

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

Original Application: 117 of 2023

In the matter of:
Reena Varghese

-----Applicant(s)

-VS-

State of Kerala

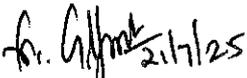
----Respondent(s)

**INSPECTION REPORT FILED BY THE JOINT COMMITTEE/DISTRICT
COLLECTOR, KOTTAYAM/ 2ND RESPONDENT**

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Dated at Chennai on this the 21th day of July, 2025.


M/s. E.K.KUMARESAN

Standing Counsel for State Government of Kerala - NGT(SZ) Chennai Bench

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DCKTM/5729/2023-R7

Before the Hon. National Green Tribunal, Chennai

OA No. 17/2023

Reena Varghese : Applicant

Vs

State of Kerala : Respondent

INSPECTION REPORT BY THE JOINT COMMITTEE

As per order dated 03/03/2023, the Hon. National Green Tribunal constituted a joint committee comprising State PCB, District Magistrate ,Kottayam and Chief Wild life Warden and directed to visit the premises under challenge and submit its report.

The joint inspection conducted by the following officers:

1. Smt. Solly Antony , Deputy Collector (LR) , Office of District Magistrate , Kottayam
2. Shri. Harikrishnan K.V , Deputy Director, Periyar Tiger Reserve West Division, Kottayam
3. Shri. Alexander George , Senior Environmental Engineer, Kerala State Pollution Control Board, District office Kottayam

The joint inspection was conducted on 14/08/2023. The joint committee inspected the premises of Thavalappara Granites, Kannimala, the property under challenge which is situated in Erumely North Village, Kanjirappally Taluk , Kottayam District. The said properties having an extent of 1.25 hectares of land in Resurvey No. 48/1 in block No. 25 in Thandaper No. 156 in Erumely North Village in Kanjirappally Taluk, Kottayam District is in possession of one Chacko S/o Thomas, Chempakathumkal, Erumely North Village and an extent of 4.13 hectares of land in Resurvey No. 48/2 in block No 25 in thandaper No 160 in

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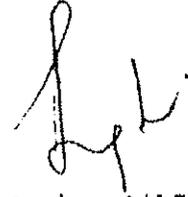
Erumely North Village in Kanjirappally Taluk is in possession of one Latha, wife of the above said Chacko.

The main observations of the team are given below:

- 1) Quarrying lease has been granted to one Shyleshan T S, Thavalapara House Kanam P O Vazhoor Kottayam in the name and style Thavalappara Granites upto the period 13/09/2030. But the said quarry is not working currently since the term of Environment Clearance was expired on 17/04/2023.
- 2) Short term quarrying permit was granted to one Suresh Thomas, Chembakathingal, Erattupetta during the period from 2010-2011 and 2011-2012 and to above said Shyleshan during the period 2016-2017.
- 3) The Grama Panchayath, Mudakkayam issued licence No. 1/2019-2020/ A5/A6/1289 dated 01/04/2019 in favour of the above said Shyleshan. The term was from 01/04/2019 to 17/04/2023. At present this quarry unit is not working since the term of license was expired on 17/04/2023.
- 4) The lowest aerial distance of the said quarry from the boundary of Periyar Tiger Reserve is 9.14 km and the distance from the reserve forest boundary of Kottayam forest division is 1.1 km
- 5) There is no residence within 100m radius of the quarry under question and no violation of the norms of the Kerala State Pollution Control Board is seen in this case.
- 6) The property under challenge is not included in the Eco Sensitive Area as notified in the website of Biodiversity Board.

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It is , therefore, prayed that this Honorable Tribunal may take on record the above status report based on the observations made by the joint committee and pass appropriate a orders as this Honorable Tribunal may deem fit and necessary in the circumstances of the case and thus render justice.



V.Vigneshwari IAS
District Magistrate
Kottayam



Smt. Solly Antony
Deputy Collector, LR
Kottayam



Shri. Harikrishnan K.V
Deputy Director
Periyar Tiger Reserve West Division, Kottayam



Shri. Alexander George
Senior Environmental Engineer
Kerala State Pollution Control Board
District office, Kottayam

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Before the Hon. National Green Tribunal, Chennai

OA No. 117/2023

Beena Varghese : Applicant

Vs

State of Kerala : Respondent

REPORTSubmitted by the District Magistrate, Kottayam the 2nd respondent in the above case

As per order dated 10/05/2023, the Hon. National Green Tribunal constituted a joint committee comprising State PCB, District Magistrate, Kottayam and Chief Wild life Warden and directed to visit the premises under challenge and submit its report.

