

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

APPEAL NO.40 OF 2024 (SZ)

IN THE MATTER OF:

Noble M Paikada
Kannur District.

...Appellant

And

SEIAA Represented by its Chairman,
Kerala and Anr.

...Respondent

DOCUMENT FILED BY THE 1ST RESPONDENT / SEIAA KERALA

Index

S.No	Particulars	Page No.
1.	Field Inspection Report filed by the 1 st Respondent /SEIAA Kerala	1-7
2.	Copy of Judgment in WP (C) No. 5209 of 2022 passed by High Court of Kerala at Ernakulam dated 16.02.2022.	8-11

Dated at Chennai on this the 28th day of April, 2026.

for. G. Gondri
28/4/26

DR. PRABHU GONDRI
Standing Counsel for SEIAA, Kerala.
Mob. No. 9444398701 - Prabhu.ijs@gmail.com

FIELD INSPECTION REPORT

A. Background

Environmental Clearance for Minor Mineral Mining Project (New & Expansion)

The 139th SEAC meeting examined the proposal submitted by M/s. Tropical Granites. The total mineable reserve is 884813 MT (88,480 MTA) and the mine life is 10 years. The committee observed the following shortcomings:

1. Present land use details are not given
2. Site specific EMP with budget for entire life of mine is not given.
3. Water requirement and availability need detailing
4. Compensatory afforestation plan alongwith coordinates of the proposed site, geotagged photographs of the proposed site and the ownership details/consent of the land is not provided
5. OB dump location with geo coordinates is not provided.
6. Recently certified legible survey map from the Village Office showing the distance to all the built structures within 200m from the project boundary is not submitted
7. Letter from DFO regarding the distance of the site from the sanctuary, details of the proposed ESZ around the choolannur bird sanctuary and whether the site falls within the ESZ.

The Committee also decided to entrust Dr. K N Krishnakumar & Dr. K.Vasudevan Pillai for field inspection and report.

B. Project Details

No	Particulars	Details
1	File No.	File no. 2177/EC1/2022/SEIAA Proposal No. SIA/KL/MIN/409809/2022
2	Name of the proponent	Mr. John Thomson, M/s. Tropical Granites, Tropical Estate Chenangode, Kuthanur P.O Alathur, Palakkad Kerala - 678 721.
3	Name of the Project & Phone No.	M/s. Tropical Granites, Mob: 62821 81268, 9495665603
4	Date of receipt of application in SEAC	28/12/2022
5	Project Location - Village; Taluk; District	Village : Kuthanur I Taluk : Alathur District : Palakkad
6	Type of Mineral to be mined	Granite Building Stone
7	Project area (Ha)	2.6262 Ha
8	Project cost (Rs. in Lakh)	225 Lakhs
9	Percentage Cost for EMP (%)	
10	Cost proposed for CER (Rs. In Lakh)	10 Lakhs
11	Extent of Private Land (Ha)	2.6262 Ha
12	Extent of Government Land (Ha)	Nil
13	Date of Validity of NOC	NA
14	Date of Non-Assignment Certificate	16/07/2021
15	Date of approval of Mining Plan	14/11/2022
16	Mineable reserve (MT)	8,84,813 MT
17	Average Annual Production (TPA)	88,480 MT
18	Maximum Annual Production (TPA)	88,480 MT
19	Life of Mine As per Mine Plan	10 Years
20	Thickness & Quantity of Overburden	Thickness - 0.8 m, Quantity - 16,394 cu.m

