

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 119 of 2022

Benny Sebasstian

Applicant

Versus

M/s. VKL Infrastructure Facilities (P) Ltd & ors Respondents

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Place : Thiruvananthapuram

Date: 23.05.2022

Counsel for KSPCB



1.0 Preamble:

The Hon'ble NGT Principal Bench has registered Original Application no. 119/2022 against quarrying conducted by VKL Infrastructure Facilities (P) Ltd and VKL Projects (P) Ltd near Thampuran Para and Thamburatty Para in Thiruvananthapuram District.

The Principal Bench of National Green Tribunal, New Delhi on considering an OA No. 119/2022 ordered on 24.2.2022 had issued the following directions:

“Having regard to the above, we consider it necessary to require a joint Committee comprising SEIAA, Kerala, Kerala State PCB and District Magistrate, Thiruvananthapuram to undertake visit to the site, verify the compliance status and file a factual and action taken report within two months by e-mail at judicial-ngt.gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF. The nodal agency for coordination and compliance will be the State PCB. If any violations are found, the Project Proponents be put to notice by the Committee for their response, if any, which may be filed within one month of such report by e-mail.”

Since State PCB was identified as the Nodal agency by the Tribunal, in compliance to the directions as above, Smt. Bincy B.S., Assistant Environmental Engineer, District Office, Thiruvananthapuram is nominated to the above Joint Committee as nominee of the Kerala State Pollution Control Board vide letter No. PCB/HO/EE4/NGT/O.A.119/2022 dated 09/03/2022. (**Annexure 1**) and requested the concerned Departments/Authorities to nominate officers to the Committee for the completion of the task as directed by the Hon'ble Tribunal. A Joint Committee was nominated comprising of (1) Deputy Collector, Thiruvanthapuram District, (vide letter No. B7-2372/12 dated 21/04/2022, copy of letter attached as **Annexure 2**) (2) Chairman, SEAC- Kerala (vide letter no. 3137/EC1/2019/SEIAA&753(A)/(B)/SEIAA/EC1/302/2015 dated 26/03/2022, copy of letter attached as **Annexure 3**) (3) Assistant Environmental Engineer KSPCB, Thiruvanthapuram District (vide letter no. PCB/HO/EE4/NGT/O.A.119/2022 dated 09/03/2022, copy of letter attached as **Annexure 1**) was appointed to inspect the unit and submit a factual as well as action taken report.

2.0 Site visit by the Joint Committee:

Accordingly, a Joint Committee has been constituted with

1. Sri. Vineeth T. K,
Deputy Collector, Disaster Management, Collectorate, Thiruvananthapuram.
2. Dr. R. Ajayakumar Varma,
Chairman, SEAC- Kerala
3. Smt. Bincy B.S.,
Assistant Environmental Engineer, District Office, Thiruvananthapuram

The Joint Committee undertook the site visit on 25.4.2022 and verified the compliance status. The quarry and crusher are not working now.

3.0 Back ground on M/s. VKL Infrastructure Facilities (P) Ltd and VKL Projects India (P) Ltd:

A Granite Building Stone Quarry Project owned by M/s. VKL Infrastructure Facilities (P) Ltd and VKL Projects India (P) Ltd with a combined area of 8.36.05 Ha is located in Manickal Village, Nedumangad Taluk, Thiruvananthapuram.

Environmental Clearance had been issued to the Granite Building Stone Quarry Project of M/s. VKL Infrastructure Facilities (P) Ltd and VKL Projects India (P) Ltd vide 753(A&B)/SEIAA/KL/302/2015 dated 13.9.2017 with validity of 5 years. The total area of the project is 8.36.05 Ha under two leases obtained by two companies under the same group with same authorized signatory, Shri. Shaji K. Mathew, Director. The two lease areas are contiguous, the first one, 753A with area of 4.32.11 Ha, obtained by M/s. VKL Infrastructure Facilities (P) Ltd vide Proc. No. 113/2011-12/3739/M3/2011 dt. 26.5.2011 for 10 years and 753B with area of 4.03.94 Ha, obtained by M/s. VKL Projects India (P) Ltd vide Proc. No. 01/2012-13/1924/M3/2012 dt. 3.4.2012 for 10 years. Separate mine plan for both the lease areas and a composite mine plan for both the lease areas had been submitted for obtaining environmental clearance. The EC was issued with 5 Specific Conditions and 61 General Conditions, the compliance of each condition is verified and the status is given hereunder:

