

Quarry project of

# ***M/s Royal Sand and Gravels (P) Ltd.***

Akathethara Village  
Akathethara Panchayath  
Palakkad Taluk  
Palakkad District  
Kerala State

## ***14th Compliance Report***

(Ref: E.C. No. 160/SEIAA/KL/3490/2013 dt. 24.05.2014 OF SEIAA KERALA)

for the period from

## ***October 2020 to March 2021***





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### MONITORING REPORT – PROFORMA – PART I

E.C. No. 160/SEIAA/KL/3490/2013 dated 24-05-2014 r.w. proceedings of even no. dt. 16.02.19 of SEIAA Kerala

1.	Name of the project	Quarry project of M/s Royal Sand and Gravels Pvt. Ltd.
2.	Clearance letter no. & date	Environmental Clearance No. 160/SEIAA/KL/3490/2013 dated 24-05-2014 r.w. proceedings of even no. dt. 16.02.19 of SEIAA Kerala
3.	Location: District & State/UT	Palakkad District, Kerala State
4.	Address for correspondence:	Mr. Mohammed Fazeel T.A. Managing Director M/s Royal Sand & Gravels (P) Ltd. Plaza Junction, Dhoni P.O Palakkad Kerala state Pincode: 678009.
5.	Contact No. of office with name of responsible official	Nisar T.
6.	Mobile No. of concerned officials associated with monitoring	9544982222/ 8606544222/9562482222
7.	Date of commencement (Actual and/or planned)	24.05.2014
8.	Validity of CFO (Consent for Operation obtained from Kerala State PCB)	01.10.2023
9.	Present status of the project	Continuing
10.	Email id of the contact person to whom communications to be sent	royal_grs@yahoo.com ; mail2nisa2200@gmail.com
11.	FAX Number	

Date: 29/04/2021



Signature of authorized signatory

Name: NISAR.T

Designation: Manager

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# I. ABOUT THE PROPONENT

M/s Royal Sand and Gravels Private Limited possess a quarry project in Akathethara Village, Akathethara Panchayath, Palakkad Taluk, Palakkad District, Kerala state.

State level Environment Impact Assessment Authority Kerala (SEIAA Kerala) accorded Environmental Clearance No. 160/SEIAA/KL/3490/2013 dated 24.05.2014 to the quarry project in Akathethara Village, Akathethara Panchayath, Palakkad Taluk, Palakkad District, Kerala managed by M/s Royal Sand and Gravels Private Limited. An erratum regarding the validity of EC has been issued vide Proceedings no. 160/SEIAA/KL/3490/2013 dated 16.02.2019 of SEIAA Kerala and the validity of EC was clarified as 15 years from 24.05.2014 subject to review in every 5 years. Copy of the order is attached as *Annexure A1* (Pages A1 to A2).

M/s Royal Sand and Gravels Private Limited is controlled and managed by Mr. Mohammed Fazeel T.A., Managing Director, M/s Royal Sand & Gravels (P) Ltd., Plaza Junction, Dhoni P.O., Palakkad - 678009; Mob. No. 09447129278; E-mail: royal\_grs@yahoo.com.

Among the conditions specified in the said Environmental Clearance (EC), it is mandatory to file six-monthly compliance report(s). This report is in compliance of it; and the fourteenth report in its series.

*Writ petition [WP (C). No. 14175 of 2020 (V)] filed in the Honourable High Court of Kerala by Sri. Joby K. Joseph against the project was disposed off by the Court on 22.07.2020 directing SEIAA Kerala to take up the matter raised by the petitioner for consideration without much delay. Accordingly, the contentions in the representation dt. 20.07.2019 preferred by the petitioner were examined and found to have no valid grounds as observed by the Subcommittee of SEAC and approved by SEAC. Hence SEIAA disposed the same and has thus complied with the directions of the Honourable Court. The copy of proceedings of SEIAA regarding the compliance of Court direction and SEAC field inspection report is attached as Annexure A2 (Pages A3 to A10 and A54 onwards).*

## II. ABOUT THE PROJECT

### a. Project category:

The project comes under the Category B, Activity 1(a) of Schedule of EIA Notification 2006 and subsequent amendments.

### b. Project location:

Sy. Nos. 2, 14, 15 and 16/1 at Akathethara Village and Panchayath, Palakkad Taluk, Palakkad District, Kerala. The proposed project site falls within  $10^{\circ} 51' 24.53''$  N to  $10^{\circ} 51' 38.56''$  N and  $76^{\circ} 37' 50.95''$  E to  $76^{\circ} 38' 5.63''$  E.

### c. Project extent and activity:

The project is for quarrying of 3,50,000 MTA of building stone from an area of 9.3928 hectares of land located as specified above. The expected life of mine is 28 years.

### d. Project description:

The proposed project activity involves about 100 % of the pit area for exploring building stone. At the end of life of mine, excavated pit will be backfilled and reclaimed and rehabilitated by plantation leaving no void. The proposed project does not involve any underground mining activities. The mining will be done by open cast semi mechanized method. The sewage of 0.8 KLD generated from the mine office will be diverted to the septic tank followed by soak pit.



### **III. REPORT OF COMPLIANCE**

#### **A. SPECIFIC CONDITIONS**

<b>Item No.</b>	<b>Stipulations in EC</b>	<b>Status of Compliance</b>	<b>Remarks</b>
S1	Limit quarry to the stream on the eastern side to permit unhindered flow of the stream.	Special care is taken to ensure that quarrying is limited to the stream on the eastern side.	
S2	Leave statutory distance from the forest land on the north.	Statutory safe distance is being maintained without fail.	
S3	The stream may be provided with low level check dams to trap silt.	Construction activities for building the check dam is progressing.	
S4	Rain water harvesting facility is required in the absence of dependable source of water.	Provision is made to store rain water in ponds even when sufficient dependable source of water is available for the present project.	

## B. GENERAL CONDITIONS

Item No.	Stipulations in EC	Status of Compliance	Remarks
G1	Rain Water Harvesting capacity should be installed as per the prevailing provisions of KMBR/KPBR, unless otherwise specified elsewhere.	Provision is made to store rain water in ponds.	
G2	Environment Monitoring Cell as agreed under the affidavit filed by the proponent should be formed and made functional.	Environment Monitoring Cell constituted is fully functional. Copy of minutes of meeting of Environment Monitoring Cell held on 10/2020, 11/2020, 12/2020, 01/2021, 02/2021 and 03/2021 are attached as <b>Annexure G.2</b> .	<b>Annexure G.2</b> – Copy of minutes of meeting of Environment Monitoring Cell held on 10/2020, 11/2020, 12/2020, 01/2021, 02/2021 and 03/2021 (Pages A11-A17)
G3	Suitable avenue trees should be planted along either side of the tarred road and open parking areas, if any, inclusive of approach road and internal roads.	Avenue trees by way of natural vegetation are present on either side of the tarred road. Besides this, saplings are also planted along either side of the tarred road and open parking areas inclusive of approach road and internal roads.	
G4	The project shall incorporate devices for solar energy generation and utilization wherever possible.	Solar street light has been installed within the project area.	Plate G.4-Solar street light (Page 23)
G5	Sprinklers shall be installed and used in the project site to contain dust emissions.	In order to contain dust emissions, sprayers are installed inside the project site.	

G6	Eco-restoration including the mine closure plan shall be done at the own cost of the project proponent.	The condition shall be followed scrupulously.	
G7	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 dumpings and overburden and planted with indigenous plant species that are eco-friendly.	The directions contained shall be scrupulously followed at the time of mine closure.	
G8	Corporate Social Responsibility (CSR) agreed upon by the proponent should be implemented in tune with the conditions specified in the Companies Act, 2013.	CSR component is implemented in tune with the proposed ones. An amount of Rs. 1,32,320/- has been spent towards CSR for the period October 2020 to March 2021 for various cultural and social activities and also as financial aid to the poor for medical treatment, conducting marriages, etc.	
G9	Barbed metal wire fencing around the mining area shall be provided with a height of not less than 5 ft so that falling of animals/human beings/dumping of garbages, etc. does not happen.	Barbed metal wire fencing around the mining area with a height of not less than 5 feet is provided.	Plate G.9 – Barbed metal wire fencing (Page 25)
G10	Warning alarms indicating the time of blasting (to be done at specific timings) has to be arranged as per stipulations of Explosive Department.	Warning alarms indicating the time of blasting is arranged.	
G11	Control measures on noise and vibration prescribed by KSPCB should be	The directions contained are being scrupulously followed. In order to control noise, proper	Plate G.11 - Green belt (Page 27)



	implemented.	maintenance of machinery and maintenance of wide green belt are being done. Controlled blasting technique is used to reduce blast vibrations.	
G12	Quarrying activities should be limited to day time as per KSPCB guidelines.	Quarrying activities are done only during day time and is in tune with the KSPCB guidelines. Blasting is done at 10 am, 1 pm and 5 pm.	
G13	Blasting should be done in a controlled manner as specified by the regulations of Explosives Department or any other concerned agency.	Blasting is done using electric delayed detonator as stipulated by the Explosives Department.	
G14	A licensed person should supervise/control the blasting operations.	Ammasigounder Ranganathan (who is holding Manager's first-class Certificate of Competency to manage a metalliferous mine) and S. Guruswamy (who is holding Mining Mate's Certificate of Competency) are supervising/controlling the blasting operations at present.	
G15	Access roads to the quarry shall be tarred to contain dust emissions that may arise during transportation of materials.	Access roads to the quarry site are tarred.	
G16	Overburden materials should be managed within the site and the old quarries, if any, should be reclaimed and restored.	Overburden is stacked in pre-determined site specified for the purpose.	
G17	Height of benches should not exceed 5 m and width should not be less than 5 m.	Formation of benches is progressing. Height and width of benches shall be maintained as 5 m x 5 m.	

G18	Mats to reduce fly rock blast to a maximum of 10 PPV should be provided.	Mats are used during vibration studies.	
G19	Mining depth should not exceed beyond 40 m, unless otherwise specified or not below the level of nearest stream bed, whichever is less.	Mining depth is above the ground level at present.	
G20	No mining operations should be carried out at places having a slope greater than 45°.	It is ensured that no mining is carried out at places having a slope greater than 45°, if any.	
G21	Acoustic enclosures should have been provided to reduce sound amplifications in addition to the provisions of green belt and hollow brick crushers so that the noise level is kept within prescribed standards given by CPCB/KSPCB.	Acoustic enclosures are provided for the crusher unit 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 KSPCB.	Plate G.21 – Acoustic enclosure (Page 29)
G22	The workers on the site should be provided with the required protective equipment such as ear muffs, helmet, etc.	The workers on the site are provided with the required protective equipments such as ear muffs and helmets. In addition to this, as part of 'Break the chain' campaign associated with covid outbreak, all workers were provided with masks and gloves and sanitizers were placed at the entrance of the company.	
G23	Garland drains with clarifiers to be provided in the lower slopes around the core area to channelize storm water.	Garland drains are provided to channelize storm water.	Plate G.23 – Garland drain (Page 31)
G24	The transportation of minerals should be done in covered trucks to contain dust emissions.	The transportation of minerals is done in covered trucks to contain dust emissions.	

G25	The proponent should plant trees at least 5 times of the loss that has been occurred while clearing the land for the project.	Badam trees are already grown in the site while clearing the land for the project. Further, saplings of indigenous plant species like banana, jackfruit, mango, guava, cashew, etc. are also grown in the site and a well-planned green belt area is also maintained within the project area.	
G26	Disposal of spent oil from diesel engines should be as specified under relevant Rules/Regulations.	Spent oil is re-used in compressor.	Plate G.26 – Spent oil storage (Page 33)
G27	Explosives should be stored in magazines in isolated place specified and approved by the Explosives Department.	Explosives are stored in magazines in isolated place as stipulated by the Explosives Department.	
G28	Norms of Kerala State Pollution Control board should be adhered to regarding distance criteria of residences, roads, rivers and worship places.	Scrupulously follows the directions contained.	
G29	200 m buffer distance should be maintained from forest boundaries.	Statutory safe distance shall be maintained without fail.	
G30	Consent from Kerala State Pollution Control Board under Water and Air (Acts) should have been obtained before initiating activity.	Integrated Consent to Operate -Renewal (Consent No. PCB / PLKD / IC/ ICO / R2/ 965 / 2019 dt. 03.05.19 valid up to 01.12.2023), is obtained from Kerala State Pollution Control Board. <b>[Annexure G.30]</b>	<b>Annexure G.30</b> – Copy of Consent to Operate issued by Kerala State Pollution Control Board (Pages A18-A19)
G31	All other statutory clearances should have been obtained, as applicable, by	Clearances are obtained from : 1. Akathethara Grama Panchayath <b>[Annexure</b>	<b>Annexure G.31(1)</b> – Copies of license for the quarry and crusher units

	project proponents from the respective competent authorities including that for blasting and storage of explosives.	<p><b>G.31(1)]</b></p> <p>2. Petroleum and Explosives Safety Organization (former Explosives Department) <b>[Annexure G.31(2)]</b></p> <p>3. Department of Mining and Geology <b>[Annexure G.31(3) (1) and Annexure G.31(3) (2)]</b></p>	<p>(valid upto 31.03.2025) issued by Akathethara Grama Panchayath (Pages A20-A22). <b>Annexure G.31(2)</b> – Copy of license (No. E/SC/KL/22/1222 (E61052) dt. 30.08.2016 valid up to 31.03.2021) issued by the Petroleum and Explosives Safety Organization for possession for use of explosives from magazine. (Pages A23-A28) <b>Annexure G.31(3)(1)</b> – Copy of quarrying lease deed valid for a period of 12 years from 22.08.2014 to 21.08.2026 (Pages A29-A42). <b>Annexure G.31(3)(2)</b> – Copy of additional quarrying lease deed granting permission to enhance the average annual quantity of extraction from 1,00,000 tonnes to 3,00,000 tonnes valid up to 21.08.2026 (Pages A43-A48).</p>
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G32	In the case of any change(s) in the scope of the project, the project would require a fresh appraisal by this Authority.	The company shall abide by the directions of SEIAA Kerala in such a context, if arises.	
G33	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.	The company shall abide by the directions of SEIAA Kerala in such a context, if arises.	
G34	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.	Strict compliance shall be adhered to the conditions specified herein.	
G35	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	<ul style="list-style-type: none"> <li>• Advertisements regarding the obtaining of Environmental Clearance were given in two newspapers:</li> </ul>	

	language informing that the project has been accorded Environmental Clearance and copies of clearance letters are available with the Department of Environment and Climate Change, Govt. of Kerala and may also be seen on the website of the Authority at www.seiaakerala.org. The advertisement should be made within 10 days from the date of receipt of the Clearance letter and a copy of the same signed in all pages should be forwarded to the office of this Authority as confirmation.	<p>1. Kerala Kaumudi (Malayalam daily) dt. 04.06.2014</p> <p>2. The New Indian Express (English daily) dt. 05.06.2014</p> <ul style="list-style-type: none"> <li>The copies of newspaper advertisements had been forwarded to the Directorate of Environment and Climate Change.</li> </ul>	
G36	A copy of the clearance letter shall be sent by the proponent to concerned Grama Panchayat/ District Panchayat/ Municipality/Corporation/Urban Local Body and also to the Local NGO, if any, from whom suggestions / representations, if any, were received while processing the proposal. The Environmental clearance shall also be put on the website of the company by the proponent.	<ul style="list-style-type: none"> <li>Copy of EC has been forwarded to the Secretary, Akathethara Grama Panchayath.</li> <li>Copy of EC is displayed in the notice board of the company.</li> </ul>	
G37	The proponent shall submit half yearly reports on the status of compliance of the stipulated EC conditions including	<ul style="list-style-type: none"> <li>Conditions are being complied with. This fourteenth report is in compliance with the submission of six- monthly compliance reports;</li> </ul>	<b>Annexure G.37</b> – Copy of air, water, soil and noise quality reports of the

	<p>results of monitored data (both in hard copies as well as by e-mail) and upload the status of compliance of the stipulated EC conditions, including results of monitored data on their website and shall update the same periodically. It shall simultaneously be sent to the respective Regional Office of MoEF, Govt. of India and also to the Directorate of Environment and Climate Change, Govt. of Kerala.</p>	<p>and is for the period October 2020 to March 2021. Former reports are already submitted to the concerned as stipulated herein the condition.</p> <ul style="list-style-type: none"> <li>• Copy of air, water, soil and noise quality reports of the project site is attached as <b>Annexure G.37.</b></li> </ul>	project site. (Pages A49-A53)
G38	<p>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.</p>	<p>EC display board is erected at the entrance of the project site.</p>	
G39	<p>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.</p>	<p>Affidavit was submitted to SEIAA.</p>	

# IV. PLATES







## **Plate G.4**

### **Solar street light**







## **Plate G.9**

### **Barbed metal wire fencing**







# Plate G.11 Green belt







## **Plate G.21**

### **Acoustic enclosure**









## Plate G.23

### Garland drain







## Plate G.26

### Spent oil storage





# V. ANNEXURE





***Proceedings of the State Environment Impact Assessment Authority  
Kerala***

*Present: Dr.H.Nagesh Prabhu IFS (Retd.), Dr. Jayachandran.K, Member and  
Dr.Usha Titus I.A.S., Member Secretary.*

Sub: SEIAA- Quarry Project in Survey Nos. 2, 14, 15 and 16/1 at Akathethara Village and Pachayath, Palakkad Taluk, Palakkad District, Kerala by M/s Royal Sand & Gravels Pvt. Ltd. - Environment Clearance – Accorded – Erratum – Orders issued

**State Environment Impact Assessment Authority, Kerala**

No. 160/SEIAA/KL/3490/2013

dated, Thiruvananthapuram 16.02.2019

- Ref:-
1. E.C. issued vide Proceedings No.160/SEIAA/KL/3490/2013 dt.24.05.2014
  2. Representation received on 14.01.2019 from Sri.Mohammed Fazeel T.A
  3. Minutes of the 88<sup>th</sup> meeting of SEIAA held on 25.01.2019

**ERRATUM**

Environmental Clearance was issued to Sri.Mohammed Fazeel T.A, Managing Director, M/s Royal Sand & Gravels Pvt. Ltd, Plaza Junction, Dhoni P.O, Palakkad, Kerala – 678 009 for the quarry project in Sy. Nos. 2, 14, 15 and 16/1 at Akathethara Village and Panchayath, Palakkad Taluk, Palakkad District for an area of 9.3928 hectares based on the decision of 30<sup>th</sup> meeting of SEIAA held on 09.05.2014, vide reference 1<sup>st</sup> above.

The proponent, vide reference 2<sup>nd</sup> cited above has submitted an application for renewal of EC. The matter has been examined and found that at the front page of the Order granting EC, it is mentioned that validity expires on 23.05.2019. In the Order granting EC to the proponent it is stated that the EC is for a period of 15 years from 24.05.2015 subject to renewal in every five years.

