

**BEFORE THE NATIONAL GREEN TRIBUNAL, SOUTHERN ZONE,
CHENNAI**

ORIGINAL APPLICATION NO. 52 of 2026 (SZ)

IN THE MATTER OF:

N. Viswambharan

...Applicant

Versus

State of Kerala & Ors.

...Respondent(s)

INDEX


S.No.	Particular	Pages
1.	Environment Clearance issued to Project Proponent under B1 Category without considering public consultation	<u>1-10</u>

Applicant

Through

Date: 23rd June 2026

Place: NEW DELHI


Ranjit Kumar (ADVOCATE)
Ch.No. 336, Lawyers Block, Saket Court, ND-17
Mobile No. 8287474556, 7011130844,
E-mail: Adv.Ranjitkr@gmail.com,

ENVIRONMENTAL
CLEARANCE



Government of India
Ministry of Environment, Forest and Climate Change
(Issued by the State Environment Impact Assessment
Authority(SEIAA), KERALA)

To,

The Proprietor
ASHRAF KALATHINGAL
S/o ABDURAHMAN
KALATHINGAL HOUSE
PERUMANNA POST
KOZHIKODE - 673019 -673019

Subject: Grant of Environmental Clearance (EC) to the proposed Project Activity under the provision of EIA Notification 2006-regarding

Sir/Madam,

This is in reference to your application for Environmental Clearance (EC) in respect of project submitted to the SEIAA vide proposal number SIA/KL/MIN/434876/2023 dated 01 Jul 2023. The particulars of the environmental clearance granted to the project are as below.

1. EC Identification No.	EC24B001KL133029
2. File No.	2348/EC2/2023/SEIAA
3. Project Type	New
4. Category	B
5. Project/Activity including Schedule No.	1(a) Mining of minerals
6. Name of Project	Laterite building stone quarry of Mr. Ashraf. K
7. Name of Company/Organization	ASHRAF KALATHINGAL
8. Location of Project	KERALA
9. TOR Date	N/A

The project details along with terms and conditions are appended herewith from page no 2 onwards.

Date: 25/05/2024

(e-signed)
Dr Rathan U kelkar IAS
Member Secretary
SEIAA - (KERALA)

Note: A valid environmental clearance shall be one that has EC identification number & E-Sign generated from PARIVESH. Please quote identification number in all future correspondence.

This is a computer generated cover page.



True Copy



**PROCEEDINGS OF THE
STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT
AUTHORITY – KERALA, THIRUVANANTHAPURAM**

(Present: Dr. H. Nagesh Prabhu IFS (Retd), Chairman, SEIAA, Sri. K. Krishna Panicker, Member, Dr. Rathan U. Kelkar, IAS, Member Secretary)

**Sub:- SEIAA - Environmental Clearance for the Laterite Building Stone Quarry
Project of Sri. Ashraf K., S/o Abdurahman, Kalathingal house, Perumanna post,
Kozhikode - 673019 - Granted – Orders issued.**

State Level Environment Impact Assessment Authority, Kerala

Proposal No. SIA/KL/MIN/434876/2023

File No. 2348/EC2/2023/SEIAA

- Ref: 1. Application for EC received from Sri. Ashraf K. on 01.07.2023
2. Minutes of the 159th SEAC meeting held on 19th, 20th & 21st February 2024.
3. Minutes of the 140th SEIAA meeting held on 25th and 26th March 2024

ENVIRONMENTAL CLEARANCE NO.102/L/2024

Sri. Ashraf K., S/o Abdurahman, Kalathingal house, Perumanna post, Kozhikode - 673019, read as 1st paper above submitted an application for Environmental Clearance for the Laterite Building Stone Quarry for an area of 0.8094 Ha at Re. Sy No 64/75, in Ulliyeeri Village, Koyilandy Taluk, Kozhikode.

