്പുചവറോ, മൃഗങ്ങളുടെ തുണ്ടുകളോ മറ്റ് പദാർത്ഥമോ ശേഖരിച്ച സെക്രട്ടറിക്ക് തൃപ്തികരമായ രീതിയിൽ നീക്കം ചെയ്യിക്കേണ്ടതാണ്.
7. ലൈസൻസുകാരൻ ഏതൊരു കെട്ടിടത്തിന്റെയും ചുമരുകളുടെ അകവശത്തിന്റെ ഏതൊരു ഭാഗവും മേൽപറഞ്ഞ പുരയിടത്തിലുള്ള തറയും നടപ്പാതയും അവിടെ തെറിച്ചുവീഴാനിടയുള്ള ഏതെങ്കിലും ദ്രാവകമോ, മാലിന്യമോ ചപ്പുചവറോ, അസഹ്യമോ, ഉപദ്രവകരമായ ഏതെങ്കിലും പദാർത്ഥമോ അവിടെ ലയിക്കുന്നത് തടയത്തക്കവിധം എപ്പോഴും നന്നായും കേടുപാട് തീർത്തും വയ്പിക്കേണ്ടതാണ്.
8. ലൈസൻസുകാരൻ മേൽപറഞ്ഞ പുരയിടത്തിലോ, അതോടു ചേർന്നോ ഉള്ള ഏതൊരു ഓവുചാലും, അഴുക്കുജലം കളയുന്നതിനുള്ള ഉപകരണവും എപ്പോഴും നന്നായും കേടുപാടുതീർത്തും വയ്പിക്കേണ്ടതാണ്.
9. ഏതെങ്കിലും തരത്തിലുള്ള തിക്ക് രോഗമോ കുഷ്ഠ രോഗമോ വ്രണമോ ഉള്ള യാതൊരാളും കച്ചവടം നടത്തുന്നതിന് ഉപയോഗിക്കുന്ന യാതൊരു പരിസരത്തും പ്രവർത്തിക്കുവാൻ പാടില്ലാത്തതാകുന്നു.
10. ഏത് സ്മലത്തിന്റെ കാര്യത്തിൽ ലൈസൻസ് നൽകിയിരിക്കുന്നുവോ ആ സ്മലത്ത് എല്ലാവരും കാണത്തക്കവിധത്തിലുള്ള ഒരു ഭാഗത്ത് ലൈസൻസുകാരൻ തന്റെ പേരും, ലൈസൻസിന്റെ നമ്പരും ഉദ്ദേശവും കാണിക്കുന്ന ഒരു അടയാളപ്പലക വച്ചിരിക്കേണ്ടതാണ്.
11. അധിത്തം ആചരിക്കുന്ന കടകളുടെ ലൈസൻസ് റദ്ദുചെയ്യുന്നതാണ്.
12. മുകളിൽ കാണിച്ചിരിക്കുന്ന വ്യവസ്ഥകളിൽ ഏതെങ്കിലും ലംഘിക്കുന്ന പക്ഷം ഈ ലൈസൻസ് റദ്ദു ചെയ്യുന്നതാണ്.

M.P. PRASAD  
Secretary  
Mannal Grama Panchayat  
Pirappancode P.O., Pin-695 607  
Ph-0472 2582046, 9496040701



M. Prasad  
Secretary  
Mannal Grama Panchayat  
Pirappancode P.O., Pin-695 607  
Ph-0472 2582046, 9496040701

This is the true copy of document  
marked as EXHIBIT referred  
ANNEXURE R3j(6)  
in the above case.  
ADVOCATE

100

Annexure 23j(6)

(Emblem)

No.A5/304/2015-16

Manickal Grama Panchayat

Kerala Panchayath Raj Act, 1994 (13 of 1994) issued according to the provisions contained in Sections 232, 233, 234, 254

**LICENSE**

Name and Address of the Licensee	- Sabu Joseph Palm Hill Villa 6TVCentre,KallayamP O,Kattapanakunnu
Purpose for which the license is issued	- For the purpose of mining
Building No. and Ward No.	- 474/1,474/1/2,Resy No.470,472/4/1,472/5/6
Validity of the License	- 01-04-2015 to 31-03-2016
License Fees	- 11505/-Rupees      Paisa
Remarks	- Rt No.11409400024,25 dated 24/3/2015 Applicaion has to be submitted before 29 <sup>th</sup> February for renewal of license

