

**Proceedings of the District Environment Impact Assessment Authority Kozhikode**

*Present : Sri.U.V.Jose. IAS, District collector & Chairman DEIAA, Smt Shamin Sebastian RDO and Member Secretary DEIAA, Sri Sunil Kumar DFO & Member Sri Sathyanathan. Member*

**Sub :** DEIAA-Environmental clearance for the quarry project in field. No. 2436(un surveyed), Koodaranji Village Koodaranji Panchayath, Thamarassery Taluk, Kozhikode District, Kerala by Sri. Shaji Mathew, Managing Partner M/s Matha Industries Koombara Bazar (Po), Koodaranji Village Kozhikode - 673604 - E C Granted – Orders issued.

- Ref :**
1. Application dated 03/01/17 from Sri.Shaji Mathew, Managing Partner. M/s Matha Industries Koombara Bazar (Po), Koodaranji Village Kozhikode - 673604
  2. Minutes of the 3<sup>rd</sup> meeting of DEAC held on 28/04/2017
  3. Minutes of the 5<sup>th</sup> meeting of DEAC held on 09/06/2017
  4. Minutes of the 3<sup>rd</sup> meeting of DEIAA held on 03/08/2017

---

**District Environment Impact Assessment Authority, Kozhikode**

**No. 12/DEIAA /KL/MIN/3738/2017.**

**Dated, Kozhikode: 23.09.2017.**

---

**ENVIRONMENTAL CLEARANCE NO. 12./2017**

Sri. Shaji Mathew, Managing Partner M/s Matha Industries Koombara Bazar (Po), Koodaranji Village Kozhikode - 673604, vide his application received on 03.01.2017, has sought Environmental Clearance under EIA Notification, 2006 for the quarry project in Field no.2436 (Unsurveyed) at Koodaranji Village Koodaranji Panchayath, Thamarassery Taluk, Kozhikode District, Kerala for an area of 3.5367 hectares. The project comes under Category B2, Activity 1(1), (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-11(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) dated 24.12.2013 of Ministry of Environment and Forests, since the area of the project is below 5 hectares.

The proposed project site falls within Latitude 11°18'48.88" N to 11°18'56.34" N and Longitude 76°04'44.52" E to 76°04'56.31" E. The land use classification as per revenue records is private own land. The lease area consists of 3.5367 hectares. The current proposal is for the new building stone quarry project. The proposed project is for quarrying of 1,12,500 TPA of building stone. The other details are as follows:

| I. Project details |   |  |
|--------------------|---|--|
| 1                  | File No.  | DIA/KL/MIN/3738/2017   |
| 2                  | Name /Title of the project  | Building Stone Quarry of Sri. Shaji Mathew   |
| 3                  | Name and address of project proponent   | Sri. Shaji Mathew, Managing Partner M/s Matha Industries Koompara Bazar (Po), Koodaranji Village Kozhikode - 673604  |
| 4                  | Owner of the land   | As per the records, the entire area is a private land owned by Roy Mathew, Susan Roy, K.T.Thomas, Benny Mathew, Annet Benny who have given consent to Mr. Shaji Mathew (Mg. Partner) |
| 5                  | Survey No. District/ Taluk and Village etc.   | Field no.2436 (Unsurvey) at Koodaranji Village, Koodaranji Panchayath, Thamarassery Taluk, Kozhikode District  |
| 6                  | Nature of the proposal-lease or permit with evidence                                  | New Quarry Project (Quarrying Lease)   |
| 7                  | Date of submission of Application   | 03.01.2017   |
| 8                  | Brief description of the project  | Open cast Semi mechanised mining, B2   |
| 9                  | Details of Authorized Signatory and address for correspondence                        | Sri. Shaji Mathew, Managing Partner M/s Matha Industries, Koompara Bazar (Po), Koodaranji Village Kozhikode - 673604   |
| II. Land Details   |   |  |
| 10                 | a) Extent of area in hectares   | 3.5367 hectares  |
| 11                 | b) Is the property forest land/Govt. land/own land/ patta land                        | Own land belongs to family members of Shaji Mathew   |
| 12                 | c) Quantity of top soil/over burden produced and managed                              | Topsoil : 37,550 tonnes<br>Overburden : 67,997 tonnes  |
| 13                 | d) Latitude and Longitude   | Latitude (N) 11°18'48.88" N to 11°18'56.34" N  |
|                    |   | Longitude (E) 76°04'44.52" E to 76°04'56.31" E   |
| 14                 | e) Topography of land and elevation   | The topography of the lease area is hilly. The highest elevation of the lease area is 185 m MSL and lowest is 105 m MSL.   |
| 15                 | f) Slope analysis   | Considering the stability of rocks, ultimate pit slope proposed is 45°   |
| 16                 | g) Will there be any significant land disturbance resulting in soil erosion, subsiden | Nil  |