I. Project Details

Sl.No	Particulars	Details
1	Name of the Project	Laterite Building Stone Quarry Project of Sri. Ashraf K.
2	Proposed Activity	Mining of Laterite Building Stone
3	Name of the Sector &	Category B2, Schedule 1(a)

True Copy

	Schedule No. (in the EIA Notification, 2006)	Mining of Minerals
4	Name & Address of the Project Proponent	Sri. Ashraf K., S/o Abdurahman, Kalathingal house, Perumanna post, Kozhikode - 673019
5	Project Location	
	a) Re - Survey No.	64/75
	b) Village	Ulliyeri
	c) Taluk	Koyilandy
	d) District	Kozhikode
6	Extent (in Hectare)	0.8094
7	Project Cost	30 lakh
8	Mineable Reserve	The Mining & Geology Department shall re-assess the mineable quantity as per Specific Condition no.(3)

II.EMP Details

Items	Solution	Capital Cost (in Rs)	Maintenance Cost (in Rs)
Noise Pollution	<ul style="list-style-type: none"> • Effective maintenance of machineries and vehicles at regular and frequent intervals. • PPE's will be provided • The Project area is separated with temporary sheet fencing, Machineries used will be fitted with silencer • Noise level from the machineries deployed in mining operations is to the range of 70-75 dB at the time of operation 	80,000	45,000

True Copy

Air Pollution	<ul style="list-style-type: none"> • Sprinklers will be used • Dust masks would be provided. • Trucks will be covered with sheets. • Dumping area will be protected with sheet fencing. • Surrounding area of mine will be covered by fiber sheets to avoid dust dispersion. • To avoid dust generation during the cutting of laterite using blade mounted power tiller, wet cutting practice will be adopted. 	80,000	45,000
Water Pollution	<ul style="list-style-type: none"> • Garland Drains • Water storage tank • Temporary barrier of Green fiber sheets 	70,000	35,000
Health and Safety	<ul style="list-style-type: none"> • PPE's will be provided • First Aid Box 	55,000	25,000
Reclamation and Rehabilitation	<ul style="list-style-type: none"> • Refilling the mined out area • The area reclaimed with stacked and dumped overburden and rehabilitated by plantation 	80,000	65,000
Sub Total		Rs. 3,65,000 /-	Rs.2,15,000 /-
Total		Rs. 5,80,000	

III. CER Details

CORPORATE ENVIRONMENT RESPONSIBILITY			
Year Period	Area of Intervention	Amount	Maintenance Amount
First Year	Ceiling work for Conference Hall in CHC, Ulliyeri	20,000/-	2,000 per year Up to validity of EC

True Copy

Second Year	Construction of 20 sq ft toilet for C.D.M.C unit of CHC, Ulliyeri	20,000/-	2000 per year Up to Validity of EC
	Including Plumbing, wiring, Sanitary ware labor cost	15,000/-	
Total		71,000/-	

2. In the 159th SEAC meeting, the committee examined the proposal including the additional documents submitted by the Project Proponent and recommended EC for the mine life of 4 years subject to certain Specific Conditions in addition to the General Conditions.

3. In the 140th meeting of SEIAA, the Authority perused the proposal and noted the decisions of various SEAC meetings held on different dates. Authority noticed that the SEAC had appraised the project based on Form 2, Pre-Feasibility Report, Mining Plan and the additional details/documents obtained from the Project Proponent during appraisal. As per the approved mining plan, the mine life is 4 years. After the due appraisal, the SEAC in its 159th meeting, recommended EC for the mine life of 4 years, subject to certain Specific Conditions in addition to the General Conditions.

In the above circumstances, the Authority decided to issue Environmental Clearance for the project life of 4 (Four) years, subject to the following Specific Conditions in addition to the General Conditions.

1. *The Project Proponent shall carry out quarrying as per the approved Mining Plan and the Specific Conditions mentioned hereafter. The Project Proponent should strictly follow the Kerala Minor Mineral Concession Rules 2015 and amendments thereby.*
2. *The EC shall be valid from the date of execution of permit/lease from the Department of Mining and Geology. The copy of the permit / lease order should be provided to the SEIAA before commencing the mining activity.*
3. *The mining should be restricted to a maximum depth of 6 m below ground level, subject to limiting the depth 1 m above the lithomarge.*
4. *Proper benches should be provided at an interval of every 1.5 m.*