The joint inspection was conducted on 14/08/2023. The joint committee inspected the premises of Thavalappara Granites, Kannimala, the property under challenge which is situated in Erumely Vadakk village, Kanjirappally Taluk Kottayam District. As per the report of the Tahsildar Kanjirappally, the said properties having an extent of 1.25 hectares of land in Resurvey No. 48/1 in block No. 25 in Thandaper No. 156 in Erumely Vadakku Village in Kanjirappally Taluk is in possession of one Shri. Chacko S/o Thomas, Chempakathumkal, Erumely Vadakku Village and an extent of 4.13 hectares of land in Resurvey No. 48/2 in block No 25 in thandaper No 160 in Erumely Vadakk Village in Kanjirappally Taluk is in possession of one Smt. Latha, wife of the above said Chacko.

As per the report of the Geologist Kottayam, quarrying lease has been granted to one Shyleshan T S, Thavalappara House Kanam P O Vazhoor Kottayam in the name and style Thavalappara Granites upto the period 13/09/2030. But the said quarry is not working currently since the term of Environment Clearance was expired. Short term quarrying permit was granted to one Suresh Thomas, Chembakathingal, Erattupetta during the period from 2010-2011 and 2011-2012 and to above said Shyleshan during the period 2016-2017.

The Grama Panchayath, Mudakkayam issued licence No. 1/2019-2020/ A5/A6/1289 dated 01/04/2019 in favour of the above said Shyleshan. The term was from 01/04/2019 to 17/04/2023. At present this quarry unit is not working since the term of license was expired on 17/04/2023.

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As per the report of Deputy Director, Periyar Tiger Reserve West Division, the lowest arrival distance of the said quarry from the boundary of Periyar Tiger Reserve is 9.14 KM and the distance from the reserve forest boundary of Kottayam forest division is 1.1 Kms. As per the report of PCB, there is no residence within 100m radius of the quarry under question and there is no violation of the norms of Kerala State Pollution Control Board.

As per the report of Geologist, the property under challenge is not included in the Eco Sensitive Area as notified in the website of Biodiversity Board.

These are the facts submitted before the honorable court.

18-09-2023

District Magistrate
Kottayam

DISTRICT COLLECTOR

Signed by
V Vigneshwari IAS
Date: 18-09-2023 21:14:59



KERALA STATE POLLUTION CONTROL BOARD

FILE NO. :PCB/KTM/QR/294/2012

Date of issue :09/05/2018

INTEGRATED CONSENT TO OPERATE - RENEWAL

Consent No : R16KOT2341347/R2/2018

Ref : 1)Consent No:PCB/KTM/ICO/R1-MOD/3260/2016,Dated:07.09.2016

The 'Integrated Consent to Operate' issued as per reference above to M/s Thavalappara Granites, Thavalappara House, Kanam P.O., Vazhoor, Kottayam, is hereby renewed up to 17/04/2023 and issued to M/s Thavalappara Granites, Thavalappara House, Kanam P.O., Vazhoor, Kottayam. The consent(s)/ variation order(s) cited under reference are integral part of this renewal order and this order is subject to the conditions stipulated therein and the following modifications/ additions.

I. GENERAL

S.No.	Items	Description
1	Village	Erumely North
2	Capital Investment	Rs 60 Lakhs
3	Category	Red
4	Production capacity	1,89,000TPA
5	Validity	17/04/2023
6	Extent of area(in hectares)	3.4260 ha
7	Fee Remitted	Rs 99,000/-
8	Survey No	48/1(Pt),48/2(Pt)
9.	Occupier details	Shylesan P.S, Thavalappara House, Kanam P.O, Vazhoor, Kottayam

II- Stack Details

Stack No.	Source of Emission	Emission Rate(Nm3/Hr)	Stack Height above		Environmental Equipment
			Ground Level(In Meters)	Roof Level(In Meters)	