|    |  |                         |
|----|--|-------------------------|
|    | natural drainage.  |                         |
|    | h) Access road to the site width and condition                             | 7.5 m width Access Road |
| 18 | i) Will there be any adverse impact on the aesthetics of the proposal site | No                      |

### III. Mining details

|    |  |  |
|----|--|--|
| 19 | a) Minimum and Maximum height of excavation                            | Highest 185 m above MSL<br>Lowest 105 m above MSL  |
| 20 | b) Life of mine proposed   | About 12 years   |
| 21 | c) Underground mining if any proposed                                  | Not Applicable   |
| 22 | d) Method of Mining  | Open cast mining   |
| 23 | e) Distance from the adjacent quarry                                   | 100 m  |
| 24 | f) Cluster condition if any  | No.  |
| 25 | g) Has "No cluster Certificate" submitted?                             | Yes  |
| 26 | h) Distance from nearby habitation                                     | 205 m, towards South West  |
| 27 | i) Distance from nearby forest, if applicable                          | No forest land within the 103 m. Radius from the quarry.                                     |
| 28 | j) Distance from protected area, Wildlife Sanctuary National Park etc. | No Protected area, Wildlife Sanctuary, National Park with in 10 KM radius from the mine site |
| 29 | k) Distance from nearby streams/ rivers/ National Highway and Roads    | Peedikapara water body -2.5 KM<br>SH - 59 - 5.4 KM   |
| 30 | l) Is ESA applicable? If so distance from ESA limit                    | Not Applicable   |
| 31 | m) Has approved mining plan, prepared by RQP Submitted?                | Yes  |
| 32 | n) Capacity of production in TPA                                       | 1,12,500 TPA   |

|                             |   |  |  |
|-----------------------------|---|--|--|
| 33                          | o) Details of mining process  | The quarry is proposed to work with conventional open cast with bench system method with semi - mechanized mode of operation based on the mode and method, taking into the consideration of geological parameters of the charnokite body, the quarry pit will be so designed such that the height of the bench is kept about 5.00 m max. |  |
| IV. Details of Project cost |   |  |  |
| 34                          | a) Land cost  | 50 Lakh  |  |
| 35                          | b) Plant and Machinery  | 150 Lakh   |  |
| 36                          | e) Total Cost   | 200 Lakh   |  |
| 37                          | V. Financial Statement including funding source and details of insurance etc. | Own fund.  |  |
| 38                          | Management Plan   | Air Pollution  | <p>No significant air pollution is expected as the mining operation is in wet stage. However during the summer water spraying suppresses the dust on roadways. The improvement of haulage road is the main remedy to suppress dust during transportation. Water sprinklers are provided to check the dusty road in the mining area.</p> <p>Dust released due to mining activity will be suppressed periodically by sprinkling of water, by engaging water tankers.</p> |
|                             |   | Water Pollution  | Garland drains are provided at the mine site to regulate monsoon water and direct the same to the settling ponds / mine pit to contain the mine wash off and to avoid the same joining the adjoining surface water bodies / water courses.   |
|                             |   | Noise  | Plantation will be carried out all along (along 7.5m buffer zone) the lease periphery, which acts as acoustic barrier for noise transmission.  |
|                             |   | Solid Waste Management   | Solid waste will be stacked at designated places during the quarry operations and will be utilized for reclamation work during mine closure plan.  |
|                             |   | Eco-restoration  | At the end of life of mine, the excavated pit will be 0.23520 Ha., in which 0.5000 Ha will be reclaimed with stacked dumping and overburden and rehabilitated by plantation  |

|    |   |   |
|----|---|---|
| 39 | VI. Whether Environment Management Plan or Eco restoration Plan satisfactory? | Yes   |
| 40 | VII. Does it suggest mitigation measures for each activity                    | Yes   |
| 41 | VIII. Is pre-feasibility report (PFR) satisfactory                            | Yes   |
| 42 | IX. Does it need public hearing   | No public hearing   |
| 43 | X. Details of litigation and Court verdict if any                             | Not Applicable  |
| 44 | XI. Details of public complaint, if any                                       | No  |
| 45 | XII. Details of statutory sanction required                                   | <ul style="list-style-type: none"> <li>a. Quarrying Lease</li> <li>b. NOC from Pollution Control Board</li> <li>c. Environment Clearance from DEIAA/SEIAA</li> <li>d. NOC from Explosive Dept.</li> <li>e. D &amp; O License from the LSGD</li> </ul> |
| 46 | XIII. If CRZ recommendation applicable?                                       | Not Applicable  |