The matter was placed in the 88<sup>th</sup> meeting of SEIAA held on 25.01.2019. Authority observed that the term 'renewal' in EC No.160/SEIAA/KL/3490/2013 dated. 24.05.2014



creates ambiguity, hence decided to replace the word 'renewal' with 'review'. The validity of the EC will be 15 years from 24.05.2014 subject to review in every 5 years.

As decided by SEIAA the word 'renewal' referred in the 8<sup>th</sup> paragraph of the Order read as 1<sup>st</sup> paper above is modified and corrected to read as 'review'. The validity of the EC will be 15 years from 24.05.2014 subject to review in every 5 years.

The Environmental Clearance issued as per the paper read as 1<sup>st</sup> paper above stands modified to the above extent only.

Sd/-  
Dr.Usha Titus I.A.S  
Member Secretary, SEIAA

To,

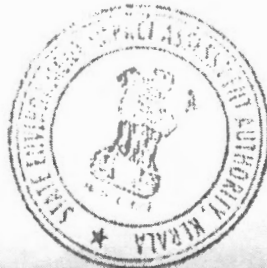
✓ Sri.Mohammed Fazeel T.A  
Managing Director  
M/s Royal Sand & Gravels Pvt. Ltd  
Plaza Junction, Dhoni P.O  
Palakkad, Kerala – 678 009

Forwarded/By Order

  
Administrator, SEIAA

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. District Collector, Palakkad
5. The Secretary, Akathethara Panchayat, Palakkad
6. Chairman, SEIAA.
7. S/f
8. O/c



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

**Present: Dr.H.Nagesh Prabhu IFS (Retd),(Chairman, SEIAA), Dr.V.Venu IAS  
(Member Secretary, SEIAA), Dr.Jayachandran.K,( Member, SEIAA)**

Sub :- SEIAA – Judgment dated. 22.07.2020 in WP(C) No.14175 of 2020 filed by  
Sri.Joby.K.Joseph.- Court direction complied with - Orders issued.

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**State Environment Impact Assessment Authority, Kerala**

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**No. 160/SEIAA/KL/3490/2013**

**dated, Thiruvananthapuram 06.03.2021**

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- Read :-1. Environmental Clearance issued vide Order No. 160/SEIAA/KL/3490/2013 dated 24.05.2014 to M/s Royal Sand & Gravels Pvt. Ltd.
2. A complaint received on 21.03.2019 from Adv. Harish Vasudevan, representing his client Mr. Joby K Joseph, S/o KS Joseph, Kallammakkal House, Dhoni P.O, Palakkad Disrtict.
- 3.Judgment dated. 22.07.2020 in WP(C) No.14175 of 2020 filed by Sri.Joby.K.Joseph
4. Minutes of the 105<sup>th</sup> SEIAA meeting held on 22<sup>nd</sup> & 23<sup>rd</sup> October 2020
5. Minutes of the 116<sup>th</sup> SEAC meeting held on 2nd, 3rd and 7th December, 2020
6. Minutes of the 117<sup>th</sup> SEAC held on 28<sup>th</sup>, 29<sup>th</sup> and 30<sup>th</sup> December, 2020
7. Minutes of the 118<sup>th</sup> SEAC held on 1<sup>st</sup>, 2<sup>nd</sup> & 3<sup>rd</sup> February, 2021.
8. Minutes of the 107<sup>th</sup> SEIAA meting held on 18<sup>th</sup> & 19<sup>th</sup> February 2021
9. Contempt of Court Case (Civil) 1848/2020 (S) in WP(C) No. 14175 of 2020

**ORDER**

The State Environmental Impact Assessment Authority has given Environmental Clearance vide No. 160/SEIAA/KL/3490/2013 dated 24.05.2014 to M/s Royal Sand & Gravels Pvt. Ltd for the quarry project in Survey No. 2, 14, 15 and 16/1 at Akathethara Village, Palakkad Taluk, Palakkad District. A complaint from Adv. Harish Vasudevan was received on 21.03.2019 representing his client Mr. Joby K Joseph, S/o KS Joseph, Kallammakkal House, Dhoni P.O, Palakkad Disrtict against the grant of Environmental Clearance to the quarry project of M/s Royal Sand and Gravels Pvt. Ltd. The petitioner alleges that no public hearing was done regarding this project and hence the people in the locality could not get an opportunity to express their concerns before SEIAA. The petitioner prayed that this Authority may cancel the Environmental Clearance EC no.

160/SEIAA/KL/3490/2013 dated 24.05.2014 issued to the respondent, M/s Royal Sand & Gravels Pvt. Ltd.

Sri. Joby K. Joseph filed W.P (C) 14175 of 2020 before the Hon'ble High Court, in which the Judgment was received by the office of SEIAA on 12.08.2020. Hon'ble High court in its Judgment directed SEIAA to take up the matters raised by the petitioner in Ext. P2 representation dated 20.07.2019 for consideration without much delay and may conduct an inspection, if necessary with due prior notice to the proponent and the petitioner and the inspection report may then be given in advance to the proponent and the petitioner and thereafter, the proponent and the petitioner shall be afforded reasonable opportunity of being heard through their authorised representative/counsel, to take a considered decision preferably within an outer time limit of 3 months.

The proposal was placed in the 105<sup>th</sup> SEIAA meeting held on 22<sup>nd</sup> & 23<sup>rd</sup> October 2020 . As per the judgement of Honourable High Court in W.P. (C) 14175/2020, Authority decided to request SEAC for a field inspection providing SEAC with a copy of the Judgement as well as Ext P2 referred in the judgement, to facilitate the field inspections. SEAC was directed to give prior notice to both the Project Proponent and the Petitioner about the date of inspection, to make available copy of the inspection note to both the petitioner and the Project Proponent and thereafter to give an opportunity of being heard to both Petitioner and Project Proponent as directed in the Judgement.

A Subcommittee of SEAC consisting of SEAC members, Dr.P.S.Easa and Dr.A.V.Raghu, inspected the site on 30<sup>th</sup> November,2020. The proponent as well as the petitioner was informed vide Letter No.160/SEIAA/KL/3490/2013 dated.24.11.2020 and also through email and telephone. The Sub Committee submitted its report on 14.12.2020 with explanations to the allegations of the petitioner and recommendation as follows.

*The allegations of the Petitioner and the explanations*

1. *The project proponent had already started mining activity within the project site, which is adjacent to a forest land, much before the application was submitted and appraisal was done. This was purposefully concealed in Form-1. Mining activity was further expanded after 18-05-2012 without obtaining EC. The project was then seeking and ex-post facto EC, against the provisions of the EIA Notification, 2006. But deliberately suppressing the same, EC was sought as a new project.*

The Proponent had permits to quarrying as per the details given below :

- Dealer's licence to sell, stock and exhibit for sale of minor mineral under the KMMC Rules, 1967. This is issued by the District Geologist and was effective during 2010-11 and is in the name of Mr. Saifulla (the predecessor in title), Plaza junction, Dhoni.
- Quarrying Permit issued by District Geologist under Consolidated Royalty Payment System (CRPS) to Mr. Saifulla, Dhoni crusher (No. 41/GBS/DOP/1438/2011/A1/CRPS dt.24-06-2011) and was valid till 23-06-2012. This is in R. sy No. 14/2 and 13/2.
- Quarrying Permit issued by District Geologist under Consolidated Royalty Payment System (CRPS) to M/s Royal Sand and Gravels (P) Ltd (No. 40/GBS/DOP/1691/2012/A1/CRPS dt.06-06-2012) and was valid till 05-06-2013. This is in R. sy No. 14.
- Quarrying Permit issued by District Geologist under Consolidated Royalty Payment System (CRPS) to M/s Royal Sand and Gravels (P) Ltd (No. 116/GBS/DOP/3277/2012/A1/CRPS dt.25-01-2013) and was valid till 24-01-2014. This is in R. sy Nos. 2, 15.
- Quarrying Permit issued by District Geologist under Consolidated Royalty Payment System (CRPS) to M/s Royal Sand and Gravels (P) Ltd (No. 96/GBS/DOP/2194/2014/A1/CRPS dt.09 - 06- 2014) and was valid till 08-06-2015. This is in R. sy Nos. 14, 15.

2. *The presence of adjacent forest land and presence of a thodu within the quarry site was deliberately concealed in the Form-1.*

On verifying the Form 1, it is seen that the proponent has disclosed the presence of forest land as item No. 2 under Environmental Sensitivity. SEAC Team while doing ground truthing had ascertained this. SEIAA in its proceedings have noted and said that 50 m buffer should be left on the Northern side, which was found followed. The *thodu* is not within the quarry site. The presence of *thodu* on the Eastern side is a seasonal first order stream and is considered while issuing the EC and conditions imposed. Further, the Village Officer of Akathethara Village, in a reply to an RTI question, had stated that the Resurvey numbers 2, 13, 14,15, 16/1-2, 16/4, 17, 18/1-3 and 19/1-2 in Block 25 has no common *thodu*, ponds and streams.

3. *The slope of the site is more than 45 degree and is highly vulnerable to natural hazards like landslides. This area was identified as highly/moderately hazard to landslides by the National Centre for Earth Science and Studies (NCESS) in its study report. This is approved*



*by the Kerala State Disaster Management Authority as well. This aspect was purposefully concealed in Form-1 and PFR.*

Based on the contour map, the slope at the top is about  $30^{\circ}$  and bottom about  $28-25^{\circ}$ . The average could be about  $25^{\circ}$ . The  $45^{\circ}$  mentioned by the complainant must be the top of the hill behind on the Northern side. As far as the hazard zonation map is concerned, KSDMA has legalized and published the hazard zonation map only in 2016. The map reported to have been prepared by NCESS (CESS that time) was never made available to the public. As per the present SDMA map, part of the area falls in orange zone. A map of Palakkad district titled *Landslides Triggered by Rainfall (2018) in parts of Palakkad district, Kerala (dated 27-09-2018 DSC/NDEM map no. 2018/02, NRSC/ISRO, Hyderabad)* was provided by the Complainant. This is based on the analysis of post event multitemporal high resolution data Map of the Disaster Management Authority showing the landslide area in 2018. According to a statement given in the map, *a number of large landslides were identified in all the districts. A total of 1298 new landslides were identified in Palakkad District. It appears that majority of landslides are of shallow translational nature confined to lower order channels.* The major landslide is reported to be in areas south of Elavancheri, which is far away from the site inspected. According to the Divisional Forest Officer, Palakkad (letter addressed to the District Collector dt. 28-07-2020), landslide has occurred about 400 m away from the quarry site of M/s Royal Sands and Gravels in 2018. There was no landslide in 2019. According to him, the said slide cannot be attributed to the blasting in the quarry as several such slides of small magnitude happened even within the forest areas away from the quarry site.

- 4. Many threatened/rare/ endemic species of plants, insects, butterflies and animals were present within the quarry site. Site was cleared by illegal mining before the application was submitted and no such rare and threatened plant species were present at the time of appraisal. This was deliberate attempt to tamper with the appraisal process.*

As can be seen from the Minutes of SEAC, the Committee had asked the proponent to redo the biodiversity assessment. Since the site was subjected to mining from 2010 onwards, it is possible that at least a part must have been cleared, which cannot be considered as deliberate. The complainant could not also provide any details to support his statement.

- 5. There was more than one residential building within 500 meters of the project site. It is evident from the Google Images in 2013 and 2014. Project Proponent has deliberately*

*submitted false and misleading data that there is no residential building within 500 m from quarry site. This alone is sufficient to cancel the EC granted.*

According to the map showing areas in 500 m radius, submitted by the proponent, there is only one shed located at a distance of 170 m. The sub-committee of SEAC during the field visit prior to issue of EC also would have clarified this point. Moreover, as per the prevailing norms of SEIAA at the time of application to SEIAA by the proponent, the minimum distance to nearest habitation was 100 m. Thus the proponent has not gained any advantage by the statement. A study Report (2018) of the National Institute of Technology, Karnataka (A Government of India Institution) on impact of blasting operation carried out in the stone quarry of Royal Sand and Gravels on surrounding structures has stated that *at distances of 800 m onwards, there are houses of different construction type*. Though the Complainant had agreed to provide satellite images of 2013 and 2014 to prove his statement regarding the number of houses within 500m, this was never received even after a reminder over phone. However, this was verified with the Google Images and the proponent seems to be correct. The scenario must have changed afterwards.

6. *There is an active elephant path nearby the quarry site, which was concealed deliberately by the PP. Two elephants fell into the quarry pit recently and got injured. The presence of wildlife including Schedule 1 animals in the close proximity was deliberately concealed by the project proponent.*

The Divisional Forest Officer, Palakkad, in response to a query raised by this committee informed through e-mail that there was no such incident of elephant falling into the pit in the area as stated by the Complainant. Moreover, an enquiry with the Forest Officials of the area indicates no presence of elephants near the quarry site.

7. *Camera trap of forest officials at Dhoni forest shows the presence of many rare/threatened animals in the close proximity of the quarry site. This was also not shown in the application. Life of many of the wildlife is under threat. Hence, the actual impact of mining in the site could not be appraised by the then committee.*

The camera trapping in forest areas for animal presence was initiated only recently and hence the proponent or the then sub-committee cannot be found fault for not reporting this. Further, the Divisional Forest Officer reports that there is no camera trapping done in Dhoni area for the last three years and there was no such attempts known to him in the area even before three years.

***Going through the records and based on the observations during the field visit, SEAC/SEIAA feel that there is no substance in the points raised in the complaints for cancellation of EC.***

### ***Recommendations***

***The Proponent may be asked to further strengthen the OB dumping site slope with appropriate planting or by using gabion and then plant. The Secretary, Akathethara or the concerned authority may be suggested to extend the required permission allowing the proponent to take up the maintenance of the road from Plaza junction to the quarry site.***

This was placed in the 116<sup>th</sup> SEAC meeting held on 2nd, 3rd and 7th December, 2020. The petitioner informed that hearing may be conducted only after providing Field Inspection Report(FIR). So the Committee decided to forward the FIR as soon as it was approved to the proponent and petitioner before inviting them for hearing.

The FIR was forwarded to the petitioner and the proponent vide letter dated 15.12.2020. The time limit allowed by the Hon'ble Court was already over and the date of the next SEIAA meeting had not been decided yet. The Member Secretary, SEIAA filed affidavit in CoC 1848 of 2020 that the hearing would be done by SEAC in its meeting to be held on 28<sup>th</sup> and 29<sup>th</sup> of December 2020.

The proposal was placed in the 117<sup>th</sup> SEAC held on 28<sup>th</sup>, 29<sup>th</sup> and 30<sup>th</sup> December, 2020. The Committee heard the petitioner, proponent and his consultant. The Committee directed the petitioner and proponent to submit their hearing notes including the comments on the Field Inspection Report.

The proponent submitted the hearing notes vide e-mail dated 29.12.2020 and the petitioner vide e-mail dated 01.01.2021.

The proposal was placed in the 118<sup>th</sup> SEAC held on 1<sup>st</sup>, 2<sup>nd</sup> & 3<sup>rd</sup> February, 2021. The Committee decided to forward the Field Inspection Report along with the additional comments on the hearing note to SEIAA for further action.

The proposal was finally placed in the 107<sup>th</sup> meeting of SEIAA held on 18<sup>th</sup> & 19<sup>th</sup> February 2021. The Authority noted the action taken both by SEIAA and SEAC in

obedience to the directions contained in the judgment of the Hon. High Court in WP(c )14175 of 2020 filed by the petitioner. Authority further noted that the project area fell in moderate hazard zone and was prone for landslides as per the landslides Hazard Zonation Map prepared by State Disaster Management Authority, Kerala. This information was not available at the time of issue of EC. As per existing norms in moderate Hazard zones quarrying can be permitted with the prior approval of the District Crisis Management Committee. Authority had already asked for a report of DC Palakkad, Chairman District Disaster Management Authority in this regard which is yet to be received..The Authority decided to dispose of the Ext. P2 representation on priority narrating the follow up action taken as above by SEIAA and SEAC and point by point issues answered in the Field Inspection Report of SEAC and subsequent hearing notes, be referred for answering all the issues raised by the petitioner in Ext. P2 representation. Authority also decided to require DC Palakkad once again to give a definite recommendation for cancellation of EC if the quarry is standing dangerous to the life and property of residents, with supporting reasons, after calling for a detailed report from the District Geologist.

The FIR of the Subcommittee of SEAC states that there is no substance in the points raised in the complaints for cancellation of EC. The decision of 107<sup>th</sup> SEIAA meeting as above has been informed to DC Palakkad vide letter dated 03.03.2021 calling for an urgent report.

In this circumstance, the Exhibit P2, which having no valid grounds as observed by the Subcommittee of SEAC and approved by SEAC, is disposed of accordingly. The Order of the Hon'ble High Court is hereby complied with.



**Anil P. Antony**  
**Administrator, SEIAA**  
**For Member Secretary, SEIAA**

**Copy To :**

- ✓ 1) Adv.M.P.Sreekrishnan  
M.P.Sreekrishnan & Associates  
A.M.Thomas Road  
Valanjambalam  
Cochin - 16



2) Sri. Joby K. Joseph  
S/o K.S Joseph,  
Kallummakkal House, Dhoni P.O,  
Palakkad District- 678009

3) Sri. Mohammed Fazeel T.A  
Managing Director,  
M/s Royal Sand & Gravels Pvt. Ltd.  
Plaza Junction, Dhoni P.O

4) The District Collector, Palakkad

5) PA to Additional Chief Secretary,  
Environment Department

A1  
3  
2/3

11 Mohammed Shariq. 7.7

2.10.2020  
Vice

2. Mohanan. C.

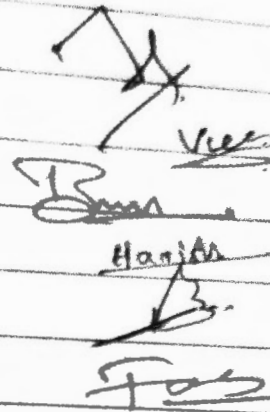
3. Vijayakumar. E.M.

4. Baiju. V.

5. Harish

6. Arun Kumar.

7. Faraz



Chairmen and the elected Sri members visited the all area.

Due to containment zone the meeting is conducted only for a short term and minimize the members.

Chairmen are the implementers of the previous meeting.

Chairmen strictly tried to do the restriction in the pandemic period. He decided to start a wing to do checks the restriction and social distance. He decided Mr. Baiju. V. is our safety manager.

Also decided that all staff should wear mask and gloves all staff.

Chairman decided to place a Sanitizer (10 to 15) should keep all side of the factory.

All the workers should observe this hand and contact.

meeting is continued with the below mentioned highlights

(1) Greeting should stop while heavy rain

(2) Strictly follow the break & chain formula.

All

minutes of the meeting for the month of Nov'20 by Environmental Monitoring Cell of M/s Royal Sand and Gravels held on 7th Nov'20 at their office at Plaza Junction.

