

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI**

APPEAL NO.48 OF 2022 (SZ)

IN THE MATTER OF:

Roy Thomas

...Appellant

v.

Union of India, Ministry of Environment, Forests

& Climate Change & Others

...Respondents

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Dated at Chennai on this 02nd day of February, 2023

Vidyalakshmi Vipin

COUNSEL FOR 10TH RESPONDENT

VIDYALAKSHMI VIPIN

Standing Counsel for SEIAA, Kerala and KSBB

No.GF-A, 19, Casa Major Road, Egmore, Chennai -600 008.

Mobile :- +91-91767 90131

E-mail: vidyalakshmij@wialegal.com

**Additional Statement on behalf of the 10th Respondent in
Appeal No.48/2022(SZ) filed by Sri. Roy Thomas before the
Hon'ble National Green Tribunal**

- 1 No Comments
- 2 No Comments
- 3 The Appellant has submitted a complaint, incorporating the primary study report of the Subcommittee of Biodiversity Board, Pathanamthitta and others, in which the 8.267 ha land comprised in Survey No 157 of Block No. 31 of V. Kottayam shall be declared as local biodiversity rich area. The Pramadam Grama Panchayat in its meeting held on 24.07.2020 was passed the resolution by declaring the said area as Local Biodiversity Heritage Area. The SEAC Sub-Committee during its field inspection considered the report of the Biodiversity Board and observed that the declared area is not proposed for the quarrying activities. The matter is clearly mentioned in the field inspection report (R10.1 Annexed). Further, there is no such report or notifications could be seen in the Kerala Biodiversity Board website.
- 4 The Appellant has submitted a complaint before SEIAA on 04.03.2020 and before Government on 01.11.2019 (received in this office on 15.02.2020) citing the EC was issued to the 11th Respondent in a land that categorized as plantation. The report of the District Collector dated 05.11.2018 on landslides and breach of waterbody was not mentioned in the complaint. The appellant's complaint was considered in the 99th meeting of SEIAA. The Authority noticed that the issues relating to land type and ownership do not come under the purview of Authority. However the matter may be brought to the notice of District Collector Pathanamthitta for appropriate further action by enclosing copy of the petition. Authority also noticed that as per Letter dtd. 05.11.2018, (R10.2 Annexed) District Collector has made certain observations about the functioning of the quarry. Hence the Authority decided that District Collector, be requested to make definite recommendations in case the EC issued has to be cancelled. The complaint received from Sri. Roy Thomas was forwarded to District Collector, Pathanamthitta for necessary action and to suggest definite recommendations in case the EC issued has to be cancelled. (R10.3 Annexed).



Rani R.S.

RANI. R.S
Deputy Secretary to Govt. &
Legal Officer
State Environment Impact Assessment Authority
4th Floor, KSRTC Bus Terminal Complex
Thiruvananthapuram-1
Ph: 0471-2334262

The SEAC Sub-Committee visited the site on 15.07.2021 as part of the revalidation of EC as directed by the Hon'ble High Court vide Judgement dated 02.11.2020 in WP(C) No. 12420/2020 and reported that no natural calamity were observed after the commencement of mining (R10.4 Annexed). Further the matter has not been brought to the notice of the SEAC Sub-Committee on their second field visit held on 01.04.2022. The Appellant bring the report of the District Collector regarding the breach of pond before SEIAA on 22.04.2022. Since, the two expert committee visits did not report any breach of waterbody or any other natural hazards in the project area, the application for revalidation were processed as per the appraisal procedures prescribed by MoEFCC and issued EC for revalidation subject to special conditions in addition to the original EC conditions.

- 5 As per EIA Notification 2006, irrespective of the area mining of all minor minerals require the mandatory prior EC from MoEF & CC or SEIAA as the case may be. The Environmental Clearance (EC) for the project of the 11th respondent was initially issued as EC No. 200/SEIAA/EC4/86/2014 on 10.08.2015 for a period of 5 years. The project proponent filed WP(C) No.12420/2020 in which the Hon'ble Court vide order dated 02.11.2020 directed SEIAA to consider the application for revalidation of the EC as per the project life (R10.5 Annexed). The SEAC verified all the documents and appraised as prescribed by MoEFCC including the field inspection and certified compliance report from the Integrated Regional Office of the MoEF & CC, Bangalore. There was also a direction from the Hon. High Court of Kerala vide WP (C) No. 12420/2020 to deal with the matter within a period of four months. Then vide order dated 26.07.2022, the EC was revalidated subjects to additional conditions in addition to the original EC conditions.
- 6 The 105th SEIAA meeting held on 22nd and 23rd October 2020 noticed that the 11th Respondent had obtained a favourable judgement in W.P (C) No 8210 of 2020 (R10.6 Annexed) for extending EC period to 7 years against the EC period of 5 years granted by SEIAA, by misguiding the Honourable High Court quoting wrong sections in EIA Notification 2006. Upon enquiry, the Standing Council in High Court brought the matter before the Hon. Court and Honourable High Court called back the Judgement (R10.7 Annexed)
- 7 It is submitted that as per the Form 1 of the proposed application, Ganapathy temple, Angadikal is located 2.5 km towards west. Further, the field inspection



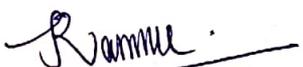
Rani R.S.

RANI. R.S
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State Environment Impact Assessment Authority
4th Floor, KSRTC Bus Terminal Complex
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reports of SEAC on 15.07.2021 and 01.04.2022 have not reported the presence of Hanuman temple within 15 m from the quarry area. As per the report of the District Geologist dated 31.01.2023, it is intimated that the Hanuman Temple is 87m from the applied area for lease by J&S Granites (R10.8 Annexed). As per the Google Earth imagery, the construction of the Hanuman Temple was happened after the year 2017, only after the EC was originally issued on 10.8.2015. Vide orders of the Hon. High Court of Kerala in WP(C) No.12420/2020 dated 02.11.2020, the direction to the SEIAA was to get the project life examined by the SEAC and accordingly revalidate the EC (R10.5 Annexed). As per the field inspection report, the nearest habitation is at a distance of 253 m from the quarry area. Against the complaint regarding the nature of land, the Village Officer, V-Kottayam vide Certificate dated 19.07.2021, intimated that the nature of land mentioned in the village record as "purayidam". (R10.9 Annexed) From the letter of the Village Officer, it is difficult to assess whether the land comprised is in plantation category or not and if belongs to plantation category mining is permissible or not. Hence the Authority vide letter dated 05.10.2021, requested Village Officer to furnish clarification on the nature of land. As per the report of the Village Officer, V- Kottayam Village dated 24.12.2021, (R10.10 Annexed) the land in question does not come under the plantation category. It is admitted that the Hon'ble Division Bench, High Court of Kerala vide judgment dated 25.05.2022 in WP(C) 11249 (Reported in 2022 (3) KLT 679.) set aside the Judgment of the Hon'ble Single Judge and held that quarrying is not permissible in assigned lands and that assigned lands could be used only for the purpose for which it is assigned. Here the land does not comes under assigned land and the Project Proponent filed WP(C) No. 12420/2020 before the Hon'ble High Court regarding the revalidation of Environmental Clearance. On the basis of common judgment dated 02.11.2020 in WP(C) No. 17533/2020 & connected cases, after due appraisal in various SEAC & SEIAA meetings, proceedings on the revalidation of EC was issued for the project only by considering the project life.

- 8 It is submitted that during the field inspection, it was ascertained that there is no drinking water tank within 100m. The presence of drinking water tank within 100m is also not mentioned in the Form 1. As per application form there was no habitation within 100 m radius of the project area. In addition, the field inspection report of SEAC Sub-Committee specifically examined the aspect of Thudiyurilipparamala Biodiversity Heritage Centre and ascertained that it does not




RANI. R.S
 Deputy Secretary to Govt. &
 Legal Officer
 State Environment Impact Assessment Authority
 4th Floor, KSRTC Bus Terminal Complex
 Thiruvananthapuram-1
 Ph: 0471-2334262

fall in the survey numbers proposed for mining. Further, there is no such report or notifications regarding the heritage site could be seen in the Kerala Biodiversity Board website.

- 9 The action against illegal quarrying and the encroachment to government land is not the mandate of 10th respondent. No proof regarding the same has been produced before SEIAA by the Petitioner or from the Mining and Geology Department.
- 10 It is submitted that the complaints dated 22.04.2022 and 22.05.2022 submitted by Sri. Roy Thomas and the residents of V-Kottayam were forwarded to the District Collector, Pathanamthitta for urgent report vide Authority's letter dated 26.04.2022 and 24.06.2022. As directed by the Hon'ble Court in the Judgement for revalidation, the Sub Committee of SEAC first conducted the field inspection on 15.07.2021 and verified the status of compliance with EC conditions and suggested some conditions to comply with and certain additional documents/certificate for further appraisal. On receipt of compliance report from the 11th respondent, the Sub Committee of SEAC again visited the area on 01.04.2022 and ascertained the compliance status before issuing EC. Further, the Integrated Regional Office of MoEF & CC inspected the site and issued Certified Compliance Report on 20.10.2021 (R10.11 Annexed). After getting recommendation of SEAC, the Authority in its 115th SEIAA meeting held on 30th June 2022, decided to revalidate the EC with a project life of 10 years from the date of issuance of original EC i.e. from 10.08.2015 subject to Terms and Conditions in the original EC in addition to the General Conditions and certain Additional Specific Conditions. Hence, the revalidation proceedings was issued on 26.07.2022.

As per letter dated 24/06/2022, complaints received against the Building Stone Quarry Project of Sri. K. Sadanandan has already been forwarded to District Collector, Pathanamthitta, District Geologist, Pathanamthitta and also to the Secretary Pramadam Grama Panchayat for urgent enquiry report. The letter dated 07/07/2022 from the District Collector, Pathanamthitta stated that the Secretary, Pramadam Grama Panchayath vide letter dated 04.04.2022 informed that the license issued to the quarry project of Sri. K. Sadanandan was cancelled due to the lack of Environmental Clearance and the quarry is not operational as per the report of the Tahasildar. Now the District Collector vide letter dated 13.01.2023,




RANI, R.S
 Deputy Secretary to Govt. &
 Legal Officer
 State Environment Impact Assessment Authority
 4th Floor, KSRTC Bus Terminal Complex
 Thiruvananthapuram-1
 Ph: 0471-2334262

informed that the report regarding the complaint of Shri. Roy Thomas against the quarry project of Sri. K. Sadanandan was not received yet. Awaiting reports of the District Collector, Pathanamthitta regarding complaints shouldn't be stopping the Authority from taking decision in cases where there is recommendation of SEAC. In this instant case, revalidation proceedings was issued on the basis of the appraisal of the additional documents submitted by the Proponent and also the Field Inspection conducted by members of SEAC twice. On the basis of the judgement in WP(C) No. 12420/2020, the Authority has to complete the revalidation process within four month after getting all the mandatory documents. Hence the averment of the Appellant is baseless.

Under the above circumstances, it is humbly prayed that this Hon'ble Tribunal may be pleased to dismiss the Appeal petition and pass such other orders as this Hon'ble Tribunal may deem fit and proper in circumstances of the case and thus render justice.

Dated at Chennai on this the 1st day of February 2023.



10th RESPONDENT

RANI. R.S
Deputy Secretary to Govt. &
Legal Officer
State Environment Impact Assessment Authority
4th Floor, KSRTC Bus Terminal Complex
Thiruvananthapuram-1
Ph: 0471-2334262

APPRAISAL OF RECOMMENDATIONS FOR REVALIDATION

File No: 200/ SEIAA /EC4 /2014

Mr.K.Sadanandan,Vallicode Kottayam Village, Konni Taluk, Pathanamthitta district

Basic details

EC Number	: 58 dated 10/08/2015
Date & Validity	: 10.8.2015 to 9.8.2019
Area	: 15.3829 Ha
Mine life as per approved Mining Plan	: 10 years
Production Plan as per approved Mining Plan	: 2,12,000, 2,19,000, 3,44,000, 4,44,000,
5,13,000 total 18,11,000 MT Minable Reserve as per approved Mining Plan/	
	: 42,44,000 MTROM
The quantity extracted till 15 July 2021	: 11,25025.41 MT
Balance Quantity	: 3119975 MT
Nearest habitation/ public place	: 253 m away

Background Note

The quarry operated in 15.3829 Ha that includes both private and government land. The infrastructure facilities are well developed with properly maintained roads and sign boards. The nearest habitation is about 253 m away from the boundary.

In order to revalidate the project, the previous SEAC had constituted a subcommittee to undertake a filed visit and make recommendations based on the compliance status of EC conditions. The committee visited the site on 15-07-2021 and made the following observations/ recommendations.

- Certificate from village officer to show that the project land does not belong to plantation category.
- Few places buffer with vegetation is missing. The proponent has agreed to rectify the same immediately. Submit photos
- Boundary pillar to be permanent with concrete pillars. Replace and submit photos
- Compensatory afforestation plan to be submitted with native species. also give an affidavit to the effect.
- Approved production scheme

- The out-flow section of the RWH needs proper protection and maintenance. Give a plan with silt traps/ settling pond
- Drains to be constructed for directing rain water to RWH pond. Submit a plan.
- Environmental clearance can be issued on compliance/satisfactory submission of the above conditions/documents.

The proponent submitted an action taken report/plan along with the report of MoEFF regional office to SEIAA. The 125th meeting of SEAC verified the documents and constituted a subcommittee comprising Dr.Mahesh Mohan and Beena Govindan for field verification of the action taken report.

Meanwhile SEIAA received a complaint from Adv.A.Rasheed, Pathanamthitta stating that revenue land in Sy.Nos 157, 150/1, 150/14 were declared as biodiversity site by an expert committee. The subcommittee cross checked these survey numbers with the survey numbers of the project site and found that Sy.Nos 157, 150/1, 150/14 were not part of the project site.

The subcommittee visited the site on April 1,2022 and verified the compliance status against the recommendations of the earlier subcommittee and are compiled below.

Subcommittee Recommendations	Status
Certificate from village officer to show that the project land does not belong to plantation category	Submitted. SEIAA has received legal opinion.
Few places buffer with vegetation is missing. The proponent has agreed to rectify the same immediately. Submit photos	This buffer area was rocky terrain. Backfilled this area with top soil and started plantation works. Photographs submitted.
Boundary pillar to be permanent with concrete pillars. Replace and submit photos	Replaced with concrete pillars.
Compensatory afforestation plan to be submitted with native species. also give an affidavit to the effect.	Affidavit submitted. Afforestation in Sy. No.151/13 (0.9960 Ha) in Vallicode Kottayam village.
Approved production scheme	Scheme of mine submitted, Extraction details submitted.
The out-flow section of the RWH needs proper protection and maintenance. Give a plan with silt traps/ settling pond	Proper silt traps and settling tanks are constructed.

Drains to be constructed for directing rain water to RWH pond. Submit a plan.	Garland drainage plan submitted. Correction process initiated.

The proponent had submitted an approved scheme of mining to SEIAA, which says the minable reserve available in the area is 95,84.590 MT, life of mine is 20 years and year wise production is 5,00,000 MTA as per the production details for the first five years. This scheme of mining is not considered for revalidation and the recommendation is solely based on the original mining plan.

Recommendations

The committee recommends Environmental Clearance for the project for a period of 10 years (Life of mine specified in the original mining plan) from the date of the original EC (58 dated 10/08/2015). The following specific conditions may be incorporated along with other general conditions.

- The growth status of buffer plantations should be monitored and geo-tagged photographs to be incorporated in the compliance report.
- The photographs of outflow water from the silt traps need to be monitored and monsoon time geo-tagged photographs on various dates to be incorporated in the compliance report.
- Photographs with the date and time of the periodic cleaning of silt traps are to be incorporated in the half yearly compliance report.

Date of Appraisal : 01-04-2022

Team Members: Mahesh Mohan and Beena Govindan



Field team with proponent and RQP



Silt traps and outlet



New buffer zone



Buffer zone with trees



Settling tank - 1



Settling tank-2

ഭരണഭാഷ-മാതൃഭാഷ

നമ്പർ സി7-186928/2018

കളക്ടറേറ്റ്, പത്തനംതിട്ട.
തീയതി : 05.11.2018

ജില്ലാ കളക്ടർ,
പത്തനംതിട്ട.

മെമ്പർ സെക്രട്ടറി,
സംസ്ഥാന പരിസ്ഥിതി ആഘാത നിർണ്ണയ അതോറിറ്റി (SEIAA)
തമ്പാനൂർ, തിരുവനന്തപുരം - 695 001

സർ,

വിഷയം:- പാറവനം - വി-കോട്ടയം വില്ലേജിൽ മുപ്രമണ്ണിന് സമീപ
04.10.2018-ൽ ഉച്ചയ്ക്ക് ശേഷം മലവെള്ളപ്പൊച്ചിലിൽ നാശനഷ്ടം
സംഭവിച്ചത് - സംബന്ധിച്ച്.

- സൂചന:-
- 1 കോന്നി തഹസിൽദാരുടെ 06.10.2018-ലെ സി4-13278/17 നമ്പർ കത്ത്.
 - 2 അങ്ങയുടെ 10.08.2015-ലെ 200/SEIAA/EC4/86/2014 നമ്പർ നടപടിക്രമം.

സൂചനയിലേക്ക് അങ്ങയുടെ ശ്രദ്ധ ക്ഷണിച്ചുകൊള്ളുന്നു. കോന്നി താലൂക്കിൽ വി-കോട്ടയം വില്ലേജിൽ സർവ്വെ നമ്പർ 146-ൽപ്പെട്ട സർക്കാർ പാറയിൽ സ്ഥിതി ചെയ്യുന്ന ഉദ്ദേശം 90 മീറ്റർ നീളവും 24.00 മീറ്റർ വീതിയും ഉദ്ദേശം 6 മീറ്റർ ആഴവുമുള്ള ജലസംഭരണി (പാറക്കുളം) 04.10.2018-ൽ ഉച്ചയ്ക്ക് ശേഷം ഉണ്ടായ ശക്തമായ മഴയെത്തുടർന്ന് നിറഞ്ഞ് കവിഞ്ഞ് അമ്പാടിയിൽ ന്യൂബംഗ്ലാവിൽ കെ. സദാനന്ദൻ, ടിയാൻ മകൻ എ.എസ്.വിപിൻ എന്നിവരുടെ ഉടമസ്ഥതയിൽ ഉള്ള 84.40 ആർ പുരയിടത്തിലൂടെ താഴേക്ക് ശക്തമായി ഒഴുകി തോടിന്റെ സമീപം ഉള്ള വസ്തുക്കളിലും വീടുകളിലും വെള്ളം കയറുകയും മേശരിമുരുപ്പ് - മൂക്കൻവിള റോഡ് ഉദ്ദേശം 200 മീറ്ററോളം ഗതാഗതയോഗ്യമല്ലാതാവുകയും ചെയ്തിട്ടുള്ളതായി സൂചന പ്രകാരം കോന്നി തഹസിൽദാർ റിപ്പോർട്ട് ചെയ്തിട്ടുള്ളതാണ്.

ടി വെള്ളം ഒഴുകി വന്നതിനൊപ്പം ഉദ്ദേശം 15 ലോഡ് ഉരുളൻകല്ലുകൾ ടി റീസർവ്വെ 145/6-ൽപ്പെട്ട 84.80 ആർ പുരയിടത്തിലും വെള്ളമൊഴുക്ക് തോട്ടിലുമായി ഒഴുകി വന്ന് കിടപ്പുള്ളതാകുന്നു. ടി അസാധാരണമായ വെള്ളമൊഴുക്ക് കാരണം വെള്ളം

State Public Information Officer
Superintendent Inspection & All

ഒഴുകുന്ന മേശിരിമുതപ്പ് തോടിന്റെ ഇരുഭാഗങ്ങളിലെയും കൽകെട്ടുകൾ പലഭാഗങ്ങളിലെ
തകർന്ന് പോയിട്ടുള്ളതാകുന്നു.

ടി തോട്ടിലെ വെള്ളമൊഴുക്ക് കാരണം വിഷ്ണു ഭവനം ഷീജ, നിരവത്ത് വീട്ടിൽ
വാസന്തിയമ്മ, എഴുത്ത്കാരന്റേയ്ക്ക് വീട്ടിൽ ബൈജു ജോർജ്ജ്, ബിനു ജോർജ്ജ്,
ലക്ഷ്മി നിവാസ് ചന്ദ്രശേഖരൻ നായർ പുരയിടം, സരസമ്മ കൈച്ചിറക്കൽ, ഗിരീഷ്
ഗീതാഭവൻ, സാവിത്രി കരുണാകരൻ, സാവി സദനം എന്നിവരുടെ വീടുകളിലും
പുരയിടങ്ങളിലും വെള്ളം കയറുകയും വെള്ളമൊഴുകിപ്പോയതിന് ശേഷം ചെളി
അവശേഷിക്കുകയും ചെയ്തിട്ടുള്ളതാണ്.

പാറ ഖനനം നടത്തുന്ന ടി പ്രദേശം 80 ഡിഗ്രിയിൽ അധികം ചരിവുള്ള
ചെങ്കുത്തായ മലകൾ ഉൾപ്പെട്ട് വരുന്ന പ്രദേശം ആണ്. ടി സ്ഥലത്ത് ബെഞ്ച്
അടിസ്ഥാനത്തിൽ അല്ലാതെ കീഴ്ക്കാലായി അശാസ്ത്രീയമായാണ് ടിയാൻ ഖനനം
നടത്തി വരുന്നത് എന്ന് കാണുന്നു. ടി പ്രദേശത്ത് ഇനിയും ശക്തിയേറിയ മഴ
ഉണ്ടായാൽ ടി മണ്ണം പാറയും താഴ്വാരത്തിലേക്ക് ശക്തമായി ഒഴുകി അടിവാരത്ത്
നാശനഷ്ടങ്ങൾ ഉണ്ടാകാൻ സാധ്യതയുള്ളതും ടി ഖനന സ്ഥലത്തിലും തുടിയുരുളിപ്പാറ
ക്ഷേത്രത്തിന് സമീപവും വളരെവലിയ അളവിൽ മണ്ണ് കൂന കൂട്ടിയ നിലയിൽ
കാണുന്നതായും റിപ്പോർട്ട് ചെയ്തിട്ടുള്ളതാണ്.

04.08.2018-ൽ ടി സ്ഥലത്ത് ഉണ്ടായത് അനധികൃത ഭൂദുർവിനിയോഗങ്ങളുടെ
ഫലമായുള്ള ദുരന്തമാണെന്നും വാട്ടർ റിസോഴ്സ് റിസർവ്വീനായി നിർമ്മിച്ചിരിക്കുന്ന ജല
സംഭരണി അപകടകരമായ അവസ്ഥയിലാണെന്ന് കോന്നി തഹസിൽദാർ റിപ്പോർട്ട്
ചെയ്തിട്ടുള്ളതും നിലവിൽ പാറക്കുളത്തിൽ പരമാവധി വെള്ളം നിറഞ്ഞ്
കിടക്കുന്നതിനാൽ ഇനിയും ശക്തമായ മഴ ഉണ്ടായാൽ ഇത്തരം സംഭവങ്ങൾ
ആവർത്തിക്കാൻ സാധ്യത ഉള്ളതിനാലും പ്രസ്തുത ക്വാറിയിൽ മേൽപരിശോധന
നടത്തി നിയമാനുസൃതം തുടർനടപടികൾ സ്വീകരിക്കണമെന്ന് അപേക്ഷിക്കുന്നു.

C7.187033/18

വിശ്വസ്തയോടെ,

ഡെപ്യൂട്ടി കളക്ടർ (എൽ.ആർ)
ജില്ലാ കളക്ടർക്കുവേണ്ടി

C7-186928/2018

Collectorate, Pathanamthitta

Date: .2018

District Collector

Pathanamthitta

The Member Secretary

State Environment Impact Assessment Authority(SEIAA)

Thampanoor

Thiruvananthapuram-695001

Sir;

Subject: Quarrying-Destructions occurred near Mupramon in V-Kottayam Village on
04.10.2018 afternoon due to flash flood -reg

Ref: 1.Konni Tahsildar's letter no:C4-13278/2017 dated 06.10.2018

2. Your Proceedings No:200/SEIAA/EC4/86/2014 dated 10.08.2015

Inviting your attention to the reference cited. As per the reference (1) Konni Tahsildar reported that the water reservoir (Quarry Pond) having an approximate length of 90M,width of 24 M,depth of 6 M situated in the Government Quarry land located in Survey No:146 in V-Kottayam Village in Konni Taluk,had over brimmed on 04.10.2018 afternoon due to the torrential rainfall. This flood water flowed through the adjacent land having an area of 84.40 Are which is jointly owned by Mr.K .Sadanandan ,Ambadiyil New Bungalow and his son Mr A.S Vipin,and this flood water reached an adjacent stream as a result of this which overflowed causing nearby landholdings,houses were flooded and 200 M of Mesirimuruppu- Mookkanvila road became inconvenient to passengers.

Along with this flood water an approximate of 15 loads of cobblestones deposited through out the land having an area of 84.40 Are of Resurvey No: 145/6 and in the stream flowing nearby. This heavy run off of water shattered the both sides of the protection wall of Mesirimuruppu stream.

As a result of this ,the flood water along with mud entered the houses of the Sheeja-Vishnu Bhavanam,Vasanthiyamma -Niravathu Veedu,Byju George and Binu George-Ezhuthukaranttayyathu Veedu,Sarasamma-Kaichirakkal,Gireesh-Geetha Bhavan,Savithri Karunakaran -Savi Sadanam and land of Chandrasekharan Nair-Lakshmi Nivas.

The above said water reservoir (Quarry Pond) located in a quarry land has an inclination of more than 80 degree with strenuous and steep hills. This quarry land is unscientifically mined by K.Sadanandan in a vertical rising method instead of bench quarrying. If another heavy rainfall occurs in this area water and rocks will discharge to the low lying areas ,it may cause damages there. It is already reported that huge amount of soil has been deposited in this quarry land as well as the adjacent places of Thudiyurulippara Temple.

The Tahsildar conducted an inspection there and reported that above said disaster had occurred as a result of misuse of unauthorised land utilisation and the water reservoir built for the water resource reserve is in a dangerous situation .At present the quarry pond is filled to its maximum capacity hence a short downpour of rain may cause another disaster. So I request you to conduct an inspection at the above quarry land and take necessary legal proceedings to prevent an another disaster from happening .

Faithfully

(Sd)

Deputy Collector (L.R)

For District Collector

State Environment Impact Assessment Authority (SEIAA) Kerala

K.S.R.T.C Bus Terminal Complex, 4th Floor, Thampanur,
Thiruvananthapuram - 695 001

Ph: +91471-2334262 (Off) +91471-2334265 (Fax)

e-mail: seacseiaakerala@gmail.com

web: www.seiaakerala.org

File No.200/SEIAA/EC4/2014

Date: 20.12.2019

From

The Administrator,
State Environment Impact Assessment Authority

DESPATCHED
Date: 20.12.19

To,

The District Collector,
Pathanamthitta

Sir,

Sub: - SEIAA – Illegal quarrying in plantation land and violations in Kerala land Reforms Act, 1963 – Building stone quarry project of Sri.Sadanandan in V-Kottayam Village, Konni Taluk, Pathanamthitta District - reg:-

Ref :- 1) This Authority's letters of even no. dated 15.12.2019 & 08.08.2019

2) Your letter No.C7/186928/2018 dated 05.11.2018.