True Copy

5. *The excavation activity should not involve blasting.*
6. *The excavation activity should be restricted to 2m above the groundwater table at the site*
7. *The excavation activity should not alter the natural drainage pattern of the area.*
8. *The excavated pit should be restored by the project proponent for agriculture and other useful purposes.*
9. *Appropriate fencing all around the excavated pit should be made to prevent any mishap.*
10. *Measures should be taken to prevent dust emissions by covering excavated earth during transportation.*
11. *Safeguards should be adopted against health risks on account of breeding of vectors in the water bodies created due to the excavation of earth.*
12. *Workers/labourers should be provided with facilities for drinking water and sanitation.*
13. *A berm should be left from the boundary of adjoining field having a width equal to at least half the depth of the proposed excavation.*
14. *A minimum distance of 50m from any civil structure should be kept from the periphery of the project area.*
15. *No water logging should be allowed in the mine pit. Appropriate drainage should be ensured from the project area prior to the commencement of mining.*
16. *The drain should be provided with silt traps and siltation pond and the overflow water should be clarified and drained to the nearest natural drain without any hindrance.*
17. *The drainage system should be cleaned and desilted periodically to facilitate unhindered drainage.*
18. *Measures incorporated in the CER should be implemented within 6 months from the date of EC.*


True Copy

19. *Transportation of mined material should not be done during the peak hours in the forenoon (8.00am to 10.00am) and afternoon (3.30pm to 5 pm)*
20. *As per OM no F.No.22-65/2017-IA.III dated 30th September 2020, under Corporate Environmental Responsibility (CER) the Project Proponent should implement the Environment Management Plan (EMP)/CER as directed by SEAC during appraisal, covering the issues to address the environmental problems in the project region, from the beginning of the project, indicating both physical and financial targets year wise. The EMP/CER shall be implemented in consultation with Local Self Govt. Institutions. A copy of the approved EMP/CER shall be made available to the concerned Panchayat for information and implementation support. The indicated cost for implementation of CER activities shall be 2% of the project cost.*
21. *As per the directions contained in the OM F.No.22-34/2018-IA.III dated 16th January 2020 issued by MoEF&CC, in obedience to the directions of the Hon'ble Supreme Court the Project Proponent shall, undertake re-grassing the mining area and any other area which may have been disturbed due to his mining activities and restore the land to a condition which is fit for growth of fodder, flora, fauna etc. The compliance of this direction shall be included in the Half Yearly Compliance Report which will be monitored by SEAC at regular intervals.*
22. *The violation of EC condition may lead to cancellation of EC and action under The Environment (Protection) Act 1986.*

4. Environmental Clearance, under Notification S.O. No.1533 (E) dated 14.09.2006 of the Ministry of Environment & Forests, Government of India, is hereby accorded to Sri. Ashraf K., S/o Abdurahman, Kalathingal house, Perumanna post, Kozhikode - 673019, for the Laterite Building Stone Quarry for an area of 0.8094 Ha at Re. Sy No 64/75, in Ulliyeeri Village, Koyilandy Taluk, Kozhikode, for the quantity re-assessed by the Mining and Geology Department as per specific condition No.(3), for a period of four (4) years from the date of issue of mine permit, from the Mining and Geology Department subject to the Specific Conditions suggested by SEIAA in Para 3 above in addition to the following General Conditions.


True Copy

General Conditions

1. *Proponent should obtain all necessary statutory clearances for mining.*
2. *Appropriate fencing all around the burrowed/excavated pit shall be made to prevent any mishap.*
3. *Proper retaining wall shall be provided for safeguarding the immediately adjacent property, other buildings and civil structures.*
4. *A berm shall be left from the boundary of adjoining field having a width equal to at least half the depth of proposed excavation or as specified in mining plan.*
5. *Mining shall be done as per mining plan and suggestions by SEAC.*
6. *The mining activity should not involve blasting*
7. *The excavation shall not alter the natural drainage pattern of the area.*
8. *Appropriate measures shall be taken to prevent dust pollution caused during laterite cutting.*
9. *Safeguards shall be adopted against health risks on account of breeding of vectors in the water bodies created due to burrowing/excavation of laterite building stone.*
10. *Provide 2m x 2m benches for mining depth greater than 3m to prevent slope failures. For soil and soft formation the benches of height 1.5m to 2m are to provided to prevent collapse of wall.*
11. *Maximum depth of removal of laterite building stone should be limited to 1 m above the clay layer (Lithomarge clay layer).The level should be prominently marked before initiating the work.*
12. *Removal of laterite building stone should be restricted to 2m above the ground water table at the site. The decision taken by the expert team of SEAC in this regard, in relation to details provided in the mining plan, after the field inspection shall be final.*
13. *The top soil and overburden shall be stacked in separate demarcated area and shall be used for reclaiming the excavated pit. Proper measures shall be provided to prevent the erosion of the stacked material.*
14. *The burrowed/excavated pit shall be restored by the project proponent for useful purpose(s) as specified in the mining plan.*