PRESENT:

10/11/2020

- |                                |                       |           |
|--------------------------------|-----------------------|-----------|
| 1. Mr. Mohammed Fazeel T.A     | - Chairman            | M. Fazeel |
| 2. Mr. Mohanan G               | - Director (Convenor) | H.        |
| 3. Mr. Nisar. T                | - Member              | A. K.     |
| 4. Mr. Mohammed Shuhaib T.A    | - Member              | U.        |
| 5. Mr. Arun                    | - Member              | B.        |
| 6. Mr. Harroesh                | - Member              | 4.        |
| 7. Mr. Adhinayyan Arudaiyappan | - Convenor            | U. K.     |
| 8. Mr. Baiju. V                | - Member              | B.        |
| 9. Mr. Mohammad Fazel          | - Member              |           |
| 10. SRSRGER                    |                       | at        |

Chairman inspected alongwith the Team and checked the S.O.P of Covid 19 as detailed below:

Generic preventive measures:

- Individuals maintaining a minimum distance of 6 feet.
- Use of face covers/masks
- Facility made for frequent hand washing with soap.
- Spitting prohibition
- Installation of use of Aarogya Setu App by employees
- Respiratory Etiquettes.

Preventive measures at office premises:

- Provision made for hand hygiene (Sanitizer dispenser) and Thermal Screening Provision.
- Only asymptomatic staff/visitors allowed.
- Maintaining Social distance by Drivers and operators.
- All officers and staff are allowed to enter the office if using face cover/mask and to be worn at all times inside the office premises.
- Staggering of office hours, lunch hours/coffee breaks are done.

Present

31/2/2020

1. Mohammed Fouzi: 2.0
2. Mohannan: 2.0
3. Alisan: 2.0
4. Mohammed Stuhait
5. Vysyakumar: 2.0
6. Haneesh
7. Sakar: 2.0
8. Mahamed Fouzi

Mr. Mohammed Fouzi: 2.0, chairman of the board delivered the welcome speech and Appointed all of the present members

Mr. Vysyakumar Mahalingam: 2.0 and thanked the last month and the 2020 mostly ending chairman and board members visited the mainly one and across the mainly program with the help of the rescheduling of covid-19

Chairman decided to take the visit from the South east side of the main road. Every visit Board members visited the plant and also the offices of the rescheduling unit

Minis and plant. Spent time on mostly with total visit. He advised the board members to should keep all program with and clean to improve the plant operation

Chairman and board Members: inspected all areas and delivered a speech to the implementation of this year activity

Mohannan: concluded the mainly visit thanks to all members for the dedicated performance

f) Proper crowd management in the time office, parking lots are duly followed by social distancing norms.

g) Ensured that proper cleaning and frequent sanitization of the work place, particularly of frequently touched surfaces.

h) Seating arrangement is checked, whether it is made such a way that adequate social distancing is maintained.

Rainwater harvesting is done within a pit and will be utilized for various environmental purpose.

The seasonal streams are permitted to unhindered flow of water.

Sufficient settling ponds were made and maintained for pit over flow water.

Mr. Harresh expressed his satisfaction about non-detonating method which drastically reduced noise and vibration. Throw and Fly rocks are totally controlled by Explosives charging and optimised drilling pattern.

Mr. Nisar thanked for all their efforts.

The next meeting is fixed in the month of Dec'20.

Prescall

10/01/2021

1. Mohammed Jazeel T.A.
2. Mohanani C.T.
3. Alisart
4. Vijayakumar C.M.
5. Jazeel.
6. Mohammed Shukhail
7. Anandhi Narayanan
8. Beju V.R.
9. Hanish
10. SAGIEBH S.F.

Meeting conducted by Mr. Mohammed Jazeel T.A.  
The chairman of the board.

Mr. Anandhi Narayanan delivered the welcome speech  
Mr. Mohammed Shukhail briefed the implementation of  
last month's meeting.

Chairman and board members visited the all over  
and across the implementation.

Chairman directed Mr. Anandhi to remove the  
over borders for which completed in last 2018 and  
plan to plant some trees there in border area also.

Check the efficiency of Sprinklers. Chairman directed  
to do some C.S.R. works to Ummat H.S. and Anandhi.

Mr. Beju has a suggestion to plant plantation trees in  
the over borders street area. Chairman approved his  
suggestion and direction to give help to Beju  
to do this activities.

Hanish concluded the meeting with thanks.

2/02/2021

1. NISAR.T ~~Mr~~
2. Mohammed shuheib ~~Mr~~
3. Vijaya Kumar. G. M. ~~V. C. M.~~
4. H. Anish ~~Harish B.~~
5. Azun Kumar ~~B.~~
6. Mohammed Fazel. ~~Fazal~~
7. SAGIEBR 2f

Bond meeting conducted by Mrs. Alizah. milha.  
absence of chairmen and convenor

Discuss the last month progress with presented member  
with the permission of  
chairman a c.s.r fund was in the name of Sirin daughter  
at their for the management

c.s.r fund handed over to Mrs. Sirin with all  
presented members

continued the meeting with thanks to all present  
members



8/3/2021

11. Mohammed Fazeel. 1st
  21. Mohanun. 1st
  3. Bayin. V.R.
  4. Vijayakumar. E.M.
  5. Harisharan. P.S.
  6. Shuhail
  7. Mohammed Fazeel.
  8. Ali. M.T.
  9. Rahul Bayin
  10. Sageer.
- Handwritten signatures and initials:*  
- Above 21: *MF*  
- Above 3: *Bayin*  
- Above 4: *Vijay*  
- Above 5: *Harish*  
- Above 6: *Shuhail*  
- Above 7: *Fazeel*  
- Above 8: *Ali*  
- Above 9: *Rahul*  
- Above 10: *Sageer*

Board meeting conducted by Mr. Muhammed Fazeel.  
- chairman

chairman also the progress of the implementation of last  
minutes decisions

chairman and board members visited the oil area.  
and also the working and implementation of monitoring cell order.  
chairman noted the depth of check dam. Chairman instructed  
Harisharan to increase the depth of the check dam. 2

chairman instructed all staff, mining area should be clean.  
there don't have keep any oil substances in the mining premises.  
also instructed to visit shop staff and mechanic for the oil-  
challenge management. give answers to all staff for the management

chairman asked the garden work done by local side  
at the Quarry. he instructed to cultivate vegetable for daily use.  
he gave this duty to Bayin. for the

chairman instructed to build a fire line and fire quest  
in the side of the vehicle shop

Meeting concluded by Mr. Vijayakumar





## KERALA STATE POLLUTION CONTROL BOARD

FILE NO. :PCB/PLKD/IC/CO-2561/2014

Date of issue :03/05/2019

### INTEGRATED CONSENT TO OPERATE - RENEWAL

Consent No : PCB/PLKD/IC/CO/R2/965/2019

Ref : 1. Application no:10184919

2. Previous consent no: PCB/PLKD/ICO/R1/490/2017 Dated: 30/11/2017, valid up to 23/05/2019

The ' Integrated Consent to Operate' issued as per reference above to M/s ROYAL SAND AND GRAVELS PVT. LTD THEPARAMBIL HOUSE,THRITHALLOOR WEST POST,THRISSUR DIST,  
Pin Code : 680619 is hereby renewed up to 01/12/2023 and issued to M/s ROYAL SAND AND GRAVELS PVT. LTD QUARRY

THEPARAMBIL HOUSE, THRITHALLOOR WEST POST THRISSUR DIST

Pin Code : 680619 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	ANNUAL FEE	Rs. 9600/-
2	SURVEY NUMBER	2/P, 14/P, 15/P, 16/1P
3	CATEGORY	RED
4	VILLAGE	AKATHETHARA
5	CAPITAL INVESTMENT	Rs. 46/- lakhs
6	FEE REMITTED	Rs. 67,520/-(out of this Rs. 8707/- is excess and is carry over to next renewal)
7	VALIDITY	01/12/2023
8	LAST DATE FOR RENEWAL APPLICATION	01/10/2023
9	RAW MATERIALS AND PRODUCTS	QUARRYING IN 7.0655 HECTARES

#### 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

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

**KRISHNAN M N**

Digitally signed by KRISHNAN M N  
Date: 2019.05.04 06:53:03 +05'30'

DATE :03/05/2019

SIGNATURE & SEAL OF ISSUING AUTHORITY  
ENVIRONMENTAL ENGINEER

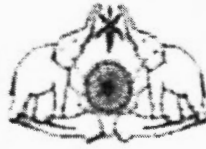


**To**

MOHAMMED FAZEEL T.A MANAGING DIRECTOR ROYAL SAND AND GRAVELS PVT. LTD  
THEPARAMBIL HOUSE, THRITHALLOOR WEST POST THRISSUR DIST PIN - 680619  
ROYAL SAND AND GRAVELS PVT. LTD QUARRY  
THEPARAMBIL HOUSE, THRITHALLOOR WEST POST THRISSUR DIST  
Pin Code : 680619

**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.



docmentu nr : A6-1696/2020-21-55

തീയതി : 27/04/2020

അകത്തേക്കു ശ്രമം പഞ്ചായത്തിൽ നിന്നും 1994 ലെ കോള പഞ്ചായത്ത് ഓഫ് ആക്ട് (1994 ലെ ൧) 232, 233, 234, 234 എന്നീ വകുപ്പുകളും അതേ തുടർന്നുള്ള ചട്ടങ്ങളും അനുസരിച്ച് ഹാർക്കറികൾ, വ്യാപാരങ്ങൾ, ജു സേവനങ്ങൾ എന്നിവയ്ക്കായി നൽകുന്ന

## ചൈതന്യം

മലേഷ്യയിലെ സിംഗപ്പൂർ	മലേഷ്യയിലെ സിംഗപ്പൂർ
സംസ്ഥാനത്തിന്റെ പേരും സ്ഥലനാമവും	കോട്ടയം ജില്ലയിൽ & ഗോവയ്ക്കൽ, ഡോണി
മലേഷ്യൻ നൽകിയതുമായ പ്രവേശനത്തിനുള്ള	ഈ എച്ച് എസ് ടിസിയിൽ ഉൾക്കൊള്ളിച്ച കരാറുകൾ മുന്നോട്ടു നൽകുന്നതിന്
കെട്ടിടം/സർവ്വേ നമ്പറും വാട്സ് നമ്പറും	സർവ്വേ നമ്പർ 2,4,5,8(1) വാട്സ്-1
മലേഷ്യൻ കാലയളവ്	01/04/2020 മുതൽ 31/03/2025 വരെ
ഇതരമലേഷ്യൻ മിഷൻ	30,000/- മുപ്പത് ലക്ഷം രൂപയ്ക്ക് മിഷൻ നമ്പർ: 199040107733 dt. 03/03/2020 & 120040100113 dt. 27/04/2020
ഇതരമലേഷ്യൻ മിഷൻ	2500/- മുപ്പതു ലക്ഷം രൂപയ്ക്ക് മിഷൻ നമ്പർ: 199040107734 dt. 03/03/2020
മലേഷ്യൻ അനുവദിക്കുന്നതിനായി പാലാക്കിയ നിരവധി പത്രങ്ങളുടെ വിശദാംശങ്ങൾ (നമ്പർ, തീയതി, കാലയളവ്, നൽകിയ അധികാര സ്ഥാനം)	<p>1) സിംഗപ്പൂർ സർവ്വേയിൽ നമ്പർ 21/20 dt. 12.02.20. Valid upto 31/03/2021.</p> <p>2) മലേഷ്യൻ നിയന്ത്രണ ബോർഡിൽ നിന്നുമുള്ള അനുമതി നമ്പർ PCB/PLKD/IC/CO-2561/2014 dt. 03.05.2019. Valid upto 01/12/2023.</p> <p>3) ഹിന്ദി കമ്മ്യൂണിറ്റി ഓഫ് എക്സ്‌പ്രസ്സസ് നൽകിയ അനുമതി നമ്പർ E/SC/KL/22/1222(E61052) dt. 21.06.18. Valid upto 31/03/2021.</p> <p>4) മലേഷ്യൻ &amp; ജിനോളി വകുപ്പിൽ നിന്നുമുള്ള അനുമതി നമ്പർ 2486/2014 dt. 28.09.14. Valid upto 21/08/2026.</p> <p>5) സ്റ്റേറ്റ് എൻവയറൺമെന്റൽ ഇംപാക്ട് അസസ്‌മെന്റ് അതോറിറ്റിയുടെ അനുമതി നമ്പർ 160/SEIAA/KL/3490/2013 dt. 16.02.19. Valid upto 15/02/2024.</p> <p>6) പാറ പൊട്ടിക്കുന്ന ആളുടെ വൈദ്യുത സംബന്ധിച്ച സാക്ഷ്യപത്രം നമ്പർ 9227 dt. 25.07.19. Valid upto 17/07/2020.</p> <p>മേൽ പരാമർശിച്ച വിവിധ വകുപ്പുകളും, സ്ഥാപനങ്ങളും നൽകിയ നിരവധി പത്രങ്ങൾ സാക്ഷ്യപത്രങ്ങൾ കാലാവധി അവസാനിക്കുന്ന തീയതിക്കു മുമ്പ് യഥാവിധി പുതുക്കേണ്ടതാണ്. അല്ലാത്തപക്ഷം ആയതുവുമുണ്ടാകുന്ന സാമ്പത്തിക ബാധ്യത ഉൾപ്പെടെയുള്ള എല്ലാ കഷ്ടനഷ്ടങ്ങൾക്കും മലേഷ്യൻ അഭ്യർത്ഥനയിൽ ഉൾക്കൊള്ളിച്ചിട്ടുള്ളതാണ്.</p>

(അഫ്റോ ഡ്രസ്)



M-Rnd  
ANAND, M.  
A20  
Secretary  
Akathethara P.O., Palakkad - 678 005  
Pn: 9496047271, 0491-2555171  
E-mail: dds@akathetharaspeds@gmail.com



ലൈസൻസ് നമ്പർ : A6-1698/2020-21-57

തീയതി : 27/04/2020

അകത്തേത്തറ ഗ്രാമ പഞ്ചായത്തിൽ നിന്നും 1994 ലെ കേരള പഞ്ചായത്ത് രാജ് ആക്ട് (1994 ലെ 13) 232,233,234,254 എന്നീ വകുപ്പുകളും അതേ തുടർന്നുള്ള ചട്ടങ്ങളും അനുസരിച്ച് ഫാക്ടറികൾ, വ്യാപാരങ്ങൾ, മറ്റു സേവനങ്ങൾ എന്നിവയ്ക്കായി നൽകുന്ന

## ലൈസൻസ്

ലൈസൻസിയുടെ പേരും മേൽവിലാസവും	മോഹനൻ.ജി, ഡയറക്ടർ, റോയൽ സാൻഡ്സ് & ഗ്രാവൽസ് പ്രൈവറ്റ് ലിമിറ്റഡ്
സ്ഥാപനത്തിന്റെ പേരും സ്ഥലനാമവും	റോയൽ സാൻഡ്സ് & ഗ്രാവൽസ് ക്രഷർ യൂണിറ്റ്, ധോണി
ലൈസൻസ് നൽകിയിട്ടുള്ള പ്രവർത്തനങ്ങൾ	1240 എച്ച്.പി ഉപയോഗിച്ച് മെറ്റൽ ക്രഷർ യൂണിറ്റ് നടത്തുന്നതിന്
കെട്ടിടം/സർവ്വെ നമ്പറും വാർഡ് നമ്പറും	കെട്ടിട നമ്പർ : 1/22
ലൈസൻസ് കാലയളവ്	01/04/2020 മുതൽ 31/03/2025 വരെ
ഈടാക്കിയ ലൈസൻസ് ഫീസ്	50,000/- രൂപ+ 62,000/- രൂപ. രശീതി നമ്പർ: 119040107736 dt. 03/03/2020 & 120040100115 dt. 27/04/2020
ഈടാക്കിയ തൊഴിൽക്കരം	2500/രൂപ. രശീതി നമ്പർ: 119040107737 dt. 03/03/2020
ലൈസൻസ് അനുവദിക്കുന്നതിനായി ഹാജരാക്കിയ നിരാക്ഷേപ പത്രങ്ങളുടെ വിശദാംശങ്ങൾ (നമ്പർ, തീയതി, കാലയളവ്, നൽകിയ അധികാര സ്ഥാനം)	<p>1) സാനിറ്ററി സർട്ടിഫിക്കറ്റ് നമ്പർ 19/20 dt. 18.02.20. Valid upto 31/03/2021.</p> <p>2) മലിനീകരണ നിയന്ത്രണ ബോർഡിൽ നിന്നുമുള്ള അനുമതി നമ്പർ PCB/PLKD/ICO/R15PAL2242826/2019 dt. 29.11.2019. Valid upto 30/11/2024.</p> <p>3) അഗ്നി സുരക്ഷ വകുപ്പിൽ നിന്നുമുള്ള പരിശോധന റിപ്പോർട്ട് നമ്പർ B773/2017 dt. 09.02.2017.</p> <p>4) ഫാക്ടറീസ് &amp; ബോയലേഴ്സ് വകുപ്പിൽ നിന്നുമുള്ള സാക്ഷ്യപത്രം നമ്പർ D13/PGT/09/701/2012 dt. 12.12.2018. Valid upto 31/12/2020.</p> <p>5) ) മൈനിംഗ് &amp; ജിയോളജി വകുപ്പിൽ നിന്നുമുള്ള അനുമതി നമ്പർ 2276/M3/2019 dt. 07.03.19. Valid upto 31/03/2020.</p> <p>6) പാറ പൊട്ടിക്കുന്ന ആളുടെ വൈദ്യുത സംബന്ധിച്ച സാക്ഷ്യപത്രം നമ്പർ 9227 dt. 25.07.19. Valid upto 17/07/2020.</p> <p>മേൽ പരാമർശിച്ച വിവിധ വകുപ്പുകളും, സ്ഥാപനങ്ങളും നൽകിയ നിരാക്ഷേപ സാക്ഷ്യപത്രങ്ങൾ കാലാവധി അവസാനിക്കുന്ന തീയതിക്കു മുമ്പ് യഥാവിധി പുതുക്കേണ്ടതാണ്. അല്ലാത്തപക്ഷം ആയതുമുലമുണ്ടാകുന്ന സാമ്പത്തിക ബാധ്യത ഉൾപ്പെടെയുള്ള എല്ലാ കഷ്ടനഷ്ടങ്ങൾക്കും ലൈസൻസി മാത്രമായിരിക്കും ഉത്തരവാദി.</p>

(ഓഫീസ് മുദ്ര)



Handwritten: M. V. R. d  
**അകത്തേത്തറ ഗ്രാമപഞ്ചായത്ത്**  
 Akathelthara Grama Panchayat  
 Akathelthara P.O., Palakkad - 678 008  
 Ph: 9496047271, 0491-2555171  
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A21



ലൈസൻസ് നമ്പർ : A6-1697/2020-21-56

തീയതി : 27/04/2020

അകത്തേത്തറ ഗ്രാമ പഞ്ചായത്തിൽ നിന്നും 1904 ലെ മൊതു പഞ്ചായത്ത് രാജ് ആക്ട് (1994 ലെ 13) 232, 233, 234, 254 എന്നീ വകുപ്പുകളും അതേ തുടർന്നുള്ള ചട്ടങ്ങളും അനുസരിച്ച് ഫാക്ടറികൾ, വ്യവസായങ്ങൾ, മറ്റു വ്യവസായങ്ങൾ എന്നിവയ്ക്കായി നൽകുന്ന