3) Complaint filed by Shri.Roy Thomas, Chairman, Gramareksha Samithi, V-: Kottayam, Pathanamthitta (Copy enclosed)

4) Minutes of the 99th meeting of SEIAA held on 21st & 22nd November, 2019

I am inviting your attention to the references cited and to inform you that, the 99th meeting of SEIAA held on 21st & 22nd November, 2019 considered the complaint 3rd cited and the Authority noticed that the issues relating to land type and ownership do not come under the purview of Authority. However the matter is brought to your notice for appropriate further action. Hence a copy of the representation 3rd cited is enclosed herewith for appropriate further action as decided by the Authority.

Authority also noticed that as per your Letter Dt.05.11.2018 (copy enclosed) you have made certain observations about the functioning of the quarry. Hence I am to request you to make definite recommendations in case the EC issued has to be cancelled.

Yours faithfully,

Sc



Sabitha.S
Administrator, SEIAA

Copy to:

Shri.Roy Thomas,
Chairman, Gramareksha Samithi,
V-Kottayam, Pathanamthitta

APPRAISAL OF REVALIDATION PROJECTS

File No: 200/ SEIAA /EC4 /2014

Name of Project with location (place, district) : Quarry Project of Mr.K.Sadanandan,
Vallicode Kottayam Village, Konni Taluk, Pathanamthitta district

Name of Project Proponent : K.Sadanandan

EC Number : 58 dated 10/08/2015

Date & Validity : 10.8.2015 to 9.8.2019

EC issued by : SEIAA

Mine life as per approved Mining Plan : 10 years

Project period as per old EC : 5 years

No of years quarrying was carried out : 5 years +1 year covid

Production Plan as per approved Mining Plan : 2,12,000, 2,19,000, 3,44,000, 4,44,000,
5,13,000 total 18,11,000 MT

Mineable Reserve as per approved Mining Plan/ : 42,44,000 MT

ROM

The quantity extracted till date : 11,25025.41 MT

Balance Quantity : 3119975 MT

Whether the ongoing extraction is as per the mining plan: Partial

Was there any natural calamity after the commencement of mining: None

Is there adequate water availability : Yes

Present Position in the Landslide hazard zonation map:NA

Nearest habitation/ public place

: 253

Whether the extension is going to be vertical or horizontal: Horizontal and vertical

If vertical, chances of affecting the local ground water table

Fulfillment of EC conditions

(this may differ from EC to EC depending on the year)

1) Display of EC details	Done
2) Fencing the boundary	Done
3) Boundary Pillars with lat-long details	Available
4) 7.5 m Buffer Zone	Partial
5) Green belt along Buffer Zone	Not satisfactory
6) Garland Canal with silt traps	Not satisfactory
7) Cleaning settling pond and silt traps	Satisfactory
8) Over flow water from settling pond	Connected to nearby natural canal
9) Retaining/protective walls for overburden (wherever required or insisted)	
Provided/Not provided	
10) Environment Management Cell Details	Provided
11) Bench Height and width	Followed
12) 45° Slope	Maintained
13) Compliance Reports	Submitted
14) Water spraying	Satisfactory/Not satisfactory
15) Maintenance of haulage roads	Satisfactory
16) Blasting	Conventional
17) CSR implementation	Satisfactory/Not satisfactory
18) Status of other statutory clearances (LG, KSPCB, DMG): Live/Expired	

19) Other environmental issues, if any linked to mining: Yes/No (If yes, list them briefly)

Any specific conditions mentioned in the EC. If yes, list them and comment on each

1. Blasting to be limited to predetermined times, no more than 2 times a day: Complied
2. Ultimate depth to be defined by the stream bed, but it must be replaced with reference to MSL: Complied
3. Reclamation and eco restoration should be done by planting indigenous tree species: mine not reached the closing stage

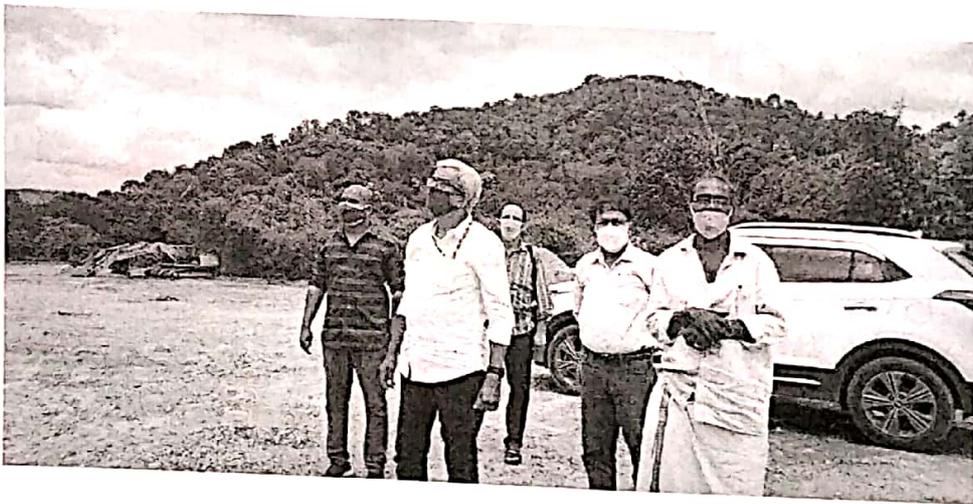
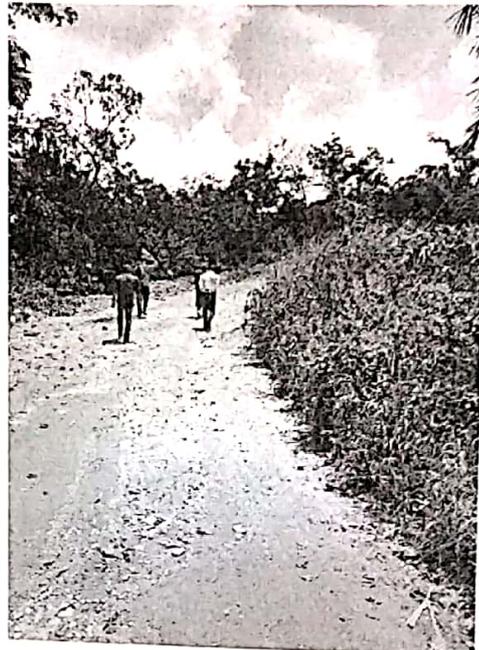
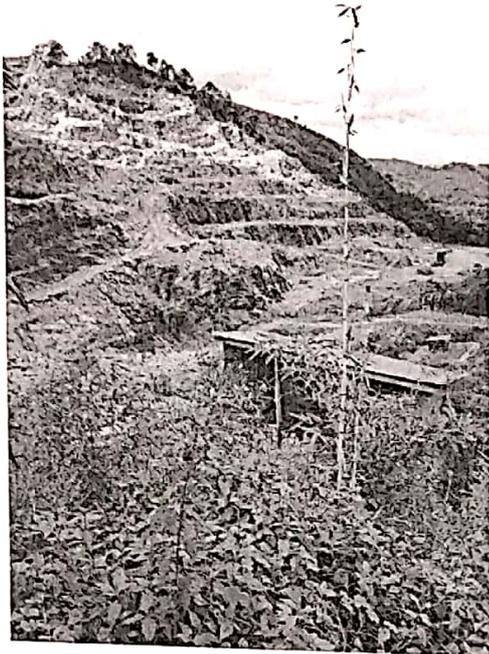
Public complaints (if any) : Appraisal done as directed by the Hon'ble High Court of Kerala.

Any other observations

This is a huge quarry operating in 15.3829 Ha. Partly is government and partly in private property. The quarry infrastructure is well developed with properly maintained roads and sign boards.

1. Certificate from village officer to show that the project land does not belong to plantation category.
2. Few places buffer with vegetation is missing. The proponent has agreed to rectify the same immediately. Submit photos
3. Boundary pillar to be permanent with concrete pillars. Replace and submit photos
4. Compensatory afforestation plan to be submitted with native species . also give an affidavit to the effect.
5. Approved production scheme
6. The out flow section of the RWH needs proper protection and maintenance. Give a plan with silt traps/ settling pond
7. Drains to be constructed for directing rain water to RWH pond . Submit a plan

Site photos



us



Recommendation

On satisfactory submission of the above, revalidated EC with the total project life of 10 years equaling the mine life of 10 years can be recommended.

Date of Appraisal: 15 July 2021

Team Members:

Beena Govindan
G Sankar

Member, SEAC
Member, SEAC

Submitted for approval

Beena Govindan

G Sankar

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE P.B.SURESH KUMAR

MONDAY, THE 02ND DAY OF NOVEMBER 2020 / 11TH KARTHIKA,
1942

WP(C).No.17533 OF 2020(N)

PETITIONER:

T.MATHEW ABRAHAM, AGED 74 YEARS
PROPRIETOR, M/S.SOUTHERN ROCK AND AGGREGATE
MINING COMPANY, VALLAMKULAM P.O., THIRUVALLA -
689541.

BY ADV. SRI.PHILIP J.VETTICKATTU

RESPONDENTS:

- 1 STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT
AUTHORITY
(SEIAA KERALA), REPRESENTED BY ITS MEMBER
SECRETARY, 4TH FLOOR, KSRTC BUS TERMINAL
COMPLEX, THIRUVANANTHAPURAM - 695001.
- 2 STATE LEVEL EXPERT APPRAISAL COMMITTEE
REPRESENTED BY ITS CHAIRMAN, PALLIMUKKU,
KANNAMMOOLA ROAD, OVERBRIDGE, VELAKUDI,
TRIVANDRUM - 695024.
- 3 STATE OF KERALA
REPRESENTED BY THE CHIEF SECRETARY TO
GOVERNMENT, SECRETARIAT, TRIVANDRUM - 695001.
- 4 STATE OF KERALA
REPRESENTED BY THE PRINCIPAL SECRETARY,
INDUSTRIES (A) DEPARTMENT, SECRETARIAT,
TRIVANDRUM - 695001.
- 5 THE MINISTRY OF ENVIRONMENT
CLIMATE AND FOREST CHANGE, JORBAGH ROAD, NEW
DELHI - 110 003, REPRESENTED BY ITS DIRECTOR.

SRI. RENJITH THAMPAN, ADDL.AG

W.P.(C) Nos. 17533 of 2020 & con. cases

..2..

R5 BY SRI.V.R.RAKESH, CGC
SRI. M.P. SREEKRISHNAN, CGC
SRI. VIJAYAKUMAR ASG

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 02.11.2020, ALONG WITH WP(C).10803/2020(A) AND
CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

W.P.(C) Nos. 17533 of 2020 & con. cases

..3..

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE P.B.SURESH KUMAR

MONDAY, THE 02ND DAY OF NOVEMBER 2020 / 11TH KARTHIKA,
1942

WP (C) .No.10803 OF 2020 (A)

PETITIONER:

TRAVANCORE READYMIX (P) LTD..
T.C.54/928,ROHINI SADANAM, MELAMCODE, NEMOM
P.O., THIRUVANANTHAPURAM-695 020, REPRESENTED
BY ITS MANAGING DIRECTOR, SRI.V.SUDHAKARAN

BY ADVS.
PAUL JACOB
SRI.ENOCH DAVID SIMON JOEL
SRI.RONY JOSE
SRI.GEORGE A.CHERIAN
SRI.LEO LUKOSE

RESPONDENTS:

- 1 THE STATE ENVIRONMENT IMPACT ASSESSMENT
AUTHORITY
PALLIMUKKU-KANNAMMOOLA RD, OVERBRIDGE,
VELAKUDI, THIRUVANANTHAPURAM-695 024,
REPRESENTED BY ITS MEMBER SECRETARY
- 2 THE MEMBER SECRETARY
STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY,
PALLIMUKKU-KANNAMMOOLA RD, OVERBRIDGE,
VELAKUDI, THIRUVANANTHAPURAM-695 024,
- 3 THE DISTRICT GEOLOGIST,
DEPARTMENT OF MINING AND GEOLOGY, DISTRICT
OFFICE, THIRUVANANTHAPURAM-695 004

W.P.(C) Nos. 17533 of 2020 & con. cases

..4..

- 4 ADDL R4, UNION OF INDIA,
REPRESENTED BY THE SECRETARY, MINISTRY OF
ENVIRONMENT AND FOREST, INDIRA PARYAVARAN
BHAWAN, JORBAGH ROAD, NEWDELHI-110003
IS IMPEADED AS PER ORDER DATED 08-07-2020 IN
IA NO 2/20
- 5 ADDL R5, STATE OF KERALA
REPRESENTED BY ITS SECRETARY TO GOVERNMENT IN
THE INDUSTRIES DEPARTMENT GOVERNMENT
SECRETARIAT-695 001
- 6 ADDL R6, THE DIRECTOR OF MINING AND GEOLOGY,
DIRECTORATE OF MINING AND GEOLOGY, PATTOM P.O,
KESAVADASAPURAM, THIRUVANANTHAPURAM-695004
ADDL R5 AND ADDL R6 IMPEADED AS PER ORDER
DATED 08-07-2020 IN IA NO.3/20.

SRI. M.P. SREEKRISHNAN, CGC
SRI. VIJAYAKUMAR ASG
SRI. RENJITH THAMPAN, ADDL.AG

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 02.11.2020, ALONG WITH WP(C).17533/2020 AND CONNECTED
CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) Nos. 17533 of 2020 & con. cases

..5..

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE P.B.SURESH KUMAR

MONDAY, THE 02ND DAY OF NOVEMBER 2020 / 11TH KARTHIKA,
1942

WP(C).No.10860 OF 2020(F)

PETITIONER:

M/S TMT GRANITES PVT.LTD.
MANGALAM DAM P.O, PALAKKAD, REPRESENTED BY ITS
MANAGING DIRECTOR SRI TOM GEORGE

BY ADVS.
SRI.PAUL JACOB (P)
SRI.ENOCH DAVID SIMON JOEL
SRI.RONY JOSE
SRI.GEORGE A.CHERIAN
SRI.LEO LUKOSE

RESPONDENTS:

- 1 THE STATE ENVIRONMENT IMPACT ASSESSMENT
AUTHORITY
PALLIMUKKU-KANNAMMOOLA RD, OVERBRIDGE,
VELAKUDI, THIRUVANANTHAPURAM 695 024,
REPRESENTED BY ITS MEMBER SECRETARY
- 2 THE MEMBER SECRETARY,
STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY
PALLIMUKKU-KANNAMMOOLA RD,
OVERBRIDGE,VELAKUDI, THIRUVANANTHAPURAM 695
024
- 3 THE DISTRICT GEOLOGIST,
DEPARTMENT OF MINING AND GEOLOGY, DISTRICT
OFFICE, PALAKKAD 678 014

W.P.(C) Nos. 17533 of 2020 & con. cases

..6..

- 4 ADDL.R4.UNION OF INDIA, REPRESENTED BY THE SECRETARY,
MINISTRY OF ENVIRONMENT AND FORESTS, INDIRA PARYAVARAN BHAWAN, JORBAGH ROAD, NEW DELHI - 110003. IS IMPLEADED AS PER ORDER DATED 03.08.2020 IN IA NO.1/2020 IN WPC NO. 10860/2020.
- 5 ADDL. R5. STATE OF KERALA,
REPRESENTED BY ITS SECRETARY, DEPARTMENT OF INDUSTRIES, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM-695001.
- 6 ADDL.R6. THE DIRECTOR OF MINING AND GEOLOGY,
DIRECTORATE OF MINING AND GEOLOGY, PATTOM P.O., KESAVADASAPURAM, THIRUVANANTHAPURAM-695004.

(ADDITIONAL R5 AND R6 ARE IMPLEADED AS PER ORDER DATED 08/07/2020 IN IA NO.2/2020)

SRI. RENJITH THAMPAN, ADDL.AG
R4 BY ADV. SHRI.P.VIJAYAKUMAR, ASG OF INDIA
SRI. M.P. SREEKRISHNAN, CGC

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 02.11.2020, ALONG WITH WP(C).17533/2020 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) Nos. 17533 of 2020 & con. cases

..7..

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE P.B.SURESH KUMAR

MONDAY, THE 02ND DAY OF NOVEMBER 2020 / 11TH KARTHIKA,
1942

WP(C).No.10862 OF 2020(G)

PETITIONER:

IMMANUEL CRUSHERS AND MINES (P) LTD
34/316, PIPE LINE ROAD, PADIVATTOM, EDAPPALLY
P.O, ERNAKULAM 682 024
REPRESENTED BY ITS DIRECTOR SRI TOMY JOSEPH

BY ADVS.

SRI.PAUL JACOB (P)
SRI.ENOCH DAVID SIMON JOEL
SRI.GEORGE A.CHERIAN

RESPONDENTS:

- 1 THE STATE ENVIRONMENT IMPACT ASSESSMENT
AUTHORITY
PALLIMUKKU-KANNAMMOOLA RD, OVERBRIDGE,
VELAKUDI, THIRUVANANTHAPURAM 695 024
REPRESEMNTED BY ITS MEMBER SECRETARY
- 2 THE MEMBER SECRETARY,
STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY,
PALLIMUKKU-KANNAMMOOLA RD,
OVERBRIDGE,VELAKUDI,
\THIRUVANANTHAPURAM 695 024
- 3 THE DISTRICT GEOLOGIST,
DEPARTMENT OF MINING AND GEOLOGY,
DISTRICT OFFICE, PALAKKAD 678 014
- 4 ADDL.R4.UNION OF INDIA REPRESENTED BY THE
SECRETARY,
MINISTRY OF ENVIRONMENT AND FORESTS, INDIRA
PARYAVARAN BHAVAN, JORBAGH ROAD,

W.P.(C) Nos. 17533 of 2020 & con. cases

..8..

NEW DELHI-110 001.

ADDL.R4 IMPEADED AS PER ORDER DATED 03-06-2020 IN IA 1/20 OF WP(C) 10862/2020.

5 ADDL.R5. STATE OF KERALA, REPRESENTED BY ITS SECRETARY, DEPARTMENT OF INDUSTRIES, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001.

6 ADDL.R6. THE DIRECTOR OF MININF AND GEOLOGY, DIRECTORATE OF MINING AND GEOLOGY, PATTOM P.O., KESAVADASAPURAM, THIRUVANANTHAPURAM-695 001.

ADDL.R5 AND ADDL R6 ARE IMPEADED AS PER ORDER DATED 08-07-2020 IN IA 2/20 IN WP(C) 10862/2020.

SRI. RENJITH THAMPAN, ADDL.AG

SRI. M.P. SREEKRISHNAN, CGC

SRI. VIJAYAKUMAR ASG

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 02.11.2020, ALONG WITH WP(C).17533/2020 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) Nos. 17533 of 2020 & con. cases

..9..

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE P.B.SURESH KUMAR

MONDAY, THE 02ND DAY OF NOVEMBER 2020 / 11TH KARTHIKA,
1942

WP (C) .No.10880 OF 2020 (H)

PETITIONER:

PYRAMID GRANITES (P) LTD.
PADAPPARA, ATHIRUMKAL, KOODAL, KONNI,
PATHANAMTHITTA, REPRESENTED BY ITS MANAGING
DIRECTOR, SRI.JOBIN VARGHESE

BY ADVS.

SRI.ENOCH DAVID SIMON JOEL

SRI.RONY JOSE

SRI.GEORGE A.CHERIAN

SRI.LEO LUKOSE

RESPONDENTS:

- 1 THE STATE ENVIORNMENT IMPACT ASSESSMENT
AUTHORITY
PALLIMUKKU-KANNAMMOOLA RD,
OVERBRIDGE,VELAKUDI, THIRUVANANTHAPURAM-695
024, REPRESENTED BY ITS MEMBER SECRETARY
- 2 THE MEMBER SECRETARY
STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY,
PALLIMUKKU-KANNAMMOOLA RD,
OVERBRIDGE,VELAKUDI, THIRUVANANTHAPURAM-695
024
- 3 THE DISTRICT GEOLOGIST,
DEPARTMENT OF MINING AND GEOLOGY, DISTRICT
OFFICE, MINI CIVIL STATION, ARANMULA P.O,
PATHANAMTHITTA-689 533
- 4 ADDL. R4 UNION OF INDIA, REPRESENTED BY THE
SECRETARY,

W.P.(C) Nos. 17533 of 2020 & con. cases

..10..

MINISTRY OF ENVIORNMENT AND FOREST, INDIRA
PARYAVARAN BHAWAN, JORBAGH ROAD, NEW DELHI-110
003.

ADDL.R4 IM PLEADED AS PER ORDER DATED 03-06-20
IN IA 1/2020

5 ADDL.R5. STATE OF KERALA
REPRESENTED BY ITS SECRETARY, DEPARTMENT OF
INDUSTRIES, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM-695 001.

6 ADDL.R6. THE DIRECTOR OF MINING AND GEOLOGY,
DIRECTORATE OF MINING AND GEOLOGY, PATTOM
P.O., KESAVADASPURAM, THIRUVANANTHAPURAM-695
004.

ARE IMPLEADED AS ADDL.R5 AND ADDL.R6 AS PER
ORDER DATED 08-07-20 IN IA 3/2020.

SRI. RENJITH THAMPAN, ADDL.AG
SRI. M.P. SREEKRISHNAN, CGC
SRI. VIJAYAKUMAR ASG

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 02.11.2020, ALONG WITH WP(C).17533/2020 AND CONNECTED
CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) Nos. 17533 of 2020 & con. cases

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE P.B.SURESH KUMAR

MONDAY, THE 02ND DAY OF NOVEMBER 2020 / 11TH KARTHIKA,
1942

WP(C).No.11048 OF 2020(E)

PETITIONER:

VILAMANA INDUSTRIES
KUTTICHIRA P.O.CHALAKUDY, THRISSUR-680 724,
REPRESENTED BY ITS MANAGING PARTNER SRI BASIL
MADAPPILLY.

BY ADVS.
SRI.PAUL JACOB (P)
SRI.ENOCH DAVID SIMON JOEL
SRI.ROY JOSE

RESPONDENTS:

- 1 THE STATE ENVIRONMENT IMPACT ASSESSMENT
AUTHORITY
PALLIMUKKU-KANNAMMOOLA RD, OVERBRIDGE,
VELAKUDI, THIRUVANANTHAPURAM-695 024,
REPRESENTED BY ITS MEMBER SECRETARY.
- 2 THE MEMBER SECRETARY,
STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY,
PALLIMUKKU-KANNAMMOOLA RD, OVERBRIDGE,
VELAKUDI, THIRUVANANTHAPURAM-695 024.
- 3 THE DISTRICT GEOLOGIST,
DEPARTMENT OF MINING AND GEOLOGY, DISTRICT
OFFICE, CHEMBUKKAVU, THRISSUR-680020.
- 4 UNION OF INDIA,
REPRESENTED BY THE SECRETARY, MINISTRY OF
ENVIRONMENT AND FORESTS, INDIRA PARYAVARAN
BHAWAN, JORBAGH ROAD, NEW DELHI-110 003.

W.P.(C) Nos. 17533 of 2020 & con. cases

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- 5 ADDL.R5.STATE OF KERALA,
REPRESENTED BY ITS SECRETARY DEPARTMENT OF
INDUSTRIES, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695001.
- 6 ADDL.R6. THE DIRECTOR OF MINING AND GEOLOGY,
DIRECTORATE OF MINING AND GEOLOGY, PATTOM
P.O., KESAVADASAPURM, THIRUVANANTHAPURAM-
695004. ADDL.R5 AND R6 ARE IMPEADED AS PER
ORDER DATED 08.07.2020 IN IA 1/2020.

R1 BY ADV. SHRI.M.P.SREEKRISHNAN, SC, SEIAA
AND SEAC
SRI. RENJITH THAMPAN, ADDL.AG
SRI. M.P. SREEKRISHNAN, CGC
R4 BY ADV. SHRI.P.VIJAYAKUMAR, ASG OF INDIA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 02.11.2020, ALONG WITH WP(C).17533/2020 AND CONNECTED
CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) Nos. 17533 of 2020 & con. cases

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE P.B.SURESH KUMAR

MONDAY, THE 02ND DAY OF NOVEMBER 2020 / 11TH KARTHIKA,
1942

WP(C).No.11053 OF 2020(F)

PETITIONER:

PLAKKATTU GRANITE INDUSTRIES (P) LTD
PAYYANAMON P.O. KONNI, REPRESENTED BY ITS
MANGING DIRECTOR, SRI. JACOB THOMAS.

BY ADVS.

SRI.PAUL JACOB (P)
SRI.ENOCH DAVID SIMON JOEL
SRI.RONY JOSE
SRI.GEORGE A.CHERIAN
SRI.LEO LUKOSE

RESPONDENTS:

- 1 THE STATE ENVIRONMENT IMPACT ASSESSMENT
AUTHORITY
PALLIMUKKU, KANNAMMOOLA RD, OVER BRIDGE,
VELAKUDI, THIRUVANANTHAPURAM 695 024,
REPRESENTED BY ITS MEMBER SECRETARY.
- 2 THE MEMBER SECRETARY,
STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY,
PALLIMUKKU, KANNAMMOOLA RD, OVER BRIDGE,
VELAKUDI, THIRUVANANTHAPURAM 695 024,
- 3 THE DISTRICT GEOLOGIST,
DEPARTMENT OF MINING AND GEOLOGY, DISTRICT
OFFICE, MINI CIVIL STATION, ARAMULA, P.O.
PATHANAMTHITTA 689 533.
- 4 UNION OF INDIA,
REPRESENTED BY THE SECRETARY, MINISTRY OF

W.P.(C) Nos. 17533 of 2020 & con. cases

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ENVIRONMENT AND FORESTS, INDIRA
PARYAVARANBHAWAN, JORBAGH ROAD, NEW DELHI 110
003.

5 ADDL. R5. STATE OF KERALA,
REPRESENTED BY ITS SECRETARY, DEPARTMENT OF
INDUSTRIES, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM-695001.

6 ADDL. R6. THE DIRECTOR OF MINING AND GEOLOGY,
DIRECTORATE OF MINING AND GEOLOGY, PATTOM
P.O., KESAVADASAPURAM, THIRUVANANTHAPURAM-
695004.

(ADDITIONAL R5 AND R6 ARE IMPEADED AS PER
ORDER DATED 08/07/2020 IN IA NO.1/2020).

SRI. RENJITH THAMPAN, ADDL.AG
SRI. M.P. SREEKRISHNAN, CGC
R4 BY ADV. SHRI.P.VIJAYAKUMAR, ASG OF INDIA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 02.11.2020, ALONG WITH WP(C).17533/2020 AND CONNECTED
CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) Nos. 17533 of 2020 & con. cases

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE P.B.SURESH KUMAR

MONDAY, THE 02ND DAY OF NOVEMBER 2020 / 11TH KARTHIKA,
1942

WP (C) .No.11079 OF 2020 (H)

PETITIONER:

K.K.ROCKS AND GRANITES INDIA (P) LTD,
KOTTACKAL, TC 2/3497, PATTOM,
THIRUVANANTHAPURAM 695004 REPRESENTED BY ITS
MANAGING DIRECTOR, SRI.ARUN VARGHESE

BY ADVS.