3.1 A. Compliance of Specific Conditions

No	Specific Conditions	Compliance Status
1	Considering the presence of a DTPC Building and intended use of the elevated hillock as a place of local tourism, a buffer distance of 100 m must be left as a No Development Zone from the path connecting the top points on two rocky knobs of Thampuranpara and the eastern edge of the DTPC building.	Not complied. Physical measurement by the Survey Team indicated that the distance is only 79m between the eastern edge of the DTPC building and Project boundary. Therefore, the buffer distance of 100m is not maintained as a No Development Zone.
2	Top soil and overburden should be stored in a designated place on the lower slope away from the working area (on the eastern side) and provided with protective support walls.	Not complied. There are two top soil and overburden dumps, one on the south-southwestern portion of the project area in the higher slope and the other on the eastern portion of the project area in the lower slope. Both are away from the working area and are not provided with protective support walls. The one on the higher slope is relatively an old one and is somewhat stabilized with vegetative growth. The one on the eastern lower slope is subjected to severe erosion.
3	A catch water drain to be provided all along the lowest part and channelized into a pit that is supposed to function as a RWH structure, Water must be clarified before it is let out	Partially complied There is no catch water drain provided all along the lowest part and channelized into a pit that is supposed to function as a RWH structure. However, a portion of the old working quarry is used as a RWH structure. No arrangement for clarification of water prior to it's letting out is found.

4	Boundary pillars are to be permanently fixed on the ground. Fencing should be provided all around the quarry area.	Complied
5	Production of certificate as prescribed in the Rule 27.2 (f) in the Kerala Minor Mineral Concession Rule, 2015. This certificate may be submitted to SEIAA.	Complied Non-assignment certificate from the Village Officer, Manickal Village dt. 2.12.2014 submitted to SEIAA.

3.1 B. Compliance of General Conditions

No	General Conditions	Compliance Status
1	Rain Water Harvesting facility should be installed as per the prevailing provisions of KMBR/KPBR, unless otherwise specified.	Complied. An abandoned quarry is used as a Rain Water Harvesting System
2	Environment Monitoring Cell as agreed under the affidavit filed by the proponent should be formed and made functional.	Complied
3	Suitable avenue trees should be planted along either side of tarred road and open parking areas, if any, including of approach road and internal roads	Complied But it is desirable to plant and nurture more avenue trees
4	Maximum possible solar energy generation and utilization shall be ensured as an essential part of the project	Partially Complied But maximum possible solar energy generation is yet to be achieved
5	Sprinklers shall be installed and used in the project site to contain dust emissions	Reported to have Complied Quarry is now closed. The mobile sprinklers reported to have been used for containing the dust in the quarry area is not seen functioning as the quarry is now closed
6	Eco-restoration including the mine closure plan shall be done at the own cost of the project proponent	Partially complied. Affidavit submitted. Efforts are seen taken to grow trees in the land adjacent to the project site

		owned by the proponent. Mine closure is yet to be done
7	At least 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, if no other specific condition on reclamation of pit is stipulated in the E.C.	Partially Complied About 10% of the total excavated pit is retained as water storage. The remaining area is yet to be reclaimed as the validity of EC is live
8	Corporate Social Responsibility (CSR) agreed upon by the proponent should be implemented	Complied
9	The lease area shall be fenced off with barbed wires to a minimum height of 4 ft. around, before starting of mining. All the boundary indicators (boards, stores, markings, etc) shall be protected at all times and shall be conspicuous	Complied At places the barbed wires are now dilapidated. On the western side of the Project area, boundary is provided all along using light roofing sheets
10	Warning alarms indicating the time of blasting (to be done at specific timing) has to be arranged as per stipulations of Explosive Department	Complied The quarry is now closed
11	Control measures on noise and vibration prescribed by KSPCB should be implemented	Reported to have complied The quarry is now closed
12	Quarrying activities should be limited to day time as per KSPCB guidelines/specific conditions	Reported to have Complied The quarry is now closed
13	Blasting should be done in a controlled manner as specified by the regulations of Explosives Department or any other concerned agency	Reported to have Complied The quarry is now closed
14	A licensed person should supervise/control the blasting operations	Reported to have Complied The quarry is now closed
15	Access roads to the quarry shall be tarred to contain dust emissions that may arise during	Complied Except within the mining area and

