

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

**Original Application No 93/2024 SZ  
(OA 770/2023 PB)**

**IN THE MATTER OF**

**SAJIMON JOSEPH: Applicant**

**Vs**

**State of Kerala & others: Respondents**

**REPORT FILED BY THE THIRD RESPONDENT IN THE  
ABOVE CASE IN COMPLIANCE WITH THE ORDER  
DATED 04/06/2025 IN OA NO. 93/2024 (SZ)**



**Rema Smrithi VK  
Standing Counsel for KSPCB  
Respondent No.R3**



**RAMEENA V.V  
Environmental Engineer**

**RAMEENA V.V  
Environmental Engineer**



2

**BEFORE THE NATIONAL GREEN TRIBUNAL  
(SOUTHERN BENCH, CHENNAI)**

**IN  
OA NO: 93/2024 SZ (OA 770/2023 PB)**

**REPORT FILED BY THE THIRD RESPONDENT IN THE ABOVE  
CASE IN COMPLIANCE WITH THE ORDER DATED 04/06/2025 IN  
OA NO. 93/2024 (SZ)**

**INDEX**

No	Description	Pages
1	<b>Report</b>	1-11
2	<b>Annexure R3 (a):</b> Integrated Consent to operate dated 16/07/2021 issued to the permit quarry (0.8710 Ha)	12
3	<b>Annexure R3 (b) :</b> Integrated Consent to operate dated 04/01/2020 issued to the leased quarry (3.38 Ha)	14
4	<b>Annexure R3 (c) :</b> Environmental clearance issued by SEIAA dated 04/11/2019	19
5	<b>Annexure R3 (d) :</b> Environmental clearance issued by SEIAA dated 05/12/2014	28
6	<b>Annexure R3 (e) :</b> Office Memorandum (S.O. 1807(E) dated 12.04.2022, issued by the Ministry of Environment, Forest and Climate Change )	33
7	<b>Annexure R3 (f) :</b> Board's Circular No - PCB/HO/CIRCULAR/51/2029 dated 04/05/2022	37
8	<b>Annexure R3 (g):</b> Stop memo dated 02/11/2024 issued by SEIAA	39
9	<b>Annexure R3 (h) :</b> Show cause notice dated 02/11/2024 issued by SEIAA	41
10	<b>Annexure R3 (i) :</b> Show cause notice dated 11/11/2024 issued by the Board	43
11	<b>Annexure R3 (j) :</b> Reply letter dated 26/11/2024 submitted by the quarry owner	47
12	<b>Annexure R3 (k) :</b> Hon'ble High Court Order in WP(C) No:44403 of 2024. dated 04/03/2025	53
13	<b>Annexure R3 (l) :</b> Mine life certificate signed and issued by the Geologist District Office, Kozhikode dated 01/03/2025	57



*Rameena V.V.*

**RAMĒENA V.V.**  
Environmental Engineer

14	<b>Annexure R3 (m)</b> : Integrated Consent to Operate issued on 14/03/2025	58
15	<b>Annexure R3 (n)</b> : Email instruction issued to the quarry owner on 09/06/2025	61
16	<b>Annexure R3 (o)</b> : Letter issued to the unit owner dated 17/06/2025 instructing to stop all quarry operations	62



*Rameena V.V.*  
**RAMĒENA V.V.**  
**Environmental Engineer**

*Rameena V.V.*  
**RAMĒENA V.V.**  
**Environmental Engineer**



**BEFORE THE NATIONAL GREEN TRIBUNAL  
(SOUTHERN BENCH, CHENNAI)**

**IN**

**OA NO: 93/2024 SZ (OA 770/2023 PB)**

**REPORT FILED BY THE THIRD RESPONDENT IN THE ABOVE  
CASE IN COMPLIANCE WITH THE ORDER DATED 04/06/2025 IN  
OA NO. 93/2024 (SZ)**

I, Rameena V.V., Environmental Engineer, Kerala State Pollution Control Board, District Office, Kozhikode do hereby solemnly affirm and state as follows.

1. I am the Environmental Engineer, Kerala State Pollution Control Board, District Office, Kozhikode, (herein after referred to as **Board**) and duly authorised to represent the 3<sup>rd</sup> respondent in the above case. I am aware of the facts affirmed by me in this report. I am swearing this report based on the best of my knowledge, information and belief and the facts revealed from the records.
2. It is respectfully submitted that, vide order dated 04.06.2025, in connection with the hearing of Original Application No. 93 of 2024 (SZ), the Hon'ble National Green Tribunal directed the Kerala State Pollution Control Board to file an independent affidavit regarding the grant of Consent to Operate (CTO) issued on 14.03.2025, while the matter was still pending before the Hon'ble High Court of Kerala and the National Green Tribunal.



*Rameena V.V.*

**RAMEENA V.V.**  
Environmental Engineer

3. It is respectfully submitted that the Hon'ble National Green Tribunal (NGT), Principal Bench (PB), New Delhi, initiated Suo Motu proceedings numbered as Original Application (OA) No. 770 of 2023, based on an email communication from Mr. Sajimon Joseph, alleging the unlawful operation of the above-mentioned stone quarry. Vide order dated 31.01.2024, the Hon'ble NGT(PB) deemed it appropriate to constitute a Joint Committee to verify the factual position and recommend remedial action. Accordingly, a Joint Committee was constituted comprising the representative of the District Collector, Kozhikode, a member from the Central Pollution Control Board (CPCB), and the Environmental Engineer, District Office, Kozhikode, as the Nodal Officer. The matter was subsequently transferred to the Hon'ble NGT, Southern Zone (SZ), and re-numbered as OA No. 93/2024(SZ) vide order dated 25.03.2024. An interim report dated 05.04.2024 was submitted before the Hon'ble NGT (SZ). In compliance with the directions of the Hon'ble NGT (SZ), the committee was expanded to include representatives from other stakeholder Departments, namely: the State Environmental Impact Assessment Authority (SEIAA), Forest Department, Department of Mining and Geology, in addition to the existing members - representative of the District Collector, Kozhikode, a member from CPCB, and the Environmental Engineer, District Office, Kozhikode, as the Nodal Officer. In continuation of the proceedings, a Joint Committee report was submitted on 09.01.2025.
4. It is respectfully submitted that M/s. Mathalikunnel Quarry, was granted Environmental Clearance (EC) by the State Environmental Impact Assessment Authority (SEIAA) for a total area of 4.6963

V.V. RAMEENA  
Environmental Engineer



*Rameena V.V.*

**RAMEENA V.V.**  
Environmental Engineer

hectares. This area comprises 0.8710 hectares of permit quarry land and 3.38 hectares of leased quarry land. The Environmental Clearance for the quarry project, located in Survey No. 2442 (pt) of Koodaranhi Village, Koodaranhi Grama Panchayat, Kozhikode Taluk, Kozhikode District, Kerala, was valid until 04.12.2024.

5. It is respectfully submitted that Consent to Operate was also granted separately to the permit quarry and leased quarry land. The validity of the Integrated Consent to Operate (ICO) issued by the Board for the quarrying area of 0.8710 hectares (permit quarry), expired on 30.09.2024. Consent to Operate for the area of 3.38 hectares (lease quarry), expired on 04.12.2024. A true copy of the Integrated Consent to Operate dated 16.07.2021, issued by the Board to the unit for the permit quarry, is produced herewith and marked as **Annexure R3 (a)**. A true copy of the Integrated Consent to Operate dated 04.01.2020, issued by the Board to the unit for the lease quarry, is produced herewith and marked as **Annexure R3 (b)**. The application for renewal of the ICO for permit quarry and lease quarry area were submitted through the Board's online portal on 26.07.2024 and 26.09.2024 respectively.

6. It is respectfully submitted that validity of the Environmental Clearance (EC) issued by SEIAA expired on 04.12.2024 and does not specify the project life of the quarry. A true copy of the SEIAA Proceedings dated 04.11.2019 is produced herewith and marked as **Annexure R3 (c)**. The previous Environmental Clearance for the quarry, issued by SEIAA on 05.12.2014, indicated a proposed mine

RAMEENA V.V.  
Environmental Engineer



*Rameena V.V.*

RAMEENA V.V.  
Environmental Engineer

life of eight years. A true copy of the SEIAA Proceedings dated 05.12.2014 is produced herewith and marked as **Annexure R3(d)**.

7. It is respectfully submitted as per the Office Memorandum (OM dated 12.04.2022, S.O. 1807(E) dated 12.04.2022, issued by the Ministry of Environment, Forest and Climate Change. As per the Clause (iv) of S.O. 1807(E) dated 12.04.2022 *“The prior Environmental Clearance granted for mining projects shall be valid for the project life as laid down in the mining plan approved and renewed by competent authority, from time to time, subject to a maximum of thirty years, whichever is earlier”*.

A true copy of the order dated 12.04.2022, issued by the MoEF&CC, is produced herewith and marked as **Annexure R3(e)**. Accordingly, the applicant was requested to submit a letter from the Department of Mining and Geology confirming the life of the mine. This requirement is in accordance with the Board’s Circular No. PCB/HO/CIRCULAR/51/2019 dated 04.05.2022, which pertains to the validity of Environmental Clearances for mining projects. A true copy of the Circular dated 04.05.2022, issued by the Kerala State Pollution Control Board, is produced herewith and marked as **Annexure R3(f)**.

8. It is respectfully submitted that a site inspection was conducted by the members of the Joint Committee at the quarry on 11.10.2024. Based on the findings of the inspection, the State Level Environmental Impact Assessment Authority (SEIAA) issued a Stop Memo (No. 1068/EC4/2024/SEIAA) dated 02.11.2024, directing the

RAMEENA V.V.  
Environmental Engineer



*Rameena*

**RAMEENA V.V.**  
Environmental Engineer

cessation of all activities carried out under the Environmental Clearance (EC). A true copy of the Stop Memo dated 02.11.2024, issued by SEIAA, is produced herewith and marked as **Annexure R3(g)**. On the same date, SEIAA also issued a Show Cause Notice to the quarry owner, requiring justification as to why the Environmental Clearance should not be revoked under Clause 8(vi) of the EIA Notification, 2006. A true copy of the Show Cause Notice dated 02.11.2024, issued by SEIAA, is produced herewith and marked as **Annexure R3(h)**.

9. It is respectfully submitted that following the issuance of the Stop Memo by SEIAA, the Board also issued a Show Cause Notice on 11.11.2024. A true copy of the Show Cause Notice dated 11.11.2024, issued by the Board, is produced herewith and marked as **Annexure R3(i)**. The notice directed the quarry owner to submit an explanation as to why the existing Integrated Consent to Operate (ICO) shall not be revoked. In response, the quarry owner submitted a reply on 26.11.2024. A true copy of the reply dated 26.11.2024 is produced herewith and marked as **Annexure R3(j)**.

10. It is respectfully submitted that, in view of the pending case before the Hon'ble National Green Tribunal (NGT) against the quarry, the application for Consent to Operate (CTO) was returned on 21.12.2024, with a request to submit a Life of Mine certificate issued by the Department of Mining and Geology. The occupier was also directed to resubmit the application only after the final judgment in O.A. No. 93/2024.



*Rameena V.V.*

**RAMĒENA V.V**  
Environmental Engineer

**RAMĒENA V.V**  
Environmental Engineer

11. It is respectfully submitted that Sri. Thankachan M.S., the owner of the quarry, has filed two writ petitions before the Hon'ble High Court of Kerala. W.P.(C) No. 44403 of 2024 has been filed, *inter alia*, challenging the online communication issued by the Board returning the application submitted by the petitioner for the renewal of the Integrated Consent to Operate for the quarry. The other writ petition, W.P.(C) No. 39873 of 2024, has been filed, *inter alia*, challenging the orders issued by the State Level Environmental Impact Assessment Authority (SEIAA), in which the Board is the 3<sup>rd</sup> respondent.

12. It is respectfully submitted that the Board filed a Statement of Facts in W.P.(C) No. 44403 of 2024 before the Hon'ble High Court of Kerala on 10.02.2025, wherein it expressed its concerns regarding the Environmental Clearance (EC) details and the non-submission of the Life of Mine certificate issued by the Department of Mining and Geology. In view of the above circumstances, the Board submitted its concerns before the Hon'ble High Court, stating that the Board is not in a position to independently decide on the renewal of the Integrated Consent to Operate (ICO) for the quarry project. Consequently, the online applications submitted by the petitioner were returned, pending final adjudication of the matter by the Hon'ble High Court.

13. It is respectfully submitted that, the Hon'ble High Court of Kerala, vide order dated 04.03.2025 in W.P.(C) No. 44403 of 2024, directed the Board to consider the application submitted by Mr. Thankachan M.S. through the Board's online portal for the extension of Consent

RAMEENA V.V.  
Environmental Engineer



RAMEENA V.V.  
Environmental Engineer

to Operate, by granting the benefit of S.O. 1807(E) dated 12.04.2022, issued by the Ministry of Environment, Forest and Climate Change which was already produced as Annexure R3(e). A true copy of the Order dated 04.03.2025, issued by the Hon'ble High Court of Kerala, is produced herewith and marked as **Annexure R3(k)**.

14. It is respectfully submitted that, based on the aforementioned Government Order, it has been verified that the latest mining plan of the quarry, approved by the Department of Mining and Geology, District Office, Kozhikode, on 01.03.2025, indicates a mine life of four years. A true copy of the Mine Life Certificate, signed and issued by the Geologist, District Office, Kozhikode, dated 01.03.2025, is produced herewith and marked as **Annexure R3(l)**.

15. It is respectfully submitted that, considering the High Court order dated 04.03.2025 in W.P.(C) No. 44403 of 2024, S.O. 1807(E) dated 12.04.2022 issued by the MoEF&CC, and the latest mining plan of the quarry, issued on 01.03.2025 by the Department of Mining and Geology, District Office, Kozhikode, the Board renewed the quarry's Consent to Operate up to 04.06.2027. This renewal corresponds to the validity period of the existing quarrying lease and has been granted as a conditional approval, with a remark that it is subject to modification based on the final orders of the Hon'ble National Green Tribunal in Original Application No. 93 of 2024 (SZ). A true copy of the renewed Integrated Consent to Operate, issued on 14.03.2025 by the Board to the unit, is produced herewith and marked as **Annexure R3(m)**.