SRI.PAUL JACOB (P)
SRI.ENOCH DAVID SIMON JOEL
SRI.RONY JOSE
SRI.GEORGE A.CHERIAN
SRI.LEO LUKOSE

RESPONDENTS:

- 1 THE STATE ENVIRONMENT IMPACT ASSESSMENT
AUTHORITY
PALLIMUKKU-KANNAMMOOLA RD, OVER BRIDGE,
VELAKUDI, THIRUVANANTHAPURAM 695024
REPRESENTED BY ITS MEMBER SECRETARY
- 2 THE MEMBER SECRETARY
STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY,
PALLIMUKKU-KANNAMMOOLA RD, OVERBRIDGE,
VELAKUDI, THIRUVANANTHAPURAM-695024
- 3 THE DISTRICT GEOLOGIST
DEPARTMENT OF MINING AND GEOLOGY, DISTRICT
OFFICE, THIRUVANANTHAPURAM-695004
- 4 UNION OF INDIA
REPRESENTED BY THE SECRETARY, MINISTRY OF

W.P.(C) Nos. 17533 of 2020 & con. cases

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ENVIORNMENT AND FORESTS, INDIRA PARYAVARAN
BHAWAN, JORBAGH ROAD, NEW DELHI-110003

5 ADDL.R5. STATE OF KERALA,
REPRESENTED BY ITS SECRETARY, DEPARTMENT OF
INDUSTRIES, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM- 695 001.

6 ADDL.R6. THE DIRECTOR OF MINING AND GEOLOGY,
DIRECTORATE OF MINING AND GEOLOGY, PATTOM
P.O., KESAVADASAPURAM-695 004.

ARE IMPLEADED AS ADDL.R5 AND ADDL.R6 AS PER
DATED 08-07-2020 IN IA 1/2020

SRI. RENJITH THAMPAN, ADDL.AG
SRI. M.P. SREEKRISHNAN, CGC
SRI. VIJAYAKUMAR ASG

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 02.11.2020, ALONG WITH WP(C).17533/2020 AND CONNECTED
CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) Nos. 17533 of 2020 & con. cases

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE P.B.SURESH KUMAR

MONDAY, THE 02ND DAY OF NOVEMBER 2020 / 11TH KARTHIKA,
1942

WP (C) .No.11106 OF 2020 (K)

PETITIONER:

SHAJI S.
THEKKUVILAMELATHIL, KUDAVATTOOR P.O,
KOTTARAKKARA, KOLLAM

BY ADVS.
SRI.PAUL JACOB (P)
SRI.ENOCH DAVID SIMON JOEL
SRI.RONY JOSE
SRI.GEORGE A.CHERIAN
SRI.LEO LUKOSE

RESPONDENT/S:

- 1 THE STATE ENVIRONMENT IMPACT ASSESSMENT
AUTHORITY
PALLIMUKKU-KUNNAMMOOLA RD, OVERBRIDGE,
VELAKUDI, THIRUVANANTHAPURAM 695 024
REPRESENTED BY ITS MEMBER SECRETARY
- 2 THE MEMBER SECRETARY,
STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY,
PALLIMUKKU-KANNAMMOOLA RD, OVERBRIDGE,
VELAKUDI, THIRUVANANTHAPURAM 695 024
- 3 THE DISTRICT GEOLOGIST,
DEPARTMENT OF MINING AND GEOLOGY, DISTRICT
OFFICE, ASRAMAM, KOLLAM 691 008
- 4 UNION OF INDIA,
REPRESENTED BY THE SECRETARY,
MINISTRY OF ENVIRONMENT AND FORESTS, INDIRA

W.P.(C) Nos. 17533 of 2020 & con. cases

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PARYAVARAN BHAWAN, JORBAGH ROAD, NEW DELHI 110
003

5 ADDL R5 - STATE OF KERALA,
REPRESENTED BY ITS SECRETARY, DEPARTMENT OF
INDUSTRIES, GOVERNMENT
SECRETARIAT, THIRUVANANTHAPURAM - 695 001

6 ADDL R6 - THE DIRECTOR OF MINING AND GEOLOGY,
DIRECTORATE OF MINING AND GEOLOGY, PATTOM
P.O., KESAVADASAPURAM, THIRUVANANTHAPURAM - 695
004 (ADDL R5 AND R6 IMPEADED AS PER ORDER
DATED 08-07-2020 IN IA 1/2020).

SRI. RENJITH THAMPAN, ADDL.AG
SRI. M.P. SREEKRISHNAN, CGC
SRI. VIJAYAKUMAR ASG

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 02.11.2020, ALONG WITH WP(C).17533/2020 AND CONNECTED
CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) Nos. 17533 of 2020 & con. cases

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE P.B.SURESH KUMAR

MONDAY, THE 02ND DAY OF NOVEMBER 2020 / 11TH KARTHIKA,
1942

WP(C).No.11409 OF 2020(A)

PETITIONER:

AARAAMAM ROCK PVT. LTD.
5/714, NELLANADU P.O., KEEZHAYIKONAM,
VENJARAMOODU, THIRUVANANTHAPURAM-695 606,
REPRESENTED BY ITS MANAGING DIRECTOR ABDUL
SALAM.

BY ADVS.
SRI.PAUL JACOB (P)
SRI.ENOCH DAVID SIMON JOEL
SRI.RONY JOSE
SRI.GEORGE A.CHERIAN
SRI.LEO LUKOSE

RESPONDENTS:

- 1 THE STATE ENVIRONMENT IMPACT ASSESSMENT
AUTHORITY
PALLIMUKKU-KANNAMMOOLA ROAD, OVER BRIDGE,
VELAKUDI, THIRUVANANTHAPURAM-695 024,
REPRESENTED BY ITS MEMBER SECRETARY.
- 2 THE MEMBER SECRETARY,
STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY,
PALLIMUKKU-KANNAMMOOLA ROAD, OVERBRIDGE,
VELAKUDI, THIRUVANANTHAPURAM-695 024.
- 3 THE DISTRICT GEOLOGIST,
DEPARTMENT OF MINING AND GEOLOGY, DISTRICT
OFFICE, KESAVADASAPURAM, PATTOM PALACE P.O.,
THIRUVANANTHAPURAM-6695 004.

W.P.(C) Nos. 17533 of 2020 & con. cases

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- 4 UNION OF INDIA,
REPRESENTED BY THE SECRETARY, MINISTRY OF
ENVIRONMENT AND FORESTS, INDIRA PARYAVARAN
BHAWAN, JORBAGH ROAD, NEW DELHI-110 003.
- 5 ADDL R5, STATE OF KERALA,
REPRESENTED BY ITS SECRETARY TO GOVERNMENT IN
THE INDUSTRIES DEPARTMENT, GOVERNMENT
SECRETARIAT
- 6 ADDL R6, THE DIRECTOR OF MINING AND GEOLOGY,
DIRECTORATE OF MINING AND GEOLOGY, PATTOM P.O,
KESAVADASAPURAM, THIRUVANANTHAPURAM.
ADDL R5 AND ADDL R6 IMPEADED AS PER ORDER
DATED 08-07-2020 IN IA NO.1/20.
- 7 ADDL. R7 M.SALIM, AGED 60 YEARS,
S/O. MUHAMMED ILLIAS,
RESIDING AT SALMAN VILLA,
KEEZHAYIKONAM, NELLANADU P.O.,
THIRUVANANTHAPURAM DISTRIC 695 606.
IS IMPEADED AS PER ORDER DATED 02.11.2020 IN
I.A. NO. 2/2020.
- R4 BY ADV. SHRI.P.VIJAYAKUMAR, ASG OF INDIA
R7 BY ADV. RAJAN VISHNURAJ
SRI. RENJITH THAMPAN, ADDL.AG
SRI. M.P. SREEKRISHNAN, CGC

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 02.11.2020, ALONG WITH WP(C).17533/2020 AND CONNECTED
CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) Nos. 17533 of 2020 & con. cases

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE P.B.SURESH KUMAR

MONDAY, THE 02ND DAY OF NOVEMBER 2020 / 11TH KARTHIKA,
1942

WP(C).No.11614 OF 2020(B)

PETITIONER:

PONMUDI BLUE METAL (P)LTD
M.S.BUILDING, KALUNGU JUNCTION, VITHURA P.O.,
THIRUVANANTHAPURAM-695 551, REPRESENTED BY ITS
MANAGING DIRECTOR, SRI.M.NIZARUDEEN

BY ADVS.

SRI.PAUL JACOB (P)
SRI.ENOCH DAVID SIMON JOEL
SRI.RONY JOSE
SRI.GEORGE A.CHERIAN
SRI.LEO LUKOSE

RESPONDENT:

- 1 THE STATE ENVIRONMENT IMPACT ASSESSMENT
AUTHORITY
PALLIMUKKU-KANNAMMOOLA RD, OVERBRIDGE,
VELAKUDI, THIRUVANANTHAPURAM-695 024,
REPRESENTED BY ITS MEMBER SECRETARY
- 2 THE MEMBER SECETARY
STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY,
PALLIMUKKU-KANNAMMOOLA RD, OVERBRIDGE,
VELAKUDI, THIRUVANANTHAPURAM-695 024,
- 3 THE DISTRICT GEOLOGIST,
DEPARTMENT OF MINING AND GEOLOGY, DISTRICT
OFFICE, THIRUVANANTHAPURAM-695 004
- 4 UNION OF INDIA,
REPRESENTED BY THE SECRETARY, MINISTRY OF

W.P.(C) Nos. 17533 of 2020 & con. cases

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ENVIRONMENT AND FOREST, INDIRA PARYAVARAN
BHAWAN, JORBAGH ROAD, NEW DELHI-110 003

- 5 ADDL.R5.STATE OF KERALA,
REPRESENTED BY ITS SECRETARY, DEPARTMENT OF
INDUSTRIES, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM-695001
- 6 ADDL.R6.THE DIRECTOR OF MINING AND GEOLOGY,
DIRECTORATE OF MINING AND GEOLOGY, PATTOM
P.O., KESAVADASAPURAM-695004. ADDL.R5 AND R6
ARE IMPLEADED AS PER ORDER DATED 08.07.2020 IN
IA 1/2020 IN WP(C) NO. 11614/2020.

SRI. RENJITH THAMPAN, ADDL.AG
SRI. M.P. SREEKRISHNAN, CGC

R4 BY ADV. SHRI.P.VIJAYAKUMAR, ASG OF INDIA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 02.11.2020, ALONG WITH WP(C).17533/2020 AND CONNECTED
CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) Nos. 17533 of 2020 & con. cases

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE P.B.SURESH KUMAR

MONDAY, THE 02ND DAY OF NOVEMBER 2020 / 11TH KARTHIKA,
1942

WP (C) .No.11763 OF 2020 (U)

PETITIONER:

SURESH KUMAR S.
NEERANJANAM, PAZHAVADY, NEDUMANGAD P.O.,
THIRUVANANTHAPURAM -695 541.

BY ADVS.
SRI.PAUL JACOB (P)
SRI.ENOCH DAVID SIMON JOEL
SRI.RONY JOSE
SRI.GEORGE A.CHERIAN
SRI.LEO LUKOSE

RESPONDENTS:

- 1 THE STATE ENVIRONMENT IMPACT ASSESSMENT
AUTHORITY
PALLIMUKKU KANNAMMOOLA RD., OVERBRIDGE,
VELAKUDI, THIRUVANANTHAPURAM - 695024,
REPRESENTED BY ITS MEMBER SECRETARY.
- 2 THE MEMBER SECRETARY
STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY,
PALLIMUKKU KANNAMMOOLA RD., OVERBRIDGE,
VELAKUDI, THIRUVANANTHAPURAM - 695024.
- 3 THE DISTRICT GEOLOGIST
DEPARTMENT OF MINING AND GEOLOGY, DISTRICT
OFFICE, THIRUVANANTHAPURAM - 695 004.
- 4 UNION OF INDIA
REPRESENTED BY THE SECRETARY, MINISTRY OF
ENVIRONMENT AND FORESTS, INDIRA PARYAVARAN

W.P.(C) Nos. 17533 of 2020 & con. cases

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BHAWAN, JORBAGH ROAD, NEW DELHI - 110 003.

5 ADDL. R5. STATE OF KERALA,
REPRESENTED BY ITS SECRETARY, DEPARTMENT OF
INDUSTRIES, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM-695 001.

6 ADDL. R6. THE DIRECTOR OF MINING AND GEOLOGY,
DIRECTORATE OF MINING AND GEOLOGY, PATTOM
P.O., KESAVADASAPURAM, THIRUVANANTHAPURAM-695
004.

ADDL. R5 AND R6 ARE IMPEADED AS PER ORDER
DATED 08/07/2020 IA. NO.1/2020 IN WPC
NO.11763/2020.

R4 BY ADV. SHRI.P.VIJAYAKUMAR, ASG OF INDIA
SRI. RENJITH THAMPAN, ADDL.AG
SRI. M.P. SREEKRISHNAN, CGC

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 02.11.2020, ALONG WITH WP(C).17533/2020 AND CONNECTED
CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) Nos. 17533 of 2020 & con. cases

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE P.B.SURESH KUMAR

MONDAY, THE 02ND DAY OF NOVEMBER 2020 / 11TH KARTHIKA,
1942

WP (C) .No.12391 OF 2020 (Y)

PETITIONER:

HABEEBU RAHIMAN P.M. ,
PUTHOORMADATHIL HOUSE, MUKKAM P.O.KOZHIKODE-
643 602 .

BY ADVS.
SRI.PAUL JACOB (P)
SRI.ENOCH DAVID SIMON JOEL
SRI.RONY JOSE
SRI.GEORGE A.CHERIAN
SRI.LEO LUKOSE

RESPONDENTS:

- 1 THE STATE ENVIRONMENT IMPACT ASSESSMENT
AUTHORITY
PALLIMUKKU- KANNAMMOOLA RD, OVERBRIDGE,
VELAKUDI, THIRUVANANTHAPURAM-695
024, REPRESENTED BY ITS MEMBER SECRETARY.
- 2 THE MEMBER SECRETARY,
STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY,
PALLIMUKKU- KANNAMMOOLA RD, OVERBRIDGE,
VELAKUDI, THIRUVANANTHAPURAM-695 024
- 3 THE DISTRICT GEOLOGIST,
DEPARTMENT OF MINING AND GEOLOGY, DISTRICT
OFFICE, CHEMBUKKAVU, THRISSUR-680 020.
- 4 UNION OF INDIA,
REPRESENTED BY THE SECRETARY, MINISTRY OF
ENVIRONMENT AND FORESTS, INDIRA PARYAVARAN

W.P.(C) Nos. 17533 of 2020 & con. cases

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BHAWAN, JORBAGH ROAD, NEW DELHI-110 003.

- 5 STATE OF KERALA
REPRESENTED BY ITS SECRETARY, DEPARTMENT OF
INDUSTRIES, GOVERNMENT
SECRETARIAT, THIRUVANANTHAPURAM-695001
- 6 THE DIRECTOR OF MINING AND GEOLOGY
DIRECTORATE OF MINING AND GEOLOGY, PATTOM P.O,
KESAVADASAPURAM, THIRUVANANTHAPURAM-695004 (R5
AND R6 ARE IMPEADED AS PER ORDER DATED
08.07.2020 IN IA 1/2020 IN WPC)
- R4 BY ADV. SHRI.P.VIJAYAKUMAR, ASG OF INDIA
SRI. RENJITH THAMPAN, ADDL.AG
SRI. M.P. SREEKRISHNAN, CGC

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 02.11.2020, ALONG WITH WP(C).17533/2020 AND CONNECTED
CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) Nos. 17533 of 2020 & con. cases

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE P.B.SURESH KUMAR

MONDAY, THE 02ND DAY OF NOVEMBER 2020 / 11TH KARTHIKA,
1942

WP (C) .No.12420 OF 2020 (B)

PETITIONER:

K.SADANANDAN
AMBADIYIL NEW BUNGLOW, PANNIVIZHA, ADOOR.P.O,
PATHANAMTHITTA.

BY ADVS.
SRI.PAUL JACOB (P)
SRI.ENOCH DAVID SIMON JOEL
SRI.RONY JOSE
SRI.GEORGE A.CHERIAN
SRI.LEO LUKOSE

RESPONDENTS:

- 1 THE STATE ENVIRONMENT IMPACT ASSESSMENT
AUTHORITY
PALLIMUKKU-KANNAMMOOLA RD, OVERBRIDGE,
VELAKUDI, THIRUVANANTHAPURAM-695024
REPRESENTED BY ITS MEMBER SECRETARY.
- 2 THE MEMBER SECRETARY
STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY,
PALLIMUKKU-KANNAMMOOLA RD, OVERBRIDGE,
VELAKUDI, THIRUVANANTHAPURAM-695024
- 3 THE DISTRICT GEOLOGIST,
DEPARTMENT OF MINING AND GEOLOGY, DISTRICT
OFFICE, CHEMBUKKAVU, THRISSUR-680020
- 4 UNION OF INDIA
REPRESENTED BY THE SECRETARY, MINISTRY OF
ENVIRONMENT AND FORESTS, INDIRA PARYAVARAN

W.P.(C) Nos. 17533 of 2020 & con. cases

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BHAWAN, JORBAGH ROAD, NEW DELHI-110003

5 ADDL.R5.STATE OF KERALA,
REPRESENTED BY ITS SECRETARY, DEPARTMENT OF
INDUSTRIES, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM-695001

6 ADDL.R6.THE DIRECTOR OF MINING AND GEOLOGY,
DIRECTORATE OF MINING AND GEOLOGY, PATTOM
P.O., KESAVADASAPURAM, THIRUVANANTHAPURAM-
695004 ADDL.R4 AND R5 ARE IMPLEADED AS PER
ORDER DATED 08.07.2020 IN IA 1/2020 IN WPC
NO.12420/2020.

R4 BY ADV. SHRI.P.VIJAYAKUMAR, ASG OF INDIA
SRI. RENJITH THAMPAN, ADDL.AG
SRI. M.P. SREEKRISHNAN, CGC

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 02.11.2020, ALONG WITH WP(C).17533/2020 AND CONNECTED
CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) Nos. 17533 of 2020 & con. cases

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE P.B.SURESH KUMAR

MONDAY, THE 02ND DAY OF NOVEMBER 2020 / 11TH KARTHIKA,
1942

WP (C) .No.12439 OF 2020 (D)

PETITIONER:

KARIMALA GRANITES AND AGGREGATES PVT.LTD.
PATHANAD, KANGAZHA.P.O, KOTTAYAM-686541,
REPRESENTED BY ITS MANAGING DIRECTOR,
SRI.K.J.THOMASKUTTY

BY ADVS.

SRI.PAUL JACOB (P)
SRI.ENOCH DAVID SIMON JOEL
SRI.RONY JOSE
SRI.GEORGE A.CHERIAN
SRI.LEO LUKOSE

RESPONDENTS:

- 1 THE STATE ENVIRONMENT IMPACT ASSESSMENT
AUTHORITY
PALLIMUKKU-KANNAMMOOLA RD, OVERBRIDGE,
VELAKUDI, THIRUVANANTHAPURAM-695024,
REPRESENTED BY ITS MEMBER SECRETARY
- 2 THE MEMEBER SECRETARY
STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY,
PALLIMUKKU-KANNAMMOOLA RD, OVERBRIDGE,
VELAKUDI, THIRUVANANTHAPURAM-695024
- 3 THE DISTRICT GEOLOGIST
DEPARTMENT OF MINING AND GEOLOGY, DISTRICT
OFFICE, CHEMBUKKAVU, THRISSUR-680020
- 4 UNION OF INDIA,
REPRESENTED BY THE SECRETARY, MINING ON

W.P.(C) Nos. 17533 of 2020 & con. cases

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ENVIRONMENT AND FORESTS, INDIRA PARYAVARAN
BHAWAN, JORBAGH ROAD, NEW DELHI-110003

- 5 ADDL.R5.STATE OF KERALA,
REPRESENTED BY ITS SECRETARY,DEPARTMENT OF
INDUSTRIES, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695001
- 6 ADDL.R6.THE DIRECTOR OF MINING AND GEOLOGY,
DIRECTORATE OF MINING AND GEOLOGY, PATTOM
P.O., KESAVADASAPURAM, THIRUVANANTHAPURAM-
695004 ADDL.R5 AND R6 ARE IMPLEADED AS PER
ORDER DATED 08.07.2020 INIA 1/2020.
- R4 BY ADV. SHRI.P.VIJAYAKUMAR, ASG OF INDIA
SRI. RENJITH THAMPAN, ADDL.AG
SRI. M.P. SREEKRISHNAN, CGC

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 02.11.2020, ALONG WITH WP(C).17533/2020 AND CONNECTED
CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) Nos. 17533 of 2020 & con. cases

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE P.B.SURESH KUMAR

MONDAY, THE 02ND DAY OF NOVEMBER 2020 / 11TH KARTHIKA,
1942

WP(C).No.13113 OF 2020(L)

PETITIONER:

M/S. ALPHA BRICKS AND METALS,
KARASSERY P.O., MUKKAM (V), KOZHIKODE-673602,
REPRESENTED BY ITS MANAGING PARTNER.

BY ADV. SRI.PHILIP J.VETTICKATTU

RESPONDENTS:

- 1 STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT
AUTHORITY (SEIAA KERALA),
REPRESENTED BY ITS MEMBER SECRETARY, 4TH
FLOOR, KSRTC BUS TERMINAL COMPLEX,
THIRUVANANTHAPURAM-695001.
- 2 STATE LEVEL EXPERT APPRAISAL COMMITTEE,
REPRESENTED BY ITS CHAIRMAN, PALLIMUKKU, PETTAH
P.O., TRIVANDRUM-695024.
- 3 THE MEMBER SECRETARY,
STATE LEVEL ENVIRONMENTAL IMPACT ASSESSMENT
AUTHORITY (SEIAA KERALA), 4TH FLOOR, KSRTC BUS
TERMINAL COMPLEX, THIRUVANANTHAPURAM-695001.
- 4 THE DIRECTOR OF MINING AND GEOLOGY DEPARTMENT,
GOVERNMENT OF KERALA, KESAVADASAPURAM, PATTOM
P.O., THIRUVANANTHAPURAM, PIN-695001.
- 5 THE GEOLOGIST,
DEPARTMENT OF MINING GEOLOGY, DISTRICT OFFICE,
KOZHIKODE.

W.P.(C) Nos. 17533 of 2020 & con. cases

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6 THE MINISTRY OF ENVIRONMENT
FOREST AND CLIMATE CHANGE,
JORBAGH ROAD,
NEW DELHI -110 003
REPRESENTED BY ITS DIRECTOR

(ADDITIONAL R6 IMPEADED AS PER ORDER DATED
8/7/2020 IN IA 1/2020 IN WPC 13113/2020)

7 ADDL.R7.ONE EARTH ONE LIFE,
REPRESENTED BY ITS LEGAL CELL DIRECTOR,
SRI. TONY THOMAS. K, AGED 60 YEARS,
IRUMBAKACHOLA, MANNARKKAD P.O.,
PALAKKAD DISTRICT 678852.
IS IMPEADED AS PER ORDER DATED 02.11.2020 IN
I.A. NO.3/2020.

SRI. RENJITH THAMPAN, ADDL.AG
SRI. M.P. SREEKRISHNAN, CGC
R7 BY ADV. RAJAN VISHNURAJ
R7 BY ADV. SRI.V.HARISH

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 02.11.2020, ALONG WITH WP(C).17533/2020 AND CONNECTED
CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) Nos. 17533 of 2020 & con. cases

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE P.B.SURESH KUMAR

MONDAY, THE 02ND DAY OF NOVEMBER 2020 / 11TH KARTHIKA,
1942

WP(C).No.15089 OF 2020(I)

PETITIONER:

RAVEENDRA ROCK PRODUCTS PVT. LTD.
EZHUMATTOOR P.O., PATHANAMTHITTA - 689 586
REPRESENTED BY ITS DIRECTOR SRI.VINEETH R.

BY ADVS.
SRI.ENOCH DAVID SIMON JOEL
SRI.RONY JOSE
SRI.GEORGE A.CHERIAN
SRI.LEO LUKOSE

RESPONDENTS:

- 1 THE STATE ENVIRONMENT IMPACT ASSESSMENT
AUTHORITY
PALLIMUKKU KANNAMMOOLA RD., OVERBRIDGE,
VELAKUDI, THIRUVANANTHAPURAM - 695 024
REPRESENTED BY ITS MEMBER SECRETARY.
- 2 THE MEMBER SECRETARY
STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY,
PALLIMUKKU KANNAMMOOLA RD., OVERBRIDGE,
VELAKUDI, THIRUVANANTHAPURAM - 695024.
- 3 THE DISTRICT GEOLOGIST
DEPARTMENT OF MINING AND GEOLOGY, DISTRICT
OFFICE, ARANMULA P.O., PATHANAMTHITTA - 689
533.
- 4 UNION OF INDIA
REPRESENTED BY THE SECRETARY, MINISTRY OF
ENVIRONMENT AND FORESTS, INDIA PARAYAVARAN

W.P.(C) Nos. 17533 of 2020 & con. cases

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BHAWAN, JORBAGH ROAD, NEW DELHI - 110 003.

5 STATE OF KERALA
REPRESENTED BY ITS SECRETARY, DEPARTMENT OF
INDUSTRIES, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.

6 THE DIRECTOR OF MINING AND GEOLOGY
DIRECTORATE OF MINING AND GEOLOGY, PATTOM
P.O., KESAVADASAPURAM,
THIRUVANANTHAPURAM - 695 004.

R4 BY SRI.T.V.VINU, CGC
SRI. RENJITH THAMPAN, ADDL.AG
SRI. M.P. SREEKRISHNAN, CGC
SRI. VIJAYAKUMAR ASG

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 02.11.2020, ALONG WITH WP(C).17533/2020 AND CONNECTED
CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) Nos. 17533 of 2020 & con. cases

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE P.B.SURESH KUMAR

MONDAY, THE 02ND DAY OF NOVEMBER 2020 / 11TH KARTHIKA,
1942

WP(C).No.15507 OF 2020(K)

PETITIONER:

PEE GEE AGGREGATES PVT LTD
11/165, REPRESENTED BY ITS MANAGING DIRECTOR,
NAVEEN MATHEW PHILIP , THEKKE NEDUMPLACKAL,
MALLAPPALLY WEST P.O. , PATHANAMTHITTA

BY ADVS.

SRI.P.HARIDAS
SRI.BIJU HARIHARAN
SRI.R.B.BALACHANDRAN
SRI.RENJI GEORGE CHERIAN
SRI.P.C.SHIJIN
SRI.RISHIKESH HARIDAS

RESPONDENTS:

- 1 STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT
AUTHORITY (SEIAA KERALA)
REPRESENTED BY ITS MEMBER SECRETARY, 4TH
FLOOR, KSRTC BUS TERMINAL COMPLEX,
THIRUVANANTHAPURAM, PIN-695 001
- 2 STATE LEVEL EXPERT APPRAISAL COMMITTEE,
REPRESENTED BY ITS CHAIRMAN PALLIMUKKU, PETTAH
P.O. , TRIVANDRUM-695 024
- 3 THE MEMBER SECRETARY,
STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT
AUTHORITY (SEIAA KERALA) 4TH FLOOR, KSRTC BUS
TERMINAL COMPLEX, THIRUVANANTHAPURAM-695 001

W.P.(C) Nos. 17533 of 2020 & con. cases

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- 4 THE DIRECTOR OF MINING AND GEOLOGY DEPARTMENT,
GOVERNMENT OF KERALA, KESAVADASAPURAM, PATTOM
P.O., THIRUVANANTHAPURAM, PIN-695 001
- 5 THE GEOLOGIST
DEPARTMENT OF MINING AND GEOLOGY, DISTRICT
OFFICE, PATHANAMTHITTA, PIN-689 533
- 6 ADDL.R6. ENVIRONMENTAL ENGINEER
KERALA STATE POLLUTION CONTROL BOARD,
PATHANAMTHITTA, PIN-689645.
- 7 ADDL.R7. SECRETARY, KOTTANGAL GRAMA
PANCHAYATH,
PANCHAYATH OFFICE, KOTTANGAL, PIN-686547.
(IMPLEADED VIDE ORDER DATED 14-08-2020 IN IA 1
/2020)

SRI. RENJITH THAMPAN, ADDL.AG
SRI. M.P. SREEKRISHNAN, CGC

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 02.11.2020, ALONG WITH WP(C).17533/2020 AND CONNECTED
CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) Nos. 17533 of 2020 & con. cases

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE P.B.SURESH KUMAR

MONDAY, THE 02ND DAY OF NOVEMBER 2020 / 11TH KARTHIKA,
1942

WP(C).No.18778 OF 2020 (V)

PETITIONER:

CEMENT BRICKS AND ALLIED INDUSTRIES
CHORAKODE, VILANGU P O, ERNAKULAM - 683561,
REPRESENTED BY ITS MANAGING PARTNER, SRI.PAUL
VARGHESE.