## PART B

### Environment Impact Assessment and Mitigation Measures

#### Impact on water

|    |  |  |
|----|--|--|
| 47 | a) Details of water requirement per day in KLD | The total water requirement for the proposed project has been estimated to be around 5 KLD. About 0.5 KLD is required for domestic consumption, 2.5 KLD is required for dust suppression and 2.0 KLD is required for green belt development. |
| 48 | b) Water source/sources                        | The required water will be met from open well and Bore well  |
| 49 | c) Expected water use per day in KLD           | The total water requirement for the proposed project has been estimated to be around 5 KLD. About 0.5 KLD is required for domestic consumption, 2.5 KLD is required for dust suppression and 2.0 KLD is required for green belt development. |

|  |  |  |
|--|--|--|
| 50   | d) Details of water requirements met from water harvesting   | Around 2.5 KLD is required for dust suppression will be met from water harvesting pond   |
| 51   | e) What are the impact of the proposal on the ground water?  | The observation made during the field studies indicate water level varying and between 20-25 m below the ground level. The ultimate depth of the working of the quarry is 110m MSL. Since the working is much above the general ground water table, it does not affect the ground water.   |
| 52   | f) How much of the water requirement can be met from the recycling of treated waste water? (Facilities for liquid waste treatment)   | Not Applicable   |
| 53   | g) What is the incremental pollution load from waste water, generated from the proposed activities?                                  | Not Applicable   |
| 54   | h) How is the storm water from within the site managed?  | <ul style="list-style-type: none"> <li>Storm water drains with silt traps will be suitably constructed all along the periphery of the pit area (Garland drains) to collect the run-off from the lease area and divert into the storm water pond/tanks proposed within the complex.</li> <li>Appropriate channelization of storm water with channels of sufficient width</li> <li>All measures will be taken not to disturb the existing drainage pattern adjacent to the other property</li> </ul>                       |
| <b>Impact on Biodiversity and Eco restoration Programmes</b> |  |  |
| 55   | a) Will the project involve extensive clearing or modification of vegetation (Provide details)                                       | There will not be any loss of native species of genetic diversity as the quarry already exists and continuation of the same will not affect or loss of native species in general.  |
| 56   | b) What are the measures proposed to minimize the likely impact on vegetation (details of proposal for tree plantation /landscaping) | It is proposed to develop green belt to about 80 % which includes areas like along mine lease boundary (7.5 m width), all along the periphery of the mine lease area and the reclaimed area. Grass and bushes will be planted in areas prone to erosion especially at the foot of the mine lease area. Other areas will be fertilized and planted with local species. The characteristics of this vegetation will resemble that of the natural environment (Proposed to plan 1500 samplings in first 5 year plan period) |