True Copy

15. *Measures shall be taken to prevent dust pollution by covering of burrowed/excavated laterite building stone during transportation.*
16. *Applicable labour laws for mining shall be followed. Proper masks and onsite facilities shall be provided to the workers. All safety measures shall be followed while cutting laterite using machines.*
17. *Mine has to be closed as per progressive mine closure plan and final mine closure plan.*
18. *If EC period is more than 6 months, half yearly compliance report shall be submitted to SEIAA.*
19. *The Environmental Clearance shall be liable to be cancelled in case of violation of any of the above conditions.*
20. *The minimum distance norm from the boundary/periphery of other properties buildings/civil structures as prescribed in KMMC Rules and other statutory rules and orders shall be followed.*
21. *Suitable indigenous plants should be planted around the mining area and sides of the haul road as green belt.*

5. Validity of the Environmental Clearance will be for a period of **Four (4) years** from the date of execution of valid mine lease / permit from Mining & Geology Department, subject to the review by SEAC or early review of EC in case of violation or non-compliance of conditions or genuine complaints from residents within the security area of the quarry and other conditions in para (4).

6. Violation of any of the above Specific & General Conditions as applicable to the particular case will entail cancellation of the Environmental Clearance, in addition to legal action under the provisions of the Environment (Protection) Act, 1986. Non-compliance, if any shall be reported to the District Collector, Kozhikode by the State Environment Impact Assessment Authority.

7. The Half Yearly Compliance Report (HYCRs) with name of the project, EC No. and date, the period of submission with its contents, compliance report and environmental monitoring data & covering letter have to be uploaded in the Parivesh Portal as per O.M. F.No.IA3-22/1/2022-IA-III(E)-17264 dated 14.06.2022 and on the website of the Project Proponent. Hardcopy of HYCRs shall not be acceptable.


True Copy

8. The given address for correspondence of the Project Proponent is Sri. Ashraf K.,
S/o Abdurahman, Kalathingal house, Perumanna post, Kozhikode - 673019

Sd/-
Administrator, SEIAA
For Member Secretary, SEIAA

To,
Sri.Ashraf K.,
S/o Abdurahman,
Kalathingal house,
Perumanna post,
Kozhikode - 673019

Copy to

1. MoEF Regional Office, Southern Zone, Kendriya Sadan, 4th Floor, E&F Wing, II Block, Koramangala, Bangalore-560034.(through e-mail: ros.z.bng-mefcc@gov.in)
2. The Secretary to Government, Environment Department, Government of Kerala.
3. The Director, Directorate of Environment & Climate Change, 4th Floor KSRTC Bus Terminal, Thampanoor, Thiruvananthapuram, Kerala 695001.
4. The District Collector, Kozhikode
5. The Director, Mining & Geology, Thiruvananthapuram -4.
6. The Member Secretary, Kerala State Pollution Control Board
7. The Environmental Engineer, Kerala State Pollution Control Board
8. The District Geologist, Kozhikode
9. The Tahsildhar, Koyilandy Taluk, Kozhikode
10. The Secretary, Ulliyeri Grama Panchayath, Kozhikode
11. The Chairman, SEIAA.
12. Website.
13. S/f
14. O/c


True Copy

Signature Not Verified

Digitally signed by: Dr. Rathan U kelkar
IAS

Designation: Member Secretary
Date and Time: 5/25/2024 9:56:15 PM