RAMEENA V.V.  
Environmental Engineer



*Rameena*

RAMEENA V.V.  
Environmental Engineer

16. It is most respectfully submitted that as per the Order of the NGT dated 04.06.2025, in O.A. No. 93/2024, "*(i) the Project Proponent is directed to stop all quarrying operations with immediate effect until further orders from this Tribunal.* Immediately on receiving the order, an email instruction was issued to the quarry owner on 09.06.2025, directing the immediate cessation of all quarrying activities. A true copy of the email instruction dated 09.06.2025 is produced herewith and marked as **Annexure R3(n)**. The quarry was inspected on 12.06.2025, to verify the compliance of the order and it was confirmed that the quarry was not in operation. In continuation of the above email, a formal letter was also issued to the unit owner on 17.06.2025, instructing to stop all quarry operations. A true copy of the letter dated 17.06.2025 is produced herewith and marked as **Annexure R3(o)**.

All the facts stated above are true to the best of my knowledge, information and belief.

Dated this the 8<sup>th</sup> day of July, 2025.

For and on behalf of

Kerala State Pollution Control Board



A handwritten signature in green ink, appearing to read 'Rameena V.V.'.

**RAMEENA V.V**  
**Environmental Engineer**

**Environmental Engineer**

**District Office, Kozhikode**



## KERALA STATE POLLUTION CONTROL BOARD

FILE NO. :PCB/KKD/DO/11302/2021

Date of issue :16/07/2021

### INTEGRATED CONSENT TO OPERATE - RENEWAL

**Consent No : PCB/KKD/DO/ICO-R3/11302/R17KOZ5674911/13972542/2021**

**Ref : 1. Your online application no. 13972542 dated 08.07.2021**

**2. Consent No.PCB/KKD/DO/ICO-R2/1508/2017 dated 31.10.2017 valid up to 30.09.2020**

The 'Integrated Consent to Operate' issued as per reference above to M/s MATHALIKUNNEL QUARRY 2 KOOMBARA BAZAR P.O KODARANHI VIA KOZHIKODE is hereby renewed up to 30/09/2024 and issued to M/s MATHALIKUNNEL QUARRY 2 KOOMBARA BAZAR P.O KODARANHI VIA KOZHIKODE 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	Capital investment	29 lakh
2	Annual fee	5800/-
3	Fee Remitted	33605/-
4	Survey no	U/S [Field No.2442(pt)]
5	Validity	30/09/2024
6	Quarrying area	0.8710 Ha

#### II. Stack Details

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

#### III. CONDITIONS

- 3.1. This consent is issued based on E.C no 212/SEIAA/KL/251/2014 dated 04/11/2019 LOI of mining and geology D0Z/M-2833/17 dated 29.12.2017.
- 3.2. This consent is granted on the basis of the affidavit dated 22.09.2020, self certification dated 22.09.2020 and Sakhyapathram dated 09.02.2021 by the applicant. On notice of non compliance to Board's norms the consent issued from the Board will be revoked.

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

VARUN NARAYANAN  
GOPINATHAN

Digitally signed by VARUN  
NARAYANAN GOPINATHAN  
Date: 2021.07.17 16:20:06 +05'30'

SIGNATURE & SEAL OF ISSUING AUTHORITY  
ENVIRONMENTAL ENGINEER

DATE :15/07/2021



**To**

Sri.THANKACHAN M S MATHALIKUNNEL HOUSE KOOMBARA BAZAR PO KOODARANHI VIA  
KOZHIKODE-673604  
MATHALIKUNNEL QUARRY 2  
KOOMBARA BAZAR P.O KOODARANHI VIA KOZHIKODE

**1. This digitally signed document is legally valid as per the Information Technology Act 2000**

2. For verifying this document please go to [krocmmms.nic.in](http://krocmmms.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.



## KERALA STATE POLLUTION CONTROL BOARD

FILE NO. :PCB/KKD/DO/1507/2010

Date of issue :04/01/2020

### INTEGRATED CONSENT TO OPERATE - RENEWAL

**Consent No : PCB/KKD/DO/ICO-R3/1507/R16KOZ4227391/12274532/2019**

**Ref : 1.Your online application no.12274532 dated 06.12.2019**

**2. Consent No. PCB/RO/KKD/ICO-R/03/2017 DATED 03.03.2017 VALID UPTO 31.12.2019**

The 'Integrated Consent to Operate' issued as per reference above to M/s MATHALIKUNNEL QUARRY 1,KOOMBARA BAZAR P.O. KOODARANHI VIA KOZHIKODE, is hereby renewed up to 04/12/2024 and issued to M/s MATHALIKUNNEL QUARRY 1,KOOMBARA BAZAR P.O. KOODARANHI VIA KOZHIKODE, 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	Survey number	2442(pt)
2	Fee remitted	Rs.174667/-
3	Annual fee	Rs.30000/-
4	Validity	04.12.2024
5	Quarrying area	Quarrying in 8.35acres of land in survey no. 2442(pt), Koodaranhi Village, Thamarassery Taluk and in Koodaranhi Panchayath

#### II. Stack Details

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

#### III. CONDITIONS

- 3.1. Condition no.2.4 of the consent referred 2nd above is modified to the extent that for renewal of the integrated consent application in the prescribed form shall be submitted to the Board before 28.2.2024 through the web portal of the Board (krocmms.nic.in) for Online Consent Management & Monitoring System. Late application will be accepted only with fine/late fee as applicable.
- 3.2 The quarry should not be operated between 6.00 p.m. and 6.00 a.m.
- 5.3 Noise measured 1 m outside the boundary of the premises shall not exceed the limit specified for the area under the Ambient Air Quality Standards in respect of noise.
- 5.4 The concentration of particulate matter PM 10 and PM 2.5 at the boundary of the premise shall not exceed 100 microgram/m<sup>3</sup> and 60 microgram/m<sup>3</sup> respectively.
- 5.5 Permanent fence made of wire mesh shall be provided and maintained along the boundary of the approved quarry area.
- 5.6 The applicant shall put up a 6 ft. x 4 ft. signboard near entrance to the quarry for displaying the name of the quarry and owner, production details and time of the day when blasting is permitted to be undertaken.
- 5.7 Location and extent of quarry shall be as per the approved site plan attached.
- 5.8 After completion of quarrying, the land may be reclaimed as per the mining plan approved by the Department of Mining and Geology.
- 5.9. Quarrying operations shall be started only after obtaining the all the statutory clearances required, which shall be valid throughout the period of operations.
- 5.10. This consent is issued based on EC no 212 / SEIAA/KL/251/2014 .dated 04.11.2019 valid up to 04.12.2024 .

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

SHABNA KUSHE SHEKHAR  
Digitally signed by SHABNA KUSHE SHEKHAR  
Date: 2020.01.04 17:08:02 +05'30'

DATE :04/01/2020

SIGNATURE & SEAL OF ISSUING AUTHORITY  
ENVIRONMENTAL ENGINEER



**To**  
SRI.THANKACHAN SEBASTIAN  
MATHALIKUNNEL HOUSE,  
KOOMBARA BAZAR P.O.  
KODARANHI,  
KOZHIKODE-673604

- 1. This digitally signed document is legally valid as per the Information Technology Act 2000**
2. For verifying this document please go to [krocmmms.nic.in](http://krocmmms.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.



**Translation of Malayalam para in the site plan of Annexure R3(b)**

In the land documents numbered 3788/05, 1579/98, and 1582/98 of the Mukkam Sub Registrar Office, and land document number 1541/012 of the Thiruvambady Sub Registrar Office, possessed by Mr. Thankachan M.S. of Mathalikunnel and land document number 768/88 of the Mukkam Sub Registrar Office, possessed with his wife Mrs. Jessy Thankachan, they together possessing an extent of 03.6423 hectares. The quarrying area of 03.38 hectares (Three point three eight hectares) is included in the same 3.6423 Ha land —is situated as follows: The land is located 10 meters north from the rock marked situated on the northern part of the said property. From the rock marked located on the western side, the land extends 200 meters westward and 315 meters in the north-south direction, encompassing a total of 03.38 hectares.

(This is submitted for lease application purposes to the Department of Mining and Geology, Thiruvananthapuram.)

**VILLAGE OFFICER**

**KOODARANHI**

It is informed upon inquiry that there are no houses, public institutions, or roads within a 50-meter radius from the boundary line of the quarry

(This is submitted for application purposes to the Pollution Control Board.)

**VILLAGE OFFICER, KOODARANHI**



**Validity expires on 04.12.2024**

***Proceedings of the State Environment Impact Assessment Authority  
Kerala  
(Present. Sabitha S)***

**Sub:** SEIAA- Quarry Project in Sy. Nos. 2442(pt) at Koodaranji Village, Koodaranhi Grama Pachayath, Kozhikode Taluk, Kozhikode District Kerala by Sri.Thankachan M.S - Extension of period of Validity of E.C - Granted - Orders issued.

**STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY**

**No.212/SEIAA/KL/251/2014**

**dated, Thiruvananthapuram 04.11.2019**

- Read :-
1. Proceedings No. 212/SEIAA/KL/251/2014 dt.05.12.2014
  2. Request from Sri.Thankachan M.S dt.13.08.2019
  3. Minutes of the 87<sup>th</sup> meeting of SEIAA held on 14.01.2019
  4. Judgement dated 29.01.2019 in WP(C ) No. 30828/17 & 8644/2018
  5. Minutes of the 93<sup>rd</sup> SEAC meeting held on 21<sup>st</sup> February, 2019
  6. Minutes of the 89<sup>th</sup> meeting of SEIAA held on 27.02.2019
  7. Minutes of the 94<sup>th</sup> meeting of SEAC held on 12-13<sup>th</sup> March, 2019
  8. Minutes of the 97<sup>th</sup> meeting of SEAC held on 21-22<sup>nd</sup> May, 2019
  9. Minutes of the 93<sup>rd</sup> meeting of SEIAA held on 3.05.2019
  10. Minutes of the 96<sup>th</sup> meeting of SEIAA held on 20<sup>th</sup> August,2019
  11. Minutes of the 103<sup>rd</sup> SEAC meeting held on 17-18<sup>th</sup> September, 2019
  12. Minutes of the 98<sup>th</sup> meeting of SEIAA held on 18-19<sup>th</sup> October 2019
  13. G.O (Rt.) No.29/2019/Envt dt.12.04.2019

**ORDER**

Environment Clearance had been accorded for the Quarry Project in. Sy. Nos. 2442(pt) at Koodaranhi Village, Koodaranhi Grama Pachayath, Kozhikode Taluk, Kozhikode District Kerala by Sri.Thankachan M.S for an area of 4.6963 hectares for a period of 5 years as per the order read as 1<sup>st</sup> paper above. The validity of EC will be expired on 04.12.2019. The proponent requested to extend the validity of EC vide request read as 2<sup>nd</sup> paper above.

2. DFO Kozhikode has forwarded a letter dt.05.06.2017 to the Chairman SEIAA alleging that Sri.Thankachan M.S, the quarry owner is conducting quarrying operations within 100 metre distance from the forest boundary violating the existing rules and guidelines issued by the SEIAA.

3. Challenging the action taken by the DFO Kozhikkode Shri.Thankachan has filed WP(C) 30828/2017 before the Hon'ble High Court of Kerala, in which SEIAA was not arrayed as a party respondent. Against the issuance of EC to Shri.Thankachan, one Shri. Abdul Salam has filed WP(C) 8644/2018 before the Hon'ble High Court of Kerala. With the direction of the Hon'ble High Court of Kerala, SEIAA was impleaded as respondent in the case and Authority has filed Counter Affidavit in the case.

4. The 87<sup>th</sup> meeting of SEIAA held on 14.01.2019 forward the proposal to SEAC for report. In the same meeting it was also decided to impose a minimum distance of 50 m should be left from the forest boundary to the quarry.

5. The proposal was placed in the 93<sup>rd</sup> SEAC meeting held on 21<sup>st</sup> February,2019 but the item was defferd for next meeting. Hence the matter was placed before 94<sup>th</sup> SEAC meeting held on 12-13<sup>th</sup> March 2019 and it was decided to conduct a field verification. Accordingly a field verification was done on 06<sup>th</sup> April 2019 by Sub Committee. During inspection it is noticed that the distances from the proposed quarry site of Sri.Thankachan to the forest boundary were 66m, 54m and 81m as per GPS readings taken at different points. Meantime the Division Bench of the Hon'ble High Court of Kerala heard both the above cases jointly and on 29.01.2019, disposed the writ petitions by directing the SEIAA to finalise the proceedings pending before the Authority within a period of 6 weeks from the date of receipt of copy of the judgement with notice to the petitioners in both writ petitions, after hearing.

6. Accordingly the matter was placed in the 89<sup>th</sup> SEIAA meeting held on 27.02.2019 and the Authority decided to seek report from SEAC on priority basis in view of the time limit prescribed by the Honourable High Court and also decided to move for extension of time. Directions have also been given to the Standing Counsel to seek an extension of time for compliance of court direction.

7. The Sub Committee report was placed in the 97<sup>th</sup> SEAC meeting held on 21<sup>st</sup> & 22<sup>nd</sup> May 2019 and SEAC accepted the observation of Subcommittee in which it was stated that no violation has taken place.

8. The proposal was again placed in the 93<sup>rd</sup> meeting of SEIAA held on 30.05.2019. SEIAA noted the recommendations of SEAC and decided to call for Sri.Thankachan (in WP(C) No.30828/17) and Sri.Abdul Salam (in WP(C) No.8644/2018) for hearing. Meantime the proponent applied for extension of Environment Clearance.