	transportation of materials	immediate surroundings
16	Overburden materials should be managed within the site and used for reclamation of mine pit as per mine closure plan/specific conditions	Partially Complied Overburden material is stored within the site; Mine closure is yet to take place
17	Height of benches should not exceed 5 m and width should not be less than 5 m, if there is no mention in the mining plan/specific condition	Partially Complied In one pit, benches are provided, but the width is mostly less than 5m and height is mostly more than 5m. In another pit, benches are not provided
18	Mats to reduce fly rock blast to a maximum of 10 PPV should be provided	Reported to have Complied The quarry is now closed
19	Maximum depth of mining from general ground level at site shall not exceed 10 m	Complied
20	No mining operations should be carried out at places having a slope greater than 45°	Partially Complied
21	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 by CPCB/KSPCB	Complied
22	The workers on the site should be provided with the required protective equipment such as ear muffs, helmet etc	Reported to have Complied The quarry is now closed
23	Garland drains with clarifiers to be provided in the lower slopes around the core area to channelize storm water	Not Complied
24	The transportation of minerals should be done in covered trucks to contain dust emissions	Reported to have Complied The quarry is now closed
25	The proponent should plant trees at least 5 times of the loss that has been occurred while clearing the land for the project	Complied
26	Disposal of spent oil from diesel engines should	Complied

	be as specified under relevant Rules/Regulations	
27	Explosives should be stored in magazines in isolated place specified and approved by the Explosives Department	Complied
28	A minimum buffer distance of 100 m from the boundary of the quarry to the nearest dwelling unit or other structures, not being any facility for mining shall be provided	Not Complied As per the certificate of Village Officer, the distance between the Project boundary and residential house is only 90m.
29	100 m buffer distance should be maintained from forest boundaries	Not applicable. No forest in the vicinity
30	Consent from Kerala State Pollution Control Board under Water and Air Act(s) should be obtained before initiating mining activity	Complied The quarry is now closed
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	Complied The quarry is now closed
32	In the case of any change(s) in the scope of the project, extent quantity, process of mining technology involved or in any way affecting the environmental parameters/impacts as assessed, based on which only the E.C. is issued, the project would require a fresh appraisal by this Authority, for which the proponent shall apply and get the approval of this Authority	The proponent is aware of the matter
33	The Authority reserves the right to add additional safeguard measures subsequently, if found necessary, and to take action including revoking of the environment clearance under the provisions of the Environment (Protections)	The proponent is aware of the matter

	Act, 1986, to ensure effective implementation of the suggested safeguard measures in a time bound and satisfactory manner	
34	The stipulations by Statutory Authorities under different Acts and Notifications should be complied with, including the provisions of Water (Preventions and Control of Pollutions) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986, the Public Liability (Insurance) Act, 1991 and EIA Notifications, 2006	The proponent is aware of the matter
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 State Environment Impact Assessment Authority (SEIAA) office and may also be seen on the website of the Authority at www.seiaakerala.org . <u>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 this Authority as confirmation</u>	Complied
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 suggestions/representations, if any, were	Partially Complied At present the Environmental Clearance details are not seen in the website of the VKL Group of Companies

	received while processing the proposal, <u>The Environmental Clearance shall also be put on the website of the company by the proponent</u>	
37	The proponent shall submit half yearly reports on the status of compliance of the stipulated EC conditions including results of monitored data (both in hard copies as well as by 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 to the State Environment Impact Assessment Authority (SEIAA) office	Partially Complied Last compliance report submitted was that for the period from April 2021 to September 2021. The District Collector issued stop memo to the quarry vide letter dated 13.10.2021 At present, the status of compliance of the stipulated EC conditions including results of monitored data is not found uploaded in the website of VKL Group of Companies
38	<u>The details of Environmental Clearance should be prominently displayed in a metallic board of 3 ft. x 3 ft. with green background and yellow letters of Times New Roman font of size of not less than 40. Sign board with extent of lease area and boundaries shall be depicted at the entrance of the quarry, visible to the public</u>	Complied
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	Complied
40	No change in mining technology and scope of working should be made without prior approval of the SEIAA. No further expansion or modifications in the mine shall be carried out without prior approval of the SEIAA, as applicable	The proponent is aware of the matter

41	The Project proponent shall ensure that no natural water course and/or water resources shall be obstructed due to any mining operations. Necessary safeguard measures to protect the first order streams, if any originating from the mine lease shall be taken	Partially Complied The stream originating from the mine lease area is filled with silt eroded from the dumping site
42	Monitoring of Ambient Air Quality to be carried out based on the Notification 2009, as amended from time to time by the Central Pollution Control Board. Water sprinkling should be increased at places loading and unloading points & transfer point to reduce fugitive emissions	Reported to have Complied The quarry is now closed
43	The top soil, if any, shall temporarily be stored at earmarked site(s) only for the topsoil shall be used for land reclamation and plantation. The over burden (OB) generated during the mining operations shall be stacked at earmarked dump site(s) only. The maximum height of the dumps shall not exceed 8 m and width 20 m and overall slope of the dumps shall be maintained to 45°. The OB dumps should be scientifically vegetated with suitable native species to prevent erosion and surface run off. In critical areas, use of geo textiles shall be undertaken for stabilization of the dump. The entire excavated area shall be backfilled. Monitoring and management of rehabilitated areas should continue until the vegetation becomes self-sustaining	Partially Complied The OB dump is seen deposited mainly at two places one on the top portion and the other on the lower portion of the mining lease area. It is not stacked and protected properly and the dump at the lower portion is found eroded severely.
44	Catch drains and siltation ponds of appropriate size shall be constructed around the mine working, mineral and OB dumps to prevent run	Not Complied A systematic drainage system is not found implemented.