|                                  |  |  |
|----------------------------------|--|--|
| 57                               | <p>C) Is there any displacement of fauna both terrestrial and aquatic, If so what are the mitigation measures?</p> <p>d) Presence of any endangered species or red listed category (in detail)</p> | <p>This region does not have any endemic or endangered species, so any development activity in the region does not have any direct bearing or significant influences in the ecosystem stability or biodiversity</p>  |
| <b>Impact on Air Environment</b> |  |  |
| 58                               | a) What are the mitigation measures on generation of Dust, smoke, and air quality  | <ul style="list-style-type: none"> <li>• Laying of haul road as per the standards, black topping of permanent haul road and service road to avoid or eliminate air – borne dust.</li> <li>• To avoid the dust generation from the drilling operations, wet drilling method will be adopted.</li> <li>• Drill machines will be equipped with dust collectors.</li> <li>• Use of appropriate explosives for blasting and avoiding overcharging of blast holes</li> </ul>   |
| 59                               | b) Details of internal traffic management of the site  | <ul style="list-style-type: none"> <li>• In case of long transportation the trucks after loading will be covered with tarpaulin sheets.</li> <li>• Speed of the vehicles will be maintained within the prescribed limits.</li> <li>• Trucks will not be over loaded and will be maintained to the body level.</li> </ul>   |
| 60                               | c) Details of noise from traffic, machines and vibrator and mitigation measures  | <ul style="list-style-type: none"> <li>• Proper maintenance of machinery, equipment's and improvement on design of machines.</li> <li>• Use of personal protective devices i.e., earmuffs and earplugs by workers, who are working in high noise generating areas.</li> <li>• Creation of wide green belt of dense foliage between mine areas and residential colonies</li> </ul>  |
| 61                               | d) Impact of DG sets and other equipments on noise and vibration and ambient air quality around the project site and mitigation measures   | <ul style="list-style-type: none"> <li>• Laying of haul road as per the standards, black topping of permanent haul road and service road to avoid or eliminate air – borne dust.</li> <li>• To avoid the dust generation from the drilling operations, wet drilling method will be adopted.</li> <li>• Drill machines will be equipped with dust collectors.</li> <li>• Use of appropriate explosives for blasting and avoiding overcharging of blast holes.</li> <li>• Controlled blasting techniques will be adopted.</li> </ul> |
| 62                               | e) Air quality monitoring in detail  | <p>Air quality is monitored from four different corners of the project site and results are found within the limits.</p>   |

### Energy Conservation

|    |   |   |
|----|---|---|
| 63 | a) Details of power requirement and source of supply. | No electric power required for quarry operation |
|----|---|---|

|    |   |                |
|----|---|----------------|
| 64 | b) Details of renewable energy (non-conventional) used. | Not applicable |
|----|---|----------------|

### Risk Management

|    |   |     |
|----|---|-----|
| 65 | a) Are there sufficient measures proposed for risk hazards in case of emergency such as accident at the site? | Yes |
|----|---|-----|

|    |  |     |
|----|--|-----|
| 66 | b) Are proposals for fencing around the quarry satisfactory? | Yes |
|----|--|-----|

|    |   |     |
|----|---|-----|
| 66 | c) Storage of explosives/ hazardous substance in detail | Yes |
|----|---|-----|

|    |  |     |
|----|--|-----|
| 66 | d) Facility for solid waste management | Yes |
|----|--|-----|

### Socio Economic Impacts

|    |   |     |
|----|---|-----|
| 67 | a) Will the project cause adverse effects on local communities disturbance to sacred sites or other Cultural values. What are the safe guards proposed? | Nil |
|----|---|-----|

|    |  |      |
|----|--|------|
| 68 | b) Will the proposal results in any changes to the demographic structure of local population, if so, provide details | Nil. |
|----|--|------|

|    |   | Sl.No   | Area of Intervention         | No. of Intervention | Recurring Expense |
|----|---|---|------------------------------|---------------------|-------------------|
| 69 | c) CSR components suggested   | 1   | Promotion of Education       | 1                   | 50,000            |
|    |   | 2   | Environmental Sustainability | 10                  | 1,50,000          |
|    |   | 3   | Health Care                  | 1                   | 1,00,000          |
|    |   |   | <b>Total</b>                 | <b>12</b>           | <b>3,00,000</b>   |
| 70 | d) What are the projects benefits in terms of employment potential? | The quarrying activity will benefit local villages in both directly and in-directly. Direct beneficiary will be those who get employed in Quarry as skilled and unskilled workers |                              |                     |                   |

### Part-C

|    |  |   |
|----|--|---|
| 71 | Details of NABET /RQP approved EIA Consultant engaged-Their name, address and accreditation details. | K.T.RAMACHANDRA<br>RQP/BNG/040/1988/A<br>ABEY MATHEW ASSOCIATE<br>ENVIRONMENTAL & EXPLOSIVE CONSULTANT<br>AIKARAKUDIYIL CHAMBERS CIVIL LANE ROAD<br>PADAMUGAL KOCHI |
|----|--|---|