9. The proposal was placed in the 96<sup>th</sup> SEIAA meeting held on 20<sup>th</sup> August 2019.

As per the direction contained in WP(C) 30208 of 2017, an opportunity of being heard was given to Sri.Thankachan M.S and Sri.Abdul Salam, the petitioner in WP (C) 8644/2018. Both of them appeared before the Authority and Sri.Abdul Salam stated that he doesn't have any objection in the operation of the quarry if it functions beyond the prescribed distance from the forest boundary and to that effect he has given a written statement. Sri.Thankachan stated that in the present proposal the quarry operations are proposed beyond 50 mts from the forest boundary and he has given a written statement to the effect that he will not violate the boundary norms fixed. The Sub Committee report was placed in the 97<sup>th</sup> SEAC meeting held on 21<sup>st</sup> & 22<sup>nd</sup> May 2019 and SEAC accepted the report of Sub committee in which it was stated that there has been no violation of distance from the forest in the quarry of Shri Thankachan. Considering the Sub Committee report and perusal of other documents, SEAC decided to recommend for extension of EC.

During the personal hearing it is also brought to the notice of the Authority that, there is another quarry functioning within 500 m from the quarry of Sri.Thankachan. Thankachan's quarry is also functioning in 2-3 bits. Hence it leads to a cluster situation for which a different procedure has to be followed as per S.O 2269 (E) of MoEF dt.01.07.2016. There had been complaints and court cases about functioning of this quarry. More over after the issue of previous Environmental Clearance in 2014, lots of developments might have taken place.

Considering all these aspects the Authority decided to refer the proposal back to SEAC to appraise the proposal afresh before extension of EC.

10. The proposal was then placed in the 103<sup>rd</sup> SEAC meeting held on 17-18<sup>th</sup> September, 2019 and SEAC reported that the functioning of adjacent quarry of Matha Industries started functioning based on an EC issued on 23.09.2017 by DEIAA Kozhikode. This was about three years after Shri.Thankachan obtained the EC and SEAC is of the opinion that it would be denial of natural justice if it is considered as cluster situation and decision is prolonged for reasons beyond the control or fault of Shri.Thankachan.

11. In the 98<sup>th</sup> meeting of SEIAA held on 18-19<sup>th</sup> October,2019, Authority is of the opinion that there is a cluster situation and hence an Environmental Management Plan has to be prepared by the proponent and implemented by all the quarry owners in the cluster for the Environmental stability of the quarry cluster and surrounding area. Considering all the above facts Authority decided to give an extension of EC for 5 years for the quantity mentioned in the approved Mining Plan subject to the following specific conditions in addition to the general conditions.

- 1) *An Environmental Management Plan shall be prepared by the proponent through a Recognized qualified person /NABET accredited Agency and got it approved by the SEAC within 6 months. The proponent as well as all the other quarry owners within the cluster shall implement the proposed activities in the EMP the environmental stability of the cluster and surrounding area.*
- 2) *Activities relating to Corporate Environmental Responsibilities (2% of total project cost) shall be carried out leading to protection and promotion of environment in the project region as per OM F.No.22-65/2017-IA-III dt.01.05.2018 of MoEF & CC in consultation with the District Collector.*
- 3) *The proponent shall carry out quarrying as per the approved Mining Plan and the proponent should strictly follow the Kerala Minor Mineral Concession Rules 2015 and amendments thereby.*
- 4) *In the wake of occurrence of large scale landslides in the state, as per the information provided by the Department of Mining & Geology, it is directed to use only NONEL (Non Electrical) technology for blasting to reduce the vibration of the ground, which is one of the causative factors that triggers landslides, formation of cracks in the surrounding buildings and disturbance to human and wildlife.*

12. In the above circumstances extension of the validity of Environmental Clearance for a period of 5 years for the quantity mentioned in the approved Mining Plan from 05.12.2019 is hereby accorded for the Quarry Project in Sy.No. 2442(pt) at Koodaranhi Village, Koodaranhi Grama Pachayath, Kozhikode Taluk, Kozhikode District Kerala by Sri.Thankachan M.S subject to the strict compliance of the conditions in the EC already issued and specific conditions specified at para 11 above in addition to the general conditions.

13. The extension of the Environment 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 (Mines Drainage), Chapter 7 (Stacking of Mineral rejects and Disposal of waste) Chapter 11 (Environment Management 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.

14. Validity of the extension of the Environmental Clearance will be five years from 5.12.2019, subject to inspection by SEIAA on annual 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.

15. Compliance of the conditions herein will be monitored by the State Environment Impact Assessment Authority or its authorised offices 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, Kozhikode.
- iii. The Half Yearly Compliance Report (HYCRs) with its contents of a covering letter, compliance report and environmental monitoring data has to be in PDF format merged into a single document. The email should clearly mention the name of the project, EC No and date, period of submission and to be sent to the Regional Office of MoEFF & CC by email only at email ID [rosz.bng-mefcc@gov.in](mailto:rosz.bng-mefcc@gov.in) . Hardcopy of

HYCRs shall not be acceptable.

- iv. The given address for correspondence with the authorised signatory of the project is Sri.Thankachan M.S,Mathalikkunnel House, Koombara –Bazar, Koodaranhi, Kozhikkode District, Kerala-673604.

The Hon'ble High Court directions in the judgement thus complied with accordingly

Sabitha S

Administrator, SEIAA

✓ To,

Sri.Thankachan M.S,  
Mathalikkunnel House  
Koombara –Bazar  
Koodaranhi,  
Kozhikkode District, Kerala-673604

Copy to:

1. MoEF Regional Office, Southern Zone, Kendriya Sadan, 4<sup>th</sup> Floor, E&F Wing, II Block, Koramangala, Bangalore-560034.
2. The Additional Chief Secretary to Government, Environment Department, Government of Kerala.
3. District Collector, Kozhikode
4. Director, Mining & Geology, Thiruvananthapuram -4.
5. The Member Secretary, Kerala State Pollution Control Board, Thiruvananthapuram
6. District Geologist, Kozhikode
7. Tahsildar, Kozhikode Taluk, Kozhikode
8. Secretary, Koodaranhi Grama Panchayat, Kozhikode
9. Village Officer, Koodaranhi Village, Kozhikode
10. Chairman, SEIAA.
11. Website.
12. S/f
13. O/c



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

1. A separate environmental management and monitoring cell with qualified personnel should be set-up under the control of a Senior Executive, who will report directly to the Head of the Organization.
2. 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.
3. Sprinklers shall be installed and used in the project site to contain dust emissions.
4. Eco-restoration including the mine closure plan shall be done at the own cost of the project proponent.
5. In view of the deep pits left after the excavation, stacking at maximum top level should be carried out.
6. Corporate Environment Responsibility agreed upon by the proponent should be implemented.
7. The project proponent shall comply the conditions stipulated by the statutory authorities concerned.
8. Tarring /multiple options on the access roads shall be undertaken so as to reduce dust pollution during movement of vehicle.
9. Overburden materials should be managed within the site and used for reclamation of mine pit as per mine closure plan / specific conditions.
10. 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.
11. Ground level should be fixed in individual cases separately
12. No mining operations should be carried out at places having a slope greater than 45°.
13. 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. This condition is applicable only in such cases if a crusher is adjacent to the quarry.
14. The workers on the site should be provided with the required protective equipment such as ear muffs, helmet, etc.
15. Garland drains with clarifiers to be provided in the lower slopes around the core area to channelize storm water.
16. The transportation of minerals should be done in covered trucks to contain dust emissions. The proponent should plant trees at least 5 times of the loss that has been occurred while clearing the land for the project. SEAC should assess the number of trees in each project site before the issuance of EC so as to ensure the promptness in planting.
17. Explosives should be stored in magazines in isolated place specified and approved by the Explosives Department.
18. 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.
19. 50 m buffer distance should be maintained from forest boundaries.
20. Consent from Kerala State Pollution Control Board under Water and Air Act(s) should be obtained before initiating mining activity.
21. 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.
22. 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.
23. 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.
24. 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.
25. 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](http://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.
  26. The Environmental Clearance shall be put on the website of the company by the proponent.
  27. Proponent shall submit half yearly reports in soft copy and SEIAA will upload it on the website.
  28. 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
  29. 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.
  30. 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.
  31. 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.
  32. 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.
  33. Catch drains and siltation ponds of appropriate size shall be constructed around the mine 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.
  34. 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<sub>10</sub> and PM<sub>2.5</sub> 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.
  35. 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.
  36. Measures should be taken for control of noise levels below 85 dBA in the work environment.
  37. The funds earmarked for environmental protection measures and CER 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.
  38. 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.
  39. 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.
  40. 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.
  41. 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.

42. The above conditions shall prevail notwithstanding anything to the contrary, in consistent, or simplified, contained in any other permit, license or consent given by any other authority for the same project.
43. 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.
44. The mining operation shall be restricted to above ground water table and it should not intersect ground water table.
45. 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'
46. 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.
47. 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 SEIAA.
48. 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.



Administrator, SEIAA



## Proceedings of the State Environmental Impact Assessment Authority Kerala-

(Present Prof. (Dr.)K.P.Joy, Chairman, Dr.J. Subhashini, Member, Dr.Nivedita.P.Haran IAS, Member Secretary & Additional Chief Secretary to Government (Environment Department)

Sub: SEIAA, Kerala Quarry project of M/S Mathalikunnel Quarry, Mathalikunnel, Koombara Bazar P.O.Kozhikode - 673604- Environmental Clearance-Accorded

### Environmental Clearance

No. 212/SEIAA/KL/251/2014

Dated 05-12-2014

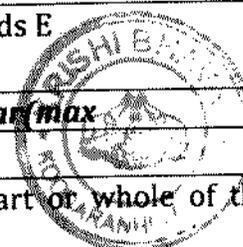
- Ref. 1. Application dated 16.01.2014 from Mr. Thankachan M.S., Mathalikunnel, Koombara Bazar P.O.Kozhikode - 673604  
 2. Minutes of the 25<sup>th</sup> meeting of SEAC held on 14/15-02-2014  
 3. Minutes of the 32<sup>rd</sup> meeting of SEAC held on 12/13-08-2014  
 4. Minutes of the 34<sup>th</sup> Meeting of SEIAA held on 31-10-2014



### ORDER

Mr. Thankachan M.S., Owner, M/S Mathalikunnel Quarry, Mathalikunnel, Koombara Bazar P.O.Kozhikode District, vide his application received on 16.01.2014, has sought Environmental Clearance under EIA Notification, 2006 for the building stone quarry project in Survey Nos. Sy. No. 2442 p at Koodaranhi Village, Kozhikode Taluk, Kozhikode District, Kerala for an area of 4.6963 hectares. The project comes under Category B, Activity 1(a), (i) as per the Schedule of EIA Notification 2006 (since it is below 50 hectares) and as per O.M. No. L-11011/47/2011-IA.II(M) dated 18<sup>th</sup> May 2012 of Ministry of Environment and Forests. It is further categorized as Category B2 as per the O.M. No. J-13012/12/2013-IA-II (I) dt. 24.12.2013 of Ministry of Environment and Forests, since the area of the project is below 25 hectares.

Name of project		Quarry Project of M/s Mathalikunnel Quarry
Brief description of the project		Open cast mining
Category/Subcategory & Schedule		"B" Category, 1(a)
Location Sy no/ district, Taluk/ village etc.		Sy. No. 2442 p at Koodaranhi Village, Kozhikode Taluk, Kozhikode District, Kerala
GPS co-ordinates		Longitude: 76° 04' 40.53" E to 76° 04' 52.89" E. Latitude: 11° 18' 41.57" N to 11° 18' 41.57" N
for Mining projects	Extent of area (in hectares)	4.6963 hectares
	Minimum and maximum height of excavation (MSL)	Highest 165 and Lowest 50 MSL
	Life of mine proposed	8 years
	Ultimate depth of mining (in MSL)	50 m above MSL
	Distance from the adjacent quarry	3 km from quarry towards E
	Capacity of production	4,06,000 tonnes per year (max)
	Details of Project Cost	Total: Rs 2.0 Crores
CRZ recommendations		Not Applicable as no part or whole of the lease area falls under CRZ
Forest clearances		Not Applicable as no part or whole of the lease area falls under forest.



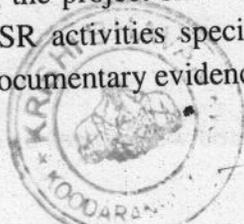
28/10/14  
 AGRICULTURAL OFFICER  
 SHIBHARAN, KODDAR  
 KOZHIKODE - 673604

<b>ABOUT THE PROJECT</b>	
<b>Environmental parameters</b>	<b>Mitigation Measures</b>
<b>WATER</b>	
<i>Water requirement &amp; sources</i>	Domestic consumption – Bore well located within quarry area Dust suppression: Well water and Rain water collected in the pit
<i>RWH units proposed</i>	Two ponds are proposed, one for rain water harvesting cum silt arresting pond and other for plantation and dust suppression The dimension of the pits are (30mX20mX5m) and (20mX15mX4m)
<i>Facilities for liquid waste treatment</i>	Liquid wastes from toilet and office will be treated in septic tank and soak pit
<i>Impoundment, damming, culverting, realignment or other changes to the hydrology of watercourses or aquifers?</i>	Yes, The surface runoff from the lease area will be suitably collected through channels and will be stored in storm water pond for further utilization for wetting of mine area and surrounding area
<i>Does it have provisions for use of recycled water</i>	Quarrying activity does not require water hence no recycling.
<b>LAND</b>	
<i>Proximity to forest lands</i>	No forest zone is falling proximity of 10 km buffer zone
<i>Access road to the site –Width &amp; Condition</i>	The lease area is accessible by all-weather roads from Anayamkundu towards SE which leads to mine at a distance of 3km from Anayamkundu.
<i>Storage of explosives /hazardous substances</i>	Explosives will be procured, stored, transported, handled and used in accordance with Indian Explosive Act 1884, MSIHC Rules 1989, Mines Act, 1952 and regulations there under..
<i>Facility for solid waste mgmt</i>	Overburden generated will be utilized for road and construction works.
<i>Topographic features/ slope</i>	<b>General strike:</b> NW - SE with local variation of 10 <sup>0</sup> - 15 <sup>0</sup> on either side. <b>Dip :</b> 70° - 80° dipping north easterly <b>Length of the ore body</b> : 380 mts. <b>Width of the ore body</b> : 80-165 mts. <b>Depth of the ore body</b> : 135.00 mts
<i>Top soil, overburden etc.</i>	Topsoil – 34,913 tonnes The total amount of topsoil is existing within the leasehold is calculated below: <b>Length:</b> 380.00 mts X <b>Width</b> 122.5 mt X <b>Depth</b> 0.5 mts X <b>Bulk density</b> 1.5 = <b>34,913 tonnes.</b>
<b>AIR</b>	
<i>Air quality meeting requirements</i>	Yes
<i>Noise level meeting requirements</i>	Yes
<i>Likely emissions affecting environment</i>	Diesel engine emissions, Fugitive dust emission & emissions from movement of vehicles like dumpers, trucks, tankers etc. will also generate.
<b>ENERGY</b>	
<i>Energy requirement</i>	1 Nos. of DG. Sets.