	off of water and flow of sediments directly into the river and other water bodies. The water so collected should be utilized for watering the mine area, roads, green belt development etc. The drains shall be regularly desilted particularly after monsoon and maintained properly	
45	Effective safeguard measures such as regular water sprinkling shall be carried out in critical areas prone to air pollution and having high levels of PM ₁₀ and PM _{2.5} such as haul Road, loading and unloading points and transfer points – it shall be ensured that ambient Air Quality parameters conform to the norms prescribed by the Central Pollution Control Board in this regard	Reported to have Complied The quarry is now closed
46	Fugitive dust emissions from all the sources should be controlled regularly. Water spraying arrangements on haul roads, loading and unloading and at transfer points should be provided and properly maintained	Reported to have Complied The quarry is now closed
47	Measures should be taken for control of noise levels below 85 dBA in the work environment	Reported to have Complied The quarry is now closed
48	A separate environmental management cell with suitable qualified personnel should be setup under the control of a Senior Executive, who will report directly to the Head of the organization	Complied The quarry is now closed
49	The funds earmarked for environmental protection measures and CSR activate should be kept in separate account and should not be diverted for other purpose. Year wise	Not Complied

	expenditure should be reported to the State Environment Impact Assessment Authority (SEIAA) office	
50	The Regional Office of MoEF and CC located at Bangalore shall monitor compliance of the stipulated conditions. The project authorities should extend full co-operation to the Officer(S) of the Regional Office by furnishing the requisite data/information/monitoring reports	The proponent is aware of the matter
51	Any appeal against this Environmental Clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under section 16 of the National Green Tribunal Act, 2010	The proponent is aware of the matter
52	Concealing the factual data or submission of false/fabricated data and failure to comply with any of the conditions mentioned above may result in withdrawal of this clearance and attract action under the provisions of Environment (Protection) Act, 1986	The proponent is aware of the matter
53	The SEIAA may revoke or suspend the order, for non-implementation of any of the specific or this implementation of any of the above conditions is not satisfactory. The SEIAA reserves the right to alter/modify the above conditions or stipulate any further condition in the interest of environment protection	Quarry operation is suspended As recommended by SEAC, the SEIAA requested District Collector on 7.10.2021 to issue a stop memo and the District Collector issued stop memo on 13.10.2021.
54	The above conditions shall prevail notwithstanding 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	The proponent is aware of the matter
55	This order is valid for a period of 5 years or the	The proponent is aware of the matter

	expiry date of mine lease period issued by the Govt. of Kerala, whichever is earlier	
56	The Environmental Clearance will be subject to the final order of the Court(s) in any pending litigation related to the land or project, in any court of law	The proponent is aware of the matter
57	The mining operation shall be restricted to above ground water table and it should not intersect ground water table	Complied
58	All vehicles used for transportation and within the mines shall have PUC certificate from authorized pollution taking centre. Washing of all vehicles shall be inside the lease area	Reported to have Complied The quarry is now closed
59	Project proponent should obtain necessary prior permission of the competent authorities for drawal of requisite quantity of surface water and ground water for the project	The proponent is aware of the matter
60	Regular monitoring of flow rates and water quality upstream and down streams of the springs and perennial nallahs flowing in and around the mine lease area shall be carried out and reported in the six monthly reports to SEIAA	The proponent is aware of the matter
61	Occupational health surveillance program of the workers should be under taken periodically to observe any contractions due to exposure to dust and take corrective measures, if needed	Not complied