Manickal Grama Panchayat

(Seal)

Sd/-  
Secretary,  
Manickal Grama Panchayat

Dated 28/05/2015

Licensee shall obey the conditions sited below:-

1. Licensee shall act according to the Rule sand Bye Laws as per the Panchayat Raj Act;
2. The workplace and its surroundings has to be kept hygienic and without any room for contagious diseases and nuisance to the general public. The food articles for sale shall be kept out of reach of dust, flies and other pests
3. Licensee shall make access to inspect the equipments and workplace by the officials of the Panchayat/Secretary if needed the license also shown to them
4. To change the location of the workplace permission from the Panchayat has to be obtained, for closing the unit prior notice to the panchayat has to be given
5. Each and every day, the work place has to be cleaned and kept in good condition
6. Animal waste as well as other waste materials dumping near the work place has to be reported to the Secretary and see that the Secretary is removing the same.
7. The licensee shall maintain neat and hygienic inside all the walls of the building, floor and footpath where the workplace situates from any waste and other articles harmful to human life and the building shall be kept in good condition without and wear and tear
8. Licensee shall maintain and keep in good condition the work places and its surroundings and make the authorities to clean and maintain the drainage in good condition
9. Persons having any skill diseases, leprosy, unhealed wounds and contagious diseases shall not be allowed to come near the workplace and its surroundings
10. A notice board has to be exhibited in the workplace for which the license is issued, showing the name of the licensee, the number of the license and its purpose
11. License of the unhygienic shops will be cancelled
12. Violation of any of the conditions mentioned above will result in the cancellation of the license

Sd/-  
Secretary

This is the true copy of document  
marked as EXHIBIT referred  
ANNEXURE R3j(6)  
in the above case.

ADVOCATE

102

Annexure R3(K)

# FORM NO. DIR-12

(Pursuant to sections 7(1) (c), 168 & 170 (2) of The Companies Act, 2013 and rule 17 of the Companies (Incorporation) Rules 2014 and 8, 15 & 18 of the Companies (Appointment and Qualification of Directors) Rules, 2014)



Particulars of appointment of directors and the key managerial personnel and the changes among them

Form Language  English  Hindi

Refer the instruction kit for filing the form.

1. This form is for  New company  existing company

2. (a) Form INC-1 reference number (Service request number (SRN) of Form INC-1) or corporate identity number (CIN) of company

(b) Global location number (GLN) of company

3. (a) Name of the company

(b) Address of the registered office of the company

(c) E-mail ID of the company

4. Number of Managing director or director(s) for which the form is being filed

5. Details of the Managing Director, directors of the company



I Details of the Managing Director or Director of the company

i Director Identification Number (DIN)

ii Name

iii Father's name

iv Present residential address

v Nationality  vi Date of birth  vii Gender

viii  Appointment  Cessation  Change in designation x Date of Appointment or change in designation  (DD/MM/YYYY)

ix Designation

xi Category

xii Whether Chairman, Executive Director, Non-Executive Director  
 Chairman  Executive director  Non Executive Director

xiii DIN of such director to whom appointee is alternate

xiv Name of the director to whom such appointee is alternate

xv Name of the company or institution whose nominee the appointee is

xvi E-mail ID of director

xvii In case of cessation  
 Hereby confirmed that the above mentioned  Director  Managing director xviii is not associated with the company with effect from  (DD/MM/YYYY) xix due to

xx Interest in other entities  
 xxi Number of such entities

xxii \* CIN/LLPIN/FCRN/Registration number

xxiii \* Name

xxiv \* Address

xxv Nature of interest

xxvi \* Designation

xxvii Percentage of Shareholding  xxviii Amount

xxix Others (specify)