<i>Energy Sources</i>	As such no electric power is required for quarry operation, but power supply is required for office, canteen, and etc. which require about 80KW DG. Set-1 Nos with a capacity of 75 KVA is installed for power backup. Quarry operations are mainly by HEMM which are operated by HSD. About 30 liters/hr of HSD is requires in a day.
<b>BIODIVERSITY</b>	
<i>Presence of any endangered species or red listed category</i>	NA
<i>Loss of native species and genetic diversity</i>	As per the ecological survey carried out, there are varieties of native species of shrubs, trees etc. and there will be some loss of species due to mining activity. However, some of the native species will be planted at the end for eco restoration.
<b>SOCIAL ASPECTS</b>	
<i>Proximity to nearest habitation</i>	110m
<i>CSR components suggested</i>	Under CSR initiatives certain community welfare measures are being carried out and those will be continued.
<b>GENERAL</b>	
<i>Does it propose environment management plan</i>	Yes, the Environmental Management Plan prepared and submitted to SEIAA. (Pages 50-73 of report)
<i>Does it have eco restoration programmes</i>	Post mining closure plan is prepared and the same will be implemented.
<i>Litigation/court cases, if any, against the project (provide details)</i>	There are no litigations against the project as declared by the Project Proponent
<i>Details of Authorised Signatory</i>	Mr. Thankachan M.S. Owner M/s Mathalikunnel Quarry Mathalikunnel, Koombara Bazar P.O. Kozhikode - 673604. Mob. No. 9745714264 Email: thankachan.mathalikunnel@gmail.com
<i>Details of NABET approved EIA consultant organisation</i>	M/s Metamorphosis #143, 2 <sup>nd</sup> Floor, 39 <sup>th</sup> Main 4 <sup>th</sup> Cross, Behind Silk Board BTM Layout 2 <sup>nd</sup> Stage Bengaluru - 560068; Tel. No. +9180 26783006; Email: mail@metamorphosis-india.com



The proposal was considered as agenda item no. 25.15 in the 25<sup>th</sup> SEAC meeting held on 14<sup>th</sup> and 15<sup>th</sup> February 2014. The Committee found that the earlier application submitted by the proponent for the same area was rejected and delisted for want of valid proof of ownership of land by the proponent. Hence it was decided to examine the land documents in detail. Further it was found that there is another working quarry on the northern slope adjacent to this quarry. The proponent stated that the same is owned by another person. However, the Committee wanted to ascertain during site visit the number of working quarries surrounding the project site. The proponent was also directed to provide the detailed split up of the proposed CSR activities specifically mentioning the areas/institutions to which the same shall be extended, with documentary evidence of the already done CSR activities.



True copy

AGRICULTURAL OFFICER  
KODARANHI

ER  
ANH

Considering the above, the item was deferred for site visit to ascertain during site visit the number of working quarries surrounding the project site and also directing the proponent to provide a detailed split up of the proposed CSR activities specifically mentioning the areas/institutions to which the same shall be extended, with documentary evidence of the already done CSR activities. Consideration of the same, the proposal was placed in 32<sup>nd</sup> SEAC meeting held on 12<sup>th</sup> and 13<sup>th</sup> August 2014 as agenda item no. 32.15 for further appraisal. As per the decision taken by the Committee a site visit was conducted by an expert team and the following points were recommended for consideration in addition to the general conditions stipulated for mining projects:

1. Considering the steep slope and the presence of natural vegetation like bamboo, a buffer distance of 50 m has to be left from the rocky area with natural vegetation. This area is reported to be revenue land.
2. Pockets of thick overburden are seen in the area. It must be stacked in designated place for future restoration purposes.
3. Steep cuttings are seen in the quarry on the NE side of the lease. Quarrying to be stopped immediately in this area and demarcated with fences as danger zone.
4. The natural ephemeral stream through the lease area must flow unhindered.
5. There must be a mechanism to trap the silt in the stream by means of low level check dams or by any other structures.
6. The approach road to the site needs to be developed with hard surface. Water must be sprinkled to suppress dust.
7. Quarry must have a definite working plan (not making haphazard pits).

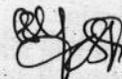
The project proposal was placed before the 34<sup>th</sup> meeting of SEIAA held on 24.10.2014

The Authority approved the proposal for issue of environmental clearance subject to the general and the above seven specific conditions as per the recommendations of SEAC. EC will be issued subject to the modified general conditions adopted in the joint meeting of SEIAA and SEAC held on 31.10.2014.

4. Environmental Clearance under EIA notification 2006 is accorded for the proposed quarry project of M/S Mathalikunnel Quarry, Mathalikunnel, Koombara Bazar P.O.Kozhikode - 673604 at Survey no 2442 p of Koodaranhi Village, Kozhikode Taluk, Kozhikode District subject to all the mining features, Environmental Management Plans (Pages 50-73 of report) as undertaken in the EMP submitted to SEIAA which will form part of this proceedings as if incorporated herein, and the following specific conditions, and the general conditions on mining of minor minerals appended hereto:

1. Considering the steep slope and the presence of natural vegetation like bamboo, a buffer distance of 50 m has to be left from the rocky area with natural vegetation. This area is reported to be revenue land.
2. Pockets of thick overburden are seen in the area. It must be stacked in designated place for future restoration purposes.
3. Steep cuttings are seen in the quarry on the NE side of the lease. Quarrying to be stopped immediately in this area and demarcated with fences as danger zone.

4. The natural ephemeral stream through the lease area must flow unhindered.
  5. There must be a mechanism to trap the silt in the stream by means of low level check dams or by any other structures.
  6. The approach road to the site needs to be developed with hard surface. Water must be sprinkled to suppress dust.
  7. Quarry must have a definite working plan (not making haphazard pits).
5. Validity of this Environmental clearance will be 5 years provided and it will be subject to review at any stage earlier, if any of the conditions is the E.C. is violated, or not duly complied with.
- I. Compliance of the conditions herein will be monitored by the Directorate of Environment and Climate Change or its agencies and also by the Regional office of the Ministry of Environment and Forests, Govt. of India, Bangalore.
  - II. 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.



For Member Secretary (SEIAA)

To

Mr. Thankachan M.S.,  
M/s Mathalikunnel Quarry  
Mathalikunnel, Koombara Bazar P.O.  
Kozhikode - 673604.  
Mob. No. 9745714264  
Email: [thankachan.mathalikunnel@gmail.com](mailto:thankachan.mathalikunnel@gmail.com)

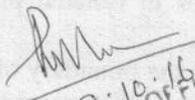


Copy to :

1. MoEF Regional Office, Southern Zone, Kendriya Sadan, 4<sup>th</sup> Floor, E&F Wing, II Block Koramangala, Bangalore-560034
2. The Addl. Chief Secretary to Government, Environment Dept., Government of Kerala
3. The District Collector, Kozhikode
4. The Director, Dept. of Environment and Climate Change, Govt. of Kerala, Tvm - 24.
5. The Director, Mining and Geology Department, Government of Kerala
6. The Secretary, Koodaranhi Grama Panchayath, Koodaranhi (P.O), Kozhikode-673604
7. Chairman SEIAA Kerala
8. Website
9. Stock file
10. O/c

True copy-



  
28.10.16  
AGRICULTURAL OFFICER  
KRISHIBHAVAN, KOODARANHI  
KOZHIKODE - 673 604



# भारत का राजपत्र

## The Gazette of India

सी.जी.-डी.एल.-अ.-13042022-235092  
CG-DL-E-13042022-235092

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 1720]

नई दिल्ली, मंगलवार, अप्रैल 12, 2022/चैत्र 22, 1944

No. 1720]

NEW DELHI, TUESDAY, APRIL 12, 2022/CHAITRA 22, 1944

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

अधिसूचना

नई दिल्ली 12 अप्रैल, 2022

**का.आ. 1807(अ).**—केन्द्रीय सरकार, पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा (3) की उपधारा 2 के खंड (v) और उपधारा (1) के अधीन प्रदत्त शक्तियों का प्रयोग करते हुए, तत्कालीन पर्यावरण एवं वन मंत्रालय में, परियोजनाओं के कतिपय प्रवर्गों के लिए पूर्व पर्यावरण अनापत्ति आज्ञापक बनाते हुए, संख्यांक का.आ. 1553(अ), तारीख 14 सितंबर, 2006 द्वारा पर्यावरण समाघात निर्धारण अधिसूचना, 2006 (जिसे इसमें इसके पश्चात उक्त अधिसूचना कहा गया है) प्रकाशित किया है;

और, पूर्व अनुभवों के आधार पर, यह उल्लेखनीय है कि नाभिकीय शक्ति परियोजनाओं और जल शक्ति परियोजनाओं को पूरा होने की अवधि विभिन्न मुद्दों जैसे भौगोलिक आश्चर्य, वन मंजूरी में देरी, भूमि अर्जन, स्थानीय मुद्दों, पुनर्वास और पुनःव्यवस्थापन आदि के कारण परियोजना पूरी होने में अधिक समय लगता है, जो प्रायः परियोजना प्रस्तावक के नियंत्रण से बाहर होता है और इस संदर्भ में, केन्द्रीय सरकार को ऐसी परियोजनाओं के लिए पर्यावरण मंजूरी (ईसी) की वैधता बढ़ाना आवश्यक हो जाता है;

और, अन्य परियोजनाएं भी, ऐसी परियोजनाओं के कार्यान्वयन से संबंधित पर्यावरणीय मुद्दों सहित स्थानीय मामलों को संबोधित करने के लिए लगे समय पर विचार करने के लिए, केन्द्रीय सरकार यदि वह आवश्यक समझे ऐसे पर्यावरणीय मंजूरी की वैधता की सीमा को बढ़ा सकती है

और, खान और खनिज (विकास और विनियमन) अधिनियम, 1957 (1957 का 67) के उपबंधों के अनुसार, खान और खनिज (विकास और विनियम) संशोधन अधिनियम 2015, के प्रारंभ की तारीख से ही, सभी खनिज पट्टे पचास वर्षों की अवधि के लिए दिए जा रहे हैं, और तदनुसार, केन्द्रीय सरकार खनन के पर्यावरण मंजूरी की वैधता को, संरक्षित करना

आवश्यक समझती है जो वर्तमान में उपयुक्त पर्यावरणी सुरक्षा और पुनर्विलोकन के अधीन अधिकतम तीस वर्षों की अवधि तक अनुज्ञेय है।

अतः अब, केन्द्रीय सरकार, पर्यावरण (सुरक्षा) नियम, 1986 को नियम 5 के उपनियम (4) के साथ पठित पर्यावरण (सुरक्षा) अधिनियम, 1986 (1986 का 29) की धारा 3 की उपधारा (2) के खंड (v) और उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, लोकहित में उक्त नियमों के नियम 5 के उपनियम (3) के खंड (क) के अधीन सूचना की अपेक्षा की अभिमुक्ति के पश्चात् भारत सरकार के तत्कालीन पर्यावरण और वन मंत्रालय की अधिसूचना का और संशोधन संख्यांक का.आ. 1533(अ), तारीख 14 सितंबर, 2006 द्वारा करती है, अर्थात् :-

(i) पैरा 9 में,

(क) उपपैरा (i) और (ii) के स्थान पर निम्नलिखित उपपैरा रखा जाएगा, अर्थात् :-

(i) "पर्यावरणीय मंजूरी की वैधता" से वह अवधि अभिप्रेत है, जिसमें पूर्व पर्यावरणीय मंजूरी विनियामक प्राधिकारी द्वारा स्वीकृत है, या आवेदक द्वारा पैरा 8 के उपपैरा (iii) के अधीन स्वीकृत किया गया माना जा सकता है, की शुरुवात परियोजना या गतिविधियों द्वारा उत्पादन प्रचालन ; या अनुसूची के मद 8 से संबंधित निर्माण परियोजनाओं के मामले में सभी निर्माण प्रचालनों को पूरा करना है, जिसमें पूर्व पर्यावरणीय मंजूरी के लिए आवेदन संदर्भित है :

परंतु खनन परियोजनाओं या गतिविधियों के मामलों में वैधता खनन पट्टे के निष्पादन की तारीख से दिए जाएंगे।

(ii) किसी विद्यमान या नई परियोजना या क्रियाकलाप के लिए दी गई पूर्व पर्यावरणीय मंजूरी उस अवधि के लिए वैध होगी, जो-

(क) नदी घाटी परियोजनाओं या क्रियाकलापों के मामले में तेरह वर्ष [अनुसूची का मद 1(ग)]; (ख) परमाणु ऊर्जा परियोजनाओं या क्रियाकलापों और परमाणु ईंधन के प्रसंस्करण के मामले में पंद्रह वर्ष [अनुसूची का मद 1(ड)];

(ग) खंड (क) और (ख) में निर्दिष्ट खनन परियोजनाओं और नदी घाटी परियोजनाओं और परमाणु ऊर्जा परियोजनाओं के सिवाए अन्य सभी परियोजनाओं और क्रियाकलापों के मामले में दस वर्ष।

(iii) क्षेत्र विकास परियोजनाओं और टाउनशिप [मद 8(ख)] के मामले में, दस वर्ष की वैधता अवधि केवल ऐसी क्रियाकलापों तक सीमित होगी जो विकासकर्ता के रूप में आवेदक का उत्तरदायित्व हो सकता है:

परंतु यह कि इस उप-पैरा और उप-पैरा (ii) में सूचीबद्ध परियोजनाओं और क्रियाकलापों के संबंध में पर्यावरण मंजूरी की वैधता की अवधि को नदी घाटी परियोजनाओं के मामले में, संबंधित विनियामक प्राधिकरण द्वारा वैध पर्यावरण मंजूरी के संबंध में अधिकतम दो वर्ष की अवधि द्वारा, परमाणु ऊर्जा परियोजनाओं और परमाणु ईंधन के प्रसंस्करण के मामले में पांच वर्ष और अन्य सभी परियोजनाओं के मामले में एक वर्ष के लिए बढ़ाया जा सकता है, यदि आवेदन विद्यमान पर्यावरण मंजूरी की वैधता अवधि के भीतर आवेदक द्वारा विनियामक प्राधिकरण के लिए अधिकथित प्रोफार्मा में किया जाता है:

परंतु यह और कि विनियामक प्राधिकरण ऐसे विस्तार के अनुदान से पहले संबंधित विशेषज्ञ मूल्यांकन समिति से भी परामर्श कर सकता है।

(iv) खनन परियोजनाओं के लिए दी गई पूर्व पर्यावरण मंजूरी, समय-समय पर, अधिकतम तीस वर्ष, जो भी पहले हो, के अधीन, सक्षम प्राधिकारी द्वारा अनुमोदित और नवीनीकृत खनन योजना में निर्धारित परियोजना जीवन के लिए मान्य होगी:

परंतु इस उप-पैरा में सम्मिलित परियोजनाओं या क्रियाकलापों के संबंध में पर्यावरण मंजूरी की वैधता की अवधि को अगले बीस वर्षों के लिए, तीस वर्षों से आगे बढ़ाया जा सकता है, इस शर्त के अधीन कि विद्यमान पर्यावरण मंजूरी में अधिकथित विद्यमान पर्यावरण सुरक्षा उपायों की पर्याप्तता की जांच, तीस वर्ष की पर्यावरणीय मंजूरी की अधिकतम वैधता अवधि के भीतर परियोजना प्रस्तावक से अधिकथित प्रोफार्मा में ऐसे आवेदन की प्राप्ति पर संबंधित विशेषज्ञ मूल्यांकन

समिति द्वारा हर पांच वर्ष बाद और तत्पश्चात विस्तारित पर्यावरण मंजूरी, जैसा आवश्यक समझा जाए, परियोजना प्रस्तावक से अधिकथित प्रोफार्मा में ऐसे आवेदन की वैधता अवधि के भीतर प्राप्त होने पर पर्यावरण प्रबंधन योजना में ऐसे अतिरिक्त पर्यावरण सुरक्षा उपायों को शामिल करने के लिए हर पांच वर्ष में, खनन पट्टे की वैधता या खनन जीवन की समाप्ति या पचास वर्ष, जो भी पहले हो, तक की जाएगी।";

(ख) "(iii) जहां उप-पैरा (i) और (ii) के अधीन विस्तार के लिए आवेदन फाइल किया गया है" कोष्ठक, अंक और शब्दों के लिए, निम्नलिखित रखा जाएगा, अर्थात्: -

"(v) जहां उप-पैरा (ii), (iii) और (iv) के अधीन विस्तार के लिए आवेदन अधिकथित प्रोफार्मा में फाइल किया गया है"

[फा. सं. आईए 3-22/10/2022-आईए.III]

तन्मय कुमार, अपर सचिव,

**टिप्पण:** मूल अधिसूचना भारत के राजपत्र, असाधारण, भाग II खंड 3, उप-खंड (ii), संख्या का.आ. 1533(अ), तारीख 14 सितंबर, 2006 में प्रकाशित की गई थी और अधिसूचना संख्या का.आ. 2859(अ), तारीख 16 जुलाई, 2021 के अधीन अंतिम बार संशोधित किया गया था।

## MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

### NOTIFICATION

New Delhi, the 12th April, 2022

**S.O. 1807(E).**—WHEREAS, the Central Government in the erstwhile Ministry of Environment and Forests, in exercise of its powers under sub-section (1) and clause (v) of sub-section (2) of section (3) of the Environment (Protection) Act, 1986 has published the Environment Impact Assessment Notification, 2006 (hereinafter referred to as the said notification), vide number S.O.1533 (E), dated the 14<sup>th</sup> September, 2006 for mandating prior environmental clearance for certain category of projects;

And whereas, based on the past experiences, it is noted that Nuclear Power Projects and Hydro Power Projects have high gestation period due to various issues such as geological surprises, delay in Forest Clearance, land acquisition, local issues, rehabilitation and resettlement, etc., which are often beyond the control of project proponent and in this context, the Central Government deems it necessary to extend the validity of Environmental Clearance (EC) for such projects;

And whereas, for other projects also, considering the time taken for addressing local concerns including environmental issues related to the implementation of such projects, the Central Government deems it necessary to extend the validity of such ECs;

And whereas, as per the provisions of Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957), on and from the date of commencement of the Mines and Minerals (Development and Regulation) Amendment Act, 2015, all mining leases are being granted for a period of fifty years, and accordingly, the Central Government deems it necessary to align the validity of mining ECs which is currently permissible up to a maximum duration of thirty years, subject to review and appropriate environmental safeguards;

Now therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986), read with sub-rule (4) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government, after having dispensed with the requirement of notice under clause (a) of sub-rule (3) of rule 5 of the said rules in public interest, hereby makes the following further amendments in the notification of the Government of India, in the erstwhile Ministry of Environment and Forests, number S.O. 1533 (E), dated the 14<sup>th</sup> September, 2006, namely:-

In the said notification,-

(i) in paragraph 9,-

(a) for sub paragraphs (i) and (ii), the following sub-paragraphs shall be substituted, namely:-

(i) *The "Validity of Environmental Clearance" is meant the period from which a prior Environmental Clearance is granted by the regulatory authority, or may be presumed by the applicant to have been granted under sub-paragraph (iii) of paragraph 8, to the start of production operations by the project or activity; or completion of all construction*

operations in case of construction projects relating to item 8 of the Schedule, to which the application for prior environmental clearance refers:

Provided that in the case of mining projects or activities, the validity shall be counted from the date of execution of the mining lease.

(ii) The prior environmental clearance granted for an existing or new project or activity shall be valid for a period of,-

(a) thirteen years in the case of River Valley projects or activities [item 1(c) of the Schedule];

(b) fifteen years in the case of Nuclear power projects or activities and processing of nuclear fuel [item 1(e) of the Schedule];

(c) ten years in the case of all other projects and activities other than the Mining projects and River Valley Projects and Nuclear power projects referred to in clauses (a) and (b).

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

Provided that the period of validity of Environmental Clearance with respect to the Projects and Activities listed in this sub-paragraph and sub-paragraphs (ii) may be extended in respect of valid Environmental Clearance, by the regulatory authority concerned by a maximum period of two years in the case of River Valley projects, five years in the case of Nuclear power projects and processing of nuclear fuel and one year in the case of all other projects, if an application is made in the laid down proforma to the regulatory authority by the applicant within the validity period of the existing Environment Clearance:

Provided further that the regulatory authority may also consult the concerned Expert Appraisal Committee before grant of such extension.

(iv) The prior Environmental Clearance granted for mining projects shall be valid for the project life as laid down in the mining plan approved and renewed by competent authority, from time to time, subject to a maximum of thirty years, whichever is earlier:

Provided that the period of validity of Environmental Clearance with respect to projects or activities included in this sub-paragraph may be extended by another twenty years, beyond thirty years, subject to the condition that the adequacy of the existing environmental safeguards laid down in the existing Environmental Clearance shall be examined by concerned Expert Appraisal Committee every five years beyond thirty years, on receipt of such application in the laid down proforma from the Project Proponent within the maximum validity period of Environmental Clearance of thirty years, and subsequently on receipt of such application in the laid down proforma from the Project Proponent within the validity period of the extended Environment Clearance, every five years for incorporating such additional environment safeguards in the Environmental Management Plan, as may be deemed necessary, till the validity of the mining lease or end of life of mine or fifty years, whichever is earlier.”;

(b) for the brackets, figures and words “(iii) Where the application for extension under sub-paragraphs (i) and (ii) has been filed”, the following shall be substituted, namely:-

“(v) Where the application for extension under sub-paragraphs (ii), (iii) and (iv) has been filed in the laid down proforma”.

[F. No. IA3-22/10/2022-IA.III]

TANMAY KUMAR, Add. Secy.

**Note:-** The principal notification was published in the Gazette of India, Extraordinary, Part II, section 3, sub-section (ii), vide, number S.O. 1533(E), dated the 14<sup>th</sup> September, 2006 and was last amended, vide the notification number S.O. 2859(E), dated the 16<sup>th</sup> July, 2021.



## KERALA STATE POLLUTION CONTROL BOARD

കേരള സംസ്ഥാന മലിനീകരണ നിയന്ത്രണ ബോർഡ്

Pattom P.O., Thiruvananthapuram – 695 004

പട്ടംപി .ഒ. തിരുവനന്തപുരം 695 004

PCB/HO/CIRCULAR/51/2019

Date: 04 /05/2022

### CIRCULAR

Sub: - Validity of Environmental Clearance for mining projects – reg.

Ref: -1. MoEF&CC notification no. S.O.1807(E) dated 12/04/2022.

2. Representation dated 21.04.2022 submitted by Registered Metal Crusher Units Owners Association.

The Ministry of Environment, Forests & Climate Change, vide notification cited 1<sup>st</sup> above has made amendments regarding the validity of Environmental Clearance. As per the notification, the prior Environmental Clearance (EC) granted for mining projects shall be valid for the project life as laid down in the mining plan approved and renewed by competent authority, from time to time, subject to a maximum of thirty years, whichever is earlier.

Hence, while processing consent renewal applications pertaining to granite quarries, the applicant may be directed to produce letter from the Mining & Geology Department stating the life of the mine as per the approved mine plan. This may be counterchecked with the mine life mentioned in the EC. Thereafter, the EC validity may be taken equal to that of the life of the mine as stated by the Geologist or thirty years, whichever is earlier.

In case, the life of mine is more than 30 years, the notification under reference cited, permits extension for another twenty years beyond 30 years or for the life of mine whichever is earlier, and this extension is granted in installments as per the recommendations of the Expert Appraisal Committee every 5 years.

Based on the above, consent to operate may be renewed, as usual, for a period of five years or up to the validity of the EC in case the validity of EC is less than 5 years. All other criteria for processing of consent renewal applications for quarries remain unchanged. Consent renewal applications shall be processed accordingly.

-sd-  
CHAIRMAN

To

**38**

1. The Chief Environmental Engineer,  
Regional Office, Trivandrum/Ernakulam/Kozhikode.
2. The Senior Environmental Engineer,  
Environmental Surveillance Centre, Eloor.
3. The Environmental Engineer, District Office,  
Thiruvananthapuram, Kollam, Pathanamthitta, Alapuzha, Idukki, Kottayam,  
Ernakulam-1, Ernakulam-2, Thrissur, Palakkad, Malappuram, Kozhikode, Kannur,  
Wayanad, Kasargod.

Copy to:-

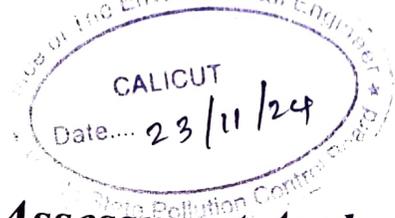
- 1) All Technical Staff in HO
- 2) IT Cell (for uploading in the website)
- 3) C.A to CHN & MS

**Forwarded by order**

**ALEXANDER  
GEORGE**

 Digitally signed by ALEXANDER  
GEORGE  
Date: 2022.05.04 15:18:13 +05'30'

**Senior Environmental Engineer-3**



# State Level Environment Impact Assessment Authority (SEIAA) Kerala

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

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

e-mail: [seacseiaakerala@gmail.com](mailto:seacseiaakerala@gmail.com)

web: [www.seiaakerala.in](http://www.seiaakerala.in)

No. 1068/EC4/2024/SEIAA

Date: 02.11.2024

To,

Sri.Thankachan.M.S.  
Mathalikkunnel (H)  
Koombara Bazar P.O  
Koodaranhi  
Kozhikode – 673604

Sir,

**Sub:- SEIAA – Environmental Clearance issued to the Granite Building Stone Quarry Project of Sri. Thankachan M.S., M/s Mathalikkunnel Quarry at Sy. No. 2442 (pt), in Koodaranhi village, Kozhikode - O.A No. 93 of 2024 (SZ) (Earlier OA No.770/2023(PB)) filed by Sri. Sajimon Joseph before the Hon'ble NGT- Stop Memo issued**

**Ref:-** 1) EC No. 212/SEIAA/KL/251/2014 dt. 05.12.2014  
2) Extension of EC issued vide order dated 04.11.2019  
3) O.A No. 93 of 2024 (SZ) filed by Sri. Sajimon Joseph filed before the Hon'ble NGT  
4) Complaint dated 26.08.2024 received from Sri.Shaju Abraham  
5) Minutes of the 148<sup>th</sup> SEIAA meeting held on 27<sup>th</sup> and 28<sup>th</sup> September 2024

## Memo

Environmental Clearance was issued to the quarry project of Sri.Thankachan.M.S, M/s Mathalikkunnel Quarry at Sy. No. 2442 (pt), in Koodaranhi village, Kozhikode Taluk, Kozhikode vide reference 1<sup>st</sup> cited. Extension of EC was also issued vide reference 2<sup>nd</sup> cited.

Sri. Sajimon Joseph filed O.A No. 93 of 2024 (SZ) (earlier OA No. 770/2023(PB)) before the Hon'ble NGT against the quarry activities of Sri. Thankachan M.S. The petition is regarding the illegal mining in ecologically sensitive zone, causing public nuisance and threat on health and safety of life, property and disasters by negligence due to quarry operation conducted by Sri. Thankachan M.S. at Koombara, Koodaranhi village, Kozhikode. Also, Sri.Shaju Abraham vide letter dated 26.08.2024, forwarded complaint against the quarry project of Sri. Thankachan M.S.