## ലൈസൻസ്

ലൈസൻസിയുടെ പേരും മേൽവിലാസവും	മോഹനൻ.ജി, ഡയറക്ടർ, റോയൽ സാൻഡ്സ് & ഗ്രാമ്പൽസ് പ്രൈവറ്റ് ലിമിറ്റഡ്
സ്ഥാപനത്തിന്റെ പേരും സ്ഥലനാമവും	റോയൽ സാൻഡ്സ് & ഗ്രാമ്പൽസ് ക്രഷർ യൂണിറ്റ്, ധോണി
ലൈസൻസ് നൽകിയിട്ടുള്ള പ്രവർത്തനങ്ങൾ	210 എച്ച്.പി ഉപയോഗിച്ച് തെറ്റൽ ക്രഷർ യൂണിറ്റ് നടത്തുന്നതിന്
കെട്ടിടം/സർവ്വെ നമ്പറും വാർഡ് നമ്പറും	കെട്ടിട നമ്പർ : 1/23
ലൈസൻസ് കാലയളവ്	01/04/2020 മുതൽ 31/03/2025 വരെ
ഇടക്കാക്കിയ ലൈസൻസ് ഫീസ്	50,000/- രൂപ + 10,800/- രൂപ. രശീതി നമ്പർ: 119040107739 dt. 03/03/2020 & 120040100114 dt. 27/04/2020
ഇടക്കാക്കിയ തൊഴിൽക്കരം	2500/രൂപ. രശീതി നമ്പർ: 119040107740 dt. 03/03/2020
ലൈസൻസ് അനുവദിക്കുന്നതിനായി ഹാജരാക്കിയ നിരാക്ഷേപ പത്രങ്ങളുടെ വിശദാംശങ്ങൾ (നമ്പർ, തീയതി, കാലയളവ്, നൽകിയ അധികാര സ്ഥാനം)	<p>1) സാനിറ്ററി സർട്ടിഫിക്കറ്റ് നമ്പർ 20/20 dt. 18.02.20. Valid upto 31/03/2021.</p> <p>2) മലിനീകരണ നിയന്ത്രണ ബോർഡിൽ നിന്നുമുള്ള അനുമതി നമ്പർ PCB/PLKD/IC/CO/76/2007 dt. 03.07.2018. Valid upto 30/06/2023.</p> <p>3) അഗ്നി സുരക്ഷ വകുപ്പിൽ നിന്നുമുള്ള പരിശോധന റിപ്പോർട്ട് നമ്പർ B773/2017 dt. 09.02.2017.</p> <p>4) ഫാക്ടറീസ് &amp; ബോയലേഴ്സ് വകുപ്പിൽ നിന്നുമുള്ള സാക്ഷ്യപത്രം നമ്പർ D13/PGT/09/701/2018 dt. 12.12.2018. Valid upto 31/12/2020.</p> <p>5) ) മൈനിംഗ് &amp; ജിയോളജി വകുപ്പിൽ നിന്നുമുള്ള അനുമതി നമ്പർ 2276/M3/2019 dt. 07.03.19. Valid upto 31/03/2020.</p> <p>6) പാറ പൊട്ടിക്കുന്ന ആളുടെ വൈദ്യുത സംബന്ധിച്ച സാക്ഷ്യപത്രം നമ്പർ 9227 dt. 25.07.19. Valid upto 17/07/2020.</p> <p>മേൽ പരാമർശിച്ച വിവിധ വകുപ്പുകളും, സ്ഥാപനങ്ങളും നൽകിയ നിരാക്ഷേപ സാക്ഷ്യപത്രങ്ങൾ കാലാവധി അവസാനിക്കുന്ന തീയതിക്കു മുമ്പ് യഥാവിധി പുതുക്കേണ്ടതാണ്. അല്ലാത്തപക്ഷം ആയുധമുലയുണ്ടാകുന്ന സാമ്പത്തിക ബാധ്യത ഉൾപ്പെടെയുള്ള എല്ലാ ചെലവുകളും ലൈസൻസി മാത്രമായിരിക്കും ഉത്തരവാദി.</p>

(മാഫിൻ മുദ്ര)



ANAND. M.  
അകത്തേത്തറ ഗ്രാമ പഞ്ചായത്ത്  
Secretary  
Akatholthara Grama Panchayat  
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A22





भारत सरकार | Government of India  
वाणिज्य और उद्योग मंत्रालय | Ministry of Commerce & Industry  
पेट्रोलियम तथा विस्फोटक सुरक्षा संगठन (पेसी) | Petroleum & Explosives Safety Organisation (PESO)  
पूर्व नाम- विस्फोटक विभाग | Formerly- Department of Explosives  
केन्द्रीय भवन, ब्लॉक सी-2, तीसरी मंजिल | Kendriya Bhavan, Block C-2, 3rd Floor  
CSEZ पी.ओ.कक्कनाड कोच्चि | CSEZ PO Kakkanaad Dist. Ernakulam Ernakulam 682037  
फोन (Phone):- 2427286 | फैक्स (Fax):- 2427276

संख्या (No.): E/SC/KL/22/1222(E61052)

दिनांक (Date): 30/08/2016

सेवा में | To,

Shri MOHANAN, Director,  
M/s. Royal Sands and Gravels Pvt. Ltd., Theparambil House, Thrithalloor West Post, Thrissur, Town/Village - Thrithalloor, West Po  
District-THRISSUR, State-Kerala, Pincode - 680619

विषय : Survey No. ReSurvey No. 13/1 Block. 25, ग्राम Akathethara, Palakkad taluk, जिला PALAKKAD, राज्य, Kerala में मेसर्स Shri MOHANAN, Director द्वारा विस्फोटक के मैगजीन में उपयोग के लिए कब्जा हेतु विस्फोटक नियम, 2008 के अंतर्गत LE-3 में जारी अनुज्ञप्ति सं E/SC/KL/22/1222(E61052) के संशोधन संदर्भ में।  
(विस्फोटक की मात्रा / मासिक खरीद सीमा में परिवर्तन)

Subject: Possession for Use of of Explosives from magazine situated at Survey No.: ReSurvey No. 13/1 Block. 25, Akathethara, Palakkad taluk, Dist. PALAKKAD, Kerala - Licence No.: E/SC/KL/22/1222(E61052) granted in Form LE-3 of Explosives Rules, 2008 - (Amendment of Quantity of Explosives/Monthly Purchase Limit).

महोदय | Sir,

आपका उपर्युक्त विषय पर पत्र संख्या Nil दिनांक 30/08/2016 का संदर्भ ग्रहण करें।  
Please refer to your letter no. Nil dated 30/08/2016.

अनुज्ञप्ति संख्या E/SC/KL/22/1222(E61052) 1. VALID AUTHORISED QUARRY PERMIT IN THE NAME OF THE LICENSEE AND LOCAL STATE GOVERNMENT AUTHORITIES APPROVAL/ENVIRONMENTAL CLEARANCE AS APPLICABLE AND RENEWED FROM TIME TO TIME SHALL BE IN POSSESSION. 2. IF ANY CHANGE OF QUARRY OR ADDITIONAL QUARRY IS INVOLVED, NECESSARY PRIOR APPROVAL/ENDORSEMENT SHALL BE OBTAINED FROM THE LICENSING AUTHORITY. 3. OPENING OF QUARRY SHALL BE INFORMED TO THE DGMS AND BLASTING OPERATIONS SHALL BE CONDUCTED AS PER MINES ACT. 4. APPROVED BLASTER SHALL BE APPOINTED IN THE QUARRY FOR BLASTING. 5. ALL RECORDS OF USE OF EXPLOSIVES IN RE-3, RE-5, RE-7 RE-13 SHALL BE MAINTAINED. 6. DAILY PASS FOR USE OF EXPLOSIVES (RE-13) SHALL BE GENERATED ONLINE. के संदर्भ में यथा संशोधित कर भेजी जा रही है।

The Licence No.: E/SC/KL/22/1222(E61052) is forwarded herewith duly amended in respect of followings :

1. VALID AUTHORISED QUARRY PERMIT IN THE NAME OF THE LICENSEE AND LOCAL STATE GOVERNMENT AUTHORITIES APPROVAL/ENVIRONMENTAL CLEARANCE AS APPLICABLE AND RENEWED FROM TIME TO TIME SHALL BE IN POSSESSION. 2. IF ANY CHANGE OF QUARRY OR ADDITIONAL QUARRY IS INVOLVED, NECESSARY PRIOR APPROVAL/ENDORSEMENT SHALL BE OBTAINED FROM THE LICENSING AUTHORITY. 3. OPENING OF QUARRY SHALL BE INFORMED TO THE DGMS AND BLASTING OPERATIONS SHALL BE CONDUCTED AS PER MINES ACT. 4. APPROVED BLASTER SHALL BE APPOINTED IN THE QUARRY FOR BLASTING. 5. ALL RECORDS OF USE OF EXPLOSIVES IN RE-3, RE-5, RE-7 RE-13 SHALL BE MAINTAINED. 6. DAILY PASS FOR USE OF EXPLOSIVES (RE-13) SHALL BE GENERATED ONLINE..

किसी भी एक समय में लाइसेंस क्षमता निम्नलिखित वगे तथा मात्रा से अधिक नहीं होगी।

The licence capacity at any one time shall not exceed the kinds and quantities mentioned below ;

संख्या No	विस्फोटक Explosive(s)	वर्ग Class	प्रभाग Div	उप-प्रभाग Sub Div	क्षमता Capacity	इकाई Unit
1	Nitrate Mixture	2	0	0	100	Kg.
2	Safety Fuse	6	1	0	2000	Mtrs
3	Electric and/or Ordinary Detonators	6	3	0	1000	Nos.

किसी एक कलेंडर मास में खरीदे जाने वाले विस्फोटक की मात्रा (अनुच्छेद 3 (ख) और (ग) के अधीन अनुज्ञप्ति के लिए लागू) : 15 गुना  
Quantity of explosives to be purchased in a calendar month [applicable for licence under article 3(b) and (c)] : 15 times as above.

यह अनुज्ञप्ति दिनांक 31 मार्च 2021 तक प्रवृत्त रहेगी।

This Licence shall remain valid till 31st day of March 2021.

अनुज्ञप्ति के आगामी नवीकरण हेतु कृपया विस्फोटक नियम, 2008 के नियम 112 के अंतर्गत प्रक्रिया का पालन करें। कृपया पावती दें।

For further revalidation (if required), please follow the procedure under Rule 112 of Explosives Rules, 2008. Receipt of this letter may please be acknowledged.

भवदीय | Your's faithfully

S. KANDASAMY

उप विस्फोटक नियंत्रक | Dy. Controller of Explosives

कृते उप मुख्य विस्फोटक नियंत्रक | For Dy. Chief Controller of Explosives

कृते उप मुख्य विस्फोटक नियंत्रक  
For Deputy Chief Controller of Explosives  
एरनाकुलम Ernakulam

# अनुज्ञप्ति प्ररूप एल. ई.-3 | LICENCE FORM LE-3

(विस्फोटक नियम, 2008 की अनुसूची 4 के भाग 1 के अनुच्छेद 3(क) से (घ) देखिए।)  
(See article 3(a) to (d) of Part 1 of Schedule IV of Explosives Rules, 2008)

(ग) उपयोग के लिए एक समय पर वर्ग 1,2,3,4,5 या वर्ग 7 के विस्फोटक या किसी मैगजीन में वर्ग 6 के विस्फोटक

Licence to possess : (c) for use, explosives of class 1, 2,3,4,5,6 or 7 in a magazine

अनुज्ञप्ति सं. (Licence No.): E/SC/KL/22/1222(E61052)

वार्षिक फीस रूप (Annual Fee Rs): 2400/-

1. Licence is hereby granted to

Shri MOHANAN, Director (अधिभोगी / Occupier : Shri Mohanan), M/s. Royal Sands and Gravels Pvt. Ltd.,  
Theparambil House, Thrithalloor West Post, Thrissur, Town/Village - Thrithalloor, West District - Thrissur,  
State-Kerala, Pincode - 680619

को अनुज्ञप्ति अनुदत्त की जाती है।

2. अनुज्ञप्तिधारी की प्रास्थिति | Status of licensee : Company

3. अनुज्ञप्ति निम्नलिखित प्रयोजनों के लिए विधिमान्य है।

Licence is valid only for the following purpose.

4. अनुज्ञप्ति विस्फोटकों के निम्नलिखित किस्मों, प्रकार और मात्रा के लिए विधिमान्य है।

Licence is valid for the following kinds and quantity of explosives: -- (क) (a)

क्र. Sr. No.	नाम और विवरण Name and Description	वर्ग और प्रभाग Class & Division	उप-प्रभाग Sub-division	मात्रा किसी एक समय में Quantity at any one time
1.	Nitrate Mixture	2,0	0	100 Kg.
2.	Safety Fuse	6,1	0	2000 Mtrs
3.	Electric and/or Ordinary Detonators	6,3	0	1000 Nos.

(ख) किसी एक कलेंडर मास में खरीदे जाने वाले विस्फोटक की मात्रा [अनुच्छेद 3(ख) और (ग) के अधीन अनुज्ञप्ति के लिए]

(b) Quantity of explosives to be purchased in a calendar month [applicable for licence under article 3(b) and (c)] :

15 times  
as above.

5. निम्नलिखित रेखाचित्र (रेखाचित्रों) से अनुज्ञप्त परिसर की पुष्टि होती है।

The licensed premises shall conform to the following drawing(s) :

रेखाचित्र क्र. (Drawing No.) E/SC/KL/22/1222(E61052)

दिनांक (Dated) 30/08/2016

6. अनुज्ञप्ति परिसर निम्नलिखित पते पर स्थित हैं। The licensed premises are situated at following address:

Survey No. ReSurvey No.13/1 Block.25, ग्राम (Town/Village) : Akathethara, Palakkad taluk पुलिस थाना (Police Station) : Hemambika Nagar  
जिला (District) PALAKKAD राज्य (State) Kerala पिनकोड (Pincode) 678686  
दूरभाष (Phone) 8086600900 ई.मेल (E-Mail) फैक्स (Fax)

7. अनुज्ञप्ति परिसर में निम्नलिखित सुविधाएं अंतर्विष्ट हैं।

The licensed premises consist of following facilities:

A set of one E type (SR No 299) and one D type (Sr No 210) portable  
magazines fabricated by M/s Thekkans Engg & Fab. Unit Ernakulam,  
Kerala.

8. अनुज्ञप्ति समय - समय पर यथासंशोधित विस्फोटक अधिनियम, 1884 और उनके अधीन विरचित विस्फोटक नियम, 2004 के उपबंधों, शर्तों और अतिरिक्त शर्तों और निम्नलिखित उपाबंधों के अधीन रहते हुए अनुदत्त की जाती है।

The licence is granted subject to the provision of Explosives Act-1884 as amended from time to time and the Explosives Rules, 2008 framed there under and the conditions, additional conditions and the following Annexures.

1. उपर्युक्त क्रम सं. 5 में यथा कथित रेखाचित्र (स्थान, सन्निर्माण संबंधी और अन्य विवरण दर्शित करते हुए)।

Drawings (showing site, constructional and other details) as stated in serial No. 5 above.

2. अनुज्ञप्ति प्राधिकारी द्वारा हस्ताक्षरित इस अनुज्ञप्ति की शर्तों और अतिरिक्त शर्तों।

Conditions and Additional Conditions of this licence signed by the licensing authority.

3. दूरी प्ररूप DE-2 | Distance Form DE-2.

9. यह अनुज्ञप्ति तारीख 31 मार्च 2016 तक विधिमान्य रहेगी। This licence shall remain valid till 31st day of March 2016.

यह अनुज्ञप्ति, अधिनियम या उसके अधीन विरचित नियमों या अनुसूची V के भाग 4 के प्रति निर्दिष्ट सेट-VII के अधीन तथा उपवर्णित इस अनुज्ञप्ति की शर्तों का अधिक्रमण करने या यदि अनुज्ञप्त परिसर योजना या उससे संलग्न उपबंध में दर्शित विवरण के अनुरूप नहीं पाए जाने पर निलंबित या प्रतिसंहत की जा सकती है, जहां वह लागू हो।

This licence is liable to be suspended or revoked for any violation of the Act or Rules framed there under or the conditions of this licence as set forth under Set VIII, wherever applicable, referred to in Part 4 of Schedule V or if the licensed premises are not found conforming to the description shown in the plans and Annexure attached hereto.

तारीख | The Date - 06/05/2011

संयुक्त मुख्य विस्फोटक नियंत्रक | Joint Chief Controller of Explosives  
South Circle, Chennai

## Amendments :

- Amendment of Quantity of Explosives/Monthly Purchase Limit dated : 30/08/2016

## Transfers :

- Change in Licensee Name/Address/Status dated : 03/11/2011
- Change in Licensee Name/Address/Status dated : 13/09/2012

नवीनीकरण के पृष्ठांकन के लिए स्थान  
Space for Endorsement of Renewal

कृते उप मुख्य विस्फोटक नियंत्रक  
For Deputy Chief Controller of Explosives  
एरनाकुलम Ernakulam

नवीकरण की तारीख  
Date of Renewal

समाप्ति की तारीख  
Date of Expiry

अनुज्ञापन प्राधिकारी के हस्ताक्षर और स्टाम्प  
Signature of licensing authority and stamp

Sd/-

A24

मैगजीन में वर्ग 1,2,3,4,5,6, और 7 के विस्फोटकों को बिक्री या प्रयोग हेतु रखने के लिए प्ररूप एल.ई. 3 [अनुच्छेद 3 (ख) से (ग)] में मुख्य विस्फोटक नियंत्रक या विस्फोटक नियंत्रक द्वारा प्रदान किए जाने वाले अनुज्ञप्ति सं. E/SC/KL/22/1222(E61052) की शर्तें निम्नलिखित हैं ।  
The following are the conditions of licence number E/SC/KL/22/1222(E61052) to possess for sale or use, explosives of Class 1,2,3, 4, 5, 6 and 7 in a magazine in Form LE-3 (articles 3(b) to (c) ) granted by Chief controller of Explosives or Controller of Explosives.