*[Handwritten signature]*

1 Details of the Managing Director or Director of the company

i Director Identification Number (DIN)

ii Name

iii Father's name

iv Present residential address

v Nationality  vi Date of birth  vii Gender

viii  Appointment  Cessation  Change in designation

ix Designation  x Date of Appointment or change in designation:  (DD/MM/YYYY)

xi Category

xii Whether Chairman, Executive Director, Non-Executive Director

Chairman  Executive director  Non Executive Director

xiii DIN of such director to whom appointee is alternate

xiv Name of the director to whom such appointee is alternate

xv Name of the company or institution whose nominee the appointee is

xvi E-mail ID of director

xvii In case of cessation

Hereby confirmed that the above mentioned  Director  Managing director xviii is not associated with the company with effect from  (DD/MM/YYYY) xix due to

xx Interest in other entities

xxi Number of such entities

xxii \* CIN/LLPIN/FCRN/Registration number

xxiii \* Name

xxiv \* Address

xxv Nature of interest

xxvi \* Designation

xxvii Percentage of Shareholding  xxviii Amount

xxix Others (specify)



A handwritten signature in blue ink, appearing to be "John", written over a horizontal line.

6. Number of manager(s), secretary(s), Chief Financial Officer or Chief Executive Officer for which the form is being filed

7. Details of manager(s), secretary(s), Chief Financial Officer or Chief Executive Officer of the company

i	Director Identification Number (DIN), if any	<input type="text"/>	<input type="button" value="Pre-fill"/>
ii	Income Tax permanent account number (PAN)	<input type="text"/>	<input type="button" value="Verify Details"/>
iii	<input type="radio"/> Appointment <input type="radio"/> Cessation		
iv	Membership number of the secretary	<input type="text"/>	
v	First Name	<input type="text"/>	
vi	Middle Name	<input type="text"/>	
vii	Last Name	<input type="text"/>	
viii	Father's name		
ix	First Name	<input type="text"/>	
x	Middle Name	<input type="text"/>	
xi	Last Name	<input type="text"/>	
xii	Present residential address	xiii Line I	<input type="text"/>
		xiv Line II	<input type="text"/>
xv	City	<input type="text"/>	
xvi	State	<input type="text"/>	xvii Pin Code <input type="text"/>
xviii	ISO Country Code	<input type="text"/>	
xix	Country	<input type="text"/>	
xx	Phone	<input type="text"/>	xxi Fax <input type="text"/>
xxii	Date of birth	<input type="text"/>	(DD/MM/YYYY)
xxiii	Designation	<input type="text"/>	
xxiv	Date of Appointment or cessation	<input type="text"/>	(DD/MM/YYYY)
xxv	E-mail ID	<input type="text"/>	



*[Handwritten signature]*

106

Annexure R3k2  
5

**Attachments**

List of attachments

- (1) Letter of appointment;
- (2) Declaration by first director
- (3) Declaration of the appointee director in Form No. DIR-2;
- (4) Notice of resignation;
- (5) Evidence of cessation;
- (7) Optional attachment(s) - if any.

- Attach
- Attach
- Attach
- Attach
- Attach
- Attach

Resignation Letter 01.pdf  
 Covenant Stones - Cessation.pdf  
 Covenant Stones - Appointment.pdf

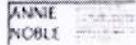
Remove attachment

**Declaration**

I ANNIE NOBLE

- A person named in the articles as a \_\_\_\_\_ of the company  
(in case if a new company) or
- authorized by the Board of Directors of the Company vide 02 & 03  
number dated 30/06/2017

to sign this form and declare that all the requirements of Companies Act, 2013 and the rules made thereunder in respect of the subject matter of this form and matters incidental thereto have been complied with. I also declare that all the information given herein above is true, correct and complete including the attachments to this form and nothing material has been suppressed.

- To be digitally signed by 
- Designation Director
- Director identification number of the director, or DIN or PAN of the manager or CEO or CFO; or Membership number of the secretary 03195743

**Certificate by practicing professional**

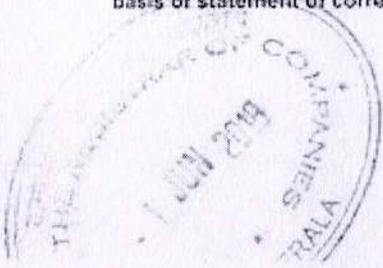
I declare that I have been duly engaged for the purpose of certification of this form. It is hereby certified that I have gone through the provisions of the Companies Act, 2013 and Rules thereunder for the subject matter of this form and matters incidental thereto and I have verified the above particulars (including attachment(s)) from the original/certified records maintained by the Company/applicant which is subject matter of this form and found them to be true, correct and complete and no information material to this form has been suppressed. I further certify that:

- The said records have been properly prepared, signed by the required officers of the Company and maintained as per the relevant provisions of the Companies Act, 2013 and were found to be in order;
- All the required attachments have been completely and legibly attached to this form;
- It is understood that I shall be liable for action under Section 448 of The Companies Act, 2013 for wrong certification, if any found at any stage.