EE  
OA 93/2024

25/11/24

2707  
25/11/24

In the 148<sup>th</sup> SEIAA meeting held on 27<sup>th</sup> and 28<sup>th</sup> September 2024, the Authority noted the interim report in O.A. No. 93 of 2023 received from the KSPCB and the complaint dated 26.08.2024 of Sri. Shaju Abraham against the quarry project. The petitioner stated that besides NONEL technology for blasting, the quarry owner uses other explosives for carrying out blasting. In addition, the proposed quarry area is at a distance of 15 km from landslide affected area in Wayanad. The Authority on verification of the interim report of the Joint Committee observed that the Project Proponent has violated many of the EC conditions. The Authority noticed that the EC for the project was issued on 13.08.2019 from SEIAA for a period of 5 years and the validity of the same will be up to 12.08.2025 (including Covid relaxation). Hence, the Authority decided to issue stop memo to the project and to issue a show cause notice to get his explanation to not to cancel EC as per Clause 8 (vi) of EIA Notification 2006.

**In this circumstance, Stop Memo is hereby issued to stop all the activities carried out with the EC, issued to the Granite Building Stone Quarry Project of Sri. Thankachan M.S., M/s Mathalikunnel Quarry at Sy. No. 2442 (pt), in Koodaranhi village, Kozhikode, until further orders of this Authority.**

*Sheeja*

**Administrator, SEIAA  
For Member Secretary, SEIAA**

Copy to:

1. MoEF Regional Office, Southern Zone, Kendriya Sadan, 4<sup>th</sup> Floor, E&F Wing, II Block, Koramangala, Bangalore-560034.(through e-mail: [rosz.bng-mefcc@gov.in](mailto:rosz.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 District Geologist, Kozhikode
8. The Environmental Engineer, KSPCB, Kozhikode
9. The Tahsildhar, Kozhikode Taluk, Kozhikode
10. The Secretary, Koodaranhi Grama Panchayath, Kozhikode
11. The Chairman, SEIAA.
12. Website.
13. S/f
14. O/c



*AP*

# State Level Environment Impact Assessment Authority (SEIAA) Kerala

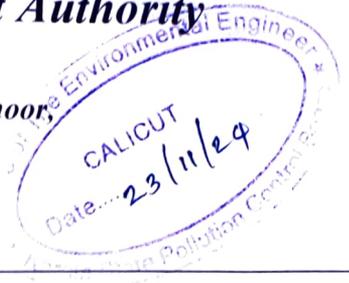
K.S.R.T.C Bus Terminal Complex, 4th Floor, Thampanoor,

Thiruvananthapuram - 695 001

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

e-mail: [seacseiaakerala@gmail.com](mailto:seacseiaakerala@gmail.com)

web: [www.seiaakerala.in](http://www.seiaakerala.in)



No. 1068/EC4/2024/SEIAA

Date: 02.11.2024

To,

Sri.Thankachan.M.S  
Mathalikkunnel (H)  
Koombara Bazar P.O  
Koodaranhi  
Kozhikode - 673604

Sir,

**Sub:- SEIAA – Environmental Clearance issued to the Granite Building Stone Quarry Project of Sri.Thankachan M.S., M/s Mathalikkunnel Quarry at Sy. No. 2442 (pt), in Koodaranhi village, Kozhikode - O.A No. 93 of 2024 (SZ) (Earlier OA No.770/2023(PB)) filed by Sri. Sajimon Joseph before the Hon'ble NGT- Show Cause Notice issued.**

- Ref :-
- 1) EC No. 212/SEIAA/KL/251/2014 dt. 05.12.2014
  - 2) Extension of EC issued vide order dated 04.11.2019
  - 3) O.A No. 93 of 2024 (SZ) filed by Sri. Sajimon Joseph filed before the Hon'ble NGT
  - 4) Complaint dated 26.08.2024 received from Sri.Shaju Abraham.
  - 5) Minutes of the 148<sup>th</sup> SEIAA meeting held on 27<sup>th</sup> and 28<sup>th</sup> September 2024.
  - 6) Stop memo issued vide Order dated 2.11.2024

## SHOWCAUSE NOTICE

**WHERE AS** Environmental Clearance vide reference 1<sup>st</sup> was issued to the quarry project of Sri.Thankachan.M.S, M/s Mathalikkunnel Quarry at Sy.No.2442 (pt), in Koodaranhi village, Kozhikode Taluk, Kozhikode. Extension of EC was also issued vide reference 2<sup>nd</sup> cited.

**AND WHEREAS**, Sri. Sajimon Joseph filed O.A No. 93 of 2024 (SZ) (earlier OA No.770/2023(PB)) before the Hon'ble NGT against the quarry activities of Sri. Thankachan M.S. The petition is regarding the illegal mining in ecologically sensitive zone, causing public nuisance and threat on health and safety of life, property and disasters by negligence due to quarry operation conducted by Thankachan at Koombara, Koodaranhi village, Kozhikode. Sri.Shaju Abraham vide letter dated 26.08.2024, has also forwarded a complaint against quarry project of Sri. Thankachan M.S.

OA 93/2024

EE  
25/11/24

2706  
25/11/24

**AND WHEREAS**, the Authority in its 42<sup>th</sup> SEIAA meeting, noted the interim report in O.A. No. 93 of 2023 received from the KSPCB and the complaint dated 26.08.2024 of Sri. Shaju Abraham, against the quarry project. The complainant stated that besides NONEL technology for blasting, the quarry owner uses other explosives for carrying out blasting. In addition, the proposed quarry area is at a distance of 15 km from landslide affected area in Wayanad. The Authority on verification of the interim report of the Joint Committee observed that the Project Proponent has violated many of the EC conditions. The Authority noticed that the EC for the project was issued on 13.08.2019 from SEIAA for a period of 5 years and the validity of the same will be up to 12.08.2025 (including Covid relaxation). Hence, the Authority decided to issue stop memo to the project and to issue a show cause notice to Project Proponent to get his explanation to not to cancel EC as per Clause 8 (vi) of EIA Notification 2006. Vide reference (6) cited, the stop memo was issued to the project.

**Hence Show Cause Notice is hereby issued to you for providing reasons as to why the EC should not be cancelled, as per Clause 8 (vi) of EIA Notification 2006. You are directed to submit your explanation within a period of 15 days from the date of receipt of this notice, failing which the Authority will proceed with further action including the cancellation of EC under law assuming that you have no cause to show in the matter.**



**Administrator, SEIAA  
For Member Secretary, SEIAA**

Copy to:

1. MoEF Regional Office, Southern Zone, Kendriya Sadan, 4<sup>th</sup> Floor, E&F Wing, II Block, Koramangala, Bangalore-560034.(through e-mail: [rosz.bng-mefcc@gov.in](mailto:rosz.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, Thiruvananthapuram.
7. The District Geologist, Kozhikode
8. The Environmental Engineer, KSPCB, Kozhikode
9. The Tahsildhar, Kozhikode Taluk, Kozhikode
10. The Secretary, Koodaranhi Grama Panchayath, Kozhikode
11. The Chairman, SEIAA.
12. Website.
13. S/f
14. O/c



AD

KERALA STATE POLLUTION CONTROL BOARD

കേരള സംസ്ഥാന മലിനീകരണ നിയന്ത്രണ ബോർഡ്

കോഴിക്കോട് ജില്ലാ ഓഫീസ്

DISTRICT OFFICE, KOZHIKODE

3<sup>rd</sup> FLOOR, ZAMORIN'S SQUARE, LINK ROAD, KOZHIKODE - 673 002

Ph: 0495-2300745

kspcb.kerala.gov.in



of 15  
ed  
wik

PCB/KKD/DO/GEN-213/OA No.93/2024(SZ)

Dated 11/11/2024

From

The Environmental Engineer

*o/c*

To

Shri. Thankachan Sebastian

11/11/2024  
BY Email  
Reg A10

Subject: OA No. 93 of 2024(SZ) (Old OA 770/2023(PB)) violation of Environmental Norms in operation of quarry at Mathalikkunnel, Koombara, Punnakkadavu, Koodaranhi, Kozhikode – Regarding;

Ref :

- 1) Hon'ble NGT orders dated 31/01/2024, and further order dated 20/05/2024, 30/07/2024, and 12/09/2024 in OA No. 93 of 2024(SZ) filed by Shri. Sajimon Joseph before the Hon'ble NGT.
- 2) Environmental Clearance No. 212/SEIAA/KL/251/2014 dated 05/12/2014 and extension of EC dated 04/11/2019.
- 3) Complaint dated 26/08/2024 from Shri. Shaju Abraham.
- 4) Consent to Operate renewal order issued from this office by number PCB/KKD/DO/ICO-R3/1507/R16KOZ4227391/12274 532 / 2019 valid up to 04/12/2024.
- 5) Joint Committee site inspection conducted by expert members at your quarry in 11/10/2024.
- 6) Memo issued to you by SEIAA, no; 1068/EC4/2024/SEIAA dated 02/11/2024.

- 7) Show Cause Notice issued to you by SEIAA no. 1068/EC4/ 2024/ SEIAA dated 02/11/2024.

### **SHOW CAUSE NOTICE**

**WHERE AS**, Based on reference (1) NGT Orders, site inspection was conducted by the Joint Committee and conducted Air Monitoring, Water Monitoring & Noise Monitoring, and heard the complainant as well as the petitioner, on 11/10/2024.

**WHERE AS** During the preliminary site inspection, conducted on 25/03/2024, and further on the detailed site inspection by expert members vide Para above, certain violations/non compliances of EC conditions were noticed in the operation of the quarry which are enlisted below.

1. Garland drain is not seen provided at the site.
2. Quarry pit was filled with water up to the level of the settling tank.
3. The site did not exhibit proper benches as prescribed in Environmental Clearance.
4. Over burden (OB) dumping was observed on the elevated southern side outside the quarry area, without safely measures and at angles exceeding 45 degrees.
5. No approved Environmental Management Plan (EMP), imposed as the specific condition of EC was found submitted/implemented by the project proponent.

6. A natural stream was observed on the south side of the project area near the OB dump, flowing directly in to the project area. It appeared that recent modifications had been made to this channel, diverting it towards the quarry pit.
7. Access roads were found to be damaged in certain area.

**WHERE AS** On the basis of above findings and also based on complaint received from Shri. Shaju Abraham by SEIAA which states that besides NONEL technology for blasting, the quarry owner uses other explosives for carrying out blasting.

**WHERE AS** In addition, the quarry area is at a distance of 15 km from the land slide affected area in Wayanad.

**WHERE AS** SEIAA had issued a Show Cause Notice to you vide reference (7), for providing reasons as to why the EC should not be cancelled as per Clause 8(vi) of the EIA Notification 2006.

**WHERE AS** SEIAA had issued a STOP MEMO to you, to stop all the activities carried out with the EC vide reference (6).

**NOW THERE FORE** You are called upon to Show Cause, why your Consent to Operate Renewal issued by Kerala State Pollution Control Board vide ref (4) shall not be revoked, on the basis of the relevant statutes.

You are directed to submit your explanation with in a period of 15 days from the date of this Notice, failing which Board will proceed with further legal actions against your unit including revoking the Consent of the quarry.



For and On Behalf of KSPCB

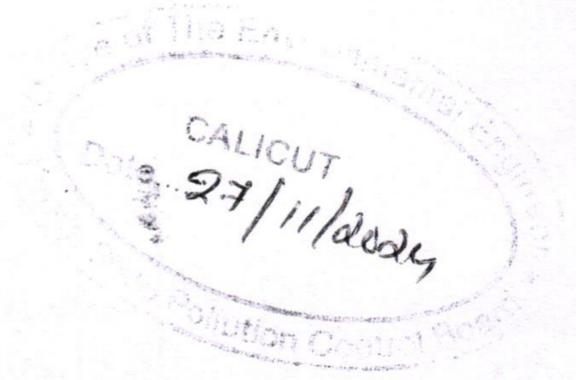
*V. S. S. S.*

ENVIRONMENTAL ENGINEER.

District Office, Kozhikode

Copy to:

1. Member Secretary  
KSPCB, Head Office  
Thiruvananthapuram
2. Chief Environmental Engineer  
Regional Office, Kozhikode
3. SEIAA Administrator  
State Impact Assessment Authority  
Thiruvananthapuram



From

Thankachan.M.S,  
S/o.Sebastian, Mathalikkunel House,  
Koombara Bazar.P.O, Koodaranhi,  
Kozhikode-673 604.

To

The Environmental Engineer,  
Kerala State Pollution Control Board District Office,  
Third Floor, Zamorian's Square Building,  
Link Road, Palayam, Kozhikode-673 002.

Sub:- O.A. No. 93/2024 (SZ) (Old OA No. 770/2023 (PB))- Violation of Environmental Norms in operation of quarry at Mathalikkunel, Koombara, Punnakkadavu, Koodaranhi, Kozhikode- reg.

Ref:- (1) Hon'ble NGT Orders dated 31.01.2024, and further order dated 20.05.2024, 30.07.2024 and 12.09.2024 in OA No. 93/2024 (SZ) filed by Sri. Sajimon Joseph before the Hon'ble NGT.

(2) Environmental Clearance No. 212/SEIAA/KL/251/2014 dated 05.12.2024 and extension of E.C. dated 04.11.2019.

(3) Complaint dated 26.08.2024 from Shaju Abraham.

(4) Consent to operate renewal order issued from this office by No. PCB/ KKD /DO/ICO-R3/1507/R16 KOZ 4227391/12274 532/2019 valid up to 04.12.2024.

(5) Joint Committee site inspection conducted by expert members at the quarry on 11.10.2024.

(6) Memo issued to you by SEIAA, No. 1068/EC4/2024/SEIAA dated 02.11.2024

Thankachan M.S. Thankachan

- (7) Show cause notice issued by SEIAA No. 1068/EC4/2024/SEIAA dated 02.11.2024
- (8) Show cause notice issued by your goodself vide No. PCB/KKD/DO/GEN-213/OA No. 93/2024 (SZ) dated 11.11.2024.