- परिसर में किसी भी समय विस्फोटकों की मात्रा अनुज्ञापन योग्य सामर्थ्य से अधिक नहीं होगी ।  
The quantity of explosives on the premises at any one time shall not exceed the licensable capacity.
- विस्फोटकों के भंडारण के लिए प्रयुक्त होने वाली मैगजीन अनुसूची III और अनुज्ञप्ति के उपाबंध में विनिर्दिष्ट सुरक्षा दूरी बनाए रखना होगा।  
The magazine used for storage of explosives shall maintain safety distance specified in Schedule III and annexure to the licence.
- मैगजीन का प्रयोग उन सभी विस्फोटकों के, जो इस अनुज्ञप्ति में विनिर्दिष्ट हैं, रखे जाने के लिए और ऐसे रखे जाने से संबद्ध आधान या औजार या उपकरणों के रखे जाने के लिए ही किया जाएगा; अन्यथा नहीं ।  
The magazine shall be used only for keeping all explosives specified in this licence and of receptacles for, or tools or implements for work connected with the keeping of such explosives.
- पैकों को खोलने का कार्य और विस्फोटकों को तौलने तथा पैक करने का कार्य मैगजीन में नहीं किया जाएगा ।  
The opening of packages and the weighing and packing of explosives shall not be carried on in the magazine.
- दो या दो से अधिक वर्णन के विस्फोटकों को, जिन्हें मैगजीन में रखे जाने की अनुज्ञा दी जा सकती है, मैगजीन में तभी रखे जाएंगे जब उनमें से प्रत्येक को, ऐसे पदार्थ या स्वरूप का कोई मध्यवर्ती विभाजक लगाकर या उनके बीच ऐसा मध्यवर्ती स्थान छोड़कर, परस्पर पृथक कर दिया जाए कि किसी वजह से विस्फोटक में लगने वाली आग या होने वाला विस्फोट किसी अन्य वर्णन के विस्फोटक तक न पहुंच सके : परंतु -  
(घ) 2 (नाइट्रेट मिश्रण), वर्ग 3 (नाइट्रो योगिक) के विभिन्न विस्फोटक, वर्ग 6 प्रथम प्रभाग के अंतर्गत आने वाले सुरक्षा पत्तीते और वर्ग 6 प्रभाग 2 के अंतर्गत आनेवाले विस्फोटक प्रेरक पत्तीते, जिनमें कोई खुला लोहा या इस्पात नहीं है, एक दूसरे के साथ बिना किसी मध्यवर्ती विभाजक या स्थायन के रखे जा सकते हैं ।  
(ड) वर्ग 6 प्रभाग 3 के अंतर्गत आनेवाले विस्फोटक प्रेरक अलग रखे जाएंगे ।  
(च) वर्ग 1 के अंतर्गत आने वाले बारूद को अलग रखा जाएगा ।  
Two or more description of explosives which may be permitted to be kept in the magazine shall be kept only if they are separated from each other by an intervening partition of such substance or character, or by such intervening space, as will effectually prevent explosion or fire in the one communicating with the other; Provided that—  
(d) the various explosives of Class 2 (nitrate-mixture), Class 3 (nitro-compound), safety fuses belonging to Class 6 Division 1 and detonating fuses belonging to Class 6 Division 2 as do not contain any exposed iron or steel, may be kept with each other without any intervening partition or space ;  
(e) Detonators belonging to Class 6 Division 3 shall be kept separately.  
(f) Gun powder belonging to Class 1 shall be kept separately.
- वर्ग 3 (नाइट्रो योगिक) के विस्फोटकों को, उनके विनिर्माण की तारीख से एक वर्ष बीत जाने के पश्चात सिवाय अनुज्ञापन प्राधिकारी की विशेष मंजूरी के मैगजीन में नहीं रखा जाएगा ।  
Explosives of Class 3 (nitro compound) shall not be kept in the magazine after the expiration of one year from the date of their manufacture except with the special sanction of licensing authority.
- वर्ग 3 (नाइट्रो योगिक) के विस्फोटकों को, उनके विनिर्माण की तारीख से एक वर्ष बीत जाने के पश्चात मैगजीन में तभी रखा जाएगा जब कि किसी विस्फोटक नियंत्रक ने इसके लिए विशेष मंजूरी दे दी हो ।  
(i) जब ऐसी मंजूरी दे दी गई हो तो प्रत्येक निरीक्षण पर किसी विस्फोटक नियंत्रक से ऐसा लिखित प्रमाणपत्र अभिप्राप्त कर लिया जाए जिसमें दी गई मंजूरी के अंतर्गत आनेवाली अवधि दर्शित की गई हो और ऐसे प्रमाणपत्र के अनुज्ञप्तिधारी अपने पास रखेगा और मांग की जाने पर प्रस्तुत करेगा ।  
(ii) जब कोई विस्फोटक मानक शुद्धता का न रह जाने के कारण या द्रवणीकरण या नाइट्रो ग्लिसरीन या द्रव नाइट्रो योगिक के निकल जाने के चिन्ह प्रकट होने के कारण मैगजीन में भण्डारित किए जाने के उपयुक्त नहीं रह जाता है तो अनुज्ञप्तिधारी अपने ही व्यय पर ऐसे विस्फोटक के निपटारे के लिए ऐसे निदेशों का अनुपालन करेगा जो मुख्य नियंत्रक या विस्फोटक नियंत्रक जारी करें ।  
Explosives of Class 3 (nitro compound) shall not be kept in the magazine after the expiration of one year from the date of their manufacture except with the special sanction of the Controller of Explosives.  
(i) When such sanction has been given, a written certificate showing the period covered by the sanction shall be obtained from the Controller of Explosives at each inspection, and shall be kept by the licensee and produced on demand.  
(ii) When an explosive owing to its being no longer of standard purity or owing to signs of liquefaction or of exuded nitro-glycerin or liquid nitro-glycerin or liquid nitrocompound is no longer fit for storage in the magazine or store house the licensee shall comply, at his own expense, with such directions as to its disposal as the Chief Controller or Controller of Explosives may issue.
- मैगजीन के भीतरी भाग या उसमें लगी बेंचों, शेल्फों और उसकी फिटिंग का इस प्रकार सन्निर्माण किया जाएगा या उन्हें इस प्रकार अंतरित या अवतरित किया जाएगा कि विस्फोटक का किसी लोहे या इस्पात के साथ संपर्क रोका जा सके । भीतरी भाग में लगी बेंचें, शेल्फें और फिटिंग यथासाध्य गिट से मुक्त एवं साफ रखे जाएंगे तथा ऐसे विस्फोटक, जो जल से खतरनाक रूप में प्रभावित हो सकते हैं, इस बाबत सम्यक सावधानी बरती जाएगी कि वहां कोई जल मौजूद न रहे : परंतु किसी लोहे या इस्पात के खुले होने के विरुद्ध सावधानी से संबंधित इस शर्त का वह भाग ऐसे किसी भवन में बाध्यकर नहीं होगा जिसमें वर्ग 6 (गोला बारूद) के प्रथम के विस्फोटक से भिन्न कोई विस्फोटक रखा गया है ।  
The interior of the magazine and the benches, shelves and fittings therein shall be so constructed or so lined or covered as to prevent the exposure of any iron or steel contact with the explosives. Such interior, benches, shelves and fittings shall so far as is reasonably practicable, be kept free from grit and shall otherwise be clean; and in the case of any explosives liable to be dangerously affected by water, due precautions shall be taken to exclude water there from:  
Provided that so much of this condition as relates to precautions against the exposure of any iron or steel shall not be obligatory in a



Building in which no explosive other than explosive of the 1st Division 6th (Ammunition) Class is kept.

9. यदि तडित चालक का परीक्षण विस्फोटक नियंत्रक करता है तो अनुज्ञापितधारी ऐसे परीक्षण के लिए विहित फीस का संदाय करेगा। यदि परीक्षण असमाधानकारी साबित होता है तो उतनी ही फीस अनुज्ञापितधारी द्वारा पश्चात्कर्तव्य प्रत्येक परीक्षण के लिए तब तक देना पड़ेगी जब तक कि परीक्षण अधिकारी तडित चालक को समाधानप्रद घोषित नहीं कर देता :  
परंतु किसी एक परीक्षण के लिए देय फीस किसी एक दिन के दौरान किसी चालक के लिए गए सभी परीक्षणों के लिए प्रभार्य होगा :  
परंतु यह और कि यदि दो या अधिक तडित चालक एक ही मैगजीन से संबद्ध हैं तो ऐसे सभी चालकों के परीक्षण के लिए फीस ऐसी किसी फीस से अधिक नहीं होगी जो किसी एक तडित चालक के परीक्षण के लिए हर स्थिति में विहित की गई है।

If the lightning conductor is tested by the Controller of Explosives, the licensee shall pay the fees prescribed for test. In the event of the test proving unsatisfactory, the same fees shall be payable by the licensee for each subsequent test until the lightning conductor is passed by the testing officer as satisfactory:

Provided that the fees payable for a single test shall be charged for all tests made on a conductor during any one day :

Provided further that where two or more lightning conductors are attached to one and the same magazine, the fee for the testing of all such conductors shall not exceed the fee prescribed in this condition for testing a single lightning conductor.

10. उपयुक्त तथा जेब रहित कार्यकरण वस्त्रों, उपयुक्त जूतों के प्रयोग द्वारा तथा तलाशी लेकर या अन्यथा अथवा ऐसे किन्हीं साधनों द्वारा इस बाबत सम्यक उपबंध किया जाएगा कि फैक्ट्री परिसर में अग्नि, दिक्सलाई अथवा ऐसी कोई वस्तुएं या पदार्थ, जिससे विस्फोट हो सकता है या आग लग सकती हो, किन्तु इस शर्त के कारण ऐसी संरचना, स्थिति या स्वरूप में किसी कृत्रिम बत्ती का प्रवेश वर्जित नहीं है जिससे आग लगने या विस्फोट होने का खतरा न हो :

परंतु इस शर्त का वह भाग, जो लोहे या इस्पात के अपवर्जन को लागू होता है, ऐसे किसी भवन के संबंध में बाध्य कर नहीं होगा जिससे भिन्न कोई विस्फोटक नहीं रखा गया है।

Due provisions shall be made, by the use of suitable working clothes without pockets, suitable shoes and by searching or otherwise or by such means, for preventing the introduction into danger area of the factory premises of fire, Lucifer matches or any substance or article likely to cause explosion or fire, but this condition shall not prevent the introduction of an artificial light of such construction, position or character as not to cause any danger of fire or explosion:

Provided that so much of this condition as applies to the exclusion of iron or steel, shall not be obligatory in a building in which no explosive other than an explosive of the 1st Division of the 6th (Ammunition) Class is kept.

11. अनुज्ञापितधारी प्ररूप अर.ई.-3 और अर.ई.-4 या अर.ई.-5, जैसी स्थिति हो, में सभी विस्फोटकों का अभिलेख और लेखा रखेगा और विस्फोटक नियम, 2008 के अधीन प्राधिकृत किसी भी अधिकारी के समक्ष उसके द्वारा ऐसा करने की मांग की जाने पर स्टॉक पुस्तक और अभिलेख प्रस्तुत करेगा। स्टॉक पुस्तक विहित प्रोफार्मा में पृष्ठ संख्यांकित होगी।

The licensee shall keep records and accounts of all explosives in Forms RE-3 and RE-4 or RE-5, as the case may be, and exhibit the stock books and records to any of the officers authorised under the Explosives Rules, 2008 whenever such officer may call upon him to do so. The stock books in the prescribed proforma shall be page numbered.

12. परिसरों में कोई परिवर्तन या तबदीली अनुज्ञापन प्राधिकारी के पूर्वानुमोदन बिना नहीं की जाएगी और अनुज्ञापितधारी ऐसी किसी शर्त का अनुपालन करेगा जो इस निमित्त अनुज्ञापन प्राधिकारी विनिर्दिष्ट करें।

No changes or alterations shall be carried out to the premises without prior approval of the licensing authority and the licensee shall comply with any condition that may be specified by the licensing authority in this behalf.

13. मैगजीन सभी समयों पर अच्छी मरम्मत की स्थिति में बनाई रखी जाएगी (या अच्छी हालत में बनाई रखी जाएगी)। यदि किसी कारणवश किसी विस्फोटक के भण्डारण के लिए मैगजीन अनुपयुक्त हो जाती है तो अनुज्ञापितधारी इस बात की सूचना अनुज्ञापन प्राधिकारी को तुरंत देगा।

Magazine shall at all times be kept in state of good repair (or maintained in good condition). The licensee shall report to licensing authority forthwith, if the magazine becomes unfit for storage of any explosives for any reason whatsoever.

मैगजीन का अनुज्ञापितधारी इन नियमों के नियम 24 के उप-नियम 3 के अनुसार त्रैमासिक विवरणी प्रस्तुत करेगा।

The licensee of the magazine shall submit quarterly return as per sub-rules (3) and (4) of rule 24 of these rules.

14. यदि सुरक्षा दूरी का कोई अधिक्रमण होता है तो उसकी सूचना अनुज्ञापन प्राधिकारी को आवश्यक सलाह और कार्यवाही के लिए तुरंत दी जाएगी।

Any encroachment of the safety distance shall be immediately communicated to the licensing authority for necessary advice and action.

15. यदि कोई विस्फोटक विनष्ट हुआ अथवा अनुपयोगी जाया जाता है तो उसकी सूचना अनुज्ञापन प्राधिकारी को, सलाह प्राप्त करने के लिए, तुरंत दी जाएगी।

The licensing authority shall be immediately informed for advice if any explosive is found deteriorated or unserviceable.

16. विस्फोटकों के पैकेटों के चट्टे इस प्रकार लगाए जाएंगे कि कम से कम एक व्यक्ति भण्डार किए गए सभी पैकेजों की हालत की जांच करने और प्रत्येक पैकेज की विनिर्माण विशिष्टियों को पढ़ने के लिए उनके बीच से होकर आ जा सके।

The explosive packages shall be stocked in such a way so as to allow movement of at least one person to check the condition of all packages stored and to read the manufacture particulars of each package.

तडित चालकों की भूमि के लिए प्रतिरोध यथासंभव न्यूनतम होगा और किसी भी दशा में 10 ओहम से अधिक नहीं होगा।

The resistance of the lightning conductor to earth shall be as low as possible and in no case be more than 10 ohms.

17. मैगजीन के चारों ओर 15 मीटर की दूरी के अंतर्गत कोई शुल्क घास या झाड़ी या ज्वलनशील सामग्री नहीं रहने दी जाएगी।

A distance of 15 meters surrounding the magazine or store house shall be kept clear of dried grass or bush or flammable materials.

18. विस्फोटकों के प्रत्येक पैकेट की, जब उसे मैगजीन के भीतर लिया जा रहा हो, ठीक दशा जानने के लिए परीक्षा की जाएगी।

Every package of explosive at the time of bringing inside the magazine shall be examined for its sound condition.

19. किसी मैगजीन / भंडारगृह में किसी एक समय में चार व्यक्तियों से अधिक को नहीं रहने दिया जाएगा।

Not more than 4 persons shall be allowed inside the magazine or store house at any one time.

20. विस्फोटकों के खाली पैकेजों को शीघ्रतिशीघ्र वहां से हटा दिया जाएगा और नष्ट कर दिया जाएगा।

Empty packages of the explosives shall be removed at the earliest and destroyed.

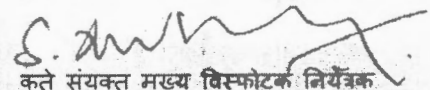
21. अनुज्ञापितधारी और कर्मचारीयों को परिसर के भीतर आपातकाल के दौरान की जाने वाली प्रक्रियाओं से अवगत होना चाहिए।

The licensee and the employee shall be conversant with procedure to be taken during the emergency within the premises.

22. निरीक्षण या नमूना अधिकारी को सभी युक्तियुक्त समयों पर अनुज्ञत परिसर में अबाध रूप से पहुंचने दिया जाएगा और यह सुनिश्चित करने के लिए कि अधिनियम और इन नियमों के उपबंधों और सुरक्षा स्थितियों को सम्यक्तः अनुपालन किया जा रहा है, अधिकारी को प्रत्येक सुविधा प्रदान की जाएगी।  
Free access to the licensed premises shall be given at all reasonable times to any inspecting or sampling officer and every facility shall be afforded to the officer for ascertaining that the provisions of the Act and these rules and the safety conditions are duly observed.
23. यदि अनुज्ञापन प्राधिकारी या विस्फोटक नियंत्रक अनुज्ञप्तिधारक को अनुज्ञात परिसरों या मशीनरी, दूल या उपकरण में ऐसी कोई मरम्मत या परिवर्धन या परिवर्तन करने या सिफारिशों को लागू करने को लिखित रूप में सूचित करता है जो परिसर के अंदर या बाहर या व्यक्तियों की सुरक्षा के लिए आवश्यक है, अनुज्ञप्तिधारक सिफारिशों को निष्पादित करेगा और विनिर्दिष्ट अवधि के भीतर अनुपालन रिपोर्ट ऐसे प्राधिकारी को देगा।  
If the licensing authority or a Controller of Explosives informs in writing, the holder of the licence to execute any repairs or to make any additions or alterations to the licensed premises or machinery, tools or apparatus or carry out recommendations, which are in the opinion of such authority may pose unacceptable risk and so necessary for the safety of either on-site or off-site of the premises or persons, the holder of the license shall execute the recommendations and report compliance within the period specified by such authority.
24. अनुज्ञप्तिधारी मैगजीन में रखने और बिक्री के लिए प्राधिकृत विस्फोटक सूची में उल्लिखित अनुज्ञत फैक्टरी या कंपनी से प्राधिकृत विस्फोटक / आतिशबाजी या सुरक्षा पत्ती खरीदेगा।  
The licensee shall purchase authorised explosives/ fireworks or safety fuse as mentioned in the list authorised explosives from a licensed factory or company for possession and sale from the magazine.
25. निम्न से अधिक ध्वनि स्तर उत्पादित करने वाले आतिशबाजियों पटाखों की बिक्री और रखने के लिए -  
(क) जो फटने की जगह से चार मीटर की दूरी पर है, 125 डी.बी.(ए1) या 145 डी.बी.(सी)पी.के. प्रतिबंधित होंगे;  
(ख) श्रृंखला (जुड़े हुए पटाख) को गठन करने वाले व्यक्तिगत पटाखों के लिए उपर्युक्त उल्लिखित सीमा 5 लॉग.10(एन) डी.बी. (सी) पी.के.प्रतिबंधित होंगे;  
The possession and sale of fire-crackers generating noise level exceeding;  
a) 125 dB(AI) or 145 dB(C)pk at 4 meters distance from the point of bursting shall be prohibited;  
b) For individual fire-cracker constituting the series (joined fire-crackers), the above mentioned limit be reduced by 5 log10 (N) dB, where N = number of crackers joined together.
26. आग या विस्फोट द्वारा दुर्घटना या नुकसान पटाखों की कमी या चोरी, तुरंत पास के पुलिस थाने और अनुज्ञापन प्राधिकारी और अनुज्ञापन प्राधिकारी के स्थानीय कार्यालय को रिपोर्ट की जाएगी।  
Accidents by fire or explosion and losses, shortage or theft of explosives shall be immediately reported to the nearest police station and the licensing authority and local office of the licensing authority.

**अतिरिक्त शर्तें / Additional Conditions :**

1. अनुज्ञप्तिधारी विदेशी मूल के आतिशबाजी को ना रखेगा ना ही उसकी बिक्री करेगा। The licensee shall not possess and sale fireworks of foreign origin.