BY ADVS.
SRI.ENOCH DAVID SIMON JOEL
SRI.RONY JOSE
SRI.GEORGE A.CHERIAN

RESPONDENTS:

- 1 THE STATE ENVIORNMENT IMPACT ASSESSMENT
AUTHORITY
PALLIMUKKU - KANNAMMOOLA ROAD, OVERBRIDGE,
VELAKUDI, THIRUVANANTHAPURAM - 695024,
REPRESENTED BY ITS MEMBER SECRETARY.
- 2 THE MEMBER SECRETARY,
STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY,
PALLIMUKKU - KANNAMMOOLA ROAD, OVERBRIDGE,
VELAKUDI, THIRUVANANTHAPURAM - 695024,
- 3 THE DISTRICT GEOLOGIST
DEPARTMENT OF MINING AND GEOLOGY, DISTRICT
OFFICE, CIVIL STATION, KAKKANADU, ERNAKULAM -
682030.
- 4 UNION OF INDIA
REPRESENTED BY THE SECRETARY, MINISTRY OF
ENVIRONMENT AND FORESTS, INDIRA PARYAVARAN

W.P.(C) Nos. 17533 of 2020 & con. cases

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BHAWAN, JORBAGH ROAD, NEW DELHI - 110003.

5 STATE OF KERALA
REPRESENTED BY ITS SECRETARY, DEPARTMENT OF
INDUSTRIES, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695001.

6 THE DIRECTOR OF MINING AND GEOLOGY
DIRECTORATE OF MINING AND GEOLOGY, PATTOM P.O,
KESAVADASAPURAM, THIRUVANANTHAPURAM - 695004,

R3, R5-6 BY SRI.K.V.SOHAN, STATE ATTORNEY
R4 BY SMT.SREEKALA K.L., CGC
SRI. RENJITH THAMPAN, ADDL.AG
SRI. M.P. SREEKRISHNAN, CGC

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 02.11.2020, ALONG WITH WP(C).17533/2020 AND CONNECTED
CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) Nos. 17533 of 2020 & con. cases

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE P.B.SURESH KUMAR

MONDAY, THE 02ND DAY OF NOVEMBER 2020 / 11TH KARTHIKA,
1942

WP (C) .No.18929 OF 2020 (M)

PETITIONER:

SAJI JOSE, AGED 41 YEARS
KATTARATH HOUSE, MUKKOM, KUNNAMANGALAM,
KOZHIKODE.

BY ADV. SRI.PHILIP J.VETTICKATTU

RESPONDENTS:

- 1 DISTRICT LEVEL ENVIRONMENT IMPACT ASSESSMENT
AUTHORITY
(DEIAA), KOZHIKODE REPRESENTED BY ITS MEMBER
SECRETARY, THE REVENUE DIVISIONAL OFFICER,
KOZHIKODE-673 001.
- 2 THE DISTRICT LEVEL EXPERT APPRAISAL COMMITTEE
(DEAC)
KOZHIKODE, REPRESENTED BY ITS MEMBER
SECRETARY, THE GEOLOGIST, MINI CIVIL STATION,
KOZHIKODE-673 020
- 3 THE DISTRICT COLLECTOR,
KOZHIKODE, CIVIL STATION, KOZHIKODE, IN THE
CAPACITY OF CHAIRMAN TO THE DISTRICT LEVEL
ENVIRONMENT IMPACT ASSESSMENT AUTHORITY
(DEIAA), KOZHIKODE.
- 4 STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT
AUTHORITY
(SEIAA KERALA), REPRESENTED BY ITS MEMBER
SECRETARY, 4TH FLOOR, KSRTC BUS TERMINAL
COMPLEX, THIRUVANANTHAPURAM-695 001

W.P.(C) Nos. 17533 of 2020 & con. cases

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- 5 STATE LEVEL EXPERT APPRAISAL COMMITTEE,
REPRESENTED BY ITS CHAIRMAN, PALLIMUKKU,
KANNAMMOOLA ROAD, OVERBRIDGE,
VELAKUDI, TRIVANDRUM-695 024.
- 6 STATE OF KERALA,
REPRESENTED BY THE CHIEF SECRETARY TO
GOVERNMENT, SECRETARIAT, TRIVANDRUM-695001.
- 7 STATE OF KERALA,
REPRESENTED BY THE PRINCIPAL SECRETARY,
INDUSTRIES (A) DEPARTMENT, SECRETARIAT,
TRIVANDRUM-695 001
- 8 THE MINISTRY OF ENVIRONMENT,
CLIMATE AND FOREST CHANGE, JORBAGH ROAD, NEW
DELHI-110 003, REPRESENTED BY ITS DIRECTOR.

R3, R6-7 BY SRI.K.V.SOHAN, STATE ATTORNEY
SRI. RENJITH THAMPAN, ADDL.AG
SRI. M.P. SREEKRISHNAN, CGC
SRI. VIJAYAKUMAR ASG

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 02.11.2020, ALONG WITH WP(C).17533/2020 AND CONNECTED
CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) Nos. 17533 of 2020 & con. cases

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE P.B.SURESH KUMAR

MONDAY, THE 02ND DAY OF NOVEMBER 2020 / 11TH KARTHIKA,
1942

WP (C) .No.19032 OF 2020 (D)

PETITIONER:

M.S.BUILDING PRODUCTS
PALACHIRA P.O., VARKALA, THIRUVANANTHAPURAM -
695 143, REP. BY ITS MANAGING PARTNER, SRI.
SREEKUMAR S.S.

BY ADVS.
SRI.ENOCH DAVID SIMON JOEL

RESPONDENT/S:

- 1 THE STATE ENVIRONMENT IMPACT ASSESSMENT
AUTHORITY
PALLIMUKKU- KANNAMMOOLA RD, OVERBRIDGE,
VELAKUDI, THIRUVANANTHAPURAM-695 024, REP. BY
ITS MEMBER SECRETARY.
- 2 THE MEMBER SECRETARY
STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY,
PALLIMUKKU-KANNAMMOOLA RD, OVERBRIDGE,
VELAKUDI, THIRUVANANTHAPURAM-695 024
- 3 THE DISTRICT GEOLOGIST
DEPARTMENT OF MINING AND GEOLOGY, DISTRICT
OFFICE, KESAVADASAPURAM, PATTOM PALACE P.O.,
THIRUVANANTHAPURAM-695 004
- 4 UNION OF INDIA
REP. BY THE SECRETARY, MINISTRY OF ENVIRONMENT
AND FORESTS, INDIRA PARYAVARAN BHAVAN, JORBAGH
ROAD, NEW DELHI-110003

W.P.(C) Nos. 17533 of 2020 & con. cases

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- 5 STATE OF KERALA
REP. BY ITS SECRETARY, DEPARTMENT OF
INDUSTRIES, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM-695 001
- 6 THE DIRECTOR OF MINING AND GEOLOGY
DIRECTORATE OF MINING AND GEOLOGY, PATTOM
P.O., KESAVADASAPURAM, THIRUVANANTHAPURAM-695
004.
- R3, R5-6 BY SRI.K.V.SOHAN, STATE ATTORNEY
SRI. RENJITH THAMPAN, ADDL.AG
SRI. M.P. SREEKRISHNAN, CGC
SRI. VIJAYAKUMAR ASG

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 02.11.2020, ALONG WITH WP(C).17533/2020 AND CONNECTED
CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) Nos. 17533 of 2020 & con. cases

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE P.B.SURESH KUMAR

MONDAY, THE 02ND DAY OF NOVEMBER 2020 / 11TH KARTHIKA,
1942

WP(C).No.19039 OF 2020(D)

PETITIONER:

SMILE M.ANTO, AGED 44 YEARS
S/O. ANTONY, MANGALASSERRY HOUSE,
MARUTHONKARA P.O. KAVILUMPARA VIA, KOZHIKODE
673 513.

BY ADV. SRI.PHILIP J.VETTICKATTU

RESPONDENTS:

- 1 DISTRICT LEVEL ENVIORNMENT IMPACT ASSESSMENT
AUTHORITY
(DEIAA), KOZHIKODE REPRESENTED BY ITS MEMBER
SECRETARY, THE REVENUE DIVISIONAL OFFICER,
KOZHIKODE 673 001.
- 2 THE DISTRICT LEVEL EXPEERT APPRAISAL
COMMITTEE (DEAC), KOZHIKODE REPRESENTED BY ITS
MEMBER SECRETARY , THE GEOLOGIST, MINI CIVIL
STATION, KOZHIKODE 673 020.
- 3 THE DISTRICT COLLECTOR,
KOZHIKODE CIVIL STATION KOZHIKODE, IN THE
CAPACITY OF CHAIRMAN TO THE DISTRICT LEVEL
ENVIRONMENT IMPACT ASSESSMENT AUTHORITY
(DEIAA), KOZHIKODE.
- 4 STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT
AUTHORITY,
(SEIAA KERALA,) REPRESENTED BY ITS MEMBER
SECRETARY 4TH FLOOR KSRTC BUS TERMINAL
COMPLEX, THIRUVANANTHAPURAM 695 001.

W.P.(C) Nos. 17533 of 2020 & con. cases

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- 5 STATE LEVEL EXPERT APPRAISAL COMMITTEE,
REPRESENTED BY ITS CHAIRMAN, PALLIMUKKU,
KANNAMMOOLA ROAD, OVERBRIDGE, VELAKUDI,
TRIVANDRUM 695 024.
- 6 STATE OF KERALA,
REPRESENTED BY THE CHIEF SECRETARY TO
GOVERNMENT, SECRETARIAT, TRIVANDRUM 695 001.
- 7 STATE OF KERALA,
REPRESENTED BY THE PRINCIPAL SECRETARY,
INDUSTRIES (A) DEPARTMENT, SECRETARIAT,
TRIVANDRUM 691 001.
- 8 THE MINISTRY OF ENVIRONMENT,
CLIMATE AND FOREST CHANGE, JORBAGH ROAD, NEW
DELHI 110 003, REPRESENTED BY ITS DIRECTOR.

R2-3, R6-7 BY SRI.K.V.SOHAN, STATE ATTORNEY
R8 BY SRI.K.SHRI HARI RAO, CGC
SRI. RENJITH THAMPAN, ADDL.AG
SRI. M.P. SREEKRISHNAN, CGC
SRI. VIJAYAKUMAR ASG

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 02.11.2020, ALONG WITH WP(C).17533/2020 AND CONNECTED
CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) Nos. 17533 of 2020 & con. cases

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE P.B.SURESH KUMAR

MONDAY, THE 02ND DAY OF NOVEMBER 2020 / 11TH KARTHIKA,
1942

WP(C).No.19589 OF 2020 (W)

PETITIONER:

ABDUL RAHIM, AGED 60 YEARS
S/O.MOYINKUTTY, PALAKULANGARA HOUSE,
MANGAMPOYIL, NEELESWARAM P.O., KOZHIKODE.

RESPONDENT/S:

- 1 DISTRICT LEVEL ENVIRONMENT IMPACT ASSESSMENT
AUTHORITY (DEIAA)
KOZHIKODE REPRESENTED BY ITS MEMBER SECRETARY,
THE REVENUE DIVISIONAL OFFICER, KOZHIKODE -
673001.
- 2 THE DISTRICT LEVEL EXPERT APPRAISAL COMMITTEE
(DEAC)
KOZHIKODE, REPRESENTED BY ITS MEMBER
SECRETARY, THE GEOLOGIST, MINI CIVIL STATION,
KOZHIKODE - 673 020.
- 3 THE DISTRICT COLLECTOR
KOZHIKODE, CIVIL STATION KOZHIKODE, IN THE
CAPACITY OF CHAIRMAN TO THE DISTRICT LEVEL
ENVIRONMENT IMPACT ASSESSMENT
AUTHORITY (DEIAA), KOZHIKODE.
- 4 STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT
AUTHORITY (SEIAA KERALA)
REPRESENTED BY ITS MEMBER SECRETARY, 4TH
FLOOR, KSRTC BUS TERMINAL COMPLEX,
THIRUVANANTHAPURAM - 695 001.

W.P.(C) Nos. 17533 of 2020 & con. cases

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- 5 STATE LEVEL EXPERT APPRAISAL COMMITTEE
REPRESENTED BY ITS CHAIRMAN, PALLIMUKKU,
KANNAMMOOLA ROAD, OVERBRIDGE, VELAKUDI,
TRIVANDRUM - 695 024.
- 6 STATE OF KERALA
REPRESENTED BY THE CHIEF SECRETARY TO
GOVERNMENT, SECRETARIAT, TRIVANDRUM - 695001.
- 7 STATE OF KERALA
REPRESENTED BY THE PRINCIPAL SECRETARY,
INDUSTRIES (A) DEPARTMENT, SECRETARIAT,
TRIVANDRUM - 695001.
- 8 THE MINISTRY OF ENVIRONMENT
FOREST AND CLIMATE CHANGE, JORBAGH ROAD, NEW
DELHI -110 003, REPRESENTED BY ITS DIRECTOR.

R8 BY ADV. MR.B.PRAMOD, CGC
SRI. RENJITH THAMPAN, ADDL.AG
SRI. M.P. SREEKRISHNAN, CGC
SRI. VIJAYAKUMAR ASG

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 02.11.2020, ALONG WITH WP(C).17533/2020 AND CONNECTED
CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) Nos. 17533 of 2020 & con. cases

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE P.B.SURESH KUMAR

MONDAY, THE 02ND DAY OF NOVEMBER 2020 / 11TH KARTHIKA,
1942

WP (C) .No.19629 OF 2020 (C)

PETITIONER:

M/S.PONORPOYIL GRANITES,
MARANCHATTY, KOODARANHI P.O., KOZHIKODE
DISTRICT-673604, (REPRESENTED BY ITS MANAGING
DIRECTOR, AJAS M.M, S/O.M.C.MUHAMMED,
MUSLLARAKATH HOUSE, KOODARNHI P.O.,
KOZHIKODE DISTRICT-673604).

BY ADV. SRI.P.DEEPAK

RESPONDENTS:

- 1 THE STATE ENVIRONMENT IMPACT ASSESSMENT
AUTHORITY (SEIAA) ,
KERALA, REPRESENTED BY ITS SECRETARY,
K.S.R.T.C BUS TERMINAL COMPLEX, 4TH FLOOR,
THAMPANOR, THIRUVANANTHAPURAM-695001.
- 2 THE DIRECTOR,
MINING AND GEOLOGY, DIRECTORATE OF MINING AND
GEOLOGY, KESAVADASAPURAM, PATTOM P.O.,
THIRUVANANTHAPURAM-695004.
- 3 THE GEOLOGIST,
DISTRICT OFFICE, MINING AND GEOLOGY
DEPARTMENT, CIVIL STATION P.O., KOZHIKODE-
673020.

SRI. RENJITH THAMPAN, ADDL.AG
SRI. M.P. SREEKRISHNAN, CGC

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 02.11.2020, ALONG WITH WP(C).17533/2020 AND CONNECTED
CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) Nos. 17533 of 2020 & con. cases

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C.R.

P.B.SURESH KUMAR, J.

**W.P.(C) Nos.17533, 10803, 10860, 10862, 10880,
 11048, 11053, 11079, 11106, 11409, 11614,
 11763, 12420, 12391, 12439, 13113, 15089,
 15507, 18778, 18929, 19032, 19039,
 19589 and 19629 of 2020**

Dated this the 2nd day of November, 2020

JUDGMENT

Common questions relating to the validity of Environmental Clearance (EC) granted in terms of the Environment Impact Assessment Notification, 2006 (2006 notification) issued by the Central Government under sub-section (1) and clause (v) of sub-section (2) of Section 3 of the Environment (Protection) Act, 1986 (the Act), arise for consideration in this batch of writ petitions. The writ petitions are, therefore, disposed of by this common judgment.

2. The facts of the cases involved in this batch are similar, if not identical. As such, it is not necessary to refer

W.P.(C) Nos. 17533 of 2020 & con. cases

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to the facts of all cases. I am, therefore, referring to the facts brought out in W.P.(C) No.17533 of 2020 alone for the purpose of adjudicating the questions.

3. The petitioner in W.P.(C) No.17533 of 2020 is the grantee of a quarrying lease in terms of the Kerala Minor Mineral Concession Rules, 2015 (KMMC Rules) framed under the Mines and Minerals (Development and Regulation) Act, 1957 (MMDR Act) for extracting building stones for a period of 12 years. In order to commence the operation of the building stone quarry of the petitioner, he applied for EC to the State Level Environment Impact Assessment Authority (SEIAA), the regulatory body at the State level under the 2006 Notification, and on the basis of the recommendation made by the State Level Expert Appraisal Committee (SEAC), the appraisal body at the State level, the petitioner has been granted EC by SEIAA for his building stone quarry project on 05.12.2014. It is stated by the petitioner that the life of the project of the petitioner as estimated by him and intimated by him to SEIAA is 20 years and as such, he should have been granted EC for a period of 20 years. Instead, it is alleged that the SEIAA had limited the

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validity of the EC issued to the petitioner to five years. The case of the petitioner in the writ petition, in essence, is that the decision of SEIAA to limit the validity of the EC granted to him to five years is *ultra vires* the 2006 notification, in terms of which the EC has been granted to him. In order to make out the said case, the petitioner relies on Clause (9) of 2006 notification to contend that in terms of the said provision, if the appraisal body, viz, SEAC recommends for grant of EC to a particular applicant and if the recommendation is found acceptable, SEIAA is bound to grant EC for mining projects for the life of the project. It is stated by the petitioner that since the life of the project of the petitioner is 20 years, on the expiry of the period of five years, the petitioner preferred an application before SEIAA for extension of the validity of the EC granted to him. It is alleged that to the dismay of the petitioner, the application preferred by him is treated by SEIAA as a fresh application for grant of EC and is being processed accordingly. It is also stated by the petitioner that the enquiries made by him in this regard reveal that on 31.10.2014, as sufficient enforcement arrangement were not

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available, the SEIAA has decided to limit the validity of the ECs to mining project to five years, instead of the life of the projects and to permit the project proponents to apply for fresh ECs after five years. Ext.P20 is the said decision of SEIAA. It is stated by the petitioner that Ext.P20 decision was made known to the public only when it was uploaded by SEIAA in its website on 13.08.2020. It is also stated by the petitioner that it is revealed that in the meanwhile, on 27.02.2019, the SEIAA has also decided to simplify the process of the application for extension of ECs made, in accordance with Ext.P20 decision, by insisting the applicants concerned to prefer applications for extension at least six months before the expiry of the validity of the EC in the updated Form 1 with the mining plan, processing fee and photographs and to consider the same with the report of SEAC. Ext.P21 is the decision taken by SEIAA in this regard. The case of the petitioner as regards Exts.P20 and P21 decisions of SEIAA is also that the same are *ultra vires* the 2006 notification. The petitioner, therefore, challenges in this writ petition, Exts.P20 and P21 decisions of SEIAA. He also seeks directions to the SEIAA to validate the EC granted to him

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for the life of his project, viz, 20 years.

4. As indicated, the facts of the remaining cases are more or less similar. The difference in the remaining cases is mainly as regards the project life estimated by the project proponents concerned and intimated by them to the regulatory authorities. The project life in the remaining cases varies from 6.5 years to 20 years. Similarly, ECs have been granted to the petitioners in the remaining cases between 24.05.2014 and 29.12.2017. Among these cases, except in W.P.(C) No.10880 of 2020, ECs have been granted after Ext.P20 decision. As far as W.P.(C) No.10880 of 2020 is concerned, the EC is seen granted to the petitioner therein prior to Ext.P20 decision namely, on 24.05.2014. Though it is stated in the EC given to the petitioner in the said case that its validity is 13 years, it is mentioned therein that the petitioner shall renew the same once in five years. Similarly, in a few cases, ECs have been issued by the district level regulatory bodies, and the validity of the said ECs have also been limited to five years by the regulatory bodies concerned, placing reliance on Ext.P20 decision of SEIAA. Unlike in W.P.(C) No.17533 of 2020, in some

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writ petitions, the petitioners seek a declaration that the ECs granted to them are valid for the duration of the life of the projects of the petitioners concerned.

5. A statement has been filed by the learned Standing Counsel for SEIAA in W.P.(C) No.17533 of 2020 and a joint statement has been filed by him in W.P.(C) Nos.11763 of 2020, 10803 of 2020, 10860 of 2020, 10862 of 2020, 10880 of 2020, 11048 of 2020, 11053 of 2020, 11079 of 2020, 11106 of 2020, 11409 of 2020, 11614 of 2020, 11763 of 2020, 12420 of 2020, 12439 of 2020 and 12391 of 2020. It is contended in the aforesaid statements that the petitioners having not challenged the condition in the ECs granted to them as regards its validity before the National Green Tribunal in appeals, as provided for under Section 16 of the National Green Tribunal Act, they are precluded from instituting writ petitions invoking Article 226 of the Constitution for the said purpose, that too, after the period prescribed for filing appeals before the National Green Tribunal. It is also contended by SEIAA in the statements that the petitioners having accepted the limited term ECs granted to them and having conducted quarrying

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operations on the strength of the same, they are precluded from challenging its validity in any forum. It is further contended by SEIAA in the aforesaid statements that the life of the mine as stated by the project proponents in their applications for grant of ECs and the project life in terms of Clause (9) of 2006 notification are different; that the validity of EC was limited to five years since the mining plan is being approved by the competent authority under the KMMC Rules only for a period of five years so as to make the EC in consonance with the KMMC Rules. It was further contended by SEIAA in the statements that the State of Kerala being an ecologically sensitive place, if the ECs are issued for mining projects for a longer period than five years, there will be dilution in post monitoring leading to environmental instability.

6. Heard the learned counsel for the petitioners, the learned Standing Counsel for SEIAA as also the learned Additional Advocate General for the State.

7. As indicated, the essence of the submissions made by the learned counsel for the petitioners in the writ petitions is that the decision of SEIAA to limit the validity of the

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ECs granted to the petitioners to five years is *ultra vires* the 2006 notification, in terms of which the ECs are granted to the petitioners. They rely on Clause (9) of 2006 notification to contend that in terms of the said provision, if SEIAA finds that the applicant concerned is entitled to EC, it is bound to grant EC for mining projects for the life of the project. In order to reinforce the said contention, the learned counsel for the petitioners pointed out that in the earlier notification which was substituted by 2006 notification, the provision was to the effect that the ECs are to be granted for a limited period and the said provision was removed when 2006 notification was issued. It was also pointed out by the learned counsel that it is on account of the said scheme of 2006 notification, no provision is made in the said notification for renewal of the EC once granted. According to the learned counsel, SEIAA has, in fact, acted contrary to 2006 notification in the matter of taking Exts.P20 and P21 decisions. It was also pointed out by the learned counsel for the petitioners that SEIAA being an authority constituted for exercising the powers under 2006 notification, they cannot take decisions in the nature of

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Exts.P20 and P21 contrary to 2006 notification, whatever be the reasons justifying such decisions. It was pointed out by the learned counsel that the life of the projects as estimated by the petitioners and informed to the regulatory authorities concerned has not been found to be incorrect by the appraisal bodies and therefore, the petitioners ought to have been granted ECs for the duration of their project, as claimed by them in their applications.

8. Apart from the aforesaid general arguments, placing reliance on the decision of the Supreme Court in **Chief Settlement Commissioner, Punjab and Others v. Om Parkash and Others**, AIR 1969 SC 33, Adv.Sri.Philip J. Vettickattu, appearing for the petitioners some of the writ petitions contended that the bodies like SEIAA have no inherent power or authority, and their decisions shall always be within the limits of the authorities given to them by the statute or the subordinate legislation, as the case may be. According to the learned counsel, since the scheme of the 2006 notification is that the validity of the EC shall be the life of the project, an authority constituted to exercise the powers of the

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notification cannot take a decision contrary to the notification, whatever be the justification for the same. Placing reliance on the decision of this Court in **Easwaranunni v. State of Kerala**, 2020 (2) KLT 362, the learned counsel argued that Exts.P20 and P21 are vitiated by the principle of fraud on power, for the exercise of power by an authority not intended by the law making bodies, would amount to fraud on power. Placing reliance on the decision of the Apex Court in **Satish v. State of Uttar Pradesh**, 2020 (5) KLT OnLine 1009 (SC), the learned counsel also argued that once the law has been made by the appropriate legislature, then it is not open for the executive authorities to surreptitiously subvert its mandate. Similarly, placing reliance on the decision of this Court in **Nagaroor Grama Panchayat v. Vijayakumar**, 2016 (3) KLT 82, Adv.Sri. Enoch David Simon Joel, appearing for the petitioners in some other writ petitions contended that the authorities constituted in terms of a statute have to exercise their power independently and shall not exercise their power based on anything which is not statutorily insisted or permitted. He has also pointed out that in **MGM Minerals Ltd.**

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v. SEIAA, 2014 SCC OnLine Orissa 510, the High Court of Orissa has held that the decision of the regulatory body involved in that case under the 2006 notification in limiting the validity of the EC granted to the petitioner therein to five years is without jurisdiction.

9. The learned Standing Counsel for SEIAA reiterated the stand taken by SEIAA in the statements filed in the matters.

10. The learned Additional Advocate General supported the contentions taken by SEIAA, pointing out that insofar as the ECs granted to the petitioners were appealable before the National Green Tribunal, the writ petitions seeking directions for modifying the ECs are not maintainable. It was also argued by the learned Additional Advocate General that at any rate, the writ petitions shall not be entertained by this Court since they are unreasonably belated. It was also argued by the learned Additional Advocate General that the principle of “approbate and reprobate” precludes the petitioners from seeking the reliefs claimed in the writ petitions as they have availed the benefit of the grant subject to the condition which

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is impugned in the writ petitions. The learned Additional Advocate General relied on the decisions of the Apex Court in **State of Punjab and Others v. Dhanjit Singh Sandhu**, (2014) 15 SCC 144 and **Rajasthan State Industrial Development and Investment Corporation and another v. Diamond & Gem Development Corporation Limited and another**, (2013) 5 SCC 470), in support of the said contention. It was also argued by the learned Additional Advocate General that SEIAA being a regulatory authority, it is certainly within its powers to impose general conditions in the nature of one impugned in the writ petitions in the matter of granting ECs. It was argued that at any rate, the issue being one relating to environment, the precautionary principle suggests that the court shall accept only the stand taken for the purpose of protecting the environment. As regards the merits of the contentions advanced by the learned counsel for the petitioners, it was argued by the learned Additional Advocate General that what is provided for in Clause (9) of the 2006 notification as regards the validity of the EC is that the validity of EC as far as mining projects are concerned shall be

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the project life as estimated by the expert appraisal committees. It was pointed out by the learned Additional Advocate General that the expert appraisal committees have not estimated the project life in any of the cases, and the petitioners cannot, therefore, be granted the relief claimed by them.