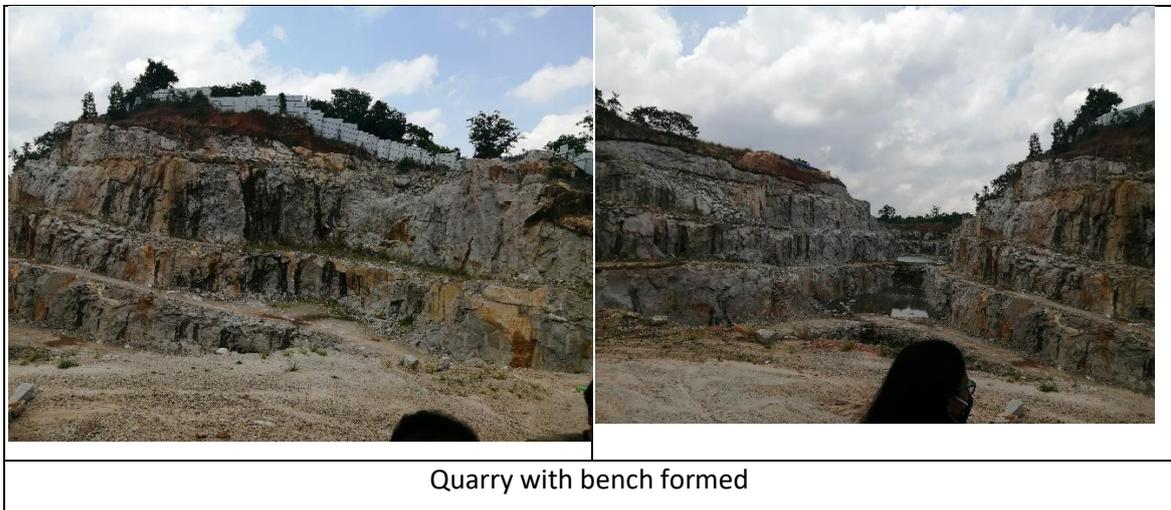
Actions Taken

As a follow up of the enquiry conducted by the SEAC on the mass petition filed by the local people against the granite building stone mining projects of M/s. VKL Infrastructure Facilities (P) Ltd. and VKL Projects (P) Ltd., M/s. Al-Falah Metal Crusher and M/s. C.S. Rocks, the SEAC conducted a field inspection and recommended the following to SEIAA.

1. Functioning of the quarry of M/s. VKL Infrastructure Facilities (P) Ltd. and VKL Projects (P) Ltd may be closed with immediate effect
2. Mining & Geology Department and Revenue Department may be requested to ensure compliance of the order no. B7-2372/2012 dated 17.4.2013 of the District Collector, Thiruvananthapuram
3. Revenue Department may be requested to take a final decision on encroachment of puramboke/govt. land by the quarry owner before allowing further mining in the area.
4. Measure aerial distance to nearby houses and assess the threat due to explosions considering the slope of the hill

It was also recommended that the quarry be allowed to resume operation only after the recommendations 2, 3 and 4 above are complied satisfactorily.

The SEIAA agreed in full to the recommendations of SEAC and requested the District Collector, Thiruvananthapuram accordingly. The District Collector vide letter dated 13.10.2021 issued Stop Memo to M/s. VKL Infrastructure (P) Ltd and VKL Projects (P) Ltd. Now the quarry is closed.





Quarry with no bench formed



Quarry with improper mining practice

Road formed in the mine area



Water harvested on the old quarry pond

Type of vegetation in the periphery of the Project site

	
Vegetation in the buffer zone	Vegetation adjacent to the OB dump
	
Overburden and mine waste dump being eroded severely	

3.1 C. COMPLIANCE OF CONSENT CONDITIONS ISSUED BY KSPCB

CONDITIONS	STATUS
<p>1. Quarrying area is restricted to the land having valid lease and EC in resurvey numbers 367/3,362/10,366/1,374/13,362/1,362/2-1,362/5-2-1,362/5-2-2,362/2 in Manickal Village Nedumangad Taluk, Thiruvananthapuram. The consent is granted based on Environmental Clearance (No 753(A)(B) SEIAA/ECI/302/2015 Dated 13/09/2017 valid till 12/09/2022) and Letter from Mining Geology No 1529/M3/2017 Dated 11/08/2017 and Mining and geology lease No 01/2012-13/1924/M3/2012 Dated 31/04/2012 valid till 31/03/2022.</p>	<p>Complied.</p>