  
कृते संयुक्त मुख्य विस्फोटक नियंत्रक  
For Joint Chief Controller of Explosives  
South Circle, Chennai  
कृते उप मुख्य विस्फोटक नियंत्रक  
For Deputy Chief Controller of Explosives  
एरनाकुलम Ernakulam



Form DE-2  
(See rule 113 of the Explosives Rules, 2008)  
(Distance Form to be attached to the licence)

Safety distances required to be kept clear around magazine for high explosives or fire works or factory licence number E/SC/KL/22/1222(E61052) in form LE-3 granted to Shri MOHANAN .Director, M/s.Royal Sands and Gravels Pvt.Ltd., Theparambil House, Thrithalloor West Post, Thrissur, Kerala-678686 .

Type of Structure(s)		Safety distances meters	
<b>Inside Safety Distances(ISD)</b>		<b>M</b>	<b>UM</b>
1	Room or Workshop used in Connection with the Magazine	11	17
2	Any other Explosives Magazine or store House or Factory of the Applicant		
3	Magazine Office		
<b>Middle Safety Distances(MSD)</b>			
4	Magazine Keeper's or Chowkidar's Dwelling house		
5	Railway including Minerals and Private Railways		
6	Canal (in active use) or other navigable water		
7	Dock or Pier or Jetty		
8	Public Highway or Public Road		33
9	Private Road which is PRINCIPAL means of access to a Temple, Mosque, Church, Gurudwara or other places of worships, Hospital, College, School or Factory		
10	River Embankment or Sea Embankment or Public Well		
11	Reservoir or Bounded tank/rope way		
12	Windmillor or Solar panel for Power Generation		
<b>Outside Safety Distances(OSD)</b>			
13	Dwelling House		
14	Govt. and Public Building		
15	Temple, Mosque, Church or Gurudwara or other Places of Worships		
16	Shops, Market place, Public recreation and Sports Ground, College, School, Hospital, Theater, Cinema or other Building where the public are accustomed to assemble		
17	Factory		
18	Buildings or Works used for the Storage in Bulk of Petroleum, Sprit, gas, or other inflammable or hazardous substances		
19	Building or Works used for Storage and Manufacture of Explosives or of articles which contain Explosives		45
20	Aerodrome		
21	Furnace, Kiln or Chimney		
22	Quarry or mine pit head		
23	Power House or Electric Substation		
24	Wireless Station		
25	Warehouse or other Storage Building		
26	Any other Protected works		
<b>Overhead Electric lines</b>			
27	Electric Power over head Transmission Lines above 440V		45
28	Electric Power over head Transmission Lines upto 440V		15

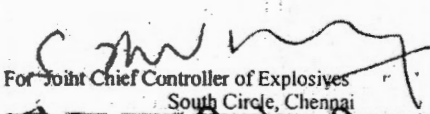
The Date : 06/05/2011

**Amendments :**

- Amendment of Quantity of Explosives/Monthly Purchase Limit dated : 30/08/2016

**Transfers :**

- Change in Licensee Name/Address/Status dated : 03/11/2011
- Change in Licensee Name/Address/Status dated : 13/09/2012

  
 For Joint Chief Controller of Explosives  
 South Circle, Chennai  
 कृति उप मुख्य विस्फोटक नियन्त्रक  
 For Deputy Chief Controller of Explosives  
 एरनाकुलम Emakulam

A28



കേരളം KERALA

AM 259574

## FORM - 'H'

(See Rule 32)

QUARRYING LEASE

This indenture made this the Twenty second day of August..... 2014 between the Governor of Kerala (hereinafter referred to as the "State Government" which expression shall, where the context so admits be deemed to include his successors and assigns) of the one part and M/s Royal Sand & Gravels (P)Ltd., Plaza Junction, Dhoni(P.O), Palakkad - 678009 represented by Sri. Mohammed Fazeel, Managing Director aged 35 years son of Sri. Abdul Salam resident of Theparambil House, Thrithalloor West (P.O), Trissur Dist. - 680619, in the village of Akathethara, taluk of the Palakkad, Palakkad District (hereinafter called the "lessee" which expression shall where the context so admits, include his executors, administrators, representatives and permitted assigns) of the other part.

For Royal Sand and Gravels pvt. Ltd.

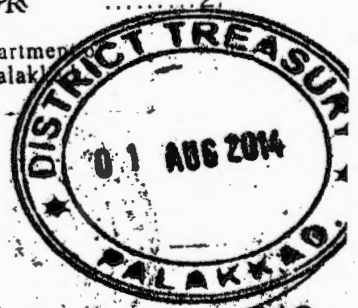
Mohammed Fazeel

Managing Director 22/8/2014

no. 2868 Rs 100/- paid to  
 Muhammed Fazeel. T.A.  
 mg Director of Royal  
 Sand & Gravels (P) Ltd  
 Dhoni 22.8.2014

M.C. KISHOR  
 Geologist  
 District Office of the Department  
 Mining and Geology, Palakkad

N.S. GANESAN  
 SUB COURT VENDOR  
 [TEMPORARY]  
 PALAKKAD



For Royal Sand and Gravels pvt. Ltd.

Mohammed Fazeel

Managing Director 22/8/2014

For Royal Sand And Gravels (P) Ltd.  
 Managing Director

M.C. KISHOR  
 Geologist  
 District Office of the Department of  
 Mining and Geology, Palakkad.

A29

1882

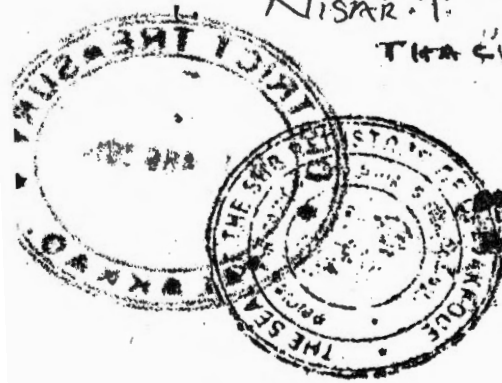
the 2<sup>nd</sup> day of Sep by 2014

26<sup>th</sup> Sep 2014

*Sivadas Viswanath*  
Sub Registrar

1) Mohammed Farzeel. *Chief*  
 Sr. Abdul Salam Mg. Director  
 for rps Royal Sand & Gravels & Ldd) Recording  
 2) The present bill House Treasurer  
 I have sacrificed my self as to the excuse  
 of this 10 Army cut by Sr. M. S. Kishor Gole  
 1st - 090 Dept of Mining and Geology who is  
 exempted from Personal appearance 1/2 (1) of 12  
 Identified by

NISAR.T. NM S/O. T.K. YOUSUF. THOTTITHODY HOUSE  
THA CHAMPARA (PO) PALAKKAD. 678593 (Business)



Sub Register  
Glasgow

A30

Witnesseth that in consideration of the rents and royalties and lessee covenants, hereinafter reserved and contained the State Government both hereby demise upto the lessee the land measuring 7.0655 hectares described in the schedule hereunder the delineated on the plan here to annexed and therein coloured red (hereinafter called the "said lands") to hold the same for a period of 12 (twelve) years commencing from the Twenty Second ... day of August 2014 and ending on the Twenty first ..... day of August 2026 for the purposes of extracting minor minerals and subject to the terms and conditions contained in the Kerala Minor - Mineral Concession rules, 1967 (hereinafter referred to as "the Rules") and to the terms and conditions hereinafter appearing.

1. The lessee shall have the right in and upon the said lands to extract Granite Building Stone (hereinafter called the said mineral) and to do all acts necessary for the extraction of the said mineral including the erection on the said lands, buildings and plant required for the purposes and also to take lead and carry away over the said lands and to dispose off the said minerals extracted as aforesaid.
2. The lessee shall during the subsistence of this lease have the liberty to work the said mineral and remove the same from the quarry hold on permits issued by the State Government /Competent authority or any other officer authorised by him in this regard. The permits shall be issued only on the basis of pre-paid royalty at the rates specified in schedule I to these Rules. The royalty rates shall be subject to revision from time to time as the State Government may order.
3. The lessee shall pay to the State Government an yearly surface rent equal to the land revenue if any, assessable under the rules for the time being the force, or if the land be the property of Government or in reserve forest then equal to the land revenue plus cess, if any per hectare of the land the surface whereof shall be occupied or used by the lessee for any of the purposes of this demise and so in proportion for any area less than a hectare. The said surface rent shall be paid by yearly payments, the first of such payments to be made on or before the last day of the first year of occupation provided always that no such rent shall be paid or demanded in respect of any roads or ways now in existence.
4. The lessee shall at all time during the currency of this demise keep correct and intelligible books of account showing accurately the quantity of the said minerals extracted and the weight and value of the said mineral sold or exported together with the names of the purchasers or consignees. The lessee shall also, maintain a register of employees showing therein separately men, women and children employed daily and shall at all reasonable times allow the competent authority appointed under the rules (hereinafter referred to as "competent authority") or the officer authorised by him/her/them to examine the said books of account and the register of employees and to take copies and extracts there from. The lessee shall submit reports in Forms 'F' and 'G' on the specified dates.

For Royal Sand and Gravels pvt. Ltd.

Mohammed Fazeel

Managing Director

22/8/2014

For Royal Sand And Gravels (P) Ltd.  
Managing Director

M.C. KISHOR  
Geologist

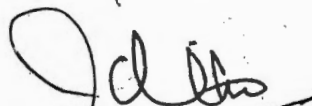
District Office of the Department of  
Mining and Geology, Palakkad.

A31

~~Abdul Mateed. alias: S/o MUHAMMED. KAYAMKULAM HOUSE.~~  
~~P.O. ENKAKAD. WAOAKAN CHERY. THRISSUR. PRISONER.~~

ABDULMATEED. alias: S/o MUHAMMED. KAYAMKULAM HOUSE.  
P.O. ENKAKAD. WAOAKAN CHERY. THRISSUR. PRISONER.

26<sup>th</sup> Sep 2014

  
Sivadas Viswanath  
Sub Registrar

Registered as No. ---  
1980 Book 1 volume ---  
as pages --- to ---  
Sheet --- Sheet

Sub Registrar

  
Sivadas Viswanath  
Sub Registrar

26<sup>th</sup> Sep 2014



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5. All sums found due under or by virtue of this deed from the lessee may be recovered from him jointly and severally from them and his/her/their properties movable and immovable under the provisions of the Revenue Recovery Act for the time being in force as though such sums are arrears of land revenue or in any other manner as the State Government may deem fit.
6. The lessee shall at the lessee's own expense erect and at all time maintain and keep in repair boundary marks and pillars along the boundaries of the said lands according to the demarcation shown in the plan hereto annexed.
7. No quarrying operations or working shall be carried on or permitted to be carried on by the lessee in or under the said lands at any point within a distance of 75 meters from any railway line except with the previous permission in writing of the railway administration concerned; and from any bridge on the National Highway or 50 meters from any reservoir, canal or other public works such as public roads and buildings or inhabited site, burial ground etc. shown on the plan thereto annexed except with the previous permission in writing of the State Government / competent authority or otherwise than in accordance with such instructions, restrictions and condition either general or special which may be attached to such permission. The said distance of 50 meters shall be measured in the case of a railway, reservoir, or canal horizontally from the outer edge of the bank or outer edge of the cutting, as the case may be and in the case of a building horizontally from the plinth thereof. In the case of village roads no workings shall be carried on within a distance of 10 meters of the outer edge of the cutting except with the previous permission in writing of the State Government / competent authority. For the purposes of this clause the expression "railway and railway administration" shall have the same meaning as defined in sub section (4) and (6) of section 3 of Indian Railway Act, 1890 (IX of 1890).
8. The sides of open workings shall sloped, stepped or secured by the lessee in such a manner as to prevent danger from falls of material, when an open working is worked in steps, steps shall be of sufficient breadth in relation to their height to secure safety. In open workings trees liable to fall and all loose ground and material shall be removed by the lessee sufficiently far from the edge or otherwise made source in order to prevent danger to persons employed in the quarry.
- \*9. If a working place is found to be unsafe all persons shall be withdrawn by the lessee immediately from the dangerous area and all access to such working place except for the purpose of removing the danger of saving life shall be prevented by securely fencing the full width of all entrances to the place.
10. The lessee shall at all reasonable times allow any officer authorised by the Central Government or by the State Government in that behalf to inspect the said lands and the buildings and plants erected thereon and the lessee shall assist such persons in conducting the inspection and afford them all information they may reasonably require, and shall conform to and observe all orders which the Central and State Governments as the result of such inspection or otherwise, may from time to time pass.

of Royal Sand and Gravels pvt. Ltd

hummed Farzeel / 02/8/2014

For

Managing Director

M. C. KISHOR  
Geologist  
District Office of the Department of  
Mining and Geology, Palakkad.

A33

DEC 2 - 1950  
EC - 1950  
Sub-Registrar  
Slavakia



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- 10A The lessee shall be responsible for implementing the provisions of the various labour laws applicable, from time to time to the quarry.
11. The lessee shall not assign or underlet the said lands or any part thereof or the rights or privileges, therein hereby granted or any of them without the previous permission in writing of the State Government / Competent authority
- 11A Where the lease or any right, title or interest therein has been assigned, sublet or transferred as provided in rule 34 read with condition 11, then the person in whose favour such assignment, sublease or transfer has been made shall be responsible for implementing the provisions of the various labour laws applicable, from the time to time, to the quarry.
12. The lease may be surrendered by the lessee at any time after 3 months notice in writing to the State Government / Competent authority. Provided that the lessee has paid all sums due on account of the lease. Provided further that if the lessee elect to determine this lease before the expiry of the term of the lease, shall pay in addition to other dues a sum equal to the dead rent payable for the remaining part of the terms of the lease deed.
13. On the expiration of the term of this lease or on its earlier determination under clause 12 the lessee shall pay to the State Government for all land which has been rendered useless for agriculture through the exercise of the powers demised by this lease such sum as the District Collector may fix as equivalent to the capitalized value or the land revenue of such land rendered useless. The lease shall continue if the sums are not cleared before the date of determination of notice.
14. If the lessee shall be desirous of taking a further lease of the said lands for a further term of years he/they shall give three months previous notice in writing of such desire to the State Government / Competent authority and if the lessee has duly observed all the conditions of this lease, the State Government / competent authority may agree to renew the lease for such further term and on such terms and conditions as the State Government / competent authority may determine which shall be in accordance with the provisions of these rules.
15. If the lessee shall at any time during the said term use the said lands or any part thereof in any manner other than as authorised by this lease or fail to carry on quarrying operations continuously without sufficient cause of which the State Government / competent authority shall be the judge or shall commit a breach of any of the conditions of this lease it shall be lawful for the State Government / competent authority to cancel this lease and take possession of the said lands or in the alternative to receive from the lessee such penalty for the breach not exceeding five times the amount of the said yearly dead rent as the State Government / competent authority may fix.

For Royal Sand and Gravels, pvt. Ltd

Mohamed Fazeel

Managing Director

22/8/2014

M.C. KISHOR  
Geologist

District Office of the Department of  
Mining and Geology, Palakkad.

Form 2 - 2-1-1 of 1968  
B-12 C. Sheet - Sheet  
Sub Register  
Cleveland



16. If at the expiration of three calendar months after the expiry of the lease or its sooner determination, there shall remain in or upon the said lands, any engines, machinery, plant buildings, structures and other works erections and conveniences the said minerals or other property which the lessee is entitled to remove from the said lands, the same shall, if not removed by the lessee within one calendar month after notice in writing requiring their removal be given to the lessee by the State Government / competent authority be deemed to become the property of the State Government in such manner as they may deem fit without liability to pay any compensation or to account to the lessee in respect thereof.
17. This lease is subject to all rules and regulations which may from time to time be issued by the State Government regulating the working of the quarries and other matters affecting the safety, health and convenience of the lessee's employees or of the public, whether under the Indian Mines Act or other wise.
18. The lessee shall without delay send to the District Collector and the competent authority or the officer authorised by him in this regard report of any accident causing loss of life or serious bodily injuries or seriously affecting or endangering life or property which may at any time occur at or in the said lands in the course of operations under this lease.
19. The lessee shall furnish such reports and returns relating to output, labourers employed and other matters as the State Government may prescribe.
20. The lessee shall make and pay such reasonable satisfaction and compensation as may be assessed by lawful authority in accordance with the law in force on the subject for all damage, injury or disturbance which may be done by him/them in exercise of the powers granted by this lease and shall indemnify and shall keep indemnified fully and completely the State Government against all claims which may be made by any person or persons in respect of any such damage, injury or disturbance and all costs and expenses in connection therewith.
21. Any condition prescribed in the Kerala Minor Mineral Concession Rules, 1967, but left out in this lease which may be found applicable to the lessee shall be treated as binding on the lessee. In this case anticipated royalty for the mineral at the rate of Rs.16/- (Rupees Sixteen only) per tonne for a period of one year is Rs.16,00,000/- (Rupees Sixteen Lakhs only).
22. Dead rent realizable at the rate of Rs. 1<sup>st</sup> year Nil, 2<sup>nd</sup> year Rs.200/- and 3<sup>rd</sup> year onwards Rs.800/- per hectare subject to revision from time to time. Surface rent at the rate of Rs.200/- (Rupees Two hundred only) per hectare for 7.0655 hectare per year is Rs.1413/- (Rupees One thousand four hundred and thirteen only) security deposit is Rs.1,000/- (Rupees One thousand only).

For Royal Sand and Gravel Pvt. Ltd.

Mohammed Fazeel


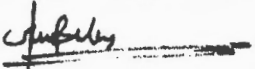
Managing Director

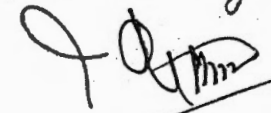
22/8/2014


M.C. KASHOR  
Geologist

District Office of the Department of  
Mineral and Geology, Palakkad



Duplicate one :- There are no differences between the --  
Original document and this Duplicate There are no Interlineations  
Compared by Reader Thaufeeque Rahman   
by Examiner Sureshbabu P.D. 

26<sup>th</sup> day of September 2014 Sivadas Viswanath Sub Registrar  


Sub Registrar  
Dharmadole,  




The schedule above referred to Description of Land

District Taluk	Village	Re-Survey No. of the area	Area in Hectares
Palakkad Palakkad	Akathethara	2/P 14/P 15/P 16/1P Block No.25	7.0655 Hectares

Bounded by

Sy. Nos.

On the North by : 2P, 15P, 16/1

On the East by : 16/1, 14P, 15P

On the South by : 14P, 15P, 2P

On the West by : 2, 3

In witness whereof the parties hereto have set their hands hereunto on the day and year first above written

Signed by .....

for and on behalf of the Governor of Kerala

*[Signature]*  
22/8/2014  
M. C. KISHOR  
Geologist  
District Office of the Department of  
Mining and Geology, Palakkad.

In the presence of

1. Vinod M. V., Assistant Geologist.

District Office of the Department of Mining and Geology,  
Palakkad.

*[Signature]*  
22-08-2014

2. Sunil Kumar R., Assistant Geologist

District Office of the department of mining and geology,  
Palakkad.