Sir/Madam,

This reply notice is in response to the 8<sup>th</sup> reference show cause notice issued by the Environmental Engineer, Kerala State Pollution Control Board, District Office, Kozhikode dated 11.11.2024.

As stated by you in the show cause notice, a joint inspection by the expert members, including yourself, were carried out in my quarry on 25.03.2024, the month of March 2024, during the peak of summer season. At that point of time, even all the wells in the area were dried up and the quarry pit and the settling tank were not having water therein. It can be seen from the photographs produced by your goodself, in the inspection report, before the National Green Tribunal in OA No. 93/2024 clearly shows that the statement contained in the show cause notice as item 2 was absolutely false. Even in the report filed before the NGT you had categorically stated that the water from the quarry pit was pumped in to my property for watering my agricultural crops instead of taking it to the settling tank which itself shows that the second alleged violation stated in the show cause notice is false. I am herewith producing the photographs showing the garland drain provided by me at the site which was clearly shown to you. The photograph showing the garland drain is marked as **Annexure-1**. Therefore, going by Annexure-1 photograph it can be seen that the first violation alleged in the show cause notice also is not correct.

Thankachan. MS Thankachan

As regards the third violation alleged in the 8<sup>th</sup> reference, that the site did not exhibit proper benches is also not correct. The photographs produced by your goodself as Annexures to the joint committee report in OA No. 93/2024 before the National Green Tribunal, Southern Zone, Chennai as Annexure-VII(a) clearly shows that there are benches provided by me in my quarry. Therefore, your own photographs will clearly shows that I had maintained proper benches prescribed in the environmental clearance and therefore the third violation alleged against me a also will not survive based on your own photographs.

As regards the 4<sup>th</sup> violation alleged against me, that the over burden dumping was observed on the elevated southern side outside the quarry area without safety measures and that angles exceeding 45 degrees also is not correct. I am not permitted to take the overburden outside my quarry as per the provisions of the Kerala Minor Mineral Concession Rules, 2015. I am bound to stack the overburden by the side of my quarry in the area demarcated by the Geologist, Kozhikode who is a competent authority under law, to monitor my quarrying lease for mining building stones. I had stacked the overburden as directed by the Geologist in accordance with law and these facts can be ascertained from the Geologist, Kozhikode.

As regards the 5<sup>th</sup> violation alleged in the 8<sup>th</sup> reference show cause notice, I had produced a copy of the environmental management plan (EMP) before the SEIAA as and when I went for the extension of EC dated 04.11.2019. I was granted extension with a specific direction that a comprehensive environmental management plan has to be submitted after the grant of the extension of environmental clearance. I had produced a comprehensive Environmental Management plan before the SEIAA, a copy of which is appended along with this reply as **Anneuxre-2**. Therefore, it can be seen from Annexure-2 that the 5<sup>th</sup> violation alleged against me also will not sustain.

Thankadon M.S. Thankachan

As regards the 6<sup>th</sup> violation alleged against me in the 8<sup>th</sup> reference show cause notice that a natural stream was observed on the south side of the project area near the overburden dump, flowing directly into the project area is absolutely false. There is no such natural stream as alleged in the 6<sup>th</sup> violation. Even going by the photographs produced by your goodself before the NGT along with the joint inspection report clearly shows that there are no drains as alleged, but you upon an imagination has drawn a line in the photographs showing that there can be a drain which will be flowing through the line which your goodself has drawn in Annexure 7 (b) photograph appended with the joint inspection report produced before the NGT in OA No. 93/2024. Even, as already submitted, the joint inspection team's visit was during the peak summer season and nobody during March, will be able to witness a stream in the area.

As regards the 7<sup>th</sup> violation that access roads were found to be damage in certain area also is not correct. It is true that the access roads and all roads in the State of Kerala get damaged due to the frequent plying of vehicles which will be repaired, re-tarred or concreted during the course of time. The access roads inside the quarry are all concreted now and photograph of the same is produced as **Annexure-3**.

Apart from the alleged violations of 1 to 7 stated in the 8<sup>th</sup> reference show cause notice, you had raised an apprehension that I am using other explosives than the NONEL technology for blasting rocks as alleged by Mr. Shaju Abraham vide the 3<sup>rd</sup> reference complaint. Mr. Shaju Abraham, who had preferred the 3<sup>rd</sup> reference complaint was a supervisor in my quarry during 2023 who was terminated by me upon misappropriation of funds. Due to that animosity, he had preferred, the frivolous third reference complaint against me. Further, I am permitted to use explosives other than NONEL technology as per the directives of the explosives department which you could seek clarification from the said department. Therefore, without obtaining a report from the explosives

Thantachan. Ms. Thantachan

department, incorporating the complaint of Sri.Shaju Abraham in the 8<sup>th</sup> reference show cause notice was unwarranted.

You have also stated in the 8<sup>th</sup> reference that the quarry area is situated at a distance of 15 kilometers from the landslide affected area in Wynad. This is absolutely false and had made such a statement in the 8<sup>th</sup> reference show cause notice with ulterior motives and to put me to irreparable injury. You being an officer-in-charge of the Pollution Control Board in Kozhikode District knows fully well that the landslide occurred at a distance of more than 62.5 kilometers away from my quarry. A copy of the google map showing the distance between Koodaranhi and Chooralmala is produced herewith and may be marked as **Annexure-4**. Knowing fully well that Chooralmala where the landslide occurred is more than 50 kilometers away from my quarry, I am not clear about your intentions in making such false statement in the 8<sup>th</sup> reference show cause notice. Further, it is humbly submitted that there is no prohibition under any law in operating a quarry within 15 kilometers of a land slide affected area.

As regards the show cause notice of the SEIAA vide 7<sup>th</sup> reference, I am furnishing a detailed reply to the said show cause notice before the SEIAA.

As regards the stop memo issued to me by the SEIAA, Kerala to stop all the activities carried out by me vide the 6<sup>th</sup> reference herein, I had challenged the said stop memo before the Hon'ble High Court of Kerala in W.P.(C) NO. 39873/2024 wherein the Hon'ble High Court had stayed the operation of the said stop memo and directed the SEIAA, Kerala to keep the stop memo in abeyance. A true copy of the interim order dated 12.11.2024 passed by the Hon'ble High Court of Kerala in W.P.(C) No. 39873/2024 is produced herewith as **Annexure-A5**. You being a respondent in W.P.(C) No. 39873/2024, is well aware of Annexure-A5.

Thankachan .ms. Thankachan

In the above circumstances, you may recall the 8<sup>th</sup> reference show cause notice and treat this reply of the undersigned, in order to find that the violations alleged against me are baseless and refrain from revoking my consent to operate issued by the Kerala State Pollution Control Board vide 6<sup>th</sup> reference.

Dated this the 26<sup>th</sup> day of November, 2024.

*Thankachan M.S. Thankachan*

THANKACHAN. M.S.

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE T.R.RAVI

Tuesday, the 4<sup>th</sup> day of March 2025 / 13th Phalgun, 1946WP(C) NO. 44403 OF 2024**PETITIONER:**

THANKACHAN M.S, AGED 64 YEARS, S/O. SEBASTIAN, MATHALIKKUNNEL HOUSE,  
KOOMBARA BAZAR P.O, KOODARANHI, KOZHIKODE DISTRICT, PIN-673604

**RESPONDENTS:**

1. THE KERALA STATE POLLUTION CONTROL BOARD, REPRESENTED BY ITS MEMBER SECRETARY, PATTOM.P.O, THIRUVANANTHAPURAM, PIN-695004
2. THE GEOLOGIST, MINING AND GEOLOGY DISTRICT OFFICE, CIVIL STATION, PALATTUTHAZHAM, KOZHIKODE, PIN-673020
3. SAJIMON JOSEPH, NARAKATHINGAL HOUSE, KOOMBARA P.O, KOODARANHI VIA, KOZHIKODE, PIN-673604

Writ Petition (Civil) praying inter alia that in the circumstances stated in the affidavit filed along with the WP(C) the High Court be pleased to direct the first respondent to reconsider Exhibit P27 and grand consent to the petitioner to operate the quarry covered under Exhibit P1, pending disposal of the writ petition.

This petition again coming on for orders upon perusing the petition and the affidavit filed in support of WP(C) and this Court's order dated 20-02-2025 and upon hearing the arguments of M/S. J.ABHILASH, LIJO KURIAN JOSE & VIMAL BHASKAR, Advocates for the petitioner, SRI. NAVEEN T, STANDING COUNSEL for R1 and of M/S. G.GIREESH & MATHEW KURIAKOSE, Advocates for R3, the court passed the following:

**T.R.RAVI.J**

-----  
**WP(C) No.44403 of 2024**  
-----

**Dated this the 04<sup>th</sup> day of March, 2025**

**ORDER**

There will be a direction to the 1st respondent to consider the request for extension of the consent to operate granting the benefit of Ext.P28 notification and based on Ext.P24 application. Necessary orders shall be issued within two weeks from today.



Post on 27.03.2025

Sd/-

**T.R.RAVI**

**JUDGE**

sn

**APPENDIX OF WP(C) 44403/2024**

- Exhibit P1** A TRUE COPY OF THE ENVIRONMENTAL CLEARANCE DATED 05.12.2014 ISSUED BY SEIAA TO THE PETITIONER
- Exhibit P2** A TRUE COPY OF THE INTEGRATED CONSENT TO OPERATE-RENEWAL DATED 04.01.2020 ISSUED BY THE ENVIRONMENT ENGINEER TO THE PETITIONER VALID UP TO 04.12.2024
- Exhibit P3** A TRUE COPY OF THE FORM LE3 LICENSE RENEWED AND VALID UP TO 31.03.2026 ISSUED BY THE DEPUTY CHIEF CONTROLLER OF EXPLOSIVES, ERNAKULAM
- Exhibit P4** A TRUE COPY OF THE TRADE LICENSE ISSUED BY THE SECRETARY, KOODARANHI GRAMA PANCHAYAT RENEWED ON 01.04.2021 VALID UP TO 31.03.2026
- Exhibit P5** A TRUE COPY OF THE QUARRYING LEASE DATED 05.06.2015 VALID UP TO 04.06.2027 EXECUTED BETWEEN THE PETITIONER AND THE STATE GOVERNMENT FOR MINING BUILDING STONES FROM 3.38 HECTARES OF LAND IN SY NO. 2442 PT OF KOODARANHI VILLAGE IN KOZHIKODE TALUK OF KOZHIKODE DISTRICT
- Exhibit P6** A TRUE COPY OF THE JUDGMENT IN WP(C) NO. 30828 OF 2017 DATED 29.01.2019 PASSED BY THE LEARNED DIVISION BENCH OF THIS HON'BLE COURT
- Exhibit P7** A TRUE COPY OF THE RENEWAL ORDER OF EXHIBIT P1 GRANTED BY THE 1ST RESPONDENT DATED 04.11.2019
- Exhibit P8** A TRUE COPY OF THE LETTER DATED 24.07.2023 FILED BY THE 3RD RESPONDENT TO THE CHAIRMAN, NATIONAL GREEN TRIBUNAL, NEW DELHI
- Exhibit P9** A TRUE COPY OF THE ORDER DATED 31.01.2024 PASSED BY THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI IN OA NO. 770/2023
- Exhibit P10** A TRUE COPY OF THE ORDER DATED 25.3.2024 PASSED BY THE NATIONAL GREEN TRIBUNAL, SOUTHERN ZONE, CHENNAI IN OA NO. 93/2024
- Exhibit P11** A TRUE COPY OF THE ORDER DATED 20.05.2024 PASSED BY THE NATIONAL GREEN TRIBUNAL, SOUTHERN ZONE, CHENNAI IN OA NO. 93/2024
- Exhibit P12** A TRUE COPY OF THE ORDER DATED 12.09.2024 PASSED BY THE NATIONAL GREEN TRIBUNAL SOUTHERN ZONE, CHENNAI IN OA NO. 93/2024
- Exhibit P13** A TRUE COPY OF THE JOINT COMMITTEE REPORT DATED 05.04.2024 SUBMITTED BY THE 3RD RESPONDENT HEREIN BEFORE THE NATIONAL GREEN TRIBUNAL, IN OA NO. 93/2024
- Exhibit P14** A TRUE COPY OF THE ORDER DATED 01.10.2019 ISSUED BY THE ENVIRONMENTAL ENGINEER TO THE SECRETARY, KOODARANHI GRAMA PANCHAYAT WITH COPY TO THE PETITIONER
- Exhibit P15** A TRUE COPY OF THE PHOTOGRAPH SHOWING THE DIP MAINTAINED BY THE PETITIONER IN THE QUARRY FOR THE FLOW OF RAIN WATER STREAM DURING RAINY SEASON
- Exhibit P16** A TRUE COPY OF THE PHOTOGRAPHS SHOWING THE CONCRETED ROAD SIDE THE QUARRY OF THE PETITIONER
- Exhibit P17** A TRUE COPY OF THE ORDER DATED 28.03.2023 ISSUED BY THE RANGE OFFICER, THAMARASSERY TO THE DIVISIONAL FOREST OFFICER, STATING THAT THE PROPERTY SITUATED IN KOODARANHI VILLAGE DOES NOT COME WITHIN THE ECO SENSITIVE ZONE

- Exhibit P18 A TRUE COPY OF THE RELEVANT PAGES OF THE MINUTES OF THE 148TH MEETING OF THE SEIAA DATED 27 AND 28-09-2024
- Exhibit P19 A TRUE COPY OF THE STOP MEMO DATED 02.11.2024 ISSUED BY THE MEMBER SECRETARY TO THE PETITIONER
- Exhibit P20 A TRUE COPY OF THE SHOW CAUSE NOTICE DATED 02.11.2024 ISSUED BY THE MEMBER SECRETARY SEIAA TO THE PETITIONER
- Exhibit P21 TRUE COPY OF THE REPLY TO EXHIBIT P20 STOP MEMO DATED 26-11-2024
- Exhibit P22 TRUE COPY OF THE SHOW CAUSE NOTICE DATED 11/11/2024 ISSUED BY THE ENVIRONMENTAL ENGINEER OF THE FIRST RESPONDENT
- Exhibit P23 TRUE COPY OF THE REPLY NOTICE ISSUED BY THE PETITIONER DATED 26.11.2024 TO EXHIBIT P22
- Exhibit P24 TRUE COPY OF THE APPLICATION DATED 26.09.2024 PREFERRED BY THE PETITIONER BEFORE THE POLLUTION CONTROL BOARD
- Exhibit P25 TRUE COPY OF THE RECEIPT ISSUED BY THE POLLUTION CONTROL BOARD DATED 26.09.2024
- Exhibit P26 TRUE COPY OF THE REMARK FOR RETURNING THE APPLICATION DATED 21.10.2024
- Exhibit P27 RELEVANT PAGES OF MINING PLAN DATED 01.06.2020 APPROVED BY THE GEOLOGISTS
- Exhibit P28 TRUE COPY OF THE S.O. 1807 (E) DATED 12.04.2022 ISSUED BY THE MINISTRY OF ENVIRONMENT FOREST AND CLIMATE CHANGE
- Exhibit R 3 [ a ] True copy of the show cause notice dated 05.11.2024 issued by the Geologist, Mining and Geology Department, District Office Kozhikode, to the petitioner
- Annexure R1(a) True copy of the Integrated Consent to Operate No. PCB/KKD/D0/ICO-R3/11302/R17K0Z5674911/13972542/2021, dated 16-7-2021, issued by the Pollution Control Board.
- Annexure R1(b) True copy of the Circular No. PCB/H0/CIRCULAR/51/2019 dated 4-5-2022 issued by the Pollution Control Board.
- Annexure R1(c) True copy of the Reply Letter dated 26-11-2024 (without attachments) submitted by the quarry owner.