2

21	Quantity of top soil to be removed	Thickness - 1.2 m, Quantity - 24,592 cu.m
22	Depth to water table (m)	73m
23	Total daily water requirement (KLD)	3.5 KLD
24	Source of water	<ul style="list-style-type: none">• 0.5 KLD for domestic uses is sourced from Bore well located 50 m from the site.• 1.5 KLD for dust suppression & 1.5 KLD for plantation purposes will be sourced from Rain water harvesting pond in the abandoned quarry through tanker water supply
25	Blast hole diameter & depth	32 mm dia & 1 to 1.5 m depth
26	Min & Max elevation prior to mining-MSL	Highest elevation – 135 m MSL Lowest elevation – 115 m MSL
27	Min & Max elevation after mining-MSL	Highest elevation – 135 m MSL Ultimate pit depth – 100 m MSL
28	Maximum number of benches	7 Benches
29	Depth of final mine void (m)	Ultimate pit depth – 100 m MSL
30	Distance to nearest house with proof	No human settlement in 200m radius (Survey sketch up to 200m)
31	Distance to other nearest built structure	Crusher unit – 52.3 m
32	Distance to Moderate Hazard Zone	8.04 Km from moderate hazard zone
33	Distance to High Hazard Zone	17.23 Km from high hazard zone
34	Total area of operational quarries as per Cluster Certificate dt. --	Nil
35	Abandoned quarry within Project site	Nil
36	Abandoned quarry within 500m	1.9320 Ha old lease area
37	Distance to Wild Life Sanctuary	Parambikkulam WLS – 18 Km Peechi- Vazhani WLS – 20.6 Km
38	Distance to Inter-state boundaries	Walayar (Tamilnadu state Border) – 36 Km
39	Distance to Eco-sensitive areas	Chulanur Peafowl Sanctuary:- 8.2km
40	Distance from notified forest	Nelliyampathy Forest Reserve – 18 Km
41	Status of Certified Compliance Report	NA
42	Agency who conducted the EIA study	NA
43	Name of RQP	Shri. MAHESH. S, RQP/BNG/338/2014/ A TC 31/580, Navadeepam, S.N Nagar, House No: 24, Pettah Post Office, Trivandrum,Kerala.
44	Date of Public Consultation	NA
45	Date of Field Inspection	14/06/2023

C. Observations

1. Whether the proposed project site fall in the listed ESA Villages: No
2. Boundary pillars with Lat-long details: Proper
3. Boundary Fencing: Nil
4. General slope of the Terrain: Moderate
5. Soil thickness: Moderate
6. Possibility for soil erosion, subsidence, instability: Low

7. Possibility for soil piping: Low
8. Landslide proneness: Low
9. Possibility of breach of impounded water, if any: No
10. Flood proneness: Nil
11. Presence of loose boulders, if any: Minimal
12. Land vulnerability- Minimal
13. Proposed garland drain, Silt traps & Settling pond: Adequate
14. Proposed connectivity of overland flow to natural drain: Adequate
15. Proposed location-OB dump: Lower portion
16. Proposed protection for OB dump: Retaining wall
17. Condition of haulage road: Adequate (*Tarred road constructed as per instruction from PCB*)
18. Traffic density of the connecting main road: Low
19. Location of the site: Upper side slope
20. Nature of landscape unit: Mid-land
21. Nature of the land: Vegetated
22. Type of land use: Mixed trees
23. Vegetation density: Moderate
24. Presence of Endemic/RET species: No
25. Whether compensatory afforestation required: Yes
26. Rainwater harvesting provision: Adequate
27. Sanitation and waste management arrangements: Adequate
28. Energy Conservation Measures: Nil
29. Environment Management Plan: Need Revision
30. Corporate Environment Responsibility: Need Revision
31. Any other observations: *Nearby abandoned quarry pit is not fenced properly.
Two built structures within 50m distance and agreed to demolish if necessary..*

D.Evaluation of Environmental Impacts

32. Alteration of natural drainage systems: No
33. Fragmentation of natural habitat due to the removal of vegetation: No
34. Impact on surface water resources: Minimal
35. Impact on ground water resources: Minimal
36. Possibility of lowering of ground water table: Minimal
37. Impact on Biodiversity: Minimal
38. Impact of Air pollution: Minimal
39. Impact of Noise level Vibration: Minimal,
40. Impact of vibration: Minimal
41. Impact on anthropological/archaeological sites: NA
42. Disturbance to sacred sites or other cultural values: Minimal
43. Whether there will be involuntary land acquisition: No
44. Impact on local communities: Minimal
45. What are the measures proposed to minimize energy consumption? Solar Power Utilization
46. Any other impacts? Nil

E. Recommendations

47. Recommendation of EC: To be decided later

4

48. If recommended for EC, estimated Life of Mine: 10 years
49. If recommended for rejection, Specific reasons for Rejection; Nil
50. Additional Documents required to be submitted:
 1. Present land use details
 2. Site specific EMP with budget for entire life of mine.
 3. CER to be revised in consultation with Local Body Authorities to address their water needs.
 4. Water requirement and availability.
 5. Compensatory afforestation plan along with coordinates of the proposed site, Geotagged photographs of the proposed site and the ownership details/consent of the land owner.
 6. OB dump location with geo coordinates.
 7. Recently certified legible survey map from the Village Office showing the distance to all the built structures within 200m from the project boundary.
 8. Letter from DFO regarding the distance of the site from the sanctuary, details of the proposed ESZ around the Choolannur bird sanctuary and whether the site falls within the ESZ.
51. Specific conditions, if any, to be considered if and when EC is issued
 - (a) Make proper fencing around the nearby abandoned quarry pit.
 - (b) Include a qualified environment science expert in the environment monitoring cell.
 - (c) Should implement energy conservation methods for quarrying operations.