JOSEMON J
Environmental Engineer

III. CONDITIONS

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- 3.1. This consent is granted subject to the power of the Board to review and make variation in all or any of the conditions as per section 21 of the Air (Prevention and control of Pollution) Act 1981 and section 25 of the Water (Prevention and control of Pollution) Act 1974
- 3.2. This consent is granted based on the Environmental Clearance No: 13/Q/2018 Dated: 18.04.2018. The quarrying shall be done after obtaining all statutory/necessary clearances from concerned authorities and is valid only when all other clearances from other concerned authorities are valid.
- 3.3. This consent unless withdrawn earlier and subject to condition no 3.1 & 3.2 shall be valid up to 17.04.2023. For continuing to operate beyond the validity date application for the renewal has to be submitted through online (website: krocmmms.nic.in) at least 3 months prior to the expiry of this consent.
- 3.4. No change, deviation or alteration that may affect the environment, extent and location of quarry shall be made.
- 3.5. Any change in particulars furnished in the application/the identity of the occupier/ authorised agent is to be intimated to the Board forthwith.
- 3.6. There shall be a minimum distance of 50m from boundary of quarry operating area to residential building, place of worship, public buildings, public road having vehicular traffic, river or lake, railwayline, bridges etc.
- 3.7. Quarrying shall be done only within the area marked in the location plan.
- 3.8. Quarrying area shall be earmarked before commencement of quarrying activities.
- 3.9. Blasting and quarrying shall be done without causing any nuisance or damage to occupants of adjoining or neighbouring land or building or posing damage to health, life or property.
- 3.10. After completion of excavation at any site, the abandoned quarry shall be utilized for rain water harvesting with protective barriers/ any other suitable approved purpose or may be reclaimed as per specification.
- 3.11. Proper fencing/barriers shall be provided and maintained all around the abandoned deep quarry pits to avoid accidents.
- 3.12. Mining below normal water table by continuous pumping shall be avoided in summer period (March, April & May) to prevent drinking water shortage in that area.
- 3.13. Noise creating activities such as drilling, blasting, breaking loading etc shall not be done during nighttime (6pm - 6am).
- 3.14. Blasting shall be done at specified time with prior signals to avoid accidents.
- 3.15. The PM10 in ambient air at the boundary shall not exceed 100 g/m³, max.
- 3.16. The PM2.5 in ambient air at the boundary shall not exceed 60g/m³.
- 3.17. The Sound level (Leq) at 1m outside the boundary of the site and near residential locations should not exceed the ambient noise standard applicable to the adjoining areas.
- 3.18. "The consent issued from the Board will be valid only for a period during the period when all other 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 thereunder. The operation of the unit shall be commenced only after obtaining clearances from all concerned authorities".
- 3.19. No other machineries shall be operated without prior Consent of the Board.
- 3.20. Quarrying operations shall be started only after obtaining Mining permit/lease from Mining & Geology Department and D & O License under the Kerala Panchayat Raj Act from the concerned Local Self Government.
- 3.21. The applicant shall submit copies of all relevant permits/lease/certificate/licenses periodically to this

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Office to ensure the validity of this consent.

3.22. Adequate safety measures shall be provided in accordance with the fire safety regulations.

3.23. The applicant shall put up sign boards near the main entrance of the plant to display consent number & validity.

3.24. All the quarrying activities shall be in accordance with conditions of the mining permit and as per the approved site plan issued by the Village Officer. The site plan is enclosed herewith.

All other conditions of the Integrated Consent to Operate issued as per reference above remain unchanged.

DATE: 09/05/2018

JOSEMON J Digitally signed by JOSEMON J
Date: 2018.05.09 14:28:05 +05'30'

SIGNATURE & SEAL OF ISSUING AUTHORITY
ENVIRONMENTAL ENGINEER, DISTRICT
OFFICE, KOTTAYAM



To
M/s Thavalappara Granites,
Thavalappara House,
Kanam P.O.,
Vazhoor,
Kottayam

Application No : 7656428

1. This digitally signed document is legally valid as per the Information Technology Act 2000
2. For verifying this document please go to krocmms.nic.in and search using date of issue/name of the unit/Application Number in "Consent Granted Applications" link in the home page of the Board's Online Consent Management and Monitoring System.

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Validity expires on 17.4.2023

Proceedings of the District Environment Impact Assessment Authority Kerala

(Present: Dr.B.S. Thirumeni IAS, Chairman; Dr.A.P. Thomas, Expert Member.

T.C. Thyagaraj, Member and K.Ramadas, Member Secretary.)