- To be digitally signed by 
- Chartered accountant (in whole-time practice) or  Cost accountant (in whole-time practice) or
- Company secretary (in whole-time practice)
- Whether Associate or fellow  Associate  Fellow
- Membership number 45477
- Certificate of Practice Number 17622

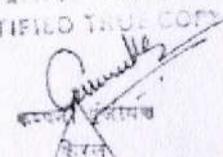
Modify      Check Form      Prescrubing      Submit

This eForm has been taken on file maintained by the Registrar of companies through electronic mode and on the basis of statement of correctness given by the filing company.



Page 5 of 6

CERTIFIED TRUE COPY



REGISTRAR OF COMPANIES, Raipur

*C/c*

107

Annexure R3 (K) K  
6k

# COVENANT STONES PRIVATE LIMITED

Registered with the Ministry of Corporate Affairs, Regd Office, Shop No 237/415B1, Mukkola, East of India, Coimbatore, PIN-695013

## EXTRACT OF BOARD RESOLUTION PASSED ON 30<sup>TH</sup> JUNE, 2017

### 3. Appointment of Mr. Noble John as Managing Director of the Company

Since Mr. Sabu Joseph (DIN: 03435230) ceased to hold the position of managing director by virtue of his resignation from the office of director, the Board requested Mr. Noble John (DIN: 02680193), to hold the position of the Managing Director of the Company in addition to chairmanship until a new Managing Director is appointed by the Board. After a brief discussion, the following resolution was unanimously passed:

"RESOLVED that Mr. Noble John (DIN: 02680193) be and is hereby appointed as Managing Director of the Company pursuant to the provisions of Articles of Association and subject to the Companies Act 2013. FURTHER RESOLVED that Ms. Annie Noble (DIN: 03195743), Director of the Company be and is hereby authorized to take all necessary steps as may be necessary, desirable or expedite to give effect to the resolution including filing of all necessary e-forms with the Registrar of Companies."

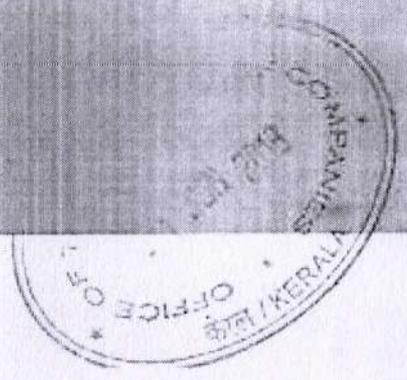
//CERTIFIED TRUE COPY//

For Covenant Stones Private Limited



*[Signature]*  
Noble John  
Chairman | DIN 02680193

*[Signature]*  
Annie Noble  
Director | DIN 03195743



*[Handwritten signature]*

108

Annexure R3(K)

# COVENANT STONES PRIVATE LIMITED

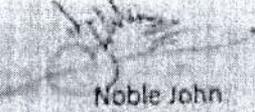
Registered with the Ministry of Corporate Affairs - Registered Office: Shop No 237(410B), Mukkola  
Nediyam P.O., Trivandrum, PIN-695013  
CIN: U14106KL2011PTC022918

## EXTRACT OF BOARD RESOLUTION PASSED ON 30<sup>TH</sup> JUNE, 2017

2. Cessation of Mr. Sabu Joseph from the office of Director  
Mr. Noble John, Chairman placed the resignation of Mr. Sabu Joseph (DIN 03435210) from the office of Director before the Board and it was unanimously RESOLVED to accept the resignation of Mr. Sabu Joseph from the office of Director of the Company with effect from 30<sup>th</sup> June, 2017. FURTHER RESOLVED that Mr. Noble John (DIN 02680193), Chairman / Ms. Annie Noble, (DIN 03195743) Director be and is hereby authorized to take all necessary steps as may be necessary, desirable or expedite to give effect to the resolution including filing of all necessary e-forms with the Registrar of Companies.