<p>2. This consent unless withdrawn earlier shall be valid up to 31/12/2022. If the operation of the quarry is to be continued after 31/12/2022 fresh application has to be submitted through online site krocmmms.nic.in along with valid lease/permit from Department of Mining & Geology, 2 months in advance to the date of expiry of validity.</p>	<p>The validity of PCB consent expired on 31/03/2022. Quarry is now closed.</p>
<p>3. After excavation at the site is completed, the land may be reclaimed or used for rain water harvesting with protective barriers/any other suitable purpose like aquaculture approved by the authority.</p>	<p>Partially Complied. Rain water harvesting provided.</p>
<p>4. The consent issued is subject to the conditions specified in the clearances issued by the Mining and Geology Department and Explosive Department as per the provisions of the relevant statutes.</p>	<p>Complied</p>
<p>5. It is the responsibility of occupier to ensure that quarrying activities are restricted to only area shown in the attached drawing and at a distance more than 100 m from the nearby residences and public roads having vehicular traffic.</p>	<p>Complied.</p>
<p>6. All the necessary control measures provided should be maintained properly to ensure that the system is adequate to control the air and water pollution caused by the functioning of the unit within the limit.</p>	<p>Fine Sprinklers are installed for the Crusher. Mobile sprinklers for abating the dust in the quarry area is not seen as the quarry is now closed</p>
<p>7. It is the responsibility of occupier to maintain minimum distance of 100m shall be maintained from the boundary of quarry operation area to existing residential buildings, places of worship, public buildings, public road having vehicular traffic, river or lake, railway line and bridges.</p>	<p>As per the certificate of Village Officer, the distance between the Project boundary and residential house is only 90m and the distance from the DTPC Building is 79m.</p>
<p>8. Boundary of quarrying area shall be fenced and demarcated.</p>	<p>Complied.</p>
<p>9. Fugitive emission from the quarry premises and road leading to quarry shall be suppressed using water sprinkling.</p>	<p>Fine Sprinklers are installed for the Crusher. Mobile</p>

	sprinklers for abating the dust in the quarry area is not seen as the quarry is closed
10. The suspended particulate matter (SPM) at boundary of the premises of the quarry shall not exceed the following limit applicable to that area as per the National Ambient Air Quality Standards. a) The PM10 in ambient air at the boundary shall not exceed 100 µg/m ³ b) The PM2.5 in ambient air at the 1m outside the boundary shall not exceed 60 µg/m ³ .	During inspection air quality could not be monitored as the quarry is closed.
11. Regular wetting of the roads in the premises of the quarry and approach roads near the quarry shall be done for avoiding excessive dust emission within and outside the boundary of the unit.	These activities is not seen done as the quarry is closed
12. Any change in the particulars furnished in the references and/or in the identity of the occupier / authorized agent shall be intimated to the Board within a week.	No change in identity of occupier is reported.
13. The sound level measured at 1.0m outside the boundary shall not exceed the limit as per the Ambient Air Quality Standards in respect of Noise.	During inspection air quality could not be monitored as the quarry is closed.
14. The validity of this consent may change subjected to the order of the Honourable Supreme Court/High Court / NGT in related cases. Or the new orders issued by the government or other competent authority.	Validity is not changed.
15. The consent issued from the Board will be valid only during the period when statutory or necessary clearances from other concerned authorities are valid. The consent issued from the Board is only with respect to the powers vested under the Water Act, 1974, Air Act, 1981 and Rules there under. The operation of the unit shall be commenced only after obtaining clearances from all concerned authorities	Complied. Validity expired on 31/03/2022.
16. Quarrying operations shall be started only after obtaining the D & O license under the Kerala Panchayath Raj Act from the concerned Local Self Government Institution and submitting a copy of the same to the District Office	The unit is aware of the matter. Complied. The unit has obtained License from Manickal Grama

of the Board.	Panchayat dated 24/03/2020, 22/03/2019, 22/03/2018, 01/04/2018, 26/09/2017, 28/03/2016, 10/05/2015 and 7/05/2014.
17. The quarry should not be operated between 6.00 p.m. and 6.00 a.m. and Products shall be transported with proper cover and after wetting to prevent spreading of dust.	Reported to have complied. The quarry is now closed
18. Quarrying area shall be restricted in the area shown in the approved drawing	Complied.
19. Arrangement for rain water harvesting in the unit shall be done within one month for meeting the entire water requirement of quarry and crusher (in case of adjoining unit) and the same shall be reported in writing.	Complied. Two ponds are provided for rain water harvesting.
20. Suitable species of trees shall be planted and maintained within and along the periphery of the premises, forming a green belt to improve the environment.	Complied. Existing plants were seen.
21. This consent may be granted on the basis of affidavit and other documents furnished by the applicant. Any of the statement or information found to be false, the consent issued will withdraw /cancelled.	No false statement submitted.
22. This consent to operate is issued only in accordance with norms and parameters of the Board as per the Air (Prevention & Control of Pollution) Act, 1981 and is not a permit/license to carry out mining operations/quarrying operation. Permit/lease for mining/quarrying operation shall be obtained from competent authorities before quarrying.	Complied. The unit has obtained Lease agreements on 26/05/2011 and 3/04/2012 from the Mining and Geology department.