File No. K25/DEIAA/Q 26/2017

Dated, 18.4.2018

Sub: DEIAA- Environmental Clearance for the quarry project in block no.25 Sy. No. 48/1(pt),48/2(pt), Erumely North Village, Kanjirapally Taluk, Kottayam District by Sri. T.S Shylesan, Thavalappara Granites, Kannimala P.O. Erumeli, Kottayam District-686 509 - EC granted – Orders issued.

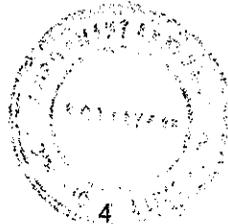
DISTRICT ENVIRONMENTAL IMPACT ASSESSMENT AUTHORITY, KOTTAYAM, KERALA

- Ref:
1. Application dated 03.05.2017 from Sri. T.S Shylesan, Thavalappara Granites, Kannimala P.O, Erumeli, Kottayam District-686 509
 2. Minutes of the 13th meeting of DEAC held on 05th January 2018
 3. Minutes of the 8th Meeting of DEIAA held on 21th March 2018
 4. Affidavit dated 23.03.2018 from Sri.T.S Shylesan, Thavalappara Granites

ENVIRONMENTAL CLEARANCE NO. 13/Q/2018

Sri.T.S Shylesan, Proprietor, Thavalappara Granites, Kannimala Post, Kottayam District-686 509. vide his application received on 3.05.2017 has sought Environmental Clearance under Notification MoEF &CC No SO.141(E) dated 15.01.2016 for the quarry project in block no.25. Re survey No 48/1(Pt),48/2 (Pt) in Erumely North Village, Kanjirapally Taluk, Kottayam District for an area of 3.4260 ha .The project comes under Category B2, as per the schedule of MoEF & CC Notification No SO.141/E dates 15.01.2016 (since it is below 5 hectares).

The lease area consists of 3.4260 ha which is private patta land. The proposed project is for quarrying of 1,89,000TPA of building stone. Distance of the mining area from the nearest habitation is recorded as about 120m towards south. The estimated project cost is 60 lakh.



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The proponent has submitted the mining plan as per Kerala rule 66 of Kerala Minor Mineral Concession Rule 2015 on 03.05.2017 along with the application and feasibility report. The proposed area is not adjacent to any of the ecologically sensitive features like National parks, Biosphere reservoirs, flight paths of migrating fauna and the project area does not fall in to any ESA village.

Basic Information

Name of project	Granite Building Stone Quarry Mining Project	
Brief description of the project	Granite Building Stone Quarry Mining Project	
Category/Subcategory& Schedule	B2 Category	
Location Block. No/ Sy. No / District/ Taluk/ Village etc	Block. No.25, Re survey No 48/1(Pt),48/2 (Pt) in Erumely North Village, Kanjirappally Taluk, Kottayam	
Date of Submission of Application	03/05/2017	
a) Is the property forest land/Govt. land/own land/patta land	own land	
For Mining projects	Extent of area (in hectares)	3.4260 ha
	Minimum and maximum height of excavation (MSL)	160msl – 115msl
	Life of mine proposed	12 Year
	Ultimate depth of mining (in MSL)	45m, msl
	Distance from the adjacent quarry	No other quarry near the site
	Capacity of production	1,89,000TPA
	Details of project cost	60 lakh
Financial statement including funding source and details of insurance	Own Fund	
CRZ recommendation	Nil	

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Forest clearance	Nil
Does it attracts violation proceedings	Nil
Environmental management plan/Eco restoration plan (brief details)	yes 1. 7.5m safety barrier plantation extent in 0.5535ha. 2. Back filling and reclamation extent in 2.5299ha 3. Post mining use of land as Water pond extent in 0.3426 ha 4. Water pond
Quantity of top soil/over burden produced and managed	A total quantity of 40964m ³ of top soil will be removed during the mining operations. The top soil excavated from the quarry will be dumped separately at pre-determined place and subsequently will be utilized in spreading over reclaimed areas for plantation. Over burden (1,13,686m ³) will be utilized for laying internal haul road and will form base in reclamation / plantation.
Details of litigation and Court verdict if any	Nil
Details of public complaint, if any	A hearing was conducted on 30.1.2018 based on the petition submitted by Cheriyan C.T. Member Secretary DEIAA.
Details of statutory sanction required	As per KMMC Rules 2015. (Rule 9) permit is obtained after grant EC. Consent to operate from the pollution control board- has valid consent Explosive licence from the authorities concerned- has valid licence D & O licence from the LSGD authorities concerned- to be obtained after grant EC
Facility for solid waste management	Waste dumped in current place only
Topographic features/slope	160msl - 115msl
Distance of the mining area from the nearest human settlement	102 m
Details of NABET approved EIA Consultant engaged- Their name, address and accreditation details	Mahesh S. TC 31/580, SN NAGAR, Pettah, Trivandrum RQP.REG.NO.RQP/BNG/338/2014/A