11. In reply to the arguments advanced by the learned Standing Counsel for SEIAA that the petitioners could have challenged the ECs granted to them in appeal before the National Green Tribunal, Adv.Sri.Philip J. Vettickattu contended, relying on the decision of the Division Bench of this Court in **Panopharam v. Union of India**, 2010(3) KLT 149 that the relief claimed by the petitioners in the writ petitions are certainly not relief that could have been granted by the National Green Tribunal, had the petitioners preferred appeal challenging the ECs granted to them before the said Tribunal and therefore, the writ petitions are certainly maintainable. As regards the contention advanced by the learned Additional Advocate General that the writ petitions are belated, Sri.P.Deepak, the learned counsel appearing for the petitioner

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in W.P.(C) No.19629 of 2020 contended that the relief claimed in the writ petitions essentially being a declaration that the ECs granted to the petitioners have a longer period of validity, the writ petitions admittedly instituted within the said longer period of validity cannot be said to be belated.

12. In the light of the pleadings of the parties and the submissions made at the Bar, the question falls for consideration is whether the regulatory bodies empowered to grant EC in terms of 2006 notification are justified in restricting the validity of the ECs to five years. However, having regard to the various contentions raised by SEIAA as also the State as regards the maintainability of the writ petitions, the question aforesaid needs to be considered only if this court finds that the contentions raised as regards the maintainability of the writ petitions are unsustainable.

13. Let us, therefore, consider the contentions raised by SEIAA as also the State as to the maintainability of the writ petitions. Section 16(h) of the National Green Tribunal Act, 2010 provides for an appeal against an order granting EC in an area where any industries, operations, processes or class

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of industries, operations and processes shall not be carried out or shall be carried out only subject to certain safeguards under the Act. Obviously, the said right of appeal is provided in favour of third parties who are aggrieved by such grants and the said right is subject to the restrictions in the provision, viz, that the grant must relate to the areas mentioned in the provision. Similarly, Section 16(i) of the National Green Tribunal Act provides for a right of appeal against an order refusing to grant EC for carrying out any activities or operation or process under the Act. The said provision, of course, is one in favour of the project proponents whose applications for grant of EC have been rejected by the competent authority. But, as evident from the provision, the remedy provided therein is against an order refusing to grant EC. The question is whether the petitioners in this batch of cases could have challenged the grant in their favour limiting its validity to 5 years in appeal invoking the said provision before the Tribunal. It is well settled that right of appeal is a creature of statute, for the right of appeal inheres in no one and therefore, for maintaining an appeal, there must be authority of law. Needless to say, a right of appeal cannot

be assumed to exist unless expressly provided for by the statute and a remedy of appeal must be legitimately traceable to the statutory provisions. If the express words employed in a provision do not provide an appeal from a particular order, the court is bound to follow the express words. [See **Ganga Bai v. Vijay Kumar**, (1974) 2 SCC 393]. The scheme of the appellate provision referred to above is not to provide for a right of appeal against any order passed by the competent authority empowered to grant or refuse EC, but only to provide for right of appeal against a few specific orders. As such, the question to be examined is whether the ECs granted in favour of the petitioners limiting its validity to 5 years could be regarded as orders refusing to grant EC. ECs granted in favour of the petitioners cannot be regarded as orders refusing to grant EC to the petitioners and therefore, it cannot be said that the petitioners could have challenged the decision of the regulatory authorities in limiting the validity of the grant in their favour in appeal before the Tribunal.

14. True, the petitioners could have approached this Court when they were granted ECs limiting its validity to

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five years. As indicated, the petitioners who were granted ECs in between 24.05.2014 and 29.12.2017 have instituted the writ petitions only during 2020. Should this Court decline jurisdiction to entertain the writ petitions on that ground is the next question. While it is settled that a belated petition cannot be entertained under Article 226 of the Constitution, it is equally settled that the aforesaid rule is only a rule of practice and not a jurisdictional bar. Further, the defence of laches or inordinate delay is a defence in equity and as such, if there is no breach of equity, there is no reason why the courts should decline to exercise the jurisdiction vested in it. Coming to the cases on hand, the respondents in the writ petitions have a case that the petitioners are in breach of equities in the matter of approaching this Court for the relief claimed. Further, as pointed out by Adv.Sri.P.Deepak, the relief claimed in the writ petitions being essentially for a declaration that the ECs granted to the petitioners have a longer period of validity, the writ petitions having been instituted within the said longer period of validity cannot be said to be belated. The objection of the respondents that the writ petitions are belated is,

therefore, rejected.

15. The principle that one cannot approbate and reprobate is a species of doctrine of election and the doctrine of election is a species of doctrine of estoppel. It is now trite that the principle of estoppel has no application when statutory rights and liabilities are involved. It cannot, at any rate, impede a right of appeal, particularly the constitutional remedy [See the decision of the Apex Court in **P.R.Deshpande v. Maruti Balaram Haibatti** (1998) 6 SCC 507]. The objection that the principle that one cannot approbate and reprobate, precludes the petitioners from instituting the writ petitions is also therefore, rejected.

16. I shall now deal with the question formulated for decision. Section 3 of the Act reads thus:

3. Power of Central Government to take measures to protect and improve environment. - (1) Subject to the provisions of this Act, the Central Government shall have the power to take all such measures as it deems necessary or expedient for the purpose of protecting and improving the quality of the environment and preventing, controlling and abating environmental pollution.

(2) In particular, and without prejudice to the generality of the provisions of sub-section (1), such measures may include measures with respect to all or any of the following matters, namely:

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[\(i\)](#) co-ordination of actions by the State Governments, officers and other authorities

[\(a\)](#) under this Act, or the rules made thereunder; or

[\(b\)](#) under any other law for the time being in force which is relatable to the objects of this Act;

[\(ii\)](#) planning and execution of a nation-wide programme for the prevention, control and abatement of environmental pollution;

[\(iii\)](#) laying down standards for the quality of environment in its various aspects;

[\(iv\)](#) laying down standards for emission or discharge of environmental pollutants from various sources whatsoever: Provided that different standards for emission or discharge may be laid down under this clause from different sources having regard to the quality or composition of the emission or discharge of environmental pollutants from such sources;

[\(v\)](#) restriction of areas in which any industries, operations or processes or class of industries, operations or processes shall not be carried out or shall be carried out subject to certain safeguards;

[\(vi\)](#) laying down procedures and safeguards for the prevention of accidents which may cause environmental pollution and remedial measures for such accidents;

[\(vii\)](#) laying down procedures and safeguards for the handling of hazardous substances;

[\(viii\)](#) examination of such manufacturing processes, materials and substances as are likely to cause environmental pollution;

[\(ix\)](#) carrying out and sponsoring investigations and research relating to problems of environmental pollution;

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[\(x\)](#) inspection of any premises, plant, equipment, machinery, manufacturing or other processes, materials or substances and giving, by order, of such directions to such authorities, officers or persons as it may consider necessary to take steps for the prevention, control and abatement of environmental pollution;

[\(xi\)](#) establishment or recognition of environmental laboratories and institutes to carry out the functions entrusted to such environmental laboratories and institutes under this Act;

[\(xii\)](#) collection and dissemination of information in respect of matters relating to environmental pollution;

[\(xiii\)](#) preparation of manuals, codes or guides relating to the prevention, control and abatement of environmental pollution;

[\(xiv\)](#) such other matters as the Central Government deems necessary or expedient for the purpose of securing the effective implementation of the provisions of this Act.

[\(3\)](#) The Central Government may, if it considers it necessary or expedient so to do for the purposes of this Act, by order, published in the Official Gazette, constitute an authority or authorities by such name or names as may be specified in the order for the purpose of exercising and performing such of the powers and functions (including the power to issue directions under section 5) of the Central Government under this Act and for taking measures with respect to such of the matters referred to in sub-section (2) as may be mentioned in the order and subject to the supervision and control of the Central Government and the provisions of such order, such authority or authorities may exercise the powers or perform the functions or take the measures so mentioned in the order as if such authority or authorities had been empowered by this Act to

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exercise those powers or perform those functions or take such measures.

As indicated, 2006 notification is one issued by the Central Government under sub-section (1) and clause (v) of sub-section (2) of Section 3 of the Act. Sub-section (3) of Section 3 of the Act empowers the Central Government to constitute, by order, authorities for the purpose of exercising the powers and performing the functions of the Central Government under the Act with respect to matters referred to in sub-section (2) of Section 3 as may be mentioned in the order. Sub-section (3) of Section 3 of the Act provides that the authorities so constituted may exercise the powers or perform the functions so mentioned in the order. Exts.P3 to P5 in WP(C) No.17533 of 2020 are orders issued by the Central Government under Sub-section (3) of Section 3 of the Act constituting SEIAA. Exts P3 to P5 orders provide categorically that the SEIAA shall exercise such powers and follow such procedures as enumerated in 2006 notification. Needless to say, SIEAA is empowered to exercise only the powers conferred on it in terms of 2006 notification.

17. 2006 notification, among others, deals with the requirements of prior EC, the constitution of the regulatory authorities, the manner in which the regulatory authorities have to transact their business, the validity of EC, etc. The scheme of the notification is that applications for prior ECs would be appraised by the appraisal committees concerned in the manner indicated in the notification and would be placed before the regulatory bodies concerned with their recommendations. The regulatory bodies would, thereafter, consider and take a decision either to grant or reject EC. Clause 8(ii) of the notification, however, clarifies that if the regulatory bodies disagree with the recommendations of the appraisal committees, they shall request the appraisal committees to reconsider the recommendations and in that event, the appraisal committees shall forward to the regulatory bodies its views on the reasons for disagreement. The said provision also clarifies that the regulatory bodies have to take a decision thereafter on the applications for grant of ECs, based on the recommendations and the views forwarded by the appraisal committees concerned on the reasons for

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disagreement communicated to them. Clause 9 of 2006 notification dealing with the validity of the EC reads thus:

9. Validity of Environmental Clearance (EC):

(i) The “Validity of Environmental Clearance” is meant the period from which a prior environmental clearance is granted by the regulatory authority, or may be presumed by the applicant to have been granted under sub-paragraph (iii) of paragraph 8, to the start of production operations by the project or activity, or completion of all constructions operations in case of construction projects (item 8 of the Schedule), to which the application for prior environmental clearance refers. The prior environmental clearance granted for a project or activity shall be valid for a period of ten years in the case of River Valley projects [item 1(c) of the Schedule], project life as estimated by the Expert Appraisal Committee or State Level Expert Appraisal Committee or District Level Expert Appraisal Committee subject to a maximum of thirty years for mining projects and seven years in the case of all other projects and activities.

(ii) In the case of Area Development projects and Townships [item 8(b)], the validity period of seven years shall be limited only to such activities as may be the responsibility of the applicant as a developer;

Provided that this period of validity with respect to sub-paragraphs (i) and (ii) above may be extended by the regulatory authority concerned by a maximum period of three years if any application is made to the regulatory authority by the applicant within the validity period, together with an updated Form I, and Supplementary Form 1A for construction projects or activities (item 8 of the Schedule):

Provided further that the regulatory authority may also consult the Expert Appraisal Committee or State Level Expert Appraisal Committee or District Level Expert Appraisal Committee, as the case may be, for grant of such extension.

(iii) Where the application for extension under sub-paragraphs

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(i) and (ii) above has been filed---

(a) within thirty days after the validity period of Environmental Clearance, such cases shall be referred to concerned Expert Appraisal Committee or State Level Expert Appraisal Committee or District Level Expert Appraisal Committee and based on their recommendations, the delay shall be condoned at the level of the Joint Secretary in the Ministry of Environment, Forest and Climate Change or Member Secretary, State Level Expert Appraisal Committee or Member Secretary, District Level Expert Appraisal Committee, as the case may be;

(b) more than thirty days after the validity period of Environmental Clearance but less than ninety days after such validity period, then, based on the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee or District Level Expert Appraisal Committee, the delay shall be condoned with the approval of the Minister in charge of Environment, Forest and Climate Change or Chairman, as the case may be:

Provided that no condonation for the delay shall be granted for any application for extension filed beyond ninety days after the validity period of Environmental Clearance.

While the clause aforesaid prescribes specific validity periods for the ECs to be granted for various projects or activities, the same does not prescribe a specific validity period for the ECs to be issued for mining projects. Instead, it is provided therein that the validity of the ECs to be issued for mining projects shall be the project life as estimated by the expert appraisal committees concerned, subject to a maximum of 30 years. Likewise, though the clause aforesaid makes a provision for

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extension of the validity of the ECs issued for projects falling under clause 8 of the schedule to 2006 notification, there is no provision therein for extension of the validity of the ECs granted for mining projects. Further, there is also no provision in the notification for a fresh grant of EC for a project for which EC is granted once. In other words, the scheme of 2006 notification as far as mining projects are concerned, is that if it is found that EC is to be granted for a mining project, the same shall be granted for the life of the project as estimated by the expert appraisal committees concerned. In the said the view of the matter, according to me, the decision of SEIAA to limit the validity of the ECs to be granted for mining projects to 5 years, is against the terms and spirit of 2006 notification. As noted, SEIAA being a body constituted only for the purpose of exercising the powers of the Central Government in terms of 2006 notification, it cannot take a decision otherwise than in accordance with the notification, for it does not have any inherent power or authority. That does not mean that SEIAA cannot exercise any powers incidental to the powers vested in it in terms of the notification. SEIAA would certainly be justified

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in exercising powers incidental and ancillary to the powers conferred on it for the purpose of achieving the object of the notification, but it can never take any decision contrary to the terms of the notification or its scheme and spirit, whatever be the justification for the same. It is trite that where the power exercised by a quasi-judicial authority cannot reasonably be held to be incidental to the power expressly granted, the action would be *ultra vires* [See **Bishweshwar Dayal Sinha v. University of Bihar**, AIR 1965 SC 601]. Insofar as it was found that the petitioners in this batch of writ petitions were eligible for ECs in terms of 2006 notification, the regulatory authorities concerned should have granted to them ECs for the life of their respective projects. Similar view is seen taken by the High Court of Orissa in **MGM Minerals Ltd.**

18. As evident from clause 9 of the 2006 notification, the provision therein as regards the validity of the ECs to be granted for mining projects is that it shall be valid for the period of the project life as estimated by the appraisal committees concerned. In other words, it was obligatory for the appraisal committees concerned in all the cases to make an

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estimation of the life of each project. As rightly pointed out by the learned Additional Advocate General, the project life is not one to be estimated by the project proponents, but to be estimated by the appraisal committees concerned. Though it was submitted on behalf of some of the petitioners that the appraisal committees in their cases have made an estimation of the project life, on a meticulous examination of the materials, I am unable to accept the said contention. Further, as noted, as early as on 31.10.2014, SEIAA has decided to limit the ECs to be issued for mining projects to 5 years and therefore, there was no occasion at all for the expert appraisal committees concerned to make an estimation of the life of the projects of the petitioners.

19. I have already found that the decision of SEIAA to limit the validity of the ECs to be granted for mining projects to 5 years is against the terms and spirit of 2006 notification and the said decision is *ultra vires* the 2006 notification. In the said view the matter, Ext.P20 decision of SEIAA is illegal and without jurisdiction.

20. The learned Standing Counsel for SEIAA has

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made an attempt to justify Ext.P20 decision contending that the same was one issued to make the ECs to be granted in terms of 2006 notification in tune with the KMMC Rules. This is an afterthought. It is seen from Ext.P20 decision itself that the same was taken since it was felt that sufficient enforcement mechanism is not available in the State for monitoring compliance of the various conditions imposed in the matter of granting ECs. When a statutory functionary makes an order based on a ground, its validity must be judged by the reason so mentioned and cannot be supplemented by fresh reasons, for otherwise, an order which is bad at the beginning would get validated when it comes to the court on account of a challenge [**Mohinder Singh Gill v. The Chief Election Commissioner, New Delhi**, (1978) 1 SCC 405]. Be that as it may, since it is found that SEIAA has no authority to take a decision in the nature of Ext.P20, the reason that prompted SEIAA to take such a decision is irrelevant as well.

21. As regards the arguments advanced by the learned Additional Advocate General based on precautionary principle, I must state that the various principles evolved by

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the courts in environmental law such as polluter pays, sustainable development, precautionary principle etc. cannot be put forward in a case where the decision taken by the statutory authority is impugned for of want of jurisdiction. The aforesaid are only principles evolved to be followed as guiding principles while dealing with matters relating to environment.

22. As noted, the appraisal committees concerned have not estimated the life of the projects of the petitioners in any of the cases while making recommendations to the regulatory bodies for grant of ECs. As such, the declaration sought by the petitioners that they are entitled to ECs for the life of their respective projects as estimated by them cannot be granted. In other words, the life of the projects of the petitioners needs to be estimated by the appraisal committees concerned.

In the circumstances, the writ petitions are disposed of directing the regulatory bodies concerned to call for additional recommendations from the appraisal committees after estimating the life of the projects of the petitioners in respect of which ECs have been issued to them, and

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thereupon, re-validate the ECs granted to the petitioners, wherever necessary. It is made clear that in the matter of making estimation of the life of the projects in terms of this judgment, it will be open to the appraisal committees to call for additional information required and in that event, it will be obligatory for the petitioners to furnish the additional information called for. It is also made clear that the recommendations of the appraisal committees in this regard would not be binding on the regulatory bodies, and in the event the regulatory bodies disagree with the recommendations made by the appraisal committees as regards the project life of the petitioners, the regulatory bodies would be free to follow the procedure mentioned in clause 8 of 2006 notification in the matter of arriving at the conclusion as to the life of the projects of the petitioners, for the purpose of complying with the directions contained in this judgment. The directions aforesaid shall be complied with, within four months from today.

**P.B.SURESH KUMAR
JUDGE**

ds 21.10.2020

APPENDIX OF WP (C) 17533/2020**PETITIONER'S/S EXHIBITS:**

- EXHIBIT P1 TRUE COPY OF RELEVANT PAGES OF THE QUARRYING LEASE EXECUTED BETWEEN THE PETITIONER AND THE STATE DATED 19/3/2015.
- EXHIBIT P2 TRUE COPY OF THE CERTIFICATE OF ENVIRONMENTAL CLEARANCE BEARING DATED 5/12/2014 ISSUED TO THE PETITIONER.
- EXHIBIT P3 TRUE COPY OF NOTIFICATION NO.S.O.2484(E) , DATED 3/11/2011.
- EXHIBIT P4 TRUE COPY OF NOTIFICATION NO.S.O.804(E) , DATED 19/3/2015.
- EXHIBIT P5 TRUE COPY OF NOTIFICATION NO.S.O.4913(E) , DATED 19/9/2018.
- EXHIBIT P6 TRUE COPY OF THE INDEX OF THE APPLICATION SUBMITTED BY THE PETITIONER FOR ENVIRONMENTAL CLEARANCE DATED 20/3/2014.
- EXHIBIT P7 TRUE COPY OF THE RELEVANT PAGES OF THE CHECK LIST FOR MINING PROJECT WHICH FORM PART OF APPLICATION FOR ENVIRONMENTAL CLEARANCE DATED 20/3/2014.
- EXHIBIT P8 TRUE COPY OF RELEVANT PAGES OF FORM I APPLICATION SUBMITTED BY THE PETITIONER DATED 20/3/2014.
- EXHIBIT P9 TRUE COPY OF THE RELEVANT PAGES OF QUESTIONNAIRE FOR MINING PROJECT WHICH FORM PART OF APPLICATION FOR ENVIRONMENTAL CLEARANCE DATED 20/3/2014.
- EXHIBIT P10 TRUE COPY OF RELEVANT PAGES OF PRE-FEASIBILITY CUM ENVIRONMENT MANAGEMENT

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PLAN WHICH FORM PART OF APPLICATION OF ENVIRONMENTAL CLEARANCE DATED 20/3/2014.

- EXHIBIT P11 TRUE COPY OF GEOLOGICAL PLAN, SURFACE PLAN AND POST MINE CLOSURE PLAN WHICH FORM PART OF APPLICATION FOR ENVIRONMENTAL CLEARANCE DT. 20/3/2014.
- EXHIBIT P12 TRUE COPY OF THE RELEVANT PAGES OF THE QUARRYING PLAN SUBMITTED ALONG WITH THE APPLICATION FOR ENVIRONMENTAL CLEARANCE DT. 20/3/2014.
- EXHIBIT P13 TRUE COPY OF THE RELEVANT PAGES OF THE MINUTES OF THE 29TH MEETING OF THE 2ND RESPONDENT HELD ON 2ND AND 3RD MAY 2014.
- EXHIBIT P14 TRUE COPY OF THE RELEVANT PAGES OF THE MINUTES OF THE 32ND MEETING OF THE 2ND RESPONDENT HELD ON 12TH/13TH AUGUST 2014.
- EXHIBIT P15 TRUE COPY OF THE RELEVANT PAGES OF THE MINUTES OF THE MEETING OF THE 1ST RESPONDENT HELD ON 31/10/2014 DECIDING TO GRANT ENVIRONMENTAL CLEARANCE WITH A VALIDITY OF 5 YEARS.
- EXHIBIT P16 TRUE COPY OF THE RELEVANT PAGES OF THE APPLICATION SUBMITTED BY THE PETITIONER DT. 28/8/2019.
- EXHIBIT P17 TRUE COPY OF THE RELEVANT PAGES OF THE SCHEME OF MINING SUBMITTED BY THE PETITIONER FOR THE PERIOD 2019-2020 TO 2023-2024.
- EXHIBIT P18 TRUE COPY OF THE APPLICATION PREPARED BY THE PETITIONER FOR REQUESTING THE COPY THE MINUTES UNDER THE PROVISIONS OF RIGHT TO INFORMATION ACT, 2005 DATED 7/8/2020.

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- EXHIBIT P19** TRUE COPY OF THE EMAIL COMMUNICATION SENT BY THE PETITIONER ENQUIRING ABOUT THE MINUTES DATED 7/8/2020.
- EXHIBIT P20** (1). TRUE COPY OF THE RELEVANT PAGES OF MINUTES OF MEETING OF RESPONDENTS 1 AND 2 DOWNLOADED FROM THE WEB SITE OF THE 1ST RESPONDENT DATED 31/10/2014.
(2). TRUE COPY OF RELEVANT PAGES OF EXT. P20 VIZ PAGE NO.106 AND 107 OF THE WRIT PETITION.
- EXHIBIT P21** TRUE COPY OF THE RELEVANT PAGES OF MINUTES OF 89TH MEETING OF THE 1ST RESPONDENT DATED 27/2/2019.
- EXHIBIT P22** TRUE COPY OF THE RELEVANT PAGES OF MINUTES OF MEETING CONVENED AT THE INSTANCE OF GOVERNMENT DATED 15/5/2019.

APPENDIX OF WP (C) 10803/2020**PETITIONER'S/S EXHIBITS:**

- EXHIBIT P1** TRUE COPY OF THE ENVIRONMENT CLEARANCE CERTIFICATE NO 02/2017 DTD 29.03.20187 WITH FILE NO.DEIAA/EC2/2017 (P 977/16) ISSUED BY THE DISTRICT ENVIRONMENT IMPACT ASSESSMENT AUTHORITY, THIRUVANANTHAPURAM
- EXHIBIT P2** TRUE ABSTRACT COPY OF THE APPROVED MING PLAN OF THE PETITIONER
- EXHIBIT P3** TRUE COPY OF THE JUDGMENT DATED 24.12.2014 IN WPC NO.25211/2013 ON THE FILES OF THE HON'BLE HIGH COURT OF ORISSA AS REPORTED IN MANU/OR/0646/2014
- EXHIBIT P4** TRUE COPY OF AN ENVIRONMENTAL CLEARANCE CERTIFICATE DATED 10/12/2014 ISSUED BY THE 4TH RESPONDENT.
- EXHIBIT P4 (A)** TRUE COPY OF AN ENVIRONMENTAL CLEARANCE CERTIFICATE DATED 19/03/2015 PASSED BY THE 4TH RESPONDENT.
- EXHIBIT P5** TRUE COPY OF THE ABSTRACT OF THE DRAFT OF THE ENVIRONMENTAL IMPACT ASSESSMENT NOTIFICATION, 2020.

APPENDIX OF WP (C) 10860/2020**PETITIONER'S/S EXHIBITS:**

- EXHIBIT P1** TRUE COPY OF THE ENVIRONMENTAL CLEARANCE CERTIFICATE NO. 49 DTD 23-04-2016 WITH THE NO. 570/SKIAA/ECI/4174/2014 ISSUED BY THE 1ST RESPONDENT
- EXHIBIT P2** TRUE ABSTRACT COPY OF THE APPROVED MINING PLAN OF THE PETITIONER ALONG WITH THE COVERING LETTER DATED 25-11-2015 ISSUED BY THE 3RD RESPONDENT
- EXHIBIT P3** TRUE COPY OF THE JUDGMENT DATED 24-12-2014 IN WP(C) NO. 25211/2013 ON THE FILES OF THE HON'BLE HIGH COURT OF ORISSA AS REPORTED IN MANU/OR/0646/2014
- EXHIBIT P4** TRUE COPY OF AN ENVIRONMENTAL CLEARANCE CERTIFICATE DATED 10/12/2014 ISSUED BY THE 4TH RESPONDENT.
- EXHIBIT P4 (A)** TRUE COPY OF AN ENVIRONMENTAL CLEARANCE CERTIFICATE DATED 19/03/2015 PASSED BY THE 4TH RESPONDENT.
- EXHIBIT P5** TRUE COPY OF THE ABSTRACT OF THE DRAFT OF THE ENVIRONMENTAL IMPACT ASSESSMENT NOTIFICATION, 2020.

APPENDIX OF WP (C) 10862/2020**PETITIONER'S/S EXHIBITS:**

- EXHIBIT P1 TRUE COPY OF THE ENVIRONMENTAL CLEARANCE CERTIFICATE NO. 24/2017 DTD 31-03-2017 WITH FILE NO. 934/SEIAA/ECI/3911/2015 ISSUED BY THE 1ST RESPONDENT
- EXHIBIT P2 TRUE ABSTRACT COPY OF THE APPROVED MINING PLAN OF THE PETITIONER ALONG WITH THE COVERING LETTER DATED 07-09-2015 ISSUED BY THE 3RD RESPONDENT
- EXHIBIT P3 TRUE COPY OF THE JUDGMENT DATED 24-12-2014 IN WP(C) NO. 25211/2013 O THE FILES OF THE HON'BLE HIGH COURT OF ORISSA AS REPORTED IN MANU/OR/6646/2014
- EXHIBIT P4 TRUE COPY OF AN ENVIRONMENTAL CLEARANCE CERTIFICATE DATED 10/12/2014 ISSUED BY THE 4TH RESPONDENT.
- EXHIBIT P4 (A) TRUE COPY OF AN ENVIRONMENTAL CLEARANCE CERTIFICATE DATED 19/03/2015 ISSUED BY THE 4TH RESPONDENT.
- EXHIBIT P5 TRUE COPY OF THE ABSTRACT OF THE DRAFT OF THE ENVIRONMENTAL IMPACT ASSESSMENT NOTIFICATION, 2020.