### Summary and Conclusion

|    |  |   |
|----|--|---|
| 72 | a) Overall justification for implementation of the project | It is predicted that socio-economic impact due to this project will positively bring prosperity and improvements in physical and social infrastructure in the area. It will increase the chance of more employment to local people. There is no resettlement and rehabilitation involved in this project. Revenue of the state government and central government will be increased through collection of various taxes. The entire project area is devoid of any endangered flora and fauna. It is proposed to reclaim the land to a maximum possible extent by providing green belt in refilling and surrounding areas. In addition to this 10% of the total area is converted to water pond. Thus the proposed project is not likely to affect the environment or adjacent ecosystem adversely.   |
| 73 | b) Explanation of how adverse impacts have been mitigated. | <ul style="list-style-type: none"> <li>• All working places will have safe means of access, safe working platform and exit. Persons working in hazardous dust prone area will be provided with dust mask.</li> <li>• Personal protective equipment's like respirators, ear plug, noise muff, helmet etc. Will be provided to the workers.</li> <li>• Proper unit design and engineering controls in order to protect workers, including by control of process and fugitive emissions.</li> <li>• Adequate arrangement of drinking water will be done.</li> <li>• Education &amp; training will be provided to the workforce about facilities, protective equipment, risk associated, potential health effects, etc.</li> <li>• Display board will be provided showing the hazards associated and recommend precautionary measures.</li> </ul> |

2. The proposal was considered in the 3<sup>rd</sup> meeting of DEAC held on 28.04.2017. The minutes of the said meeting are as follows; Further to the intimation of DEAC, the proponent along with the RQP was present in the meeting and RQP made a power point presentation of the salient features of the project. The committee appraised the proposal based on the mining plan, pre-feasibility report and all other documents submitted along with the Form IM application and decided to defer the item for site visit.

Field visit to the quarry project site of Sri. Shaji Mathew, Managing Partner. M/s Matha Industries Koombara Bazar (Po), Koodaranji Village Kozhikode - 673604 in Field No. 2436 (unsurvey), Koodaranji Village Koodaranji Panchayath, Thamarassery Taluk, Kozhikode District, Kerala was carried out on 26.05.2017 by Sri. T. Mohanan, Member Secretary, DEAC along with, District Officer Ground water Department, Kozhikode, and Environmental Engineer Kerala state pollution control Board Kozhikode. The proponent was present at the site at the time of site visit.

The project is located at about 1.5 km South East of Koobmara town. This quarry lease area form part of a hillock exposing hard rock. The approach road is the metalled private road. Boundary pillars of this plot are erected and numbered. In the area proposed for quarry is an elevated ridge with overall slope to NW. This is an uncultivated land that exposes hard rock with few patches of OB and top soil of variable thickness.

*The quarry has been recommended for EC after considering the following points:-*

1. *The entire area proposed for quarry should be fenced all around.*
  2. *The limited top soil and OB need proper storage area on the lower part and provided with protective walls.*
  3. *The approach road needs widening and surfacing*
  4. *The limited patch of natural vegetation seen adjacent to the proposed lease area should be preserved as such.*
  5. *The entire quarry should be provided with catch water drain all around. The storm water from the upper slopes to be channelized into the drain and clarified before it is let out.*
  6. *The required quantity of water for the project shall be collected by rain water harvesting*
  7. *A RWH structure should be created for the storage of rain water.*
  8. *Details of CSR to be provided as promised in the DEAC meeting.*
3. The proposal along with field visit report was again placed in the 5<sup>th</sup> DEAC meeting held on 9<sup>th</sup> June 2017. The Committee after examining the mining plan, prefeasibility report, field inspection report by subcommittee and all other documents submitted, decided to recommend for issuance of EC subject to general conditions along with the following specific conditions.
1. *Should be fenced all around.*
  2. *The limited patch of natural vegetation seen adjacent to the proposed lease area should be preserved as such.*
  3. *The entire quarry should be provided with catch water drain. The storm water from the upper slopes to be channelized into the drain and clarified before it is let out.*
  4. *A RWH structure should be created for the storage of rain water.*

5. The proponent agreed to set apart Rs. 3.00 lakh (recurring) per year for a period of next 5 years for the welfare of the local community. The proponent also agreed to spend this amount in consultation with the local Panchayath.

6. The proposal was considered by the Authority in its 3<sup>rd</sup> meeting held on 03.08.2017.

The authority resolved to issue Environmental Clearance on condition that quarrying should be started only after fulfilling the pre mining specific conditions No.1 to 4

4. The clearance issued will also be subject to full and effective implementation of all the undertakings given in the application form, mitigation measures as assured in the Environment Management Plan and the mining features including progressive mine closure plan as submitted with the application and relied on for grant of this clearance. The above undertakings and conditions and the undertakings subject to all the mining features, Environmental Management Plans as undertaken in the Mining Plan and EMP submitted to DEIAA will be deemed to be part of this proceedings as conditions as undertaken by the proponent as if incorporated herein.
5. Validity of the Environmental Clearance will be five years from the date of this clearance, subject to inspection by DEIAA 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 the public.
6. Compliance of the conditions herein will be monitored by the State Environment Impact Assessment Authority or its authorized offices and also by the regional office of the Ministry of Environment & Forests.