3.1 D. COMPLIANCE REPORT OF DISTRICT ADMINISTRATION

CONDITIONS	STATUS
Details pertaining to encroachment in Government land.	Encroachment reported by Tahsildar. Tahsildar (LR), Nedumangadu in his report No. K2-21220/2012 dated 27.04.2022 has reported encroachment of a total area of 54.18 Ares in Survey numbers 363/7,363/1,362/6,362/3,360/3,374/3 and 361/1. In this encroached area, mining is found to have done in an area of 14.62 Ares



Sri. Vineeth T. K, Dy. Collector,
Disaster Management, Collectorate,
Thiruvananthapuram.



Dr. R. Ajayakumar Varma,
Chairman,
SEAC- Kerala



Smt. Bincy B.S.,
Assistant Environmental Engineer,
District Office, Thiruvananthapuram

**State Environment Impact Assessment Authority
(SEIAA) Kerala**

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No. 3137/EC1/2019/SEIAA & 753(A)/(B)/SEIAA/EC1/302/2015

Date: 26.03.2022

From,

The Administrator,
State Environment Impact Assessment Authority (SEIAA)

To,

The Chairman
Kerala State Pollution Control Board
Pattom, Thiruvananthapuram

Sir,

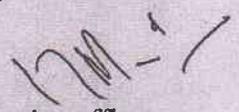
Sub :- SEIAA - O.A.No. 119/2022 dated 24.02.2022 filed by Sri. Benny Joseph in NGT.
Principal Bench, New Delhi - Officer nominating to the Joint Committee - reg:-

Ref :- 1. O.A.No 119/2022 dated 24.02.2022 filed by Sri. Benny Joseph against M/s.
VKL Infrastructure Facilities Pvt.Ltd
2. Your Letter dated 09.03.2022 & 18.03.2022

Attention is invited to the references cited. Dr.R.Ajayakumar Varma, Chairman, SEAC is nominated as member of the Joint Committee by the Authority as ordered by the Hon'ble NGT.

Yours faithfully,
Sd/-
ANIL P. ANTONY
Administrator, SEIAA

Approved for issue


Section officer

ANNEXURE 2

Proceeding of the District Collector, Thiruvananthapuram

(Present :- Navjoth Khosa, I.A.S)

No: B7-2372/12

Date :21-04-2022

Sub :- O.A No. 119/2022 before the Honourable National Green Tribunal, Principal Bench, New Delhi – Committe Constituted by NGT – Nomination of members for District Magistrate – Orders issued

Ref :- (1) Order dated 24/02/2022 in O.A. No. 119/2022 of Honourable National Green Tribunal (Principal Bench), New Delhi
(2) Proceedings No. PCB/H.O/EE4/NGT/O.A 119/2022 of State Pollution Control Board, dated 09/03/2022.

The Honourable National Green Tribunal, (Principal Bench) New Delhi has registered an O.A. No. 119/2022 against quarrying conducted by VKL Infrastructure Facilities (P) Ltd and VKL Projects (P) Ltd near Thampuram Para and Thampuratty Para in Thiruvananthapuram District. The Honourable NGT vide reference (1) , constituted a joint committee comprising SEIAA, Kerala, Kerala State Pollution Control Board and District Magistrate, Thiruvananthapuram to undertake visit to the site, verify the compliance status and file a factual and action taken report with in two months.

It is directed that the Pollution Control Board will be the Nodal Agency for co-ordination and compliance. Vide referance (2) cited, Smt. Bincy. B.S, Assistant Environment Engineer, District Office, Thiruvananthapuram was nominated to the joint committee as nominee of the Kerala State Pollution Control Board.

I hereby nominate Deputy Collector (D.M), Thiruvananthapuram as nominee of the District Magistrate, Thiruvananthapuram to the joint committee . The Senior Superintendent, Inspection section, Collectorate, Thiruvananthapuram is also posted to assist the Deputy Collector (D.M) to visit the site and verify the compliance status.

S/d/-

District Collector

To,

Deputy Collector (D. M), Thiruvananthapuram,
Senior Superintendent, Inspection, Collectorate.