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Details of Authorized Signatory and address for correspondence	Sri. T.S Shylesan, Thavalappara Granites, Kannimala P.O, Erumeli, Kottayam District-686 509
Biodiversity and Management	
Areas which are important or sensitive for ecological reasons- wetlands, watercourses or other water bodies, coastal zone, biosphere, mountains, forests	NA
Areas protected under international conventions, national or local legislation for their ecological, landscape, cultural or other related value	Nil
Areas used by protected, important or sensitive species of flora or fauna for breeding, nesting, foraging, resting, over wintering, migration	Nil
Will the project involve extensive clearing or modification of vegetation	No
The measures should be followed to minimize the likely impact of project on vegetation	Ecological restoration for the mined area by plantation of the species suitable for land scape should be follow.
Is there any displacement of fauna – both terrestrial and aquatic? – If so what are the mitigation measures? Presence of any endangered species or red listed category (in detail)	Nil
CSR Details	Rs – 500000
Environment Management Plan	
Air Pollution Management Plan	Mining activities will generate certain quantities of dust during drilling, blasting, loading and transportation operations. The following measures will be taken to mitigate the fugitive dust from different operations. <ul style="list-style-type: none"> Laying of haul road as per the standards, black topping of permanent haul road and service road to avoid or eliminate air – borne dust.

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	<ul style="list-style-type: none"> • To avoid the dust generation from the drilling operations, wet drilling method will be adopted. • Drill machines will be equipped with dust collectors. • Use of appropriate explosives for blasting and avoiding overcharging of blast holes. • Controlled blasting techniques will be adopted. • Watering of haul road and other road at regular intervals. • Provision of dust filters/ mask to workers working at highly dust prone and affected areas. • Provision of green belt all along the periphery of the lease area. • Periodical monitoring of ambient air quality in and around the lease area. <p>The extracted mineral will be transported from the quarry to the end user by adopting following measures so as to minimize dust emissions.</p> <ul style="list-style-type: none"> • In case of long transportation the trucks after loading will be covered with tarpaulin sheets. • Speed of the vehicles will be maintained within the prescribed limits. <p>Trucks will not be over loaded and will be maintained to the body level.</p> <p>The following measures are being taken to control the dust emissions:-</p> <ul style="list-style-type: none"> ➤ The unit is based on latest green technology and the entire unit is closed loop with proper control strategies ➤ The unit is well equipped with dust extraction system like bag filters at all traverse points to control the dust emissions. ➤ Closed conveyor system with water sprinkling arrangements are adopted in this unit ➤ Sufficient water is used to maintain the moisture content to control the fugitive emissions throughout the system
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Water Pollution Management Plan	Provision of storm water collection pond with an appropriate capacity. The water requirement for sprinkling on sources of dust emission, on roads, landscaping etc. Can be met from the stored rainwater in the pond.
Noise Pollution Management Plan	<p>The major noise generating source from the proposed activity is working machinery, drilling, blasting and plying of vehicles. The following control measures are to be undertaken to bring down the noise levels:-</p> <ul style="list-style-type: none"> • Proper maintenance of machinery, equipments and improvement on design of machines. • Use of personal protective devices i.e., earmuffs and earplugs by workers, who are working in high noise generating areas. • Creation of wide green belt of dense foliage between mine areas and human habitation. • Proper training to personnel to create awareness about adverse noise level effects. <p>Planned noise monitoring at suitable locations in the plant and outside location for proper effective remedial actions.</p>
Eco restoration	The year wise programme of eco-restoration for the life of mine should follow through the Granma Panchayath

2. The 13th meeting of DEAC held on 05.01.2018 considered the project and appraised. The committee recommend issuance of Environmental Clearance for the Project proposed with special conditions as follows.