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.

- i. Instances of violation if any shall be reported to the District Collector, Kozhikode to take legal action under the environment (Protection) Act 1986.
- ii. The given address for correspondence with the authorised signatory of the project is  
Sri. Shaji Mathew, Managing Partner M/s Matha Industries Koompara Bazar (Po), Koodaranji Village Kozhikode - 673604

To

Sri. Shaji Mathew,  
Managing Partner  
M/s Matha Industries  
Koompara Bazar (Po),  
Koodaranji Village  
Kozhikode - 673604



District Collector and Chairman (DEIAA)  
Kozhikode

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. Director, Mining & Geology, Thiruvananthapuram-4
4. Secretary, Koodaranji Panchayath, Koompara Bazar P.O, Kozhikode 673604
5. S/F

DISTRICT ENVIRONMENT IMPACT ASSESSMENT AUTHORITY KOZHIKODE,  
GENERAL CONDITIONS (for mining projects)

1. Rain water harvesting facility should be installed as per the prevailing provisions of KMBR/KPBR, unless otherwise specified.
2. Environment Monitoring Cell as agreed under the affidavit filed by the proponent should be formed and made functional.
3. Suitable avenue trees should be planted along either side of the tarred road and open parking areas, if any, including of approach road and internal roads.
4. Sprinklers shall be installed and used in the project site to contain dust emissions.
5. Eco-restoration including the mine closure plan shall be done at the own cost of the project proponent.
6. At least 10 percent out of the total excavated pit area should be retained as water storage areas and the remaining area should be reclaimed with stacked dumping and overburden and planted with indigenous plant species that are eco-friendly, if no other specific condition on reclamation of pit is stipulated in the F.C
7. Corporate Social Responsibility (CSR) agreed upon by the proponent should be implemented
8. The lease area shall be fenced off with barbed wires to a minimum height of 4 ft around, before starting of mining. All the boundary indicators (boards, stores, markings, etc.) shall be protected at all times and shall be conspicuous.
9. Warning alarms indicating the time of blasting (to be done at specific timings) has to be arranged as per stipulations of Explosive Department.
10. Control measures on noise and vibration prescribed by KSPCB should be implemented
11. Quarrying activities should be limited to day time as per KSPCB guidelines/specific conditions.
12. Blasting should be done in a controlled manner as specified by the regulations of Explosives Department or any other concerned agency.
13. A licensed person should supervise/control the blasting operations.
14. Overburden materials should be managed within the site and used for reclamation of mine pit as per mine closure plan/specific conditions.
15. Height of benches should not exceed 6m and width should not be less than 5m if there is no mention in the mining plan/specific condition.
16. Mats to reduce fly rock blast to a maximum of 10 PPV should be provided.
17. 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.
18. The workers on the site should be provided with the required protective equipment such as ear muffs, helmet, etc.
19. Garland drains with clarifiers to be provided in the lower slopes around the core area to channelize storm water.
20. The transportation of minerals should be done in covered trucks to contain dust emissions.
21. The proponent should plant trees at least 5 times of the loss that has been occurred while clearing the land for the project.
22. Disposal of spent oil from diesel engines should be as specified under relevant Rules/Regulations.

Explosives should be stored in magazines in isolated place specified and approved by the Explosives Department.

4. 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
25. 100 m buffer distance should be maintained from forest boundaries.
26. Consent from Kerala State Pollution Control Board under Water and Air Act(s) should be obtained before initiating mining activity.
27. 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.
28. 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.
29. 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.
30. 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.
31. 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 District Environment Impact Assessment Authority (DEIAA) office Kozhikode and may also be seen on the website of the Authority at [www.environmentclearance.nic.in](http://www.environmentclearance.nic.in) 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.
32. A copy of the clearance letter shall be sent by the proponent to concerned Gramapanchayat/District Panchayat/Municipality/Corporation/Urban Local Body and also to the Local NGO, if any, from whom suggestions/representations, if any, were received while processing the proposal. The Environmental Clearance shall also be put on the website of the company by the proponent.
33. The proponent shall submit half yearly reports on the status of compliance of the stipulated EC conditions including results of monitored data (both in hard copies as well as by e-mail) and upload the status of compliance of the stipulated EC conditions, including results of monitored data on their website and shall update the same periodically. It shall simultaneously be sent to the respective State Environment Impact Assessment Authority (SEIAA) office and also to the District Environment Impact Assessment Authority (DEIAA) office.
34. 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.