Name & Signature of Field Investigation Team

1. Dr. K.N. KRISNA KUMAR

2. Dr. K. VASUDEVAN PILLAI

Date: 14.06.2023



Proponent and RQP with subcommittee members during inspection

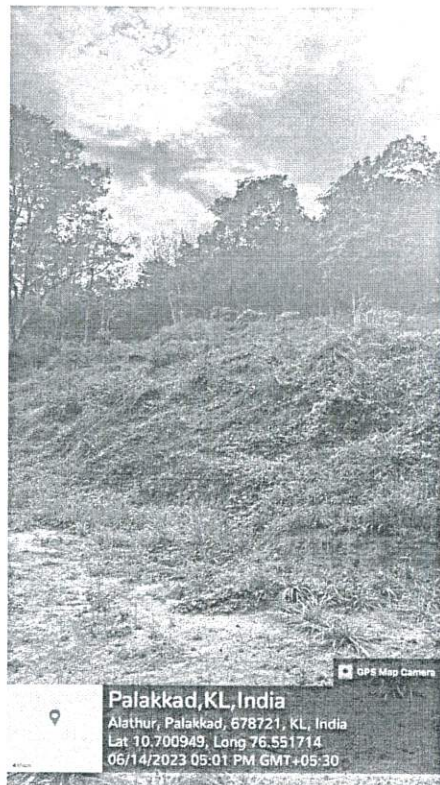
5



Boundary pillar No 13



Land form



Land form

6



Water stored in the nearby abandoned quarry pit



Demolishing the build structure within 50m distance

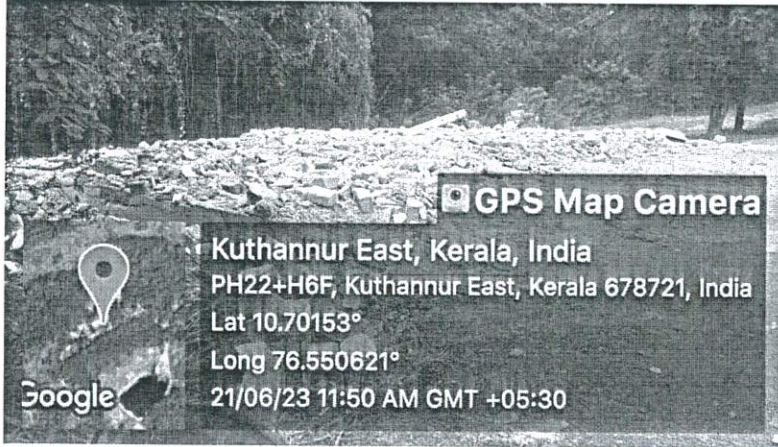


Demolishing the build structure Within 50m distance



Land after the demolition of the structure

7



Land after the demolition of the structure

8



2022:KER:7823

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MRS. JUSTICE ANU SIVARAMAN

WEDNESDAY, THE 16TH DAY OF FEBRUARY 2022 / 27TH MAGHA, 1943

WP(C) NO. 5209 OF 2022

PETITIONER:

ANANTHU SUNIL,
AGED 25 YEARS
GALAXY HOME, GOVINDAPURAM, KARTHIKAPPILLY, ALAPPUZHA.
BY ADVS.
PHILIP J.VETTICKATTU
SAJITHA GEORGE
NEENU BERNATH

RESPONDENTS:

- 1 STATE OF KERALA,
REPRESENTED BY SECRETARY TO GOVERNMENT,
DEPARTMENT OF MINING AND GEOLOGY, SECRETARIAT,
TRIVANDRUM-695 001.
- 2 STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY -SEIAA
KERALA, 4TH FLOOR, KSRTC BUS TERMINAL BUILDING,
THAMPANOR, TRIVANDRUM-695 001,
REPRESENTED BY ITS MEMBER SECRETARY.
- 3 STATE EXPERT APPRAISAL COMMITTEE (SEAC),
4TH FLOOR, KSRTC BUS TERMINAL BUILDING, THAMPANOR,
TRIVANDRUM-695 001, REPRESENTED BY ITS MEMBER CHAIRMAN.
- 4 THE ADMINISTRATOR,
STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY (SEIAA),
4TH FLOOR, KSRTC BUS TERMINAL BUILDING, THAMPANOR,
TRIVANDRUM-695 001.
- 5 EXPERT APPRAISAL COMMITTEE (IMPACT ASSESSMENT DIVISION),
NON-COAL MINING SECTOR, MINISTRY OF ENVIRONMENT,
FOREST AND CLIMATE CHANGE, GOVERNMENT OF INDIA,
INDIRA PARYAVARAN BHAWAN, JORBAGH ROAD, NEW DELHI-110003
REPRESENTED BY ITS MEMBER SECRETARY.
SMT.PRINCY XAVIER-SR.GP

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
16.02.2022, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**JUDGMENT**

Dated this the 16th day of February, 2022

The prayer in this writ petition is for a direction to the 4th respondent to forward the District Survey Report for Idukki approved by the respondents 2 & 3 to the Expert Appraisal Committee at New Delhi, and for a direction to the 5th respondent to consider the application submitted by the petitioner by including it in the Agenda in the light of the valid DSR issued by the Department for Mining and Geology, State of Kerala in 2016 and pass orders.

2. The petitioner has produced the DSR 2016 as Ext.P4 along with the writ petition. In Ext.P2, the 5th respondent has deferred consideration for want of availability of the DSR. In the above circumstances, this writ petition is disposed of directing the 5th respondent to consider and pass orders on the application for Environmental Clearance submitted by the petitioner, on the basis of DSR 2016 issued by the Department of Mining and Geology, Government of Kerala, within a period of one month from



the date of receipt of a copy of this judgment. The 2016 DSR shall be forwarded by the 4th respondent to the 5th respondent who shall consider and pass orders as directed above.

3. The certificate issued by the Geologist, Department of Mining and Geology, District Office, Idukki on 02.12.2021, which is produced as Ext.P8 in the writ petition confirming that the DSR 2016 is being applied in the State of Kerala, shall also be considered by the 5th respondent while finalizing their orders. The petitioner may upload the certificate issued by the Geologist in the concerned portal along with DSR of 2016, if not already uploaded.

This writ petition is ordered accordingly.

Sd/-

ANU SIVARAMAN
JUDGE

(11)



2022:KER:7823

WP(C) NO. 5209 OF 2022

APPENDIX OF WP(C) 5209/2022

PETITIONER'S EXHIBITS:

- Exhibit P1 TRUE COPY OF THE LETTER OF INTENT ISSUED BY THE MINING AND GEOLOGY DEPARTMENT DATED 02.03.2021.
- Exhibit P2 TRUE COPY OF THE MINUTES OF THE MEETING OF 5TH RESPONDENT HELD ON 30.11.2021 TO 03.12.2021.
- Exhibit P3 TRUE COPY OF THE RELEVANT PAGES OF THE SO NO.141(E) DATED 15.01.2016 ISSUED BY THE MOEF.
- Exhibit P4 TRUE COPY OF THE DISTRICT SURVEY REPORT WITH RESPECT TO IDUKKI DISTRICT.
- Exhibit P5 TRUE COPY OF THE RELEVANT PAGES OF SO NO., 3611(E) DATED 25.07.2018 ISSUED BY THE MOEF.
- Exhibit P6 TRUE COPY OF THE PROCEEDINGS OF THE SEIAA GRANTING ENVIRONMENTAL CLEARANCE IN THE CASE OF RAJI MATHEW.
- Exhibit P7 TRUE COPY OF THE PROCEEDINGS OF THE SEIAA GRANTING ENVIRONMENTAL CLEARANCES IN THE CASE OF ANISH ABRAHAM.
- Exhibit P8 TRUE COPY OF THE CERTIFICATE DATED 02.12.2021 ISSUED BY THE MINING AND GEOLOGY TO THE PETITIONER.
- Exhibit P9 TRUE COPY OF THE JUDGMENT DATED 31.01.2022 PASSED BY THIS HON'BLE COURT IN WPC NO.28372/2021.

RESPONDENTS' EXHIBITS: NIL