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APPENDIX OF WP (C) 10880/2020

PETITIONER'S/S EXHIBITS:

- EXHIBIT P1** **TRUE COPY OF THE ENVIRONMENT CLEARANCE
CERTIFICATE DTD 24.0.2014 ISSUED BY
THE 1ST RESPONDENT**
- EXHIBIT P2** **TRUE COPY OF THE JUDGMENT DATED
24.12.2014 IN WPC NO.25211/2013 ON THE
FILES OF THE HON'BLE HIGH COURT OF
ORISSA AS REPORTED IN
MANU/OR/0646/2014**

APPENDIX OF WP (C) 11048/2020**PETITIONER'S/S EXHIBITS:**

- EXHIBIT P1 TRUE COPY OF THE ENVIRONMENTAL CLEARANCE CERTIFICATE NO 42/2016 DATED 23.4.2016 WITH NO 847/SEIAA/ECI/2859/2015 ISSUED BY THE 1ST RESPONDENT
- EXHIBIT P2 TRUE COPY OF THE JUDGMENT DATED 24.12.2014 IN WPC NO 25211/2013 ON THE FILES OF THE HON'BLE HIGH COURT OF ORISSA AS REPORTED IN MANU/OR/.0646/2014
- EXHIBIT P3 THE ABSTRACT COPY OF THE MINING PLAN DATED 26/02/2015 APPROVED BY THE 3RD RESPONDENT.
- EXHIBIT P4 TRUE COPY OF AN ENVIRONMENTAL CLEARANCE CERTIFICATE DATED 10/12/2014 ISSUED BY THE 4TH RESPONDENT.
- EXHIBIT P4 (A) TRUE COPY OF AN ENVIRONMENTAL CLEARANCE CERTIFICATE DATED 19/03/2015 ISSUED BY THE 4TH RESPONDENT.
- EXHIBIT P5 TRUE COPY OF THE ABSTRACT OF THE DRAFT OF THE ENVIRONMENTAL IMPACT ASSESSMENT NOTIFICATION, 2020.

APPENDIX OF WP (C) 11053/2020**PETITIONER'S/S EXHIBITS:**

- EXHIBIT P1** TRUE COPY OF THE ENVIRONMENTAL CLEARANCE CERTIFICATE NO. 158/2016 DTD. 30.09.2016 WITH FILE NO. 870/SEIAA/EC4/3101/2015 ISSUED BY THE 1ST RESPONDENT.
- EXHIBIT P1 (A)** TRUE COPY OF THE ERRATUM ORDER DATED 06.05.2017 ISSUED BY THE 1ST RESPONDENT.
- EXHIBIT P1 (B)** TRUE COPY OF THE ORDER DATED 17.03.2018 ISSUED BY THE 1ST RESPONDENT.
- EXHIBIT P2** TRUE ABSTRACT COPY OF THE APPROVED MINING PLAN OF THE PETITIONER ALONG WITH THE COVERING LETTER DATED 03.06.2015 ISSUED BY THE 3RD RESPONDENT.
- EXHIBIT P3** TRUE COPY OF THE JUDGMENT DATED 24.12.2014 IN WPC NO. 25211/2013 ON THE FILES OF THE HONBLE HIGH COURT OF ORISSA AS REPORTED IN MANU/OR/0646/2014.
- EXHIBIT P4** TRUE COPY OF AN ENVIRONMENTAL CLEARANCE CERTIFICATE DATED 10.12.2014 ISSUED BY THE 4TH RESPONDENT.
- EXHIBIT P4 (a)** TRUE COPY OF AN ENVIRONMENTAL CLEARANCE CERTIFICATE DATED 19.03.2015 ISSUED BY THE 4TH RESPONDENT.
- EXHIBIT P5** TRUE COPY OF THE RELEVANT PAGE OF THE DRAFT OF THE ENVIRONMENTAL IMPACT ASSESSMENT NOTIFICATION, 2020.

APPENDIX OF WP (C) 11079/2020**PETITIONER'S/S EXHIBITS:**

- EXHIBIT P1** TRUE COPY OF THE ENVIRONMENTAL CLEARANCE CERTIFICATE NO.43/2016 DATED 27.04.2016 WITH FILE NO.541/SEIAA/KL/3885/2014 ISSUED BY THE 1ST RESPONDENT
- EXHIBIT P2** TRUE ABSTRACT COPY OF THE APPROVED MINING PLAN TO THE PETITIONER APPROVED BY ORDER DATED 06.03.2015 ISSUED BY THE 3RD RESPONDENT
- EXHIBIT P3** TRUE COPY OF THE JUDGMENT DATED 24.12.2014 IN WP(C)NO.25211/2013 ON THE FILES OF THE HON'BLE HIGH COURT OF ORISSA AS REPORTED IN MANU/OR/0646/2014
- EXHIBIT P4** TRUE COPY OF AN ENVIRONMENTAL CLEARANCE CERTIFICATE DATED 10/12/2014 ISSUED BY THE 4TH RESPONDENT.
- EXHIBIT P4 (a) :** TRUE COPY OF AN ENVIRONMENTAL CLEARANCE CERTIFICATE DATED 19/03/2015 ISSUED BY THE 4TH RESPONDENT.
- EXHIBIT P5:** TRUE COPY OF THE RELEVANT PAGE OF THE DRAFT OF THE ENVIRONMENTAL IMPACT ASSESSMENT NOTIFICATION, 2020.

APPENDIX OF WP (C) 11106/2020**PETITIONER'S/S EXHIBITS:**

- EXHIBIT P1** TRUE COPY OF THE ENVIRONMENTAL CLEARANCE CERTIFICATE NO. 83/2016 DTD 01-06-2016 WITH NO. 752/SEIAA/KL/301/2015 ISSUED BY THE 1ST RESPONDENT
- EXHIBIT P2** TRUE COPY OF THE JUDGMENT DATED 24-12-2014 IN WP(C) NO. 25211/2013 ON THE FILES OF THE HON'BLE HIGH COURT OF ORISSA AS REPORTED IN MANU/OR/0646/2014
- EXHIBIT P3** TRUE ABSTRACT COPY OF THE MINE CLOSURE PLAN DATED 5/10/2018 APPROVED BY THE 3RD RESPONDENT
- EXHIBIT P4** TRUE COPY OF AN ENVIRONMENTAL CLEARANCE CERTIFICATE DATED 10/12/2014 ISSUED BY THE 4TH RESPONDENT
- EXHIBIT P4 (a)** TRUE COPY OF AN ENVIRONMENTAL CLEARANCE CERTIFICATE DATED 19/3/2015 ISSUED BY THE 4TH RESPONDENT
- EXHIBIT P5** TRUE COPY OF THE ABSTRACT OF THE DRAFT OF THE ENVIRONMENTAL IMPACT ASSESSMENT NOTIFICATION, 2020

APPENDIX OF WP (C) 11409/2020

PETITIONER'S/S EXHIBITS:

- EXHIBIT P1 TRUE COPY OF THE ENVIRONMENTAL CLEARANCE CERTIFICATE NO.40/2017 DATED 12.06.2017 WITH FILE NO.624/SE1AA/KL/4807/2014 ISSUED BY THE 1ST RESPONDENT.
- EXHIBIT P2 TRUE ABSTRACT COPY OF THE APPROVED MINING PLAN OF THE PETITIONER ALONG WITH THE COVERING LETTER DATED 23.01.2019 ISSUED BY THE 3RD RESPONDENT.
- EXHIBIT P3 TRUE COPY OF THE JUDGMENT DATED 24.12.2014 IN WP(C)NO.25211/2013 ON THE FILES OF THE HON'BLE HIGH COURT OF ORISSA AS REPORTED IN MANU/OR/0646/2014.
- EXHIBIT P4 TRUE COPY OF AN ENVIRONMENTAL CLEARANCE CERTIFICATE DATED 10.12.2014 ISSUED BY THE 4TH RESPONDENT.
- EXHIBIT P4 (a) TRUE COPY OF AN ENVIRONMENTAL CLEARANCE CERTIFICATE DATED 19.03.2015 ISSUED BY THE 4TH RESPONDENT.
- EXHIBIT P5 TRUE COPY OF THE RELEVANT PARA OF THE DRAFT OF THE ENVIRONMENTAL IMPACT ASSESSMENT NOTIFICATION, 2020.

RESPONDENT'S/S EXHIBITS:

- EXHIBIT R7 (a) : A TRUE PHOTOCOPY OF THE RELEVANT PAGES OF THE 59TH MEETING OF THE SEAC, KERALA HELD ON 11/07/2016 TO 12/07/2016.
- EXHIBIT R7 (b) : A TRUE PHOTOCOPY OF THE RELEVANT PAGES OF THE 34TH MEETING OF THE SEIAA, KERALA HELD ON 31/10/2014.

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**EXHIBIT R7 (c) : A TRUE PHOTOCOPY OF THE REPORT DATED
12/06/2019 OF THE TAHSILDAR,
NEDUMANGAD TO THE RDO, NEDUMANGAD.**

APPENDIX OF WP (C) 11614/2020**PETITIONER'S/S EXHIBITS:**

- EXHIBIT P1 TRUE COPY OF THE ENVIRONMENT CLEARANCE
CERTIFICATE NO.105/2017 DTD 29.12.2017
WITH FILE NO.873/SEIAA/ECI/3104/2015
ISSUED BY THE 1ST RESPONDENT
- EXHIBIT P2 TRUE ABSTRACT COPY OF THE APPROVED
MINING PLAN OF THE PETITIONER DATED
09.03.2015 ISSUED BY THE 3RD
RESPONDENT
- EXHIBIT P3 TRUE COPY OF THE JUDGMENT DATED
24.12.2014 IN WP(C) NO.25211/2013 ON
THE FILES OF THE HON'BLE HIGH COURT OF
ORISSA AS REPORTED IN
MANU/OR/0646/2014
- EXHIBIT P4 TRUE COPY OF AN ENVIRONMENTAL
CLEARANCE CERTIFICATE DATED 10/12/2014
ISSUED BY THE 4TH RESPONDENT
- EXHIBIT P4 (a) TRUE COPY OF AN ENVIRONMENTAL
CLEARANCE CERTIFICATE DATED 19/3/2015
ISSUED BY THE 4TH RESPONDENT
- EXHIBIT P5 TRUE COPY OF THE ABSTRACT OF THE DRAFT
OF THE ENVIRONMENTAL IMPACT ASSESSMENT
NOTIFICATION, 2020

APPENDIX OF WP (C) 11763/2020**PETITIONER'S/S EXHIBITS:**

- EXHIBIT P1** TRUE COPY OF THE ENVIRONMENT CLEARANCE CERTIFICATE NO.106/2017 DTD. 29/12/2017 WITH FILE NO.872/SEIAA/EC1/3103/2015 ISSUED BY THE 1ST RESPONDENT.
- EXHIBIT P2** TRUE ABSTRACT COPY OF THE APPROVED MINING PLAN OF THE PETITIONER DATED 09/03/2015 ISSUED BY THE 3RD RESPONDENT.
- EXHIBIT P3** TRUE COPY OF THE JUDGMENT DATED 24/12/2014 IN WP(C) NO.25211/2013 ON THE FILES OF THE HON'BLE HIGH COURT OF ORISSA AS REPORTED IN MANU/OR/0646/2014.
- EXHIBIT P4** TRUE COPY OF AN ENVIRONMENTAL CLEARANCE CERTIFICATE DATED 10.12.2014 ISSUED BY THE 4TH RESPONDENT.
- EXHIBIT P4 (A)** TRUE COPY OF AN ENVIRONMENTAL CLEARANCE CERTIFICATE DATED 19.03.2015 ISSUED BY THE 4TH RESPONDENT.
- EXHIBIT P5** TRUE COPY OF THE ABSTRACT OF THE DRAFT OF THE ENVIRONMENTAL IMPACT ASSESSMENT NOTIFICATION, 2020.

APPENDIX OF WP (C) 12391/2020**PETITIONER'S/S EXHIBITS:**

- EXHIBIT P1** TRUE COPY OF THE ENVIRONMENTAL CLEARANCE CERTIFICATE NO 09/2016 DATED 3.2.2016 WITH FILE NO 646/EC4/4942/2014/SEIAA ISSUED BY THE 1ST RESPONDENT
- EXHIBIT P2** TRUE ABSTRACT COPY OF THE APPROVED MINING PLAN OF THE PETITIONER DATED 3.3.2016 ISSUED BY THE 3RD RESPONDENT
- EXHIBIT P3** TRUE COPY OF THE JUDGMENT DATED 24.12.2014 IN WPC NO 25211/2013 ON THE FILES OF THE HON'BLE HIGH COURT OF ORISSA AS REPORTED IN MANU/OR/0646/2014
- EXHIBIT P4** TRUE COPY OF AN ENVIRONMENTAL CLEARANCE CERTIFICATE DATED 10.12.2014 ISSUED BY THE 4TH RESPONDENT.
- EXHIBIT P4 (A)** TRUE COPY OF AN ENVIRONMENTAL CLEARANCE CERTIFICATE DATED 19.03.2015 ISSUED BY THE 4TH RESPONDENT.
- EXHIBIT P5** TRUE COPY OF THE ABSTRACT OF THE DRAFT OF THE ENVIRONMENTAL IMPACT ASSESSMENT NOTIFICATION, 2020.

APPENDIX OF WP (C) 12420/2020**PETITIONER'S/S EXHIBITS:**

- EXHIBIT P1** TRUE COPY OF THE ENVIRONMENTAL CLEARANCE CERTIFICATE NO.58 DTD.10.08.2015 WITH FILE NO.200/SEIAA/EC4/86/2014 ISSUED BY THE 1ST RESPONDENT
- EXHIBIT P2** TRUE COPY OF THE LETTER DATED 20.03.2015 ISSUED BY THE 3RD RESPONDENT ALONG WITH THE ABSTRACT COPY OF THE APPROVED MING PLAN OF THE PETITIONER
- EXHIBIT P3** TRUE COPY OF THE JUDGMENT DATED 24.12.2014 IN WP(C) NO.25211/2013 ON THE FILES OF THE HON'BLE HIGH COURT OF ORISSA AS REPORTED IN MANU/OR/0646/2014
- EXHIBIT P4** TRUE COPY OF AN ENVIRONMENTAL CLEARANCE CERTIFICATE DATED 10/12/2014 ISSUED BY THE 4TH RESPONDENT.
- EXHIBIT P4 (a) :** TRUE COPY OF AN ENVIRONMENTAL CLEARANCE CERTIFICATE DATED 19/03/2015 ISSUED BY THE 4TH RESPONDENT.
- EXHIBIT P5 :** TRUE COPY OF THE ABSTRACT OF THE DRAFT OF THE ENVIRONMENTAL IMPACT ASSESSMENT NOTIFICATION, 2020.

APPENDIX OF WP (C) 12439/2020**PETITIONER'S/S EXHIBITS:**

- EXHIBIT P1 TRUE COPY OF THE ENVIRONMENTAL
CLEARANCE CERTIFICATE NO.DTD
29.11.2014 WITH FILE
NO.222/SEIAA/KL/349/2014 ISSUED BY THE
1ST RESPONDENT
- EXHIBIT P2 TRUE ABSTRACT COPY OF THE APPROVED
MINING PLAN OF THE PETITIONER DATED
25.01.2016 ISSUED BY THE 3RD
RESPONDENT
- EXHIBIT P3 TRUE COPY OF THE JUDGMENT DATED
24.12.2014 IN WP(C) NO.25211/2013 ON
THE FILES OF THE HON'BLE HIGH COURT OF
ORISSA AS REPORTED IN
MANU/OR/0646/2014
- EXHIBIT P4 TRUE COPY OF AN ENVIRONMENTAL
CLEARANCE CERTIFICATE DATED 10.12.2014
ISSUED BY THE 4TH RESPONDENT
- EXHIBIT P4 A TRUE COPY OF AN ENVIRONMENTAL
CLEARANCE CERTIFICATE DATED 19.3.2015
ISSUED BY THE 4TH RESPONDENT
- EXHIBIT P5 TRUE COPY OF THE ABSTRACT OF THE DRAFT
OF THE ENVIRONMENTAL IMPACT ASSESSMENT
NOTIFICATION, 2020

APPENDIX OF WP (C) 13113/2020**PETITIONER'S/S EXHIBITS:**

- EXHIBIT P1 TRUE COPY OF RELEVANT PAGES OF THE QUARRYING LEASE EXECUTED BETWEEN THE PETITIONER AND THE STATE DATED 1.4.2017.
- EXHIBIT P2 TRUE COPY OF RELEVANT PAGES OF THE MINUTES OF THE 39TH MEETING OF THE 2ND RESPONDENT, SEAC, HELD ON 14TH AND 15TH MAY, 2015.
- EXHIBIT P3 TRUE COPY OF THE RELEVANT PAGES OF THE MINUTES OF THE 39TH MEETING OF SEIAA HELD ON 18.6.2015.
- EXHIBIT P4 TRUE COPY OF THE CERTIFICATE OF ENVIRONMENTAL CLEARANCE BEARING DATED 10.8.2015 ISSUED TO THE PETITIONER.
- EXHIBIT P5 TRUE COPY OF THE INDEX OF THE APPLICATION SUBMITTED BY THE PETITIONER FOR ENVIRONMENTAL CLEARANCE DATED 12.5.2014.
- EXHIBIT P6 TRUE COPY OF RELEVANT PAGES OF THE CHECK LIST FOR MINING PROJECT WHICH FORM PART OF APPLICATION FOR ENVIRONMENTAL CLEARANCE DATED 12.5.2014.
- EXHIBIT P7 TRUE COPY OF RELEVANT PAGES OF FORM 1 APPLICATION SUBMITTED BY THE PETITIONER DATED 12.5.2014.
- EXHIBIT P8 TRUE COPY OF THE RELEVANT PAGES OF QUESTIONNAIRE FOR MINING PROJECT WHICH FORM PART OF APPLICATION FOR ENVIRONMENTAL CLEARANCE DATED 12.5.2014.
- EXHIBIT P9 TRUE COPY OF RELEVANT PAGES OF PRE-

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FEASIBILITY CUM ENVIRONMENT MANAGEMENT
PLAN WHICH FORM PART OF APPLICATION
FOR ENVIRONMENTAL CLEARANCE DATED
12.5.2014.

- EXHIBIT P10 TRUE COPY OF GEOLOGICAL PLAN, SURFACE
PLACE AND POST MINE CLOSURE PLAN WHICH
FORM PART OF APPLICATION FOR
ENVIRONMENTAL CLEARANCE.
- EXHIBIT P11 TRUE COPY OF THE RELEVANT PAGES OF THE
APPROVED MINING PLAN DATED 25.4.2015
SUBMITTED ALONG WITH THE APPLICATION
FOR ENVIRONMENTAL CLEARANCE.
- EXHIBIT P12 TRUE COPY OF REPLY DATED 23.6.2020
SUBMITTED BY THE PETITIONER.
- EXHIBIT P13 TRUE COPY OF CERTIFICATE DATED
2.3.2020 ISSUED BY THE SR.MANAGER,
FEDERAL BANK, MUKKOM BRANCH, SHOWING
DETAILS OF LOANS AVAILED BY THE
PETITIONER.
- EXHIBIT P14 TRUE COPY OF LETTER OF INTENT ISSUED
BY THE DIRECTOR, MINING & GEOLOGY
DIRECTORATE, DATED 24.4.2015.

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APPENDIX OF WP (C) 15089/2020

PETITIONER'S/S EXHIBITS:

- EXHIBIT P1** TRUE COPY OF THE ENVIRONMENTAL CLEARANCE CERTIFICATE NO.72/2016 DT. 31/05/2016 WITH FILE NO.602/SEIAA/EC4/4629/2014 ISSUED BY THE 1ST RESPONDENT.
- EXHIBIT P2** TRUE ABSTRACT COPY OF THE APPROVED MINING PLAN OF THE PETITIONER DATED 28/10/2015 ISSUED BY THE 3RD RESPONDENT.
- EXHIBIT P2 (A)** TRUE COPY OF THE ORDER DATED 01/11/2016 WITH NO.470/2016-17/12907/M3/2015 ISSUED BY THE 6TH RESPONDENT.
- EXHIBIT P2 (B)** TRUE COPY OF THE QUARRYING LEASE DATED 18/11/2016 VALID TILL 17/11/2022 ISSUE TO THE PETITIONER.
- EXHIBIT P3** TRUE COPY OF THE JUDGMENT DATED 24/12/2014 IN WP(C) NO.25211/2013 ON THE FILES OF THE HON'BLE HIGH COURT OF ORISSA AS REPORTED IN MANU/OR/0646/2014.

APPENDIX OF WP (C) 15507/2020**PETITIONER'S/S EXHIBITS:**

- EXHIBIT P1 TRUE COPY OF THE APPLICATION FOR ENVIRONMENTAL CLEARANCE DATED 14.2.2015 WITHOUT ANY APPENDICES INCLUDING PLANS, DRAWINGS
- EXHIBIT P2 TRUE COPY OF THE RELEVANT PAGES OF THE MINUTES OF THE 39TH MEETING OF THE 2ND RESPONDENT, SEAC, HELD ON 14TH AND 15TH MAY, 2015
- EXHIBIT P3 TRUE COPY OF THE RELEVANT PAGES OF THE MINUTES OF THE 39TH MEETING OF SEIAA HELD ON 18.6.2015
- EXHIBIT P4 TRUE COPY OF THE ENVIRONMENTAL CLEARANCE DATED 10.8.2015
- EXHIBIT P5 TRUE COPY OF THE QUARRYING PERMIT DATED 07.06.2016
- EXHIBIT P6 TRUE COPY OF THE PERMIT VALID UPTO 9.8.2020 DATED 13.7.2020
- EXHIBIT P7 TRUE COPY OF THE APPLICATION DATED 30.06.2020 WITHOUT ANNEXURES AND APPENDICES

APPENDIX OF WP (C) 18778/2020**PETITIONER'S/S EXHIBITS:**

- EXHIBIT P1** TRUE COPY OF THE ENVIRONMENTAL CLEARANCE CERTIFICATE NO.38/2017 DATED 01.06.2017 WITH FILE NO.724/SEIAA/KL6074/2014 ISSUED BY THE 1ST RESPONDENT.
- EXHIBIT P2** TRUE ABSTRACT COPY OF THE APPROVED MINING PLAN OF THE PETITIONER DATED 10.08.2015 ISSUED BY THE 3RD RESPONDENT.
- EXHIBIT P2 (a)** TRUE COPY OF THE QUARRYING LEASE DATED 03.05.2019 VALID TILL 02.05.2024 ISSUED TO THE PETITIONER.
- EXHIBIT P3** TRUE COPY OF THE JUDGMENT DATED 24.12.2014 IN WP(C) NO. 25211/2013 ON THE FILES OF THE HON'BLE HIGH COURT OF ORISSA AS REPORTED IN MANU/OR/0646/2014.
- EXHIBIT P4** TRUE COPY OF THE ENVIRONMENTAL CLEARANCE CERTIFICATE DATED 10.12.2014 ISSUED BY THE 4TH RESPONDENT.
- EXHIBIT P4 (a)** TRUE COPY OF AN ENVIRONMENTAL CLEARANCE CERTIFICATE DATED 19.03.2015 ISSUED BY THE 4TH RESPONDENT.
- EXHIBIT P5** TRUE ABSTRACT OF THE DRAFT OF THE ENVIRONMENTAL IMPACT ASSESSMENT NOTIFICATION, 2020.

APPENDIX OF WP (C) 18929/2020**PETITIONER'S/S EXHIBITS:**

- EXHIBIT P1 TRUE COPY OF RELEVANT PAGES OF THE QUARRYING LEASE EXECUTED BETWEEN THE PETITIONER AND THE STATE DATED 19.2.2018, VALID UPTO 18.2.2030.
- EXHIBIT P2 TRUE COPY OF THE CERTIFICATE OF ENVIRONMENTAL CLEARANCE BEARING DATED 23.9.2020 ISSUED TO THE PETITIONER, VALID UPTO 23.9.2022.
- EXHIBIT P3 TRUE COPY OF NOTIFICATION NO.S.O. 190 (E) DATED 20.1.2016.
- EXHIBIT P4 TRUE COPY OF THE INDEX OF THE APPLICATION SUBMITTED BY THE PETITIONER FOR ENVIRONMENTAL CLERANCE DATED 27.3.2017.
- EXHIBIT P5 TRUE COPY OF THE RELEVANT PAGES OF THE CHECK LIST FOR MINING PROJECT WHICH FORM PART OF APPLICATION FOR ENVIRONMENTAL CLEARANCE DATED 27.3.2017.
- EXHIBIT P6 TRUE COPY OF RELEVANT PAGES OF FORM 1 APPLICATION SUBMITTED BY THE PETITIONER DATED 27.3.2017.
- EXHIBIT P7 TRUE COPY OF RELEVANT PAGES OF PRE-FEASIBILIITY CUM ENVIRONMENT MANAGEMENT PLAN WHICH FORM PART OF APPLICATION FOR ENVIRONMENTAL CLEARANCE DATED 27.3.2017.
- EXHIBIT P8 TRUE COPY OF GEOLOGICAL PLAN, SURFACE PLAN AND POST MINE CLOSURE PLAN WHICH FORM PART OF APPLICATION FOR ENVIRONMENTAL CLEARANCE DT. 27.3.2017.
- EXHIBIT P9 TRUE COPY OF THE RELEVANT PAGES OF THE

W.P.(C) Nos. 17533 of 2020 & con. cases

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QUARRYING PLAN SUBMITTED ALONG WITH
THE APPLICATION FOR ENVIRONMENTAL
CLEARANCE DT. 20.3.2014.

- EXHIBIT P10 TRUE COPY OF THE RELEVANT PAGES OF THE
MINUTES OF THE 4TH MEETING OF THE 2ND
RESPONDENT HELD ON 12.5.2017.
- EXHIBIT P11 TRUE COPY OF THE RELEVANT PAGES OF THE
MINUTES OF THE 5TH MEETING OF THE 2ND
RESPONDENT HELD ON 9.6.2017.
- EXHIBIT P12 TRUE TYPED COPY OF THE RELEVANT PAGES
OF THE MINUTES OF THE 1ST RESPONDENT
HELD ON 3.8.2017.
- EXHIBIT P13 TRUE COPY OF THE RELEVANT PAGES OF THE
MINUTES OF THE JOINT MEETING OF THE
4TH AND 5TH RESPONDENTS DATED
31.10.2014.

APPENDIX OF WP (C) 19032/2020**PETITIONER'S/S EXHIBITS:**

- EXHIBIT P1 TRUE COPY OF THE ENVIRONMENTAL CLEARANCE CERTIFICATE NO.39/2016 DTD. 04.03.2016 WITH FILE NO.763/SEIAA/ECI/447/2015 ISSUED BY THE 1ST RESPONDENT.
- EXHIBIT P2 TRUE ABSTRACT COPY OF THE APPROVED MINING PLAN OF THE PETITIONER ISSUED BY THE 3RD RESPONDENT.
- EXHIBIT P2 (A) TRUE COPY OF THE ORDER DATED 09.04.2018 WITH NO.20/2018-19/6475/M3/2017/DMG ISSUED BY THE 6TH RESPONDENT.
- EXHIBIT P2 (B) TRUE COPY OF THE QUARRYING LEASE DATED 18.04.2018 VALID TILL 17.04.2028 ISSUE TO THE PETITIONER.
- EXHIBIT P3 TRUE COPY OF THE JUDGMENT DATED 24.12.2014 IN WP(C) NO.25211/2013 ON THE FILES OF THE HON'BLE HIGH COURT OF ORISSA AS REPORTED IN MANU/OR/0646/2014
- EXHIBIT P4 TRUE COPY OF AN ENVIRONMENTAL CLEARANCE CERTIFICATE DATED 10.12.2014 ISSUED BY THE 4TH RESPONDENT.
- EXHIBIT P4 (A) TRUE COPY OF AN ENVIRONMENTAL CLEARANCE CERTIFICATE DATED 19.03.2015 ISSUED BY THE 4TH RESPONDENT.
- EXHIBIT P5 TRUE ABSTRACT OF THE DRAFT OF THE ENVIRONMENTAL IMPACT ASSESSMENT NOTIFICATION, 2020.