*[Signature]*  
22-08-14

Signed by .....

for and on behalf of the lessee

For Royal Sand and Gravels Pvt. Ltd

*[Signature]*  
Mohammed Fazeel / M. Creel  
Managing Director 22/8/2014

1. NISAR . T  
S/O: T. K. YOUSUF  
THOTTITHUDY HOUSE  
TIRUCHANAPURAM

2. MOHAMMED SHEBEER. M. B  
S/O: KUNJIMAN  
MAMMASRIYILATH  
D.O. PADDOOR

*[Signature]*  
M. Sheb ar m B

A39

# CERTIFICATE

B- 4797/14

24/9/2014

Certified that an amount of Rs. 2,25,044/- (Rupees Two Lakhs Twenty Five Thousand ~~One~~ AND FORTY FOUR ONLY) has been remitted by The Managing Director, m/s. Royal Sand and Gravels (P) Ltd, Dhoni (P) Palakkad Vide Chalan No. 189 dtd. 23/9/14 at Sub Treasury, Palakkad towards adjudication fees of Quarrying Lease deed. Now the document is stamped as per law. No responsibility about the contents of this deed is accepted by this Office.



Revenue Divisional Officer  
Palakkad. 24/9/14

A40

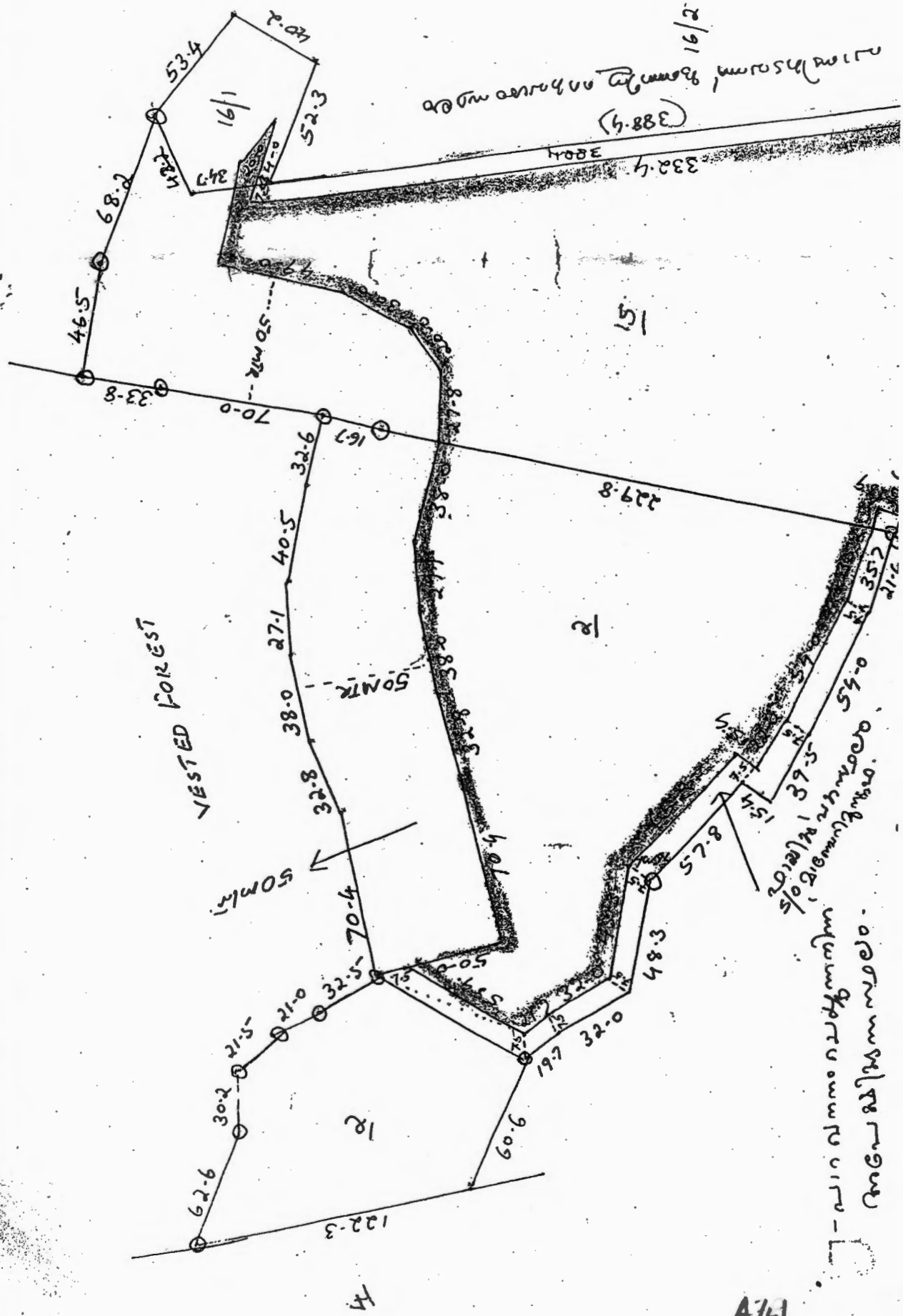
DISTRICT PALAKKAD

ALUR PALAKKAD.

FIELD No: 2, 14, 15, 16/1

VILLAGE- AKATHE THARA

BLOCK No: 25



A41

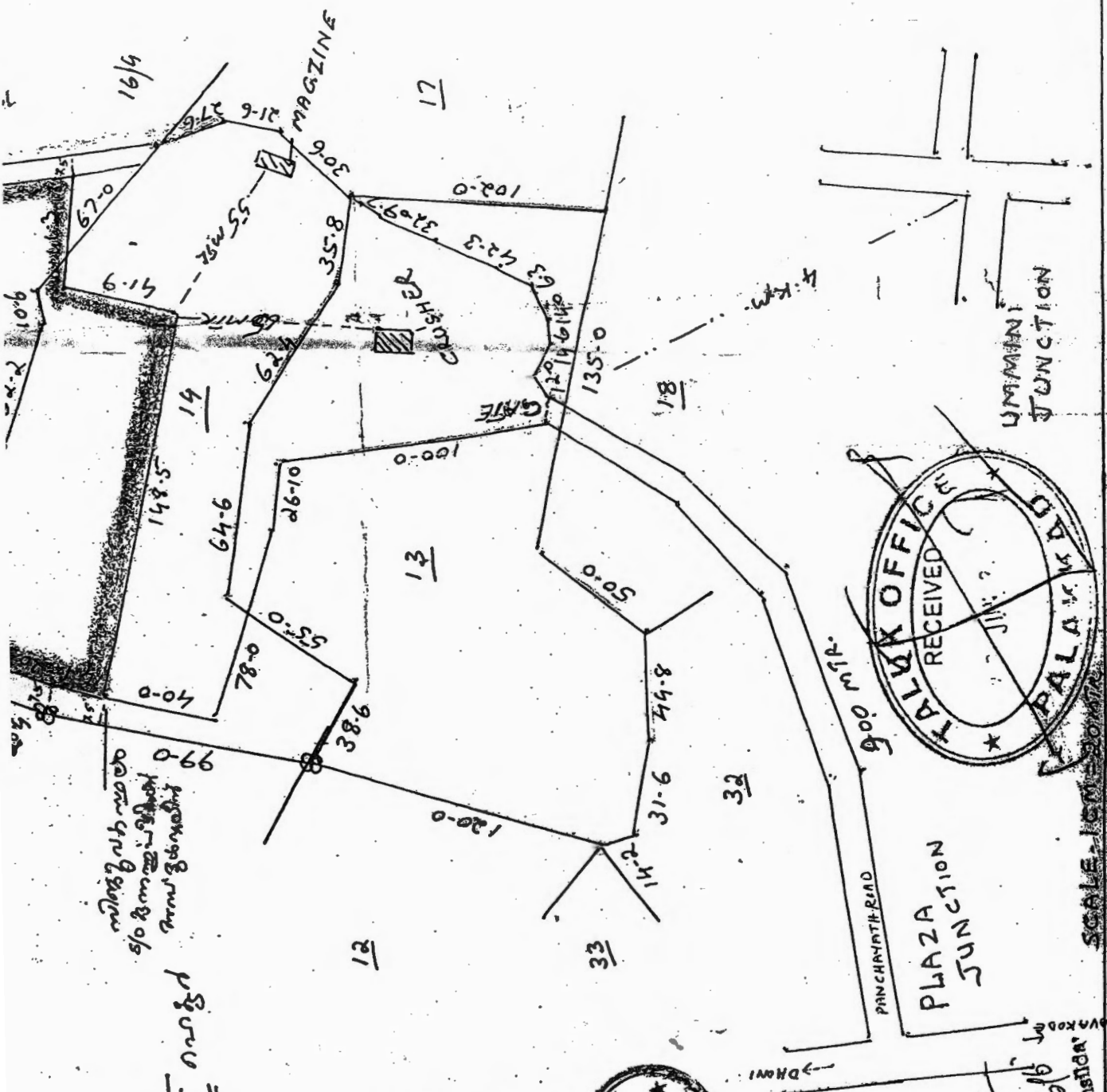
14/P- 1-5973  
 15/P- 2-6318  
 16/P- 0-0203  
7-0655 noted



*Copy to*  
 VILLAGE OFFICER  
 KATHALAKARA  
 PALAKKAD

This sketch is allowed to produce before Geology & Mining Subdivison for identifying location only

By *[Signature]* 26/6/66  
 Assistant Tahsildar  
 Palakkad.







കേരളം KERALA

M 843631

Presented by  
Mohammed Fazeel

## ADDITIONAL QUARRYING LEASE

(Additional quarrying lease as per Judgment dt. 22.01.2020 of the Hon'ble High Court of Kerala in WP (C) No. 1459/2020)



THIS INDENTURE made on this the 12<sup>th</sup>  
day of Feb 2020 between the Governor of Kerala (hereinafter referred to as the "State Government" which expression shall, where the context so admits be deemed to include his successors and assigns) of

For ROYAL SAND AND GRANITE PVT. LTD.

LESSOR

GEOLOGIST  
District Office of the Department  
Mining and Geology, Palakkad  
PIN : 578 014

LESSEE

Mohammed Fazeel

VALUE Rs

26,192

SOLD TO

1000/-

DATED ON

Mohammed Fazeel

Managing Director

M/s: Royal Sand and Granite Pvt Ltd

Phone: Palakkad - 678009/11-2-2020

R. SARASWATHY  
Collectorate Vendor  
PALAKKAD



A43

Duplicate 2

433/1/2020

Presented in the office of the Sub Registrar of Ottavakkode

with the Photographs and Finger Prints of the Signers /

Witnesses and Fronted under section 22 A and

Reg of Rules 234675/2 3rd March 2020

March 2020 by

MOHAMMED FAZEEL T.A. *Muzaceel*  
Residing at The parambil, Vadanappally, Thrikkal, Thiruvananthapuram District

Execution Admitted By 3rd March 2020

*Vasudevan Cherumukkil*  
Sub Registrar

(1)

MOHAMMED FAZEEL T.A. *Muzaceel*  
S/o Abdul Salam Managing Director M/S Royal Sand and Gravel  
Jels Pvt Ltd, residing at The parambil, Vadanappally,  
Thrikkal, Thiruvananthapuram District

(2) I have satisfied myself as to the execution of this instrument by  
Dr. Sooraj S geologist district office of Department of Mining and Geology  
for and on behalf of Government of Kerala who is exempted from personal  
identification by appearance under section 85(1) of Indian Registration Act

NISAR.T (Business) S/o: T.R. YOUSUF. Thoddy House. Thachampara 680523

Palakkad. 688593

MOHAMMED SHEEBER.M.K *M. Sheeb M.K* S/o: KUNJIMON

DRIVER MAMMASRAYILLATH HOUSE POST PADDOOR THRISSUR 680524



3rd March 2020

Registered as Doc. No. 433/1/2020  
Of Book 99  
Page From 241 to 246  
5 Sheets

3rd March 2020

*Vasudevan Cherumukkil*  
Sub Registrar

*Vasudevan Cherumukkil*  
Sub Registrar

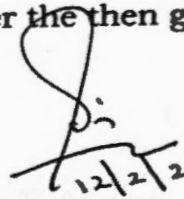
A44

the one part and M/s. Royal Sand and Gravels Pvt. Ltd., Plaza Junction, Dhoni P. O, Palakkad District – 678 009 (Represented by its Managing Director, Shri. Mohammed Fazeel, Aged 40 years, S/o. Abdul Salam, Residing at Theparambil, Vadanappally, Trithalur West P. O, Thrissur District – 680 619 (Aadhaar No. 6925 2715 6240) (hereinafter called the “lessee/lessees” which expression shall where the context so admits, include his/their heirs, executors, administrators, representatives and permitted assigns) of the other part.

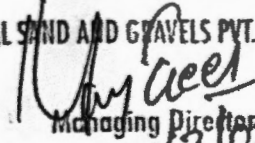
1. Whereas by order No. 281/2014-15/8473/M3/2014 dated. 02/08/2014 of the Director of Mining & Geology, a quarrying lease was granted to M/s. Royal Sand and Gravels Pvt. Ltd., Plaza Junction, Dhoni P. O, Palakkad District – 678 009 to quarry granite (building stones) over an area of 7.0655 Hectares of Private land comprised in Sy. Nos. 2/P, 14/P, 15/P, 16/1P, Block No. 25 of Akathethara Village of Palakkad Taluk, Palakkad District for 12 years as per Kerala Minor Mineral Concession Rules 1967.

2. Whereas a quarrying lease deed was registered on 26.09.2014 as No. 2486/2014 in Book No. I Volume No. 850, Pages 343 to 350 of Sub. Registrar Office, Olavakkodu.

3. Whereas the quarrying lease deed was executed for an average annual production of 1,00,000 metric tonnes of granite (building stone) as per the then grant order.

  
12/2/2020  
**LESSOR**  
GEOLOGIST  
District Office of the Department  
Mining and Geology, Palakkad  
PIN : 678 014

For ROYAL SAND AND GRAVELS PVT. LTD.

  
Managing Director  
12/02/2020

**LESSEE**

Mohammed Fazeel T N

4. Whereas when the Kerala Minor Mineral Concession Rules 2015 came into force, mining plan and prior environmental clearance was made mandatory for grant of quarrying lease and the existing lessees were required to submit approved mining plan and permitted to mine the quantity specified in the approved mining plan.

5. Whereas the Hon'ble High Court of Kerala in Binoy Kumar Vs. State of Kerala case (2019 (2) KLT 227) has inexorably postulated that the person holding a valid quarrying lease from the Government can only extract the quantity permitted in the order granting the lease

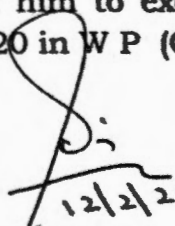
6. Whereas the Mining and Geology Department restricted the annual production in the quarry as per the quantity allowed in the order granting the lease, in obedience to the above said judgment.

7. Whereas the Hon'ble High Court in WP (C) No. 1459/2020 permitted to issue additional quarrying lease to the lessee if the lessee possesses environmental clearance and approved mining plan.

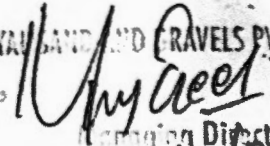
8. Whereas the lessee is in possession of valid environmental clearance (No. 160/SEIAA/KL/3490/2013 dated. 24.05.2014 and 160/SEIAA/KL/3490/2013 dated 16.02.2019) granted and renewed by the State Environment Impact Assessment Authority, Kerala and is in possession of approved mining plan.

9. Whereas in the approved mining plan average annual production estimated is 3,00,000 tonnes which is 2,00,000 tonnes higher than the existing lease deed.

10. Whereas the lessee has submitted application dated 04.02.2020 to permit him to execute additional lease deed as per the judgement dated 22.01.2020 in W P (C) No. 1459/2020

  
12/2/2020  
**LESSOR**  
Dr. Sooraj S  
GEOLOGIST  
District Office of the Department  
Mining and Geology, Palakkad  
PIN : 678 014


For ROYAL SAND AND GRAVELS PVT.LTD.

  
Managing Director  
12/02/2020  
**LESSEE**  
Mohammed Ibrahim

11. Whereas as per Pro. Order No. 642/2019-20/11126/M3/2019/DMG dated. 06.02.2020 permission was granted to enhance the average annual quantity of extraction from 1,00,000 tonnes to 3,00,000 tonnes and to execute additional lease deed

Witnesseth that in consideration of the rents and royalties and lessee's covenants, hereinafter reserved and contained the State Government hereby enhance the quantity of annual extraction of granite (building stones) from 1,00,000 tonnes to 3,00,000 tonnes from the land measuring 7.0655 hectares (described in the schedule and on the plan annexed to the original lease deed) for a period commencing from the date of registration of additional lease deed and ending on 21.08.2026 subject to additional terms and conditions in the Proceedings order No. 642/2019-20/11126/M3/2019 /DMG dt. 06.02.2020 mentioned above

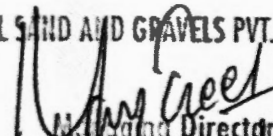
In this case, for the purpose of stamp duty, the enhanced average yearly production of granite (building stones) is **2,00,000** tonnes and the royalty per annum for the enhanced quantity is **Rs. 48,00,000 (Rupees forty eight lakhs only)**, at the present rate of royalty of **Rs. 24/-** per tonne.

  
12/2/2020

**LESSOR**

Dy. Surveyor  
GEOLOGIST  
District Office of the Department  
Mining and Geology, Palakkad  
PIN : 678 014

For ROYAL SAND AND GRAVELS PVT.LTD.

  
Managing Director  
12/02/2020

**LESSEE**

Mohammed Ismail T B



In witness whereof the parties hereto have set their hands here unto on the day and year first above written.

Signed by LESSOR..... 12/2/2020  
for and on behalf of the Governor of Kerala.

Dr. Sooraj S  
GEOLOGIST

In the presence of District Office of the Department  
Mining and Geology, Palakkad  
PIN : 678 014

(1) K. SIRAJ, MINERAL REVENUE INSPECTOR,  
DISTRICT OFFICE, DEPT. OF MINING AND GEOLOGY,  
PALAKKAD

12/2/2020

(2) E.T. Sobha, Senior clerk (Higher Grade 15 years)  
Dist. office, Dept. of mining and Geology,  
Palakkad

12/2/2020

Signed by **Mohammed Fazeel**  
for and on behalf of the LESSEE

In the presence of

(1) ~~Signature~~ 12/02/2020 **MUHAMMAD SADIQUE T.A.**  
ASHIRWAD, M.M. ROAD,  
KOCHI - 682 018

(2) 12/2/2020 **NISAR T**  
THOTTATHODY HOUSE  
THOZHAR PARA POSE  
PALAKKAD. 678593

**LESSOR**

Dr. Sooraj S  
GEOLOGIST  
District Office of the Department  
Mining and Geology, Palakkad  
PIN : 678 014

For ROYAL LAND AND TRAVELS PVT.LTD.