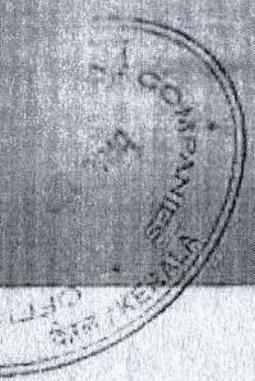
**//CERTIFIED TRUE COPY//**

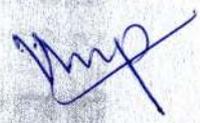
For Covenant Stones Private Limited

  
Noble John

Chairman | DIN 02680193 Director | DIN 03195743

  
Annie Noble





109

Annexure R3 (K)  
— J

From  
Sabu Joseph  
Kizhakkemuriyil, Pazhavagadi PO  
Pathanamthitta - 689673

To  
Covenant Stones Private Limited  
Trinity Hill, Poovada  
Naruvamoodu P.O., Trivandrum - 695020

Sirs,

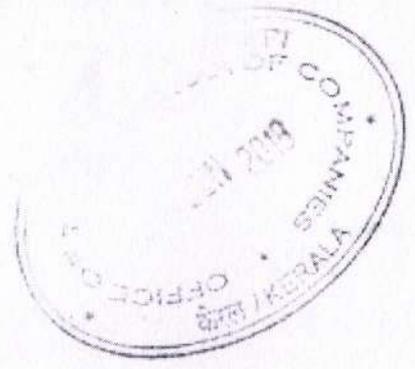
Sub:- Resignation of my post as Director

I would like to resign from my post as Director of Covenant Stones Private Limited due to personal reasons. Kindly accept my resignation and relieve me from my duties with immediate effect.

Thanking you  
Yours faithfully



Sabu Joseph



This is the true copy of document  
marked as EXHIBIT referred  
ANNEXURE R3(K)  
in the above case.

  
ADVOCATE



III

Annexure R3(I)  
2

English Translation of Annex.R3(I)

**COVENANT STONE PRIVATE LIMITED**  
**(Registered with the Ministry of Corporate Affairs Registration**  
**No.014106KL2011PTC027918**

Site Office: Cheeranikkara P.O., Katta  
Nedumangadu TVM – 695 615  
Phone – 0472 2833700, 2833800  
Mobile – 8606160002, 8606160003

Registered Office: Shop No.237, Nettayam P.O.  
Mukkola, Trivandrum – 695 013.

The Geologist,  
District Mining & Geology Department,  
Thiruvananthapuram.

**Sub: Movement Permit & Pass**

Sir

- 1: Order No.98/2011-2012/3499/M3/2011, dated 20-5-2011
  - 2: Order No.923/2011-2012/1776/M3/2012, dated 24-3-2012
- 

It is requested that no further Movement Permit or pass maybe issued unless, and until further intimations is given with respect to the lease mentioned above, due to certain technical reasons .

Yours faithfully,

Sabu Joseph

For Covenant Stones Pvt. Ltd.

Managing Director

Thiruvananthapuram

Dated: 17-07-2017

This is the true copy of English translation of document marked as Exhibit R3(I) in the Additional Counter Affidavit.

Advocate

This is the true copy of document  
marked as ~~EXHIBIT~~ referred  
ANNEXURE R3(I)  
in the above case.

ADVOCATE

Compose

Starred

Snoozed

Important

Sent

Drafts 204

Meet

New meeting

Join a meeting

Hangouts

👤 Philip +

No recent chats  
Start a new one



**Philip J Vettickattu** <philipjvettickattu@gmail.com>

5:21 PM (0 minutes ago)

to vijeeshvembayam, secy-moef, director.dir.dmg, bcc: seacseiaakerala

📎 counter-155.pdf

Sir,

I am sending the copy of the additional counter affidavit in the above case .Please acknowledg



📎 counter-155.pdf  
Not virus scanned

Reply

Reply all

Forward

**Presented on : 15-02-2022**

**BEFORE THE HONOURABLE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONAL BENCH, CHENNAI**

**O.A.No. 155 OF 2020**

Applicant : Vijeesh Kumar  
Vs...

Respondents : Union of India & others

**ADDITIONAL COUNTER AFFIDAVIT ON BEHALF OF THE  
3<sup>RD</sup> RESPONDENT IN THE ABOVE O.A.**

**PHILIP J.VETTICKATTU  
COUNSEL FOR THE 3<sup>RD</sup> RESPONDENT**