APPENDIX OF WP (C) 19039/2020**PETITIONER'S/S EXHIBITS:**

- EXHIBIT P1 TRUE COPY OF RELEVANT PAGES OF THE QUARRYING LEASE EXECUTED BETWEEN THE PETITIONER AND THE STATE DATED 26.7.2017 VALID UP TO 25.7.2029.
- EXHIBIT P2 TRUE COPY OF THE CERTIFICATE OF ENVIRONMENTAL CLEARANCE BEARING DATED 17.6.2017 ISSUED TO THE PETITIONER VALID UP TO 16.6.2022.
- EXHIBIT P3 TRUE COPY OF NOTIFICATION NO. S.O. 190 (E) DATED 20.1.2016.
- EXHIBIT P4 TRUE COPY OF THE INDEX OF THE APPLICATION SUBMITTED BY THE PETITIONER FOR ENVIRONMENTAL CLEARANCE DATED 03.12.2016.
- EXHIBIT P5 TRUE COPY OF THE RELEVANT PAGES OF THE CHECK LIST FOR MINING PROJECT WHICH FORM PART OF APPLICATION FOR ENVIRONMENTAL CLEARANCE DATED 03.12.2016.
- EXHIBIT P6 TRUE COPY OF RELEVANT PAGES OF FORM 1 APPLICATION SUBMITTED BY THE PETITIONER DATED 3.12.2016.
- EXHIBIT P7 TRUE COPY OF RELEVANT PAGES OF PRE FEASIBILITY CUM ENVIRONMENTAL MANAGEMENT PLAN WHICH FROM PART OF APPLICATION FOR ENVIRONMENTAL CLEARANCE DATED 03.12.2016.
- EXHIBIT P8 TRUE COPY OF THE GEOLOGICAL PLAN, SURFACE PLAN AND POT MINE CLOSURE PLAN WHICH FROM PART OF APPLICATION FOR ENVIRONMENTAL CLEARANCE DT. 03.12.2016.

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- EXHIBIT P9** TRUE COPY OF THE RELEVANT PAGES OF THE QUARRYING PLAN SUBMITTED ALONG WITH THE APPLICATION FOR ENVIRONMENTAL CLEARANCE DT. 03.12.2016.
- EXHIBIT P10** TRUE COPY OF THE RELEVANT PAGES OF THE MINUTES OF THE 2ND MEETING OF THE 2ND RESPONDENT HELD ON THE 1.2.2017.
- EXHIBIT P11** TRUE COPY OF THE RELEVANT PAGES OF THE 3RD MEETING OF THE 2ND RESPONDENT HELD ON 28.4.2017.
- EXHIBIT P12** TRUE COPY OF THE RELEVANT PAGES OF 1ST MEETING OF THE 1ST RESPONDENT, DATED 16.5.2017.
- EXHIBIT P13** TRUE COPY OF THE RELEVANT PAGE OF DECISION TAKEN BY THE 4TH AND 5TH RESPONDENTS IN THEIR JOINT MEETING HELD ON 31.10.2014.

APPENDIX OF WP (C) 19589/2020**PETITIONER'S/S EXHIBITS:**

- EXHIBIT P1 TRUE COPY OF RELEVANT PAGES OF THE QUARRYING LEASE EXECUTED BETWEEN THE PETITIONER AND THE STATE DATED 27/9/2017, VALID UPTO 26/9/2029.
- EXHIBIT P2 TRUE COPY OF THE CERTIFICATE OF ENVIRONMENTAL CLEARANCE BEARING DATED 15/7/2017 ISSUED TO THE PETITIONER, VALID UPTO 15/7/2022.
- EXHIBIT P3 TRUE COPY OF NOTIFICATION NO.S.O.190 (E) , DATED 20/1/2016.
- EXHIBIT P4 TRUE COPY OF THE INDEX OF THE APPLICATION SUBMITTED BY THE PETITIONER FOR ENVIRONMENTAL CLEARANCE DATED 1/12/2016.
- EXHIBIT P5 TRUE COPY OF RELEVANT PAGES OF FORM 1 APPLICATION SUBMITTED BY THE PETITIONER DATED 1/12/2016.
- EXHIBIT P6 TRUE COPY OF RELEVANT PAGES OF PRE-FEASIBILITY CUM ENVIRONMENT MANAGEMENT PLAN WHICH FORM PART OF APPLICATION FOR ENVIRONMENTAL CLEARANCE DATED 1/12/2016.
- EXHIBIT P7 TRUE COPY OF GEOLOGICAL PLAN, SURFACE PLAN AND POST MINE CLOSURE PLAN WHICH FORM PART OF APPLICATION FOR ENVIRONMENTAL CLEARANCE DT. 1/12/2016.
- EXHIBIT P8 TRUE COPY OF THE RELEVANT PAGES OF THE QUARRYING PLAN SUBMITTED ALONG WITH THE APPLICATION FOR ENVIRONMENTAL CLEARANCE DT. 1/12/2016.
- EXHIBIT P9 TRUE COPY OF THE RELEVANT PAGES OF THE MINUTES OF THE 1ST MEETING OF THE 2ND

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RESPONDENT HELD ON 12/1/2017.

EXHIBIT P10 TRUE COPY OF THE RELEVANT PAGES OF THE
MINUTES OF THE 3RD MEETING OF THE 2ND
RESPONDENT HELD ON 28/4/2017.

EXHIBIT P11 TRUE COPY OF THE RELEVANT PAGES OF THE
MINUTES OF THE 1ST RESPONDENT HELD ON
23/5/2017.

EXHIBIT P12 TRUE COPY OF THE RELEVANT PAGES OF THE
MINUTES OF THE JOINT MEETING OF THE
4TH AND 5TH RESPONDENTS DATED
31/10/2014.

W.P.(C) Nos. 17533 of 2020 & con. cases

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APPENDIX OF WP (C) 19629/2020

PETITIONER'S/S EXHIBITS:

- EXHIBIT P1 A TRUE COPY OF THE QUARRYING LEASE
DATED 14.07.2008.
- EXHIBIT P2 A TRUE COPY OF THE ENVIRONMENTAL
CLEARANCE DATED 10.08.2015.
- EXHIBIT P3 A TRUE COPY OF THE EIA NOTIFICATION,
2006 (RELEVANT PAGES ONLY).
- EXHIBIT P4 A TRUE COPY OF THE APPLICATION FOR
RENEWAL OF QUARRYING LEASE DATED
20.07.2018.
- EXHIBIT P5 A TRUE COPY OF THE ORDER DATED
14.09.2020 IN WP(C)NO.18794/2020.
- EXHIBIT P6 A TRUE COPY OF THE EIA NOTIFICATION,
1994 (RELEVANT PAGES ONLY).
- EXHIBIT P7 A TRUE COPY OF THE RECEIPT FOR RENEWAL
OF QUARRYING LEASE SUBMITTED ON
14.07.2020.

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS

TUESDAY, THE 17TH DAY OF MARCH 2020 / 27TH PHALGUNA, 1941

WP(C).No.8210 OF 2020(A)

PETITIONER:

K.SADANANDAN
AGED 62 YEARS
AMBADIYIL NEW BUNGLOW, PANNIVIZHA, ADOOR P.O.,
PATHANAMTHITTA.

BY ADVS.
SRI.PAUL JACOB (P)
SRI.ENOCH DAVID SIMON JOEL
SRI.RONY JOSE
SRI.GEORGE A.CHERIAN
SRI.LEO LUKOSE
SHRI.AMAL AMIR ALI

RESPONDENTS:

- 1 THE STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY
PALLIMUKKU- KANNAMMOOLA RD, OVERBRIDGE, VELAKUDI,
THIRUVANANTHAPURAM-695 024, REPRESENTED BY ITS MEMBER
SECRETARY.
- 2 THE MEMBER SECRETARY,
STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY,
PALLIMUKKU-KANNAMMOOLA RD, OVERBRIDGE, VELAKUDI,
THIRUVANANTHAPURAM-695 024.
- 3 THE DISTRICT GEOLOGIST,
DEPARTMENT OF MINING AND GEOLOGY,
DISTRICT OFFICE, MINI CIVIL STATION,
ARANMULA P.O., PATHANAMTHITTA-689 533.

BY ADVS.
R1 & R2 BY SRI.M.P.SREEKRISHNAN, SC,
SRI.K.J.MANU RAJ, GOVT.PLEADER

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
17.03.2020, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ALEXANDER THOMAS, J.

W.P.(C)No.8210 of 2020

Dated this the 17th day of March, 2020

JUDGMENT

The case set up in this Writ Petition (Civil) is as follows:-

Petitioner is operating a quarry with all requisite licenses and permits including Ext.P1 EC. Ext.P1 EC was granted on 10.08.2015. Unfortunately, while granting the EC, the validity of an EC was noted as 5 years instead of 7 years. The 1st respondent failed to note that as per Ext.P2 Notification dated 29.04.2015 issued by the Central Government, Clause 9(i) of the Environmental Impact Assessment Notification, 2006 was amended and the validity of an EC was made 7 years. Subsequently Ext.P3 OM was also issued by the Central Government clarifying that the amendment will operate retrospectively also. A conjoint reading of Ext.P2 and Ext.P3 notifications make it abundantly clear that the validity of an EC granted after Ext.P2 notification can only be 7 years. In such circumstances the validity of Ext.P1 EC granted to the petitioner is 7 years and therefore the same will expire only on 09.08.2022.

Petitioner is finding it extremely difficult to convince the various statutory authorities that Ext.P1 EC granted to the petitioner will expire only on 09.08.2022. without a declaration from this Hon'ble Court that the validity of Ext.P1 EC is for 7 years expiring only on 09.08.2022, petitioner will be put to great loss and hardships.

2. It is in the light of the above factual averments and contentions that the petitioner has filed instant Writ Petition (Civil) with the following prayers:-

- "i) Issue a writ in the nature of a declaration, declaring that the validity of Ext.P1 EC issued to the Petitioner is 7 years, thereby expiring only on 09.08.2022.*
- ii) Issue such other appropriate writ order or direction that may be deemed to be just and equitable in the facts and circumstances of the case."*

3. Heard Sri.Enoch David Simon Joel, learned counsel appearing for the petitioner, Sri.M.P. Sreekrishnan, learned Standing Counsel appearing for 1st and 2nd respondents (State Environment Impact Assessment Authority) and Sri. K.J. Manu Raj, learned Government Pleader appearing for 3rd respondent District Geologist.

4. Earlier, as per the notification issued by the Government of India, Ministry of Environment and Forest Climate Change, the validity period of Environmental Clearance

Certificate issued by the State Environment Impact Assessment Authority under the relevant provisions and the notification issued under the Environment Protection Act 1996 is for a period of five years from the date of its issuance. Later, the competent authority of the Government of India, Ministry of Environment, Forest and Climate Change, vide Ext.P2 Statutory Order No.1141 (E) dated 29.04.2015 ordering that hence forth the validity period of Environmental Clearance Certificate would be for a priod of seven years. By Ext.P3 Office Memorandum dated 12.04.2016 the competent authority of the Government of India, Ministry of Environment, Forest and Climate Change has also clarified that the benefit of Ext.P2 would enure not only to Environmental Clearance Certificates issued on or after the date of issuance of Ext.P2 Statutory Order dated 29.04.2015, but also to Environmental Clearance Certificate which are pending and valid as on the date of issuance of Ext.P2 Statutory Order dated 29.04.2015.

5. In the instant case, petitioner is not seeking the benefit of Ext.P3 clarification dated 12.04.2016. As according to the petitioner, Ext.P1 Environmental Clearance has been actually issued on 10.08.2015 by the 1st respondent, after the issuance of

Ext.P2 Statutory Order dated 29.04.2015 by the Ministry of Environment, Forest and Climate Change, etc. However, the complaint of the petitioner is that though Ext.P1 Environmental Clearance has been issued on 10.08.2015, which is after Ext.P2 Statutory Order dated 29.04.2015, for reasons not known to the petitioner, the officials in the 1st respondent has ordered in Ext.P1 that the validity period Ext.P1 is for a period of five years from the date of its issuance. Petitioner would point out that presumably this would be on account of following the previous format whereby it stipulates that the validity of Environmental Clearance Certificate is for a period of five years. Petitioner would further point out that in view of the mandate contained in Ext.P2 Statutory Order issued on 29.04.2015 by the competent authority of the Government of India, Ministry of Environment, Forest and Climate Change, the validity period of Environmental Clearance Certificate issued to the petitioner vide Ext.P1 on 10.08.2015, which is issued about four months after Ext.P2 Statutory Order dated 29.04.2015, should also be for a period of seven years from the date of issuance of Ext.P1, etc.

6. After hearing both sides, this Court is of the considered view that the above said contentions of the petitioner commends

acceptance by this Court. It is beyond any dispute that Ext.P1 Environmental Clearance Certificate has been issued on 10.08.2015, which after the issuance of Ext.P2 Statutory Order dated 29.04.2015. Ext.P2 would mandate that the validity period of the Environmental Clearance will be for a period of seven years, since Ext.P1 has been admittedly issued after issuance of Ext.P2 Statutory Order dated 29.04.2015 and the validity period of Ext.P1 Environmental Clearance will be for a period of seven years, from the date of issuance. In the circumstances, it is ordered and declared accordingly. No further orders are required in this proceedings.

With these observations and directions, the above Writ Petition (Civil) will stand finally disposed of subject to the conditions, petitioner would be bound by all the other terms and conditions imposed in Ext.P1 Environmental Clearance and applicable notifications issued in that regard by the competent authority.

Sd/-

ALEXANDER THOMAS

JUDGE

Skk

APPENDIX**PETITIONER'S EXHIBITS:**

- EXHIBIT P1** TRUE COPY OF THE ENVIRONMENTAL
CLEARANCE CERTIFICATE NO 58 DATED
10.8.2015 WITH FILE NO
200/SEIAA/EC4/86/2014 ISSUED BY THE
1ST RESPONDENT
- EXHIBIT P2** TRUE COPY OF SO 1141 (E) DATED
29.4.2015 ISSUED BY THE MINISTRY OF
ENVIRONMENT AND FOREST (MOEF) UNION
OF INDIA.
- EXHIBIT P3** TRUE COPY OF THE OFFICE MEMORANDUM
DATED 12.4.2016 ISSUED BY THE
MINISTRY OF ENVIRONMENT AND FOREST
AND CLIMATE CHANGE (MOEF) , UNION OF
INDIA

RESPONDENTS' EXHIBITS: NIL

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS

THURSDAY, THE 18TH DAY OF JUNE 2020 / 28TH JYAISHTA, 1942

RP.No.397 OF 2020 IN WP(C). 8210/2020

AGAINST THE ORDER/JUDGMENT IN WP(C) 8210/2020 (A) OF HIGH COURT
OF KERALA

REVIEW PETITIONER/RESPONDENT NO.1 & 2 IN WP:

- 1 THE STATE ENVIRONMENT IMPACT ASSESSMENT
AUTHORITY- KERALA,
KSRTC BUS TERMINAL COMPLEX, 4TH FLOOR,
THAMPANOR, THIRUVANANTHAPURAM-695001,
REPRESENTED BY ITS MEMBER SECRETARY.
- 2 THE MEMBER SECRETARY,
THE STATE ENVIRONMENT IMPACT ASSESSMENT
AUTHORITY, KSRTC BUS TERMINAL COMPLEX, 4TH FLOOR,
THAMPANOR, THIRUVANANTHAPURAM-695001.

BY ADV. SRI.M.P.SREEKRISHNAN

RESPONDENTS/PETITIONER AND RESPONDENT NO.3 IN WP:

- 1 K.SADANANDAN,
AMBADIYIL NEW BANGLAW, PANNIVIZHA, ADOOR P.O.,
PATHANAMTHITTA.
- 2 THE DISTRICT GEOLOGIST,
DEPARTMENT OF MINING AND GEOLOGY, DISTRICT
OFFICE, COLLECTORATE, KOTTAYAM-686002.

R1-SRI. ENOCH DAVID SIMON JOEL
SRI. K.J.MANU RAJ, GP

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON
18.06.2020, ALONG WITH RP.398/2020, THE COURT ON THE SAME DAY
PASSED THE FOLLOWING:

RP.Nos.397/2020& 398/2020

2

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS

THURSDAY, THE 18TH DAY OF JUNE 2020 / 28TH JYAISHTA, 1942

RP.No.398 OF 2020 IN WP(C). 6649/2020

AGAINST THE ORDER/JUDGMENT IN WP(C) 6649/2020 (E) OF HIGH
COURT OF KERALA

REVIEW PETITIONER/RESPONDENT NO.2 IN WP:

THE STATE ENVIORNMENT IMPACT ASSESSMENT AUTHORITY
-KERALA

K.S.R.T.C BUS TERMINAL COMPLEX, 4TH FLOOR,
THAMPANOR, THIRUVANANTHAPURAM-695 001,
REPRESENTED BY ITS MEMBER SECRETARY.

BY ADV. SRI.M.P.SREEKRISHNAN

RESPONDENTS/PETITIONER AND RESPONDENT NO.1 IN WP:

- 1 KARIMALA GRANITES AND AGGREGATES PVT. LTD.
PATHANAD, KANGEZHA P.O.KOTTAYAM, REPRESENTED BY
ITS MANAGING DIRECTOR, SRI. K.J.THOMASKUTTY,
PINCODE-686 541.
- 2 THE DISTRICT GEOLOGIST,
DEPARTMENT OF MINING AND GEOLOGY, DISTRICT
OFFICE, COLLECTORATE, KOTTAYAM-686 002.

R1-SRI. ENOCH DAVID SIMON JOEL
SRI. K.J.MANU RAJ, GP

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON
18.06.2020, ALONG WITH RP.397/2020, THE COURT ON THE SAME DAY
PASSED THE FOLLOWING:

ALEXANDER THOMAS, J.

=====
 R.P. No. 397/2020 in W.P.(C)No.8210/2020

&

R.P. No.398/2020 in W.P.(C)No.6649/2020
 =====

Dated this the 18th day of June, 2020

O R D E R

The above said Review Petitions have been filed by the respondent Nos. 1 and 2 in the W.P.(C)s (Kerala State Environment Impact Assessment Authority), to impugn the judgment dated 17.03.2020 rendered by this Court in W.P.(C) No.8210/2020 and the judgment dated 05.03.2020 rendered in W.P.(C)No. 6649/2020 filed by the respective Writ Petitioners concerned.

2. Heard Sri.M.P. Sreekrishnan, the learned Standing Counsel appearing for the Review Petitioners, Kerala State Environment Impact Assessment Authority and Sri. Enoch David Simon Joel, the learned counsel appearing for R1 in these Review Petitions as well as K.J. Manuraj, the learned Government Pleader appearing for the 2nd respondent District Geologist.

3. Both sides have been heard. The main contention urged by Sri.M.P. Sreekrishnan, the learned Standing Counsel for the

Kerala State Environment Impact Assessment Authority, appearing for the Review Petitioners is to the effect that as per activity 1a(i) to the Schedule of the Environment Impact Assessment Notification, 2006, the operation of a quarry would come under the category of **"mining of minerals"** and not under the second limb thereof and that therefore Exts.P2 and P3 will have no application in the instant case, inasmuch as Exts.P2 and P3 are amendments concerned with the second limb of the abovesaid provision which have nothing to do with mining and quarrying activity.

4. After having heard both sides, this Court is of the considered view that the above said contentions of the Review Petitioners have not been adverted to and considered by this Court in the impugned judgments in the W.P.(C)s. It is true that the Review Petitioners herein (respondents 1 and 2 in the W.P.(C)) have not raised such a contention in the writ proceedings. Since the said contention is one which would go to the root of the matter, it is only fair and just that the impugned judgments are recalled, so that the Writ proceedings have to be decided afresh.

5. Sri.Enoch David Simon Joel, the learned counsel appearing for respondent No.1 in these Review Petitions (Writ

Petitioners), would submit on the basis of instructions of his parties that if that be the view that this Court is so inclined to take, then leave may be granted to the Writ Petitioners to withdraw the above said Writ Petitions with liberty to file a fresh Writ Petition in the matter, since the petitioners have better contention to advance if the first limb of the abovesaid provision governs the field etc. The learned counsel appearing for the Review Petitioners and the learned Government Pleader appearing for the 2nd respondent District Geologist have no serious objection to the said course of action. Accordingly, the following directions /orders are passed:

(i) The impugned judgment in W.P.(C).No.8210/2020 dated 17.03.2020 and the impugned judgment in W.P.(C).No.6649/2020 dated 05.03.2020 will stand recalled and set aside. Consequently, the above said Writ Petitions will stand restored to file.

(ii) The Writ Petitioners are permitted to withdraw the above said W.P.(C).Nos.8210/2020 and W.P.(C).No.6649/2020 with liberty to work out their remedies in the manner known to law.

Accordingly, it is further ordered that, both the Writ Petitions, W.P(C).Nos.8210/2020 and W.P.(C).No.6649/2020, will stand

RP.Nos.397/2020& 398/2020

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dismissed as withdrawn with the said liberty.

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

sd/-
ALEXANDER THOMAS
JUDGE

DM

//TRUE COPY//

PA TO JUDGE

Dept. of Mining & Geology
 District Office, Pathanamthitta
 Near Kendriya Vidyalaya
 KIP Building, Adoor P.O.
 Email: geo.pat.dmg@kerala.gov.in
 Dated: 31-01-2023.

No: 1556/DOPTA/M/2018

From

Geologist
 Pathanamthitta.

To

The Administrator
 State Environment Impact Assessment Authority
 Thiruvananthapuram.

Sir,

Sub : Complaint against the granite building stone quarry of Sri. Sadanandan –
 report – forwarding of – reg.

Ref: That office letter No. 200/SEIAA/EC4/86/2014 dated 24-06-2022.

Kindly see the reference cited above. As directed this office inspected the quarry owned by Sadanandan on 28-01-2023. The quarry is situated in the flank of a hillock namely Thodiyurulipara. As per available office records it is seen that the quarry owner Sri. Sadanandan started the quarry operation in this area from 2014 onwards. Several quarrying leases are issued in this area from Director of Mining & Geology in the name of Ambadi Granites & J & S Granites. The last concession issued in the area was a quarrying permit for 86.27 Ares and validity of this quarrying permit expired on 31-03-2021 and further no concession was issued till date.

An application from M/s. J & S Granites was received in this office on 20-06-2018 for extraction of granite building stone in Sy. No. 147/1, 147/2, 147/3, 147/4, 147/5, 147/8, 147/9, 147/10, 148, 149/4 with an extent of 6.0980 Hectares in V-Kottayam village, Konni Taluk. Accordingly a site inspection was conducted from this office and forwarded the quarrying lease application to the Directorate of Mining & Geology for issuing quarrying lease. Now this application is pending before the Directorate of Mining & Geology.

It is seen that several complaints are received in this office from Gramarakshasamithi against the quarrying operation of Sri. Sadanandan. On close verification of the quarry it is seen that several benches are developed by the length-width ratio of the benches are not continuous. A temple is seen on the North-East boundary of the quarry which includes a permanent building and 2 temporary buildings. The distance of the temple from the J & S Granites applied area is 87 metres.

This is for your kind information.



Yours faithfully,

Mour
 102 GEOLOGIST

No. 316/2021

Village Office. V-Kottayam
Date: 19/07/2021

Affidavit

I hereby state that the land included under resurvey nos. 147/1 147/2 147/3, 149/4, 152/6, 152/8, 152/10, 152/12, 152/14, 152/15, 146/1 of Block 31, V-Kottayam Village, Konni Thaluk, Pathanamthitta District is recorded as 'homestead' in the 5th Column of Basic Land Tax Register wherein it is required to describe the type of land as to whether it is a ground/homestead/plantation/forest/outlying land/land for which tax is not paid.

This certificate is provided to be submitted before the office of Member Secretary, SEIAA Thiruvananthapuram.

Village Officer

V-Kottayam

No. 565/2021

Village Office, V-Kottayam

Date: 24/12/2021

Village Officer,
V-Kottayam.

Administrator,
State Environment Impact Assessment Authority (SEIAA),
Thampanoor, Thiruvananthapuram-695 001

Sir,

Subject: Regarding description of type of land.

Reference: Letter dated 5/10/2021 with No. 200/SEIAA/EC4/86/2014.

I invite your attention to the above-mentioned reference letter. The land included under resurvey nos. 147/1 147/2 147/3, 149/4, 152/6, 152/8, 152/10, 152/12, 152/14, 152/15, 146/1 of Block 31, V-Kottayam Village, Konni Thaluk, Pathanamthitta District is recorded as 'homestead' in the BTR. The plantation tax of the impugned land formed from being bought from properties belonging to different owners, is collected as land owner as per Section 2(5) of Kerala Plantation Tax Act, 1960. According to this Act, tax reassessment is to be carried out whenever yielding trees are cut in the land and when there is change in the ownership of the land. The order issued as per Section 81(1)(e) of the Kerala Land Reforms Act 1963, stating that the land is excluded from the ceiling area being a "plantation" is not available in the office. It is reported for the purpose of follow-up action that, had this order stating that this land being plantation property is excluded from the ceiling area, been available, permission to conduct quarrying in the said land could have been refused.

Yours faithfully,

Village Officer,
V-Kottayam



भारत सरकार
Government of India

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय
Ministry of Environment, Forest & Climate Change
एकीकृत क्षेत्रीय कार्यालय, बंगलुरु - 560 034
Integrated Regional Office, Bangalore - 560 034



4th Floor, E & F- Wings, Kendriya Sadan,
17th Main Road, II Block
Koramangala.

Tel. No. 080-25635901, E.mail: rosz.bng-mefcc@gov.in

EP/12.1/2014-15/12/SEIAA/KER/ 835

Dated: 20th October, 2021

To

Sri. K. Sadanandan,
Proponent
Ampadiyil New Bungalow,
Pannivizha, MG Road, Adoor,
Pathanamthitta Dt.,
Kerala - 691 523.
E-mail : ampadiyilgroup@yahoo.com.
Website: www.ampadiyil.com.

Subject: Environmental clearance for the proposed building stone quarry project at V-Kottayam Village, Konni Taluk, Pathanamthitta District, Kerala by M/s. Sri. K. Sadanandan - Certified Compliance Report (CCR) -reg.

Ref. No.: i. No. 200/SEIAA/EC4/86/2014 dated 10th August, 2015.
ii. Your letter dated 06.04.2021, 16.04.2021 and 19.08.2021.

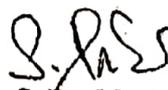
Sir,

This has reference to your letter vide dated 6th April, 2021 requesting for Certified Compliance Report (CCR) for the above-mentioned project. It is informed that the project was monitored on 28th July, 2021 by this office. The compliance to the various conditions of environment clearance is Satisfactory. The copy of the report is enclosed for reference.

These issues with approval of Competent Authority.

Enclosed: As above.