35. 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.
36. No change in mining technology and scope of working should be made without prior approval of the DEIAA, No further expansion or modifications in the mine shall be carried out without prior approval of the DEIAA, as applicable.
37. 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.
38. Monitoring of Ambient Air Quality to be carried out based on the Notification 2009, as amended from time to time by the Central Pollution Control Board. Water sprinkling should be increased at places loading and unloading points & transfer point to reduce fugitive emissions.
39. 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 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.
40. 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 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 de silted particularly after monsoon and maintained properly.
41. 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.
42. 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.
43. Measures should be taken for control of noise levels below 85 dBA in the work environment
44. A separate environmental management cell with suitable qualified personnel should be set-up under the control of a Senior Executive, who will report directly to the Head of the Organization
45. The funds earmarked for environmental protection measures and CSR activities should be kept in separate account and should not be diverted for other purposes. Year wise expenditure should be reported to the District Environment Impact Assessment Authority Kozhikode (DEIAA) office.
46. The Regional Office of SEIAA & 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.

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.

48. 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
49. The SEIAA may revoke or suspend the order, for non implementation of any of the specific conditions or the implementation of any of the above conditions is not satisfactory. The DEIAA reserves the right to alter/modify the above conditions or stipulate any further condition in the interest of environment protection.
50. The above conditions shall prevail notwithstanding anything to the contrary, in consistent, or simplified, contained in any other permit, license on consent given by any other authority for the same project.
51. This order is valid for a period of 5 years or the expiry date of quarrying lease period issued by the Government of Kerala, whichever is earlier.
52. 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.
53. The mining operation shall be restricted to above ground water table and it should not intersect ground water table.
54. All vehicles used for transportation and within the mines shall have 'PUC' certificate from authorized pollution testing centre. Washing of all vehicles shall be inside the lease area.
55. 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
56. Regular monitoring of flow rates and water quality upstream and downstream of the springs and perennial nallahs flowing in and around the mine lease area shall be carried out and reported in the six monthly reports to DEIAA.
57. Occupational health surveillance programme of the workers should be under taken periodically to observe any contractions due to exposure to dust and take corrective measures, if needed.
58. The environmental clearance liable to be cancelled if the said land is found in porambokku, surplus land, etc



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE VIJU ABRAHAM

Tuesday, the 26<sup>th</sup> day of March 2024 / 6th Chaithra, 1946

WP(C) NO. 12496 OF 2024

**PETITIONER:**

M/S. MATHA INDUSTRIES, KOOMBARA BAZAR P.O, KODARANHI, KOZHIKODE,  
PIN-673604, REPRESENTED BY ITS MANAGING PARTNER SRI.SHAJI MATHEW.

**RESPONDENTS:**

1. THE DIRECTOR, MINING AND GEOLOGY DIRECTORATE, KESAVADASAPURAM,  
PATTON PALACE P O, TRIVANDRUM, PIN-695004
2. THE GEOLOGIST DISTRICT OFFICE, MINING & GEOLOGY DEPARTMENT, CIVIL  
STATION, KOZHIKODE, PIN -673020
3. STATE OF KERALA, REPRESENTED BY THE CHIEF SECRETARY, SECRETARIAT,  
THIRUVANANTHAPURAM, PIN -695001
4. STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY (SEIAA KERALA),  
REPRESENTED BY ITS MEMBER SECRETARY, 4TH FLOOR, KSRTC BUS TERMINAL  
COMPLEX, THIRUVANANTHAPURAM, PIN-695001
5. MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE, INDIRA  
PARYAVARANBHAVAN, JORBAGH ROAD, NEW DELHI REPRESENTED BY ITS  
DIRECTOR, PIN-110993

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 1st and 2nd respondent to issue Movement Permit and transit passes to the petitioner beyond 28/04/2024, in view of Ext.P7 O.M dated 15/03/2024 issued by the MoEF, pending disposal of the above writ petition, forthwith.