# REVISED SCHEME OF MINING

SUBMITTED UNDER RULE 12(3) OF MCDR 1988  
KMMC RULE 1967 AMENDED 2015, RULE 67(2) AND 67(5)

FOR  
CATEGORY B2/SEMI-MECHANISED  
GRANITE / BUILDING STONE QUARRY OF  
Mr.Thankachan M S

Village	:- Koodaranhi
Taluk	:- Thamarassery
District	:- Kozhikode
State	:- Kerala
Survey No.	:- 2442 Pt
Lease Area	:- 3.3800Ha
Life of Mine	:- 4 Years
Land	:- Private land



## APPLICANT

**Mr. Thankachan M S,**  
Mathalikunnel House  
Koombara Bazar P.O  
Koodaranhi,  
Kozhikode District, Kerala.

## PREPARED BY:

**C. BALARAMAN**  
Paliyam, Peoli Road, Kacheripadi, Kochi- 682018  
DMG/KERALA/RQP/11/2017



1.3.25  
GEOLOGIST  
DISTRICT OFFICE  
DEPARTMENT OF MINING AND  
G.M. STATION  
Kozhikode



## KERALA STATE POLLUTION CONTROL BOARD

FILE NO. : KSPCB/KZ/ICO/10081982/2025

Date of issue : 14-03-2025

### INTEGRATED CONSENT TO OPERATE - RENEWAL

Consent No : KSPCB/KZ/ICO/10081982/2025

**Valid upto : 04-06-2027**

References :

1. Your online application no.10081982 dated 26-09-2024.
2. Consent No : PCB/KKD/DO/ICO-R3/1507/R16KOZ4227391/12274532/2019 DATED 04/01/2020 VALID UP TO 04.12.2024.

The Integrated Consent to Operate issued as per reference above is hereby modified & issued to M/s MATHALIKUNNEL QUARRY (3.38Ha) , KOOMBARA BAZAR P.O., KOODARANHI VIA, KOZHIKODE.

The consent(s)/ variation order(s) cited under reference are integral part of this consent variation order and this order is subject to the conditions stipulated therein and the following modifications/ additions.

S.No.	Items	Description
1	Validity	<b>04-06-2027</b>
2	Capital investment	200 lakhs
3	Quarrying area	Quarrying in 3.38Ha of land (8.35acres) in survey no.2442(pt), Koodaranhi Village, Thamarassery Taluk
4	Occupier name	THANKACHAN M S

## SPECIFIC CONDITIONS

1. Condition no.2.4 of the consent referred 2nd above is modified to the extent that for renewal of the integrated consent application in the prescribed form shall be submitted to the Board before two month of the date of validity through the web portal of the Board for Online Consent Management & Monitoring System. Late application will be accepted only with fine/late fee as applicable.
2. The quarry should not be operated between 6.00 p.m. and 6.00 a.m.
3. Noise measured 1 m outside the boundary of the premises shall not exceed the limit specified for the area under the Ambient Air Quality Standards in respect of noise.
4. The concentration of particulate matter PM 10 and PM 2.5 at the boundary of the premise shall not exceed 100 microgram/m<sup>3</sup> and 60 microgram/m<sup>3</sup> respectively.
5. Permanent fence made of wire mesh shall be provided and maintained along the boundary of the approved quarry area.
6. The applicant shall put up a 6 ft. x 4 ft. signboard near entrance to the quarry for displaying the name of the quarry and owner, production details and time of the day when blasting is permitted to be undertaken.
7. Location and extent of quarry shall be as per the approved site plan attached.
8. After completion of quarrying, the land may be reclaimed as per the mining plan approved by the Department of Mining and Geology.
9. Quarrying operations shall be started only after obtaining the all the statutory clearances required, which shall be valid throughout the period of operations.
10. This consent is issued based on the following references;
  - a)-EC no :212 / SEIAA / KL /251 / 2014 .dated 04.11.2019 valid up to 04.12.2024.
  - b)- High court order in W.P(C ) no: 44403/2024 dated 4/03/2025
  - c)- S.O. 1807 (E), dated April 12, 2022, issued by the Ministry of Environment,Forest and Climate Change.
  - d)- RTI reply provided by the District Geologist, Kozhikode, states that the quarry has remaining life of mine four years (i.e., from the financial year 2024–2025 to 2027–2028).
  - e)- Quarrying lease no :165/2015-16/2846/M3/2015 dated 28/5/2015 valid up to 4-6-2027.
  - f)- Explosive licence no: E/SC/KL/22/1413 (E65549) dated 16-03-2021 valid up to 31-03-2026.

11. This Consent will remain valid until 04/06/2027, and is subject to modification based on the final orders of the Honourable National Green Tribunal in Original Application number 93 of 2024(SZ).

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

Digitally signed by SAUMA HAMEED  
Date: 2025.03.14 11:22:59 IST

SIGNATURE OF ISSUING AUTHORITY

ENVIRONMENTAL ENGINEER



**To**

M/s MATHALIKUNNEL QUARRY (3.38Ha)  
KOOMBARA BAZAR P.O., KOODARANHI VIA, KOZHIKODE  
E-Mail : sssolutions120@gmail.com  
Contact Number :9745714264,

1. This digitally signed document is legally valid as per the Information Technology Act 2000
2. For verifying this document please go to [www.keralapcbonline.com](http://www.keralapcbonline.com) and search using Certificate Number/Name of the unit/Application Number in "Certificate Verification" link in the home page of the Board's Phoenix website.

ENVIRONMENTAL ENGINEER,  
KERALA STATE POLLUTION CONTROL BOARD,  
DISTRICT OFFICE, KOZHIKODE

---

**pcbdo kkd** <pcbdokkd@gmail.com>

Mon, Jun 9, 2025 at 10:25 AM

To: "Thankachan M.S Mathalikkunne" <thankachan.mathalikkunne@gmail.com>

[Quoted text hidden]

[Quoted text hidden]

----- Forwarded message -----

From: pcbdo kkd <pcbdokkd@gmail.com>

To: thankachan.mathalikkunne@gmail.com, pollution control board kozhikode region <pcbrokkd@gmail.com>, kspcblegal1@gmail.com

Cc:

Bcc:

Date: Fri, 6 Jun 2025 13:20:49 +0530

Subject: Direction to Stop functioning of Mathalikkunne quarry- Koompara owned by Sri Thankachan M.S based on NGT order in O.A no 93/2024 dated 4/6/25

[Quoted text hidden]

[Quoted text hidden]

--

[Quoted text hidden]

---

**pcbdo kkd** <pcbdokkd@gmail.com>

Mon, Jun 9, 2025 at 10:26 AM

To: "Thankachan M.S Mathalikkunne" <thankachan.mathalikkunne@gmail.com>

In the case mentioned under subject, the Hon'ble NGT SZ had issued an order restraining the Project Proponent from continuing to function the impugned quarry. It was also submitted before the Tribunal by the counsel for the Project Proponent that the quarry is continuing its functioning. It is seen that SEIAA Kerala has not yet given the Project Proponent permission to continue to operate nor is there any order to this effect from any judicial forum. This is in violation of consent condition 10&11 given by the KSPCB to the Project Proponent at the time of Consent renewal.

So based on the Hon'ble NGT hearing dated 4/6/25 and as per the instructions issued by the Board's Standing Counsel in connection with O.A. No. 93/2024 before the National Green Tribunal, you, Shri Mathalikkunne Thankachan, are hereby directed that the quarrying operations of Mathalikkunne Quarry, as per Consent No. KSPCB/KZ/ICO/10081982/2025 dated 14-03-2025, must be stopped immediately until any judicial order is produced allowing the said quarry to function.

Sincerely

ENVIRONMENTAL ENGINEER,  
KERALA STATE POLLUTION CONTROL BOARD,  
DISTRICT OFFICE, KOZHIKODE

[Quoted text hidden]



PCB/KKD/DO/GEN-213/OA – 770/2023

Dated 17/06/2025

സ്വീകർത്താവ്

ശ്രീ തങ്കച്ചൻ.എം.എസ്

മാതാളിക്കുന്നേൽ വീട്

കുമ്പാറ ബസാർ പി.ഒ

കൂടരത്തി

\*കോഴിക്കോട് - 673604



വിഷയം :- NGT Case: OA No 93/2024 04/06/2025 തീയതിയിലെ കോടതി ഉത്തരവ് പ്രകാരം ക്വാറി പ്രവർത്തനങ്ങൾ നിർത്തിവെക്കേണ്ടത് സംബന്ധിച്ച്.

സൂചന :-

1. Consent No: KSPCB/KZ/ICO/10081982/2025 dated 14/03/2025 valid up to 04/06/2027.
2. High Court Order in WP(C) No: 44403/2024 dated 04/03/2025.
3. NGT Order in OA No: 93/2024 dated 04/06/2025 (പകർപ്പ് ഉള്ളടക്കം ചെയ്യുന്നു)

മേൽ സൂചനകളിലേക്ക് ശ്രദ്ധ ക്ഷണിക്കുന്നു

താങ്കളുടെ സ്ഥാപനത്തിനെതിരെ ദേശീയ ഹരിത ട്രിബ്യൂണലിൽ OA No 93/2024 എന്ന നമ്പർ കേസ് നടന്നുകൊണ്ടിരിക്കുന്ന അവസരത്തിലും സൂചന (2) പ്രകാരമുള്ള ബഹു ഹൈക്കോടതിയുടെ ഉത്തരവ് പരിഗണിച്ചു കൊണ്ട് താങ്കളുടെ ക്വാറിക്ക് സൂചന (1) പ്രകാരം പ്രവർത്തനാനുമതി പുതുക്കി നൽകിയിരുന്നു. പ്രസ്തുത പ്രവർത്തനാനുമതിയിൽ specific condition No. 11 പ്രകാരം ക്വാറിയുടെ പ്രവർത്തനാനുമതി OA No 93/2024 ൽ ബഹു NGT യുടെ വിധികൾക്ക് അനുസരിച്ച് മാറ്റങ്ങൾക്ക് വിധേയമായിരിക്കും എന്ന് പരാമർശിച്ചിരുന്നു. ആയതിനാൽ സൂചന (3) ബഹു NGT യുടെ 04/06/2025 തീയതിയിലെ ഉത്തരവ് പ്രകാരം താങ്കളുടെ ക്വാറിയുടെ പ്രവർത്തനങ്ങൾ അടിയന്തിരമായി നിർത്തിവെക്കേണ്ടതും സ്വീകരിച്ച നടപടികൾ 10 ദിവസത്തിനകം ഈ

കാര്യലയത്തിൽ റിപ്പോർട്ട് ചെയ്യേണ്ടതുമാണ്. അല്ലാത്ത പക്ഷം താങ്കളുടെ സ്ഥാപനത്തിനെതിരെ നിയമപരമായ തുടർ നടപടികൾ സ്വീകരിക്കുന്നതാണ്.



ഉള്ളടക്കം

മേൽ പ്രകാരം

വിശ്വസ്തതയോടെ

എൻവയോൺമെന്റൽ എഞ്ചിനീയർ

Faint, illegible text, likely bleed-through from the reverse side of the page.

Translation of Annexure R3(o)

PCB/KKD/DO/GEN-213/OA-770/2023

Dated: 17/06/2025

From

Environmental Engineer  
KSPCB, Kozhikode

To

Mr. Thankachan.M.S  
Mathalikunnel House  
Koombara Bazar P.O  
Koodaranji  
Kozhikode – 673604

Subject: Direction to stop down the quarry operations as per the  
Hon'ble NGT order dated 04/06/2025 in OA No: 93/2024 reg;

Reference:

1. Consent No: KSPCB/KZ/ICO/10081982/2025 dated 14/03/2025, valid up to 04/06/2027
2. High Court Order in WP(C) No: 44403/2024 dated 04/03/2025.
3. NGT Order in OA No: 93/2024 dated 04/06/2025.

Your attention is invited to the above references.

The case numbered OA No: 93/2024 against your establishment is pending before the Hon'ble National Green Tribunal. Based on the Honb'le High Court order referred in (2), the Consent to Operate for your quarry was renewed as per reference (1). In the said Consent to Operate, specific condition no. 11 clearly stated that the operational permission for the quarry shall be subject to the orders of the Hon'ble NGT in OA No 93/2024. Therefore, based on the order of the Hon'ble NGT dated 04/06/2025 referred in (3), you are hereby directed to immediately stop all operations of your quarry. You are also instructed to submit a report on the actions taken to this office within 10 days. Failing which further action will be initiated against the unit.

Your's Faithfully

Environmental Engineer