1. Fencing should be provided all around the mining area.
2. Storm water from quarry to be let to valley portions only after clarifying.
3. As far as possible water storage pits to be maintained wherever possible after quarrying.
4. Restoration with available earth to be carried out on a continuing basis.
5. The boundary between the Government land and project area is to be demarcated.
6. Approach roads to the quarry to be developed and maintained.

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7. Permanent benchmark stations to be established with GPS coordinates and level outside mining area. for future monitoring of compliance.
3. Authority in its 8th meeting held on 21-3-18 appraised the proposal based on field inspection report and minutes of 13th DEAC and decided to recommend the issuance of EC only after receiving detailed CSR of the project. The proponent submitted detailed CSR of the project to the DEIAA.
4. The proponent has submitted an affidavit vide reference 4th cited, satisfying all the above conditions. Environmental clearance as per the EIA notification 2006 is hereby accorded for the proposed building stone quarry project in in block no.25, Re survey No 48/1(Pt).48/2 (Pt) in Erumely North Village, Kanjirappally Taluk, Kottayam District for an area of 3.4260 ha. subject to the specific conditions as recommended by DEAC in para 2 above. all the environmental impact mitigation and management measures undertaken by the project proponent in the Form I, EMP, PFR and Mining plan submitted to DEIAA. The assurances and clarifications given by the proponent will be deemed to be a part of these proceedings as if incorporated herein. Also the general conditions for projects stipulated for mining (items 1 to 61). appended hereto will be applicable and have to be strictly adhered to.
- 5 The clearance issued will also be subject to full and effective implementation of all the undertakings given in the application form, mitigation measures as assured in the Environment Management Plan and the mining features including progressive mine closure plan as submitted with the application and relied on for grant of this clearance. The above undertakings and the conditions and the undertakings in Chapter 4 (Mining), Chapter 5 (Blasting), Chapter 6 (Mine Drainage), Chapter 7 (Stacking of Mineral rejects and Disposal of waste) Chapter 11 (EMP) Chapter 13 (Progressive Mine Closure Plan) of the Mining Plan as submitted will be deemed to be part of this proceedings as conditions as undertaken by the proponent, as if incorporated herein.
- 6 Validity of the Environmental Clearance will be five years from the date of this clearance. **subject to inspection by DEIAA on half yearly basis and compliance of the conditions.** subject to earlier review of E.C in case of violation or non-compliance of conditions or genuine complaints from residents within the security area of the quarry.
- 7 Compliance of the conditions herein will be monitored by the State Environment Impact Assessment Authority or its authorised offices (District Environment Impact Assessment Authority) and also by the regional office of the Ministry of Environment & Forests, Govt. of India, Bangalore.
- i. Necessary assistance for entry and inspection should be provided by the project proponent

- and those who are engaged or entrusted by him to the staff for inspection or monitoring.
- ii. Instances of violation if any shall be reported to the District Collector, Kottayam to take legal action under the Environment (Protection) Act 1986.

The given address for correspondence with the authorised signatory of the project Sri. T.S Shylesan, Thavalappara Granites, Kannimala P.O, Erumeli, Kottayam District-686 509

K.Ramadas
Member Secretary (DEIAA)

To.

Sri. T.S Shylesan,
Thavalappara Granites,
Kannimala P.O,
Erumeli, Kottayam District-686 509



Copy to.

1. MoEF Regional Office, Southern Zone, Kendriya Sadan, 4th Floor, E & F Wing. II Block, Koramangala, Bangalore-560034.
2. The Additional Chief Secretary to Government. Environment Department. Government of Kerala.
3. The Director, Mining & Geology, Thiruvananthapuram -4.
4. The Member Secretary, Kerala State Pollution Control Board
5. The District Collector, Kottayam
6. The District Geologist, Kottayam
7. The District Forest Office Kottayam
8. Tahasildar, Kanjirapally
9. Secretary, Erumely Granma Panchayath.
10. Chairman, SEIAA.
11. Website.
12. S/f
13. O/c

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STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY KERALA
GENERAL CONDITIONS (for mining projects)