Forwarded by Order

Deputy Collector (L.R)

Copy to,

Smt. Bincy. B.S, Assistant Environment Engineer, District Office KSPCB

865
16/3/2022

ANNEXURE 1

☎: General: 0471- 2312910, 2318153, 2318154, 2318155 Chairman: 2318150 Member Secretary: 2318151
E-mail: ms.kspcb@gov.in FAX: 0471 - 2318134, 2318152 web: www.keralapcb.nic.in



KERALA STATE POLLUTION CONTROL BOARD

കേരള സംസ്ഥാന മലിനീകരണ നിയന്ത്രണ ബോർഡ്

Pattom P.O., Thiruvananthapuram - 695 004
പട്ടം പി.ഒ., തിരുവനന്തപുരം - 695 004

PCB/HO/EE4/NGT/O.A.119/2022

Dated: 09/03/2022

From

The Chairman

To

1. The Chairman
SEIAA,
4th floor, KSRTC Bus Terminal,
Thampanoor, TVM- 695 001
2. The District Magistrate
Collectorate
2nd Floor Civil Station Building,
Civil Station Road,
Thiruvananthapuram-695 043

NGT Matter

Very Urgent



Sub: O.A.No.119/2022 before the Hon'ble National Green Tribunal

- Ref: 1. Order dated 24.02.2022 in O.A No. 119/2022 of the Hon'ble National Green Tribunal, Principal Bench
2. Proceedings no. PCB/HO/EE4/NGT/O.A.119/2022 dated 09/03/2022

Sir,

Please find enclosed order under reference (1) wherein the Hon'ble NGT constituted a Joint Committee consisting of the following institutions to ascertain the factual position with regard to a quarry project in Thiruvananthapuram District.

1. SEIAA
2. State Pollution Control Board
3. District Magistrate. Thiruvananthapuram

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15/3

The Joint Committee is directed to undertake visit to the site, verify compliance status and file factual and action taken report within two months. Kindly nominate an officer to the above committee urgently.

It is also mentioned in the order that the Kerala State Pollution Control Board is the nodal agency as per direction in the order under reference. The Assistant Environmental Engineer, District Office, Kerala State Pollution Control Board, Thiruvananthapuram has been nominated as the Nodal Officer for the above. The contact details of the Nodal Officer are as follows:-

Smt. Bincy B. S.
Assistant Environmental Engineer (Currently holding charge of
Environmental Engineer)
Kerala State Pollution Control Board
District Office, Thiruvananthapuram
Phone: 9497719022
E-mail: kspcbdotvm@gmail.com

Order nominating the officer of the Board to the above committee is enclosed.

Yours faithfully,



CHAIRMAN

~~Copy to:~~

The Assistant Environmental Engineer
District Office, KSPCB
Thiruvananthapuram

To co-ordinate and
convene the meeting

PROCEEDINGS

Sub: O.A.No.119/2022 before the Hon'ble National Green Tribunal, Principal Bench Committee constituted by NGT- nomination of member of the Board - orders issued.

KERALA STATE POLLUTION CONTROL BOARD

No.PCB/HO/EE4/NGT/O.A.119/2022 Thiruvananthapuram, Dated: 09/03/2022

Read: Order dated 24/02/2022 in O.A No. 119/2022 of the Hon'ble National Green Tribunal (Principal Bench)

ORDER

The Hon'ble National Green Tribunal (NGT) Principal Bench has registered Original Application no.119/2022 against quarrying conducted by VKL Infrastructure Facilities (P) Ltd and VKL Projects (P) Ltd near Thampuram Para and Thamburatty Para in Thiruvananthapuram District.

The Hon'ble National Green Tribunal vide reference, constituted Joint Committee to visit the site, verify the compliance status and file a factual and action taken report within two months. The Hon'ble NGT directed the following institutions to ascertain the factual position.

1. SEIAA
2. State Pollution Control Board
3. District Magistrate. Thiruvananthapuram

It is directed that the State Pollution Control Board will be the Nodal Agency for co-ordination and compliance. Factual and action taken report is to be furnished within two months. If any violations are found the Project proponents are to be put to notice by the Committee for their response, if any, which is to be filed within one month of such report.

Smt. Bincy B.S., Assistant Environmental Engineer, District Office, Thiruvananthapuram is nominated to the above Joint Committee as nominee of the Kerala State Pollution Control Board.

The expenditure in this regard will be met from the head of account -Non Plan 'Contingency' from current year's budget.

Sd/-
CHAIRMAN

To }
The Assistant Environmental Engineer
District Office, Thiruvananthapuram } To co-ordinate and
convene the meeting

Copy to:

1. The Chairman
SEIAA,
4th floor, KSRTC Bus Terminal,
Thampanoor, TVM- 695 001
2. The District Magistrate
Collectorate
2nd Floor Civil Station Building,
Civil Station Road,
Thiruvananthapuram-695 043
3. Adv. Jogy Scaria
Advocate-on-Record
Supreme Court of India
SB-41, Sophia Apartment,
Abhaykhand-4, Indirapuram
Ghaziabad, UP-201010
(O) 01204264302

FORWARDED/ BY ORDER
Ramesh V. Kopal
ENVIRONMENTAL ENGINEER-4