**LESSEE**

**Mohammed Fazeel T.A.**



# POLUCHEM LABORATORIES (P) LTD.

CHEMICAL, ENVIRONMENTAL AND MICROBIOLOGY LABORATORY

PALLATH BUILDING, N. KALAMASSERY P. O., ERNAKULAM - 683104

Phone : 0484-2544030, 8281982322, 9747400085, 9747400089, www.poluchem.com, poluchem@gmail.com

ACCREDITED BY KSPCB AS "A" GRADE LABORATORY

## TEST REPORT

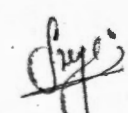
Page 01 of 01

<b>Client Name &amp; Address</b>	<b>Certificate No:</b>	<b>PL/AMB/RT/3681/2021</b>
M/s.Royal Sand&Granites(P) Ltd Dhoni Plaza Junction Dhoni P.O. Palakkad.	<b>Date of issue:</b>	30/03/2021
	<b>Date of monitoring</b>	25/03/2021
	<b>Date of sample received:</b>	26/03/2021
	<b>Date of analysis</b>	26/03/2021
	<b>Monitoring Location</b>	M/s.Royal Sand&Granites(P) Ltd Survey Nos.2,15 Village – Akathithara Taluk- Palakkad Panchayath-Akathithara Dist.- Palakkad, Kerala.
	<b>Sample description</b>	Ambient air – Near East side boundary
	<b>Sample code given by client</b>	Nil

SL NO	PARAMETERS	TEST METHOD	RESULTS	Limit as per NAAQS
01	Particulate Matter (PM <sub>10</sub> )	I S 5182 Part 23 2006RA2012	54.2 µg/m <sup>3</sup>	100 µg/m <sup>3</sup>
02	Particulate Matter (PM <sub>2.5</sub> )	CPCB	34.5 µg/m <sup>3</sup>	60 µg/m <sup>3</sup>
03	Sulphur dioxide	I S 5182 Part 2 2001RA2017	4.6 µg/m <sup>3</sup>	80 µg/m <sup>3</sup>
04	Nitrogen dioxide	IS 5182 Part 06 1975RA2017	3.4 µg/m <sup>3</sup>	80 µg/m <sup>3</sup>

Note: NAAQS-National Ambient Air Quality Standards

\* End of the Report\*

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SREEJA RAMESH  
QUALITY MANAGER  
POLUCHEM LABORATORIES (P) LTD.

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## TEST REPORT

Page 01 of 01

Ref.No. PL/RT/OW/3684/2021

Name & address of customer

Date of Issue: 30/03/2021

: M/s.Royal Sand&Granites(P) Ltd

Survey Nos.2,15

Village – Akathithara

Taluk- Palakkad

Panchayath-Akathithara

Dist.- Palakkad, Kerala.

Sample drawn by

Sample description

Location of sampling

Date of sample collected

Date of analysis started

Date of completion of analysis

: Poluchem Laboratory Sample Collector

: Drinking Water

: Borewell Water-Out Side-South Side

: 25/03/2021

: 26/03/2021

: 30/03/2021

Parameters tested	Test method	Results	Acceptable Limit As Per IS 10500-2012
Color	IS 3025 (P) 04 – 1983 RA2017	4 Hazen Unit	5 Hazen Unit
Odour	IS 3025 (P) 05 – 1983 RA2017	Agreeable	Agreeable
Turbidity	IS 3025 (P) 10 – 1984 RA2017	BDL	1 NTU
pH	IS 3025 (P) 11 – 1983 RA 2017	6.54	6.5 – 8.5
Total Dissolved Solids	IS 3025 (P) 16 – 1984 RA2017	87 mg/l	500 mg/l
Total Hardness as CaCO <sub>3</sub>	IS 3025 (P) 21 – 1983 RA2014	36.2 mg/l	200 mg/l
Total Alkalinity as CaCO <sub>3</sub>	IS 3025 (P) 23 – 1986 RA2014	21.4 mg/l	200 mg/l
Residual Chlorine	IS 3025 (P) 26 – 1986 RA2014	BDL	0.2 mg/l
Chloride as Cl <sup>-</sup>	IS 3025 (P) 32 – 1988 RA2014	20.3 mg/l	250 mg/l
Calcium as Ca	IS 3025 (P) 40 – 1991 RA2014	4.65mg/l	75 mg/l
Magnesium as Mg	IS 3025 (P) 46 – 1994 RA2014	1.24 mg/l	30 mg/l
Total Iron as Fe	IS 3025 (P) 53 – 2003 RA2014	0.34 mg/l	1.0 mg/l
Sulphate as SO <sub>4</sub>	IS 3025 (P) 24 – 1986 RA2009	5.4 mg/l	200 mg/l
Fluoride as F	IS 3025 (P) 60 -2008 RA 2013	BDL	1.0 mg/l
Zinc as Zn	IS 3025 (P)49 – 1994 RA2014	BDL	5 mg/l
Manganese as Mn	IS 3025(P) 59– 2006 RA2017	BDL	0.1 mg/l
Cadmium as Cd	IS 3025(P) 41– 1992 RA2014	BDL	0.003 mg/l
Lead as Pb	IS 3025(P) 47– 1994 RA2014	BDL	0.01 mg/l
Coliforms(MPN/100ml)	IS 1622: 1981 RA 2009	Absent	Absent
Ecoli (Present or Absent/100ml)	IS 1622: 1981 RA 2009	Absent	Absent

Note : BDL – Below Detection Level

For Poluchem Laboratories (P) Ltd.

SREEJA RAMESH

QUALITY MANAGER

Authorized signatory

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## TEST REPORT

Page 01 of 01

Ref.No. PL/RT/SW/3685/2021

Name & address of customer

Date of Issue: 30/03/2021

: M/s.Royal Sand&Granites(P) Ltd

Survey Nos.2,15

Village – Akathithara

Taluk- Palakkad

Panchayath-Akathithara

Dist.- Palakkad, Kerala.

Sample drawn by

: Poluchem Laboratory Sample Collector

Sample description

: Water Sample

Location of sampling

: Quarry Water-Out Side-South Side

Date of sample collected

: 25/03/2021

Date of analysis started

: 26/03/2021

Date of completion of analysis

: 30/03/2021

Parameters tested	Test method	Results	Acceptable Limit As Per IS 10500-2012
Color	IS 3025 (P) 04 – 1983 RA2017	8 Hazen Unit	5 Hazen Unit
Odour	IS 3025 (P) 05 – 1983 RA2017	Agreeable	Agreeable
Turbidity	IS 3025 (P) 10 – 1984 RA2017	3 NTU	1 NTU
pH	IS 3025 (P) 11 – 1983 RA 2017	5.64	6.5 – 8.5
Total Dissolved Solids	IS 3025 (P) 16 – 1984 RA2017	87 mg/l	500 mg/l
Total Hardness as CaCO <sub>3</sub>	IS 3025 (P) 21 – 1983 RA2014	36.4 mg/l	200 mg/l
Total Alkalinity as CaCO <sub>3</sub>	IS 3025 (P) 23 – 1986 RA2014	21.3 mg/l	200 mg/l
Residual Chlorine	IS 3025 (P) 26 – 1986 RA2014	BDL	0.2 mg/l
Chloride as Cl <sup>-</sup>	IS 3025 (P) 32 – 1988 RA2014	24.6mg/l	250 mg/l
Calcium as Ca	IS 3025 (P) 40 – 1991 RA2014	6.5mg/l	75 mg/l
Magnesium as Mg	IS 3025 (P) 46 – 1994 RA2014	3.2 mg/l	30 mg/l
Total Iron as Fe	IS 3025 (P) 53 – 2003 RA2014	0.68 mg/l	1.0 mg/l
Sulphate as SO <sub>4</sub>	IS 3025 (P) 24 – 1986 RA2009	BDL	200 mg/l
Fluoride as F	IS 3025 (P) 60 -2008 RA 20130	BDL	1.0 mg/l
Biochemical Oxygen Demand (3 days at 27 <sup>o</sup> C)	IS 3025 (P) 44 – 1993RA 2014	3.2 mg/l	–
Chemical Oxygen Demand	IS 3025 (P) 58 – 2006 RA2017	16 mg/l	–
Dissolved Oxygen	IS 3025 (P) 44 – 1989RA 2014	4.8 mg/l	–
Zinc as Zn	IS 3025 (P)49 – 1994 RA2014	BDL	5 mg/l
Manganese as Mn	IS 3025(P) 59– 2006 RA2017	BDL	0.1 mg/l
Cadmium as Cd	IS 3025(P) 41– 1992 RA2014	BDL	0.003 mg/l
Lead as Pb	IS 3025(P) 47– 1994 RA2014	BDL	0.01 mg/l
Coliforms(MPN/100ml)	IS 1622: 1981 RA 2009	110	Absent
Ecoli (Present or Absent/100ml)	IS 1622: 1981 RA 2009	Present	Absent

Note : BDL – Below Detection Level

\* End of the report\*

For Poluchem Laboratories (P) Ltd.  
**SREEJA RAMESH**

QUALITY MANAGER

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## TEST REPORT

Client Name & Address	Certificate No:	PL/AMB/RT/3683/2021
M/s.Royal Sand&Granites(P) Ltd Dhoni Plaza Junction Dhoni P.O. Palakkad.	Date of issue:	30/03/2021
	Date of monitoring	24/03/2021
	Monitoring Location	M/s.Royal Sand&Granites(P) Ltd Survey Nos.2,15 Village – Akathithara Taluk- Palakkad Panchayath-Akathithara Dist.- Palakkad, Kerala.
	Sample Description	Soil
Parameter	Test Method	Results
pH	IS 2720(Part25)-1973	6.34
Electrical Conductivity	IS 14767:2000RA2016	124 $\mu$ S/cm
Potassium as K	EPA 3050 B	36 mg/kg
Phosphorus as P	IS 10158 :1982 RA 2014	24 mg/kg
Nitrogen as N	IS 14684: 1999 RA 2014	98 mg/kg
Organic Carbon	IS2720(Part 22)-1972	0.74 %
Calcium	EPA 3050 B	54 mg/kg
Magnesium	EPA 3050 B	32 mg/kg
Chloride	UEPA9212	74 mg/kg
Sulphate	IS 2720 Part27:1977	56 mg/kg

For Poluchem Laboratories (P) Ltd.

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## TEST REPORT

Page 01 of 01

Client Name & Address	Certificate No:	PL/RT/SD/3682/2021	
M/s.Royal Sand&Granites(P) Ltd Dhoni Plaza Junction Dhoni P.O. Palakkad.	Date of issue:	30/03/2021	
	Date of monitoring	25/03/2021	
	Monitoring Location	M/s.Royal Sand&Granites(P) Ltd Survey Nos.2,15 Village – Akathithara Taluk- Palakkad Panchayath-Akathithara Dist.- Palakkad, Kerala.	
	Sample Description	Ambient Sound Level –East Side	
HOURLY INTERVAL	RESULT	HOURLY INTERVAL	RESULT
06.00 AM-07.00 AM	41.3 dB (A)	11.00 PM-12.00AM	36.3 dB (A)
07.00 AM- 08.00 AM	40.2 dB (A)	12.00 AM-01.00 AM	34.2 dB (A)
08.00 AM- 09.00 AM	48.4 dB (A)	01.00 AM- 02.00 AM	35.2 dB (A)
09.00 AM -10.00 AM	48.5 dB (A)	02.00 AM-03.00 AM	36.2 dB (A)
10.00 AM-11.00 AM	46.5 dB (A)	03.00 AM-04.00 AM	35.4 dB (A)
11.00 AM-12.00 PM	47.5 dB (A)	04.00 AM -05.00 AM	36.3 dB (A)
12.00 PM-01.00 PM	46.3 dB (A)	05.00 AM-06.00AM	38.4 dB (A)
01.00 PM-02.00 PM	43.2 dB (A)		
02.00 PM-03.00 PM	41.2 dB (A)		
03.00 PM-04.00 PM	41.3 dB (A)		
04.00 PM-05.00 PM	42.3 dB (A)		
05.00 PM-06.00 PM	39.8 dB (A)		
06.00 PM-07.00 PM	38.5 dB (A)		
07.00 PM-08.00 PM	35.4 dB (A)		
08.00 PM-09.00 PM	34.2 dB (A)		
09.00 PM-10.00 PM	36.2 dB (A)	LDay	46.2 dB (A)
10.00 PM-11.00 PM	35.2 dB (A)	LNight	36.1 dB (A)

Limits: Industrial Area Day Time-75dB(A),Night Time- 70dB(A),Commercial area Day Time -65 dB(A),Night Time 55dB(A), Residential area Day Time -55 dB(A),Night Time -45dB(A),Silence zone day time-50dB(A),Night time-40dB(A)  
Day Time from 06.00 am to 10.00 pm & Night Time from 10.00 pm to 06.00 am

\*End of the Report \*

For Poluchem Laboratories (P) Ltd.

SREEJA RAMESH  
QUALITY MANAGER

POLUCHEM : POLUCHEM LABORATORIES (P) LTD.

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**Judgment in WP(C) No. 14175 of 2020 by Mr. Joby Joseph on M/s Royal Sand & Gravels Pvt. Ltd (File No.160/SEIAA/KL/3490/2013)**

**Field Inspection Report**

**Background**

Sri. Mohammed Fazeel T.A (M/s Royal Sand & Gravels Pvt. Ltd) has been granted an EC for the quarry project of M/s Royal Sand & Gravels Pvt. Ltd. in Survey Nos. 2, 14, 15 and 16/1 of Akathara Village and Panchayath, Palakkad vide No.160/SEIAA/KL/3490/2013 dt.24.05.2014 for a period of 15 years from 24.05.2014. At the front page of the Order granting EC, it is mentioned that validity expires on 23.05.2019. In the Order granting EC, it was stated that the EC is for a period of 15 years from 24.05.2014 subject to renewal in every five years. An application for renewal was submitted by the proponent.

The proposal was placed in the 88<sup>th</sup> SEIAA meeting held on 25.01.2019 and the Authority observed that the term 'renewal' in EC No.160/SEIAA/KL/3490/2013 dated.24.05.2014 creates ambiguity, hence decided to replace the word with 'review' and the EC stands modified to that extent only and the validity of the EC will be 15 years from 24.05.2014 subject to review in every 5 years. Further, an erratum order dated 16.02.2019 was issued to the proponent stating that the 'renewal' referred in the 8<sup>th</sup> Paragraph of the Original EC is modified and corrected as 'review'.

The proponent submitted the certified compliance report from MoEF &CC Regional Office (Southern Zone), Bangalore, vide. letter dated. 18.02.2019. As per the report, the project was monitored by the said office on 23.01.2019 and stated that the compliance to the various conditions of environment clearance was satisfactory.

A complaint from Adv. Harish Vasudevan was received on 21.03.2019 representing his client Mr. Joby K Joseph, S/o KS Joseph, Kallammakkal House, Dhoni P.O, Palakkad Disrtict against the grant of Environmental Clearance to the quarry project of M/s Royal Sand and Gravels Pvt. Ltd. A judgment of Hon'ble High Court in W.P (C) 14175 of 2020, filed by Mr. Joby K. Joseph was received in SEIAA on 12<sup>th</sup> August 2019. Hon'ble High court directed SEIAA to take up the matters raised by the petitioner in Ext. P2 representation dated 20.07.2019 for consideration without much delay and may conduct an inspection, if necessary with due prior notice to the proponent and the petitioner and the inspection report may then be given in advance to the proponent and the petitioner and thereafter, the proponent and the petitioner shall be afforded reasonable opportunity of being heard through their authorised representative/counsel, to take a considered decision preferably within an outer time limit of 3 months.

The proposal was placed in the 105<sup>th</sup> SEIAA meeting held on 22<sup>nd</sup> & 23<sup>rd</sup> October 2020 and decided to request SEAC for a field inspection. Copy of the Judgement as well as Ext P2 referred in the judgement, shall be made available to SEAC to facilitate the field inspections. SEAC shall follow the procedures

mentioned in the judgement. The matter was included in the Agenda of the 116<sup>th</sup> Meeting. However, since there was a case of contempt in the matter against the Member Secretary of SEIAA, the Chairman deputed Dr. P. S. Easa and Dr. A. V. Raghu for field inspection. Accordingly, Dr. Easa and Dr. Raghu inspected the site after proper communication to the proponent and the complainant.

### **A Brief History**

SEAC in its 23<sup>rd</sup> meeting considered a proposal from M/s Royal Sand and Gravels Pvt. Ltd in Sy. Nos. 2, 14, 15 and 16/1 at Akathethara Village (Application No. 160/SEIAA/KL/3490/2013) and discussed in detail. The Committee asked for five documents/clarifications. In the 25<sup>th</sup> Meeting, though SEAC considered the proposal, it was deferred for site visit. SEAC in its 26<sup>th</sup> Meeting considered the proposal again and was satisfied with the additional documents submitted by the proponent. After examining the Site Visit Report, the *proponent was directed to provide a map showing a buffer distance of 50 m from the forest land on the north*. The proponent was further asked to file affidavits for compliance of 1. Quarry shall be limited to the stream on the eastern side to permit unhindered flow of the stream, 2. The stream shall be provided with low level check dams to trap silt, 3. Rain water harvesting facility shall be provided and 4. Overburden and top soil shall be stacked for restoration.

The Committee in its 29<sup>th</sup> Meeting verified the documents and affidavits and recommended the proposal for Environmental Clearance. Accordingly, SEIAA, based on the decision in its 30<sup>th</sup> Meeting in May, 2014, issued EC on 24-05-2014. The conditions mentioned are 1. Limit quarry to the stream on the eastern side to permit unhindered flow of the stream, 2. Leave statutory distance from the forest land on the north, 3. The stream may be provided with low level check dams to trap silt and 4. Rain water harvesting facility is required in the absence of dependable source of water. In the order of EC, the lease area recorded is 9.3928 Ha and for extracting 3,50,000 MTA of building stone. The expected life of mine will be 28 years. The validity of the EC is stated to be 15 years from 24-05-2014 subject to renewal every five years.

SEIAA vide Order No. 160/SEIAA/KL/3490/2013 dt. 16-02- 2019 issued an Erratum in the 88<sup>th</sup> meeting of SEIAA held on 25-01-2019, where it is cited that the term ‘renewal’ in EC 160/SEIAA/KL/3490/2013 dt. 24-05-2014 was replaced with the term ‘review’. The validity of the EC will be 15 years from 24-05-2014 subject to review in every 5 years.

Shri E. Thirunavukkarasu, Scientist D of Regional Office (Southern Zone) of MoEF and CC, Bangalore has issued a certified compliance report reviewing the compliance. The covering letter enclosing the Report states that the project was monitored physically by the Regional Office on 23-01-2019 for compliance of various conditions of EC and was found satisfactory. This Review Report by MoEF and CC has been forwarded to SEIAA.

### **The Procedure followed by the sub-committee**

SEIAA office had intimated both the Complainant and the quarry owner in advance regarding the visit of the committee on 30<sup>th</sup> November, 2020.

During the time of inspection of the site, in addition to the sub-committee, Mr. Jobby K. Jose (Complainant), Mr. Faseel Mohamed (Proponent), Mr. P. Z. Thomas