1. Rain Water Harvesting facility should be installed as per the prevailing provisions of KMBR / KPBR, unless otherwise specified.
2. Environment Monitoring Cell as agreed under the affidavit filed by the proponent should be formed and made functional.
3. Suitable avenue trees should be planted along either side of the tarred road and open parking areas, if any, including of approach road and internal roads.
4. Maximum possible solar energy generation and utilization shall be ensured as an essential part of the project.
5. Sprinklers shall be installed and used in the project site to contain dust emissions.
6. Eco-restoration including the mine closure plan shall be done at the own cost of the project proponent.
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.
8. Corporate Social Responsibility (CSR) agreed upon by the proponent should be implemented
9. The lease area shall be fenced off with barbed wires to a minimum height of 4ft around, before starting of mining. All the boundary indicators (boards, stores, markings, etc) shall be protected at all times and shall be conspicuous.
10. Warning alarms indicating the time of blasting (to be done at specific timings) has to be arranged as per stipulations of Explosive Department.
11. Control measures on noise and vibration prescribed by KSPCB should be implemented.
12. Quarrying activities should be limited to day time as per KSPCB guidelines/specific conditions.
13. Blasting should be done in a controlled manner as specified by the regulations of Explosives Department or any other concerned agency.
14. A licensed person should supervise/ control the blasting operations.
15. Access roads to the quarry shall be tarred to contain dust emissions that may arise during transportation of materials.
16. Overburden materials should be managed within the site and used for reclamation of mine pit as per mine closure plan / specific conditions.
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.
18. Mats to reduce fly rock blast to a maximum of 10 PPV should be provided.
19. Maximum depth of mining from general ground level at site shall not exceed 10m
20. No mining operations should be carried out at places having a slope greater than 45°.
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.
22. The workers on the site should be provided with the required protective equipment such as ear muffs, helmet, etc.
23. Garland drains with clarifiers to be provided in the lower slopes around the core area to channelize storm water.
24. The transportation of minerals should be done in covered trucks to contain dust emissions.
25. The proponent should plant trees at least 5 times of the loss that has been occurred while clearing the land for the project.
26. Disposal of spent oil from diesel engines should be as specified under relevant Rules/Regulations.
27. Explosives should be stored in magazines in isolated place specified and approved by the Explosives Department.
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.
29. 100 m buffer distance should be maintained from forest boundaries.
30. Consent from Kerala State Pollution Control Board under Water and Air Act(s) should be

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- obtained before initiating mining activity.
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.
 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 proponents shall apply and get the approval of this Authority.
 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 (Protection) 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 (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and control of Pollution) act 1981, the Environment (Protection) Act, 1986, the Public Liability (Insurance) Act, 1991 and EIA Notification, 2006.
 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. 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.
 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 received while processing the proposal. The Environmental Clearance shall also be put 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 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.
 38. 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
 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.
 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.
 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.
 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.
 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 8m and width 20m 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.
 44. Catch drains and siltation ponds of appropriate size shall be constructed around the mine

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working, mineral and OB dumps to prevent run 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 PM₁₀ and PM_{2.5} such as haul Road, loading and unloading points and transfer points - it shall be ensured that the Ambient Air Quality parameters conform to the norms prescribed by the Central Pollution Control Board in this regard.
46. Fugitive dust emissions from all the sources should be controlled regularly. Water spraying arrangement on haul roads, loading and unloading and at transfer points should be provided and properly maintained.
47. Measures should be taken for control of noise levels below 85 dBA in the work environment.
48. A separate environmental management cell with suitable qualified personnel should be set-up under the control of a Senior Executive, who will report directly to the Head of the Organization.
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 expenditure should be reported to the State Environment Impact Assessment Authority (SEIAA) office.
50. The Regional Office of MOEF & CC located at Bangalore shall monitor compliance of the stipulated conditions. The project authorities should extend full cooperation to the officer (S) of the Regional Office by furnishing the requisite data/information/monitoring reports.
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.
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.
53. The DEIAA 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.
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.
55. This order is valid for a period of 5 years or the expiry date of mine lease period issued by the Government of Kerala, whichever is earlier.
56. The Environmental Clearance will be subject to the final order of the courts in any pending litigation related to the land or project, in any court of law.
57. The mining operation shall be restricted to above ground water table and it should not intersect ground water table.
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.
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.
60. Regular monitoring of flow rates and water quality upstream and downstream 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 DEIAA.
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.

Member Secretary, DEIAA Kottayam



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

Original Application: 117 of 2023

In the matter of:

Reena Varghese

-----Applicant(s)

-VS-

State of Kerala

----Respondent(s)

**INSPECTION REPORT FILED BY THE
JOINT COMMITTEE**

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