Yours faithfully,


(Dr. S. Prabhu)
Scientist - C/ Dy. Director(S)

GOVERNMENT OF INDIA
Ministry of Environment, Forest and Climate Change
Integrated Regional Office
Bangalore-34

MONITORING REPORT

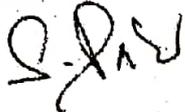
PART - I

F. No. EP/12.1/2014-15/12/SEIAA/KER

- | | | |
|---|------------------------------------|--|
| 1 | Name of the project | Environmental clearance for the proposed building stone quarry project at V-Kottayam Village, Konni Taluk, Pathanamthitta District, Kerala by M/s. Sri. K. Sadanandan - reg. |
| 2 | Clearance letter No.& date | No. 200/SEIAA/EC4/86/2014 dated 10 th August, 2015. |
| 3 | Location: District & State / UT | V-Kottayam Village, Konni Taluk, Pathanamthitta District, Kerala. |
| 4 | Address for correspondence: | Sri. K. Sadanandan, Proponent
Ampadiyil New Bungalow,
Pannivizha, MG Road, Adoor,
Pathanamthitta Dt., Kerala - 691 523.
E-mail : ampadivilgroup@yahoo.com .
Website: www.ampadivil.com . |
| 5 | Date of site visit for this report | 28 th July, 2021 |
| 6 | Date of previous visit(s) if any | -- |

7. **Brief on the project along with the present status:** The project was inspected on 28th July, 2021 by this office. Sri. K. Sadanandan - Proponent, Mr. Jayachandra Panicker, RQP, Mr. Arun Kumar, R. - Environmental Consultant and other staffs of the project were present during the inspection.

- i. **Environmental Clearance:** The project was granted Environmental Clearance by SEIAA, Kerala vide No. 200/SEIAA/EC4/86/2014 dated 10th August, 2015 for the Building Stone Quarry. The total quarry lease area of project is 15.3829 Ha. Out of the total area 15.3829 Ha, 11.1004ha is Government land and remaining 4.2825 Ha is private own land. The quarrying of Building stone of total capacity is 5,13, 000 MTA per year and valid for 5 years (09.08.2020). As per the Ministry Notification number SO. 2346(E) dated 16 June 2021, the validity of EC for the projects expiring in the financial year 2020-2021 and 2021- 2022 has been extended till 31 Dec, 2021.
- ii. **Integrated consent for operation:** PA has valid consent from KSPCB granted vide letter QCO/PTA/5/R4/2021 dated 14/01/2021 and is valid up to 9th August, 2022 for discharge of effluents under the Water (Prevention and Control of Pollution) Act 1974 and Emissions under the Air (Prevention and Control of Pollution) Act 1981.
- iii. **Quarry Lease:** It was noted that PA has obtained 13 quarry leases permission form Director of Mining and Geology, Kerala for 14.93 ha of own private land and Government land at various survey numbers at V-Kottayam Village, Konni Taluk, Pathanamthitta District, Kerala. Out of 13 lease, one lease is valid up to 11th February, 2022 (vide No 3/2021-22/2766/DOPTA/M/2020 dated 3rd April, 2021) with quarrying capacity is 55, 970 MT.
- iv. **ENVIRONMENTAL SAFEGUARDS:** It is observed that the quarry is under operation stage. Further, it was noted form the visit as well as from the records that PA has taken several steps for environmental safeguards, as follows:



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1. **Water usage:** As per information from PA, during the quarry operation, the water requirement per day was 35.3 KLD (Domestic - 1.8 KLD, Dust Suppression - 32 KLD and Green Belt - 1.5 KLD) and it was obtained from borewell for domestic and Storm water for dust suppression & green belt.
 2. **Noise and Vibration Control:** The major sources of noise are from working machinery, drilling, blasting and plying of vehicles. PA has informed that to control noise, has carried out certain measures such as proper maintenance of machinery, supply and usage of personal protective devices i.e., earmuffs, ear plugs etc. by workers working in high noise areas, maintenances of wide green belt of dense foliage between mine areas and residential colonies etc. The sound levels are monitored through an NABL accredited laboratory during the quarry operation and the monitored results are well within the permissible limits. To reduce the blast vibrations, it is reported that controlled blasting technique is adopted and the maximum charge per delay is not more than 10kg to limit the PPV values to 10mm/sec.
 3. **Dust Control:** It was noted that water sprinklers were used in the quarry area for the suppression of dust and a fixed water spray has been installed at the crusher unit.
 4. **Green Belt Development:** Based on the site visit and as per the records submitted by PA, plantation has been carried on all internal roads and main roads of the quarry areas with plants like *Bambusa bambos*, *Artocarpus hirsutus*, *Syzygium cumini*, *Mimusops elengi*, *Delonix regia*, *Mangifera indica* etc., According to the PA, green belt has been developed so far in about 1.7 ha with 2500 plants. Further, PA has developed green belt in own land of 07 Ha in Sy. No. 151/13.
 5. **Rainwater Harvesting:** It was noted that PA has made arrangement for collection of rainwater in old mining pits (capacity 2,50,000 liters. The surface runoff is channelized to the mining pit through garland drains after siltation. The rainwater is used for the plantation and dust suppression.
 6. **CSR activities:** Based on the records, PA has donated Rs. 1,01,40,964/- under Corporate Social commitment on surrounding villages from 2015 to 2020 for various activities like development of school infra structure, construction of bus shelter, Rs. 5 lakhs to Kerala Chief Ministers Disaster Relief Fund etc., Further, PA has donated Rs 1 lakh/year for panchayath Biodiversity Management Committee and all bill copies & photos evidence submitted to this office.

It was noted that PA has complied with the EC conditions like Rain water harvesting, Garland drains around quarry, Silt settling pits, sedimentation tanks, green belt developments, solar energy systems, dust controls measure form quarry area, display of blasting time signs boards, maintains of quarry bench height, regular monitoring of Ambient Air, noise and water and advisement about grant of EC etc. PA has submitted six monthly EC compliance report, obtained all statutory clearance from various departments.

The project proponent now intends to go for validity extension of EC from SEIAA, Kerala and hence has sought the certified compliance report. Based on the records, observation during the inspection and information provided by PA a detailed compliance report is prepared. The status of compliance to the conditions stipulated in the environmental clearance is Satisfactory.


 Dr. S. Prabhu
 Scientist 'C'

Part-II - Compliance status in details

Sl. No.	EC conditions	Compliances
SPECIFIC CONDITIONS:		
1	Blasting to be limited to predefined times and not more than 2 times a day.	Complied. Based on the records and as informed by PA, blasting is strictly done two times between 10 am to 11 am and 3.0 to 4.0 pm.
2	Ultimate depth of mining to be defined by the stream bed. But it must be reported with reference to MSL.	Complied As per the record's, highest elevation is 180 MSL, lowest elevation is 120 MSL. During visit, PA has informed that current production bench is at 130m MSL and nearest stream bed level observed at 102 m. Further, PA has assured that they will not interrupt the Stream bed level.
3	Reclamation and eco-restoration should be done by planting indigenous tree species.	Complied As per the Mine closer plan, PA has proposed various activities like., 1.1 ha for water pond, 3 ha for backfilling of the dump material, 0.9 ha for over dump plantation and 1.7 ha retained as Green belt with indigenous tree species. It was observed that plantation has been carried on all internal roads and main roads of the quarry areas with plants like <i>Bambusa bambos</i> , <i>Artocarpus hirsutus</i> , <i>Syzygium cumini</i> , <i>Mimusops elengi</i> , <i>Delonix regia</i> , <i>Mangifera indica</i> . etc According to the PA, green belt has been developed so far in about 1.7 ha with 2500 plants. Further, PA has carried out afforestation in (Own land) 07 Ha in Sy. No. 151/13 has been afforested with additional plantation.
GENERAL CONDITIONS:		
1	Rain Water Harvesting capacity should be installed as per the prevailing provisions of KMBR/KPBR, unless otherwise specified elsewhere.	Complied It was noted that PA has made arrangement for collection of rainwater in old mining pits (capacity 2,50,000 liters.) The surface runoff is channelized to the mining pit through garland drains after siltation. The rainwater is used for the plantation and dust suppression.

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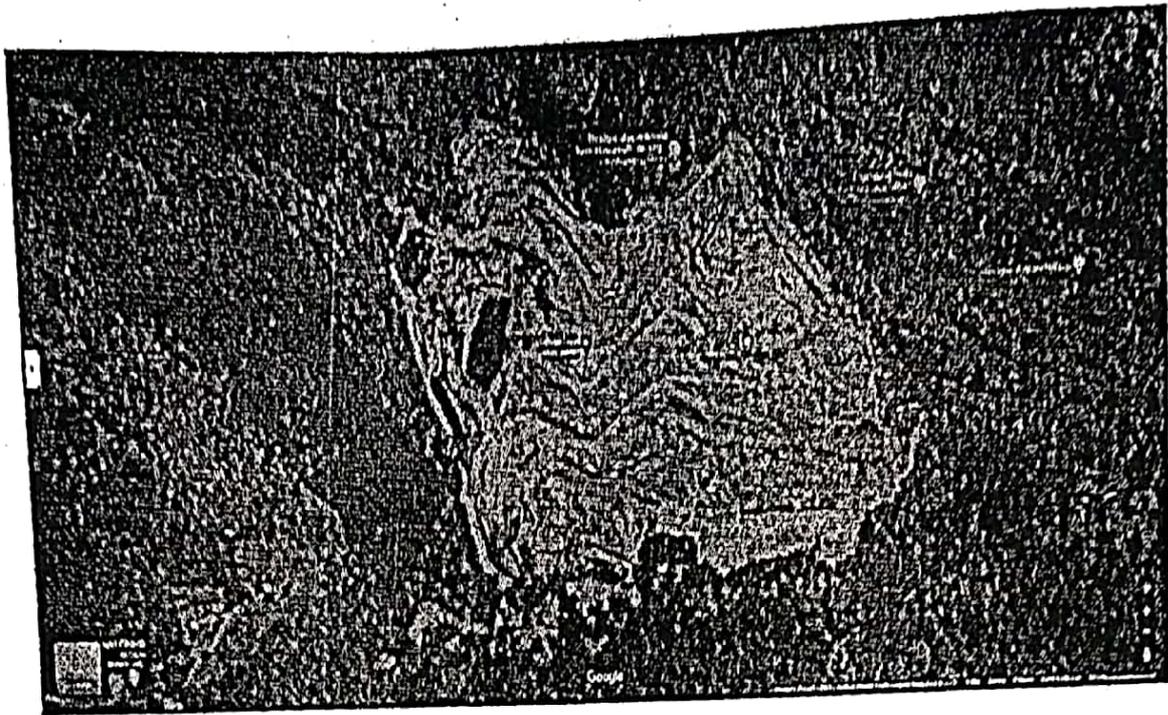
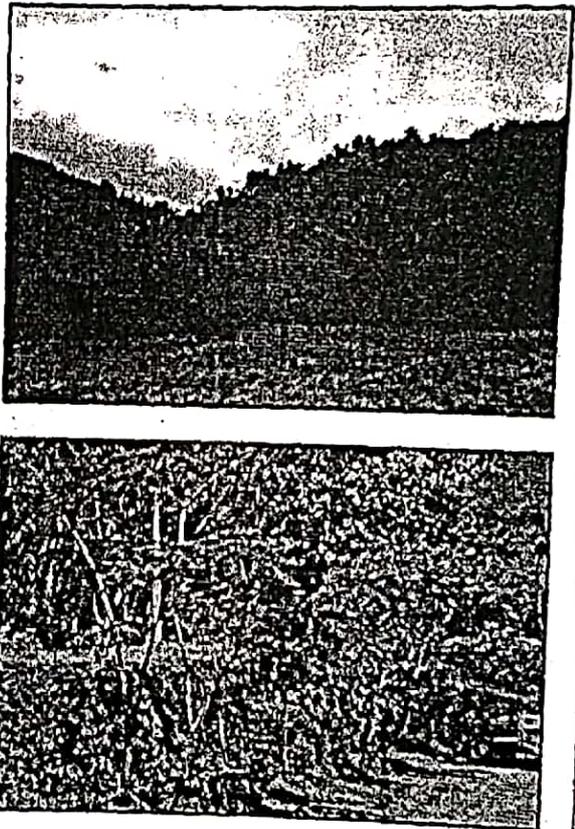


Fig. 1. Google Earth Image of the project site.



Fig. 2. View of Quarry site.

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<p>2</p>	<p>Environment monitoring cell as agreed under the affidavit filed by the proponent should be formed and made functional.</p>	<p>Complied. Based on the records PA has established an environment monitoring cell to look after the environmental management and Mr. K. Sadanandan is head of the cell.</p>
<p>3</p>	<p>Suitable avenue trees should be planted along either side of the tarred road and open parking areas, if any, inclusive of approach road and internal roads.</p>	<p>Complied. Based on the site visit and as per the records submitted by PA, plantation has been carried on all internal roads and main roads of the quarry areas with plants like <i>Bambusa bambos</i>, <i>Artocarpus hirsutus</i>, <i>Syzygium cumini</i>, <i>Mimusops elengi</i>, <i>Delonix regia</i>, <i>Mangifera indica</i>. etc According to the PA, green belt has been developed so far in about 1.7 ha with 2500 plants. Further, PA has developed green belt in own land of 07 Ha in Sy. No. 151/13.</p> <div style="text-align: center;">  </div> <p style="text-align: center;">Fig.3. Green belt at project area.</p>
<p>4</p>	<p>Maximum possible solar energy generation and utilization shall be ensured as an essential part of the project.</p>	<p>Complied. As observed, PA has installed 10 solar lights in common areas and internal roads.</p>

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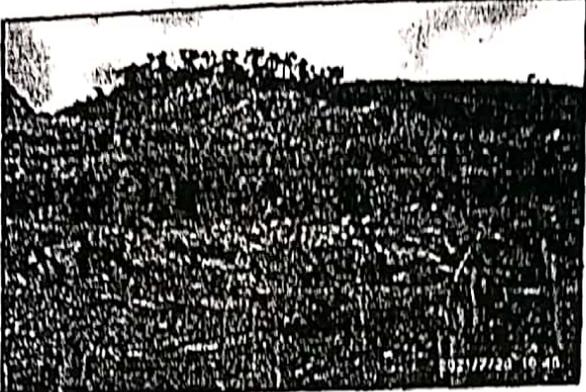
5	Sprinklers shall be installed and used in the project site to contain dust emissions.	<p>Complied.</p> <p>During the visit, it was noted that PA has installed 16 Nos of sprinklers in the quarry area and two water tanker vehicles along with sprinklers for the purpose of dust suppressions at internal roads.</p>
6	Eco-restoration including the mine closure plan shall be done at the own cost of the project proponent.	<p>Complied.</p> <p>PA has submitted a copy of mine closure plan along with eco- restoration to this office and assured that they follow the same.</p>
7	At last 10 percent out of the total excavated pit area should be retained as water storage areas and the Remaining area should be reclaimed with stacked dumping and overburden and planted with indigenous Plant species that are eco-friendly.	<p>Complied.</p> <p>During the visit, PA has informed that they follow the mine closure plan and assured to retain ten percent of total excavated pit area for rainwater harvesting.</p>
8	Corporate Social Responsibility (CSR) agreed up on by the proponent should be implemented.	<p>Complied</p> <p>Based on the records, PA has donated Rs. 1,01,40,964/- under Corporate Social commitment on surrounding villages from 2015 to 2020 for various activities like development of school infra structure, construction of bus shelter, Rs. 5 lakhs to Kerala Chief Ministers Disaster Relief Fund etc., Further, PA has donated Rs 1 lakh/year for panchayath Biodiversity Management Committee.</p>
9	The lease area shall be fenced off with barbed wires to a minimum height of 4ft around, before starting of mine.	<p>Complied</p> <p>During the visit, it was noted that PA has provided 4ft high barbed wire/barricade fencing at all around the lease area.</p> <div data-bbox="911 1272 1190 1704" data-label="Image"> </div> <p>Fig.4. Boundary pillar with GPS and barricade fencing with metal wires.</p>

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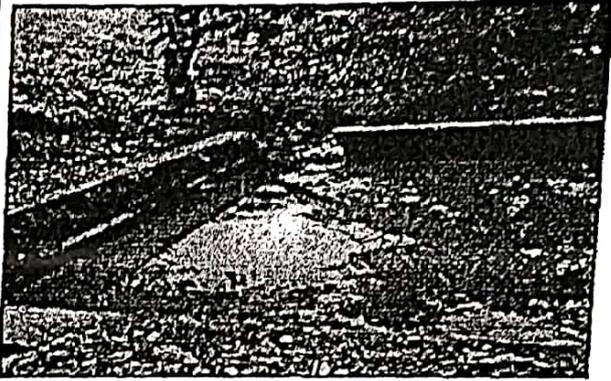
10	Warning alarms indicating the time of blasting (to be done at specific timings) has to be arranged as per stipulations of Explosive Department.	Complied PA has installed one warning alarm at project site.
11	Control measures on noise and vibration prescribed by KSPCB should be implemented.	Complied The major sources of noise are from working machinery, drilling, blasting and plying of vehicles. Based on the records and information from PA during operation they have carried out certain measures to control noise like proper maintenance of machinery, supply and usage of personal protective devices i.e., earmuffs, ear plugs etc. by workers working in high noise areas, maintenances of wide green belt of dense foliage between mine areas and residential colonies etc. As per the records, the sound levels are monitored through an NABL accredited laboratory during the quarry operation and the monitored results are well within the permissible limits. To reduce the blast vibrations, it is reported that controlled blasting technique is adopted and the maximum charge per delay is not more than 10kg to limit the PPV values to 10mm/sec.
12	Quarrying activities should be limited to daytime as per KSPCB guidelines.	Complied As per the records quarry working time is 7 am to 5:30 pm and follow the KSPCB guidelines.
13	Blasting should be done in a controlled manner as specified by the regulations of Explosives Department or any other concerned agency.	Complied Based on the records and as informed by PA blasting is strictly done two times between 10 am to 11 am and 3.0 to 4.0 pm and they followed regulations of Explosives Department.
14	A licensed person should supervise/control the blasting operations.	Complied Based on the information / records submitted by PA, Shri. Umesh Kumar Prasad is the licensed person in mining operations.
15	Access roads to the quarry shall be tarred to contain dust emissions that may arise during transportation of materials.	Complied It was observed that haulage road is maintained in motorable conditions and the access roads are tarred.
16	Overburden materials should be managed within the site and the old quarries, if any, should be restored.	Complied PA has stored topsoil alongside of retaining wall at the site.

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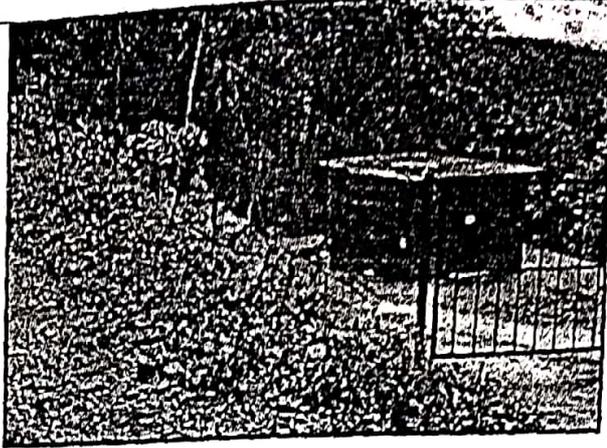
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17	<i>Height of benches should not exceed 5m and width should not be less than 5m.</i>	<p>Complied.</p> <p>PA has provided the required bench and slope in the mine area.</p>  <p>Fig.5. Hight of the bench at the quarry area.</p>
18	<i>Mats to reduce fly rock blast to a maximum of 10PPV should be provided.</i>	<p>Complied</p> <p>Based on the records, they are using blasting mats, NONEL technology for control of fly rocks during the time of blasting.</p>
19	<i>Maximum depth of mining form general ground level at site shall not exceed 10 m.</i>	<p>Complied</p> <p>Please refer specific conditions No - 2.</p>
20	<i>No mining operations should be carried out at places having a slope greater than 45°</i>	<p>Complied.</p> <p>PA informed that initially, the mining activities were carried out based on Short Term Permit (STP) issued by Department of Mining and Geology, Kerala which did not prescribe any bench and slope. Thereafter, PA has obtained EC from SEIAA and followed the slope patten.</p>
21	<i>Acoustic enclosures should have been provided to reduce sound amplifications in addition to the provisions of green belt and hollow brick envelop for crushers so that the noise level is kept within prescribed standards given CPCB/KSPCB.</i>	<p>Complied</p> <p>During the visit, it was noted that PA has provided acoustic enclosures at crushers unit and DG sets. Based on the records, Noise levels are within the prescribed limits.</p>
22	<i>The workers on the site should be provided with the required protective equipment's such as ear muffs, helmet, etc.</i>	<p>Complied'</p> <p>During the visit, it is noted that workers using helmet, ear muffs and other PPEs.</p>
23	<i>Garland drains with clarifiers to be provided in the lower slopes around the core area to channelize storm water.</i>	<p>Complied</p> <p>It was noted that garland drains are provided to channelize the storm water to the RWH pond. The</p>

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		<p>collected water, after passing through the de-siltation tanks is used for dust suppression and plantation, excess if any is let into the mainstream. Further, PA has made arrangement for collection of rainwater in to the RWH pond as it converted an old pit in the project area. Rainwater is used for sprinkling on haulage road for dust suppression and also for the plantation.</p> <p>Clarified water after passing through Silt Traps having dimension of each tank is 2.5 x 2 x 2 m only let into the Natural Drainage.</p>  <p>Fig.6. Silting tank at project area.</p>
24	<p><i>The transportation of minerals should be done in covered trucks to contain dust emissions.</i></p>	<p>Complied</p> <p>It was noted that transportation vehicles are covered with tarpaulin.</p>
25	<p><i>The proponent should plant trees at least-5 times of the loss that has been occurred while clearing the land for the project.</i></p>	<p>Please refer the conditions No. 3.</p>
26	<p><i>Disposal of spent oil form diesel engines should be as specified under relevant Rules / Regulations.</i></p>	<p>Complied</p> <p>As per the information from PA, they have handed over spent oils to KSPCB authorized persons.</p>
27	<p><i>Explosives should be stored in magazines in isolated place specified and approved by the Explosives Department.</i></p>	<p>Complied.</p> <p>It was observed that explosives are stored in magazines in isolated place.</p>

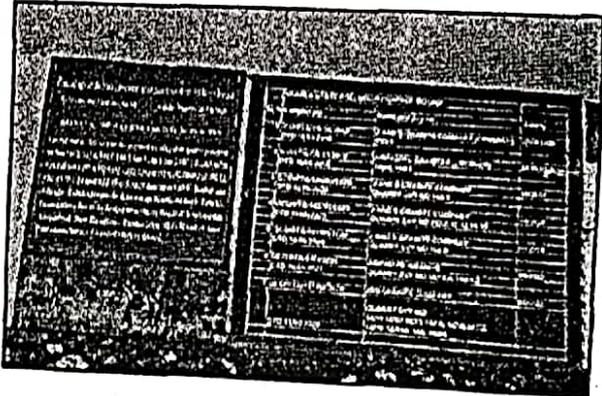
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		Fig.7. Explosives stored in isolated place.
28	A minimum buffer distance of 100m from the boundary of the quarry to the nearest dwelling unit or other structures, not being any facility for mining shall be provided.	<p>Complied.</p> <p>It was observed that no dwelling units within the distance of 100m from the boundary of the quarry.</p>
29	200 m buffer distance should be maintained from forest boundaries.	<p>Complied</p> <p>Based on the records and information from PA, there are no forest area near the quarry.</p>
30	Consent from Kerala State Pollution Control Board under Water and Air Act(s) should be obtained before initiating activity.	<p>Complied</p> <p>PA has obtained Integrated consent for operation (For Quarry) from KSPCB vide letter QCO/PTA/5/R4/2021 issued 14/01/2021 and is valid up to 9th August, 2022 for discharge of effluents under the Water (Prevention and Control of Pollution) Act 1974 and Emissions under the Air (Prevention and Control of Pollution) Act 1981.</p>
31	All other statutory clearances should be obtained, as applicable, by project proponents from the respective competent authorities including that for blasting and storage of explosives.	<p>Complied</p> <p>PA has obtained the following Clearances:</p> <ol style="list-style-type: none"> 1. NOC from Panchayath License no: Panchayath License - LA No 449/2021 in appeal no: 194/2021 valid till 15/04/2021. 2. License from the Petroleum and Explosive Safety organization for possession for use of explosives from magazine (License No: E/SC/KL/22/556 (E21408) dt 13/03/2019 valid till 31/03/2024. 3. Quarry Permit Renewed from Department of Mining and Geology P. No. 3/2021-22/2766/DOPTA/M/2020 date 03-04-2021 valid till 11-02-2022.

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		4. Non-objection certificate from District Collector reg renewal of quarry lease.
32	In the case of any change(s) in the scope of the project the project would require afresh appraisal by this Authority.	PA is aware of this EC Condition.
33	The Authority reserves the right to add additional safeguard if found necessary, and to take action including revoking of the environment clearance under the provisions of the Environment(Protection) Act, 1989 to ensure effective implementation of the suggested safeguard measures in a time bound and satisfactory manner.	PA is aware of this EC Condition.
34	The stipulation by statutory Authorities under different Acts and Notification should be complied with, including the provisions of Water (Prevention and Control of Pollution) Act, 1974 , the Air (Prevention and control of Pollution) at 1981, the Environment (Protection) Act, 1986, the Public Liability (Insure acne) Act, 1991 and EIA Notification, 2006.	PA is aware of this EC Condition.
35	The project proponent should advertise in at least two local newspapers widely circulated in the region, one of which (both the advertisement and the newspaper) shall be in the vernacular language informing that the project has been accorded Environmental Clearance and copies of clearance letters are available with the Department of Environmental and Climate Change, Govt. of Kerala and may also be seen on the website of the Authority at www.seiaakerala.org in the advertisement should be made within 10 days from the date of receipt of the Clearance letter and a copy of the same signed in all Pages should be forwarded to the office of the Authority as confirmation.	Complied PA have published the advertisement on ' The Hindu' (English Daily) on 23/09/2015 and Mathrubhoomi (Malayalam Daily) on 23/09/2015.
36	A copy of the clearance letter shall be sent by the proponent to concerned Grama Panchayat /District Panchayat/Municipality/ Corporation /Urban Local Body and also to the Local NGO, if any from whom suggestion / representations, if any were received while processing the proposal. The Environmental Clearance shall also be put	Complied According to PA, a copy of EC has been forwarded to the Secretary, Valliokode Kottayam panchayath and displayed in the website www.ampadiyil.com .

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	on the website of the company by the proponent.	
37	The Proponent shall submit half yearly reports on the status of compliance of the stipulated EC conations including results of monitoring data (both in hard copies as well as be e-mail) and upload the status of compliance of the stipulated EC conditions, including results of monitored data on their website and shall update the same periodically. It shall simultaneously be sent to the respective Regional Office of MoEF, Govt. of India and also the Directorate of Environmental and Climate Change, Govt. of Kerala.	<p>Complied.</p> <p>PA is aware of this EC Condition and six-monthly reports are being submitted to this office and uploaded on their website. Website link: http://www.ampadiyil.com/certificates.html.</p>
38	The details of Environmental Clearance should be prominently displayed in a metallic board of 3ft.x3 ft with green back ground and yellow letters of Times New Roman font of size of not less than 40. Signboard with extent of lease area and boundaries shall be depicted at the entrance of the quarry, visible to the public.	<p>Complied</p> <p>Noted that PA has prominently displayed details of Environmental Clearance in a metallic board at Main gate of the company.</p>  <p>Fig.8. Display Board at project area.</p>
39	The proponent should provide notarized affidavit (indicating the number and date of Environmental Clearance proceedings) that all the conditions stipulated in the EC shall be scrupulously followed.	<p>Complied</p> <p>PA has informed that affidavit was submitted to DEIAA, Ernakulam.</p>
40	The above conditions shall prevail not with standing anything to the contrary, in consistent, or simplified, contained in any other permit, license on consent given by any other authority for the same project.	<p>Complied</p> <p>PA is aware of this EC Condition</p>

S. Prabhu

Dr. S. Prabhu
Scientist - C/ Dy. Director (S)

This is the true copy of the document marked as Ex. P-7

Advocate