This petition coming on for orders upon perusing the petition and the affidavit filed in support of WP(C) and upon hearing the arguments of M/S. PHILIP J.VETTICKATTU, NEENU BERNATH & SAJU S. DOMINIC, Advocates for the petitioner, the court passed the following:

**VIJU ABRAHAM, J.**

**W.P.(C) No.12496 of 2024**

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

**ORDER**

Admit.

2. The learned Government Pleader takes notice for respondents 1 to 3. The learned Standing Counsel takes notice for the 4<sup>th</sup> respondent. The learned CGC takes notice for the 5<sup>th</sup> respondent.

3. Petitioner submits that in similar matters interim orders have been granted in the nature of Ext.P9. The petitioner also submits that as per Ext.P7 the period granted in the earlier O.M. for reappraising the existing environmental clearance is extended till 27.10.2024.

In view of the same and taking into consideration the fact that in similar cases interim orders have been granted by this Court, there will be an interim order as prayed for. Needless to say, this order will be subject to the time limit fixed in Ext.P7 order and will be subject to the availability of project life and mineable mineral reserves and that the same will be subject to further orders in this writ petition.

Post along with connected cases on 27.05.2024.

Sd/-  
**VIJU ABRAHAM**  
**JUDGE**

sm/

**APPENDIX OF WP(C) 12496/2024**

**Exhibit P7**

**TRUE COPY OF THE O.M DATED 15/03/2024**



F. No. IA3-22/11/2023-IA.III (E 208230)  
Government of India  
Ministry of Environment, Forest and Climate Change  
(Impact Assessment Division)

3<sup>rd</sup> Floor, Vayu Wing  
Indira Paryavaran Bhavan,  
Jor Bagh Road, New Delhi-110003

Dated: 15<sup>th</sup> March, 2024

**OFFICE MEMORANDUM**

**Subject: Extension of time period for compliance of order dated 07.12.2022 passed by Hon'ble NGT in O.A.142 of 2022 in the matter of Jayant Kumar vs. Ministry of Environment, Forests and Climate Change - reg.**

The Ministry vide OM dated 28<sup>th</sup> April 2023, in compliance of order dated 07.12.2022 passed by Hon'ble National Green Tribunal (Principal Bench) in O.A.142 of 2022 in the matter of Jayant Kumar vs. Ministry of Environment, Forests and Climate Change, had provided a window period of one year for all SEIAAs to re-appraise the Environmental Clearances (ECs) issued by DEIAA from 15.01.2016 to 13.09.2018 and grant fresh ECs.


2. Subsequently, based on the representation received, the workflow for the re-appraisal of the ECs issued by DEIAA from 15.01.2016 to 13.09.2018 was integrated into the PARIVESH and the Ministry vide OM dated 15.01.2024 issued the SOP for reappraisal of ECs granted by DEIAA between 15.01.2016 and 13.09.2018. Further, the Hon'ble High Court of Kerala in WPC No.41139/2023 has directed to inform whether there is any proposal to extend the period for reappraisal of ECs already granted by DEIAAs through SEIAA beyond 28.04.2024 as the reappraisal process may not be completed within the specified time.

3. In this context, the Ministry has issued letters dated 11.08.2023 and 01.03.2024 to all the SEIAA/SEAC to submit the compliance report of OM dated 28.04.2023. The compliance report is yet to be received by the Ministry.

4. Now, the Ministry is in receipt of representation requesting for extension of time period provided in the OM dated 28.04.2023 mentioned above. Based on the facts mentioned above, the matter has been examined in detail. After due consideration, it has been decided that the time period of one year provided in the OM dated 28.04.2023

shall be extended for a further period of six months till 27.10.2024. All other terms and conditions mentioned in the OM dated 28.04.2023 shall remain the same.

5. This is issued with the approval of the Competent Authority.

  
(Sundar Ramanathan)  
Scientist E

To

1. The Chairperson/Member Secretaries of all the SEIAAs/SEACs.
2. The Chairman of all the Expert Appraisal Committees
3. The Chairpersons/Member Secretaries of all SPCBs/UTPCCs.
4. All the officers of IA Division

Copy for information to:

1. PS to Hon'ble MEF&CC
2. PS to Hon'ble MoS, EF&CC
3. PPS to Secretary, EF&CC
4. PPS to AS (TK)/ JS(SKB)
5. Website, MoEF&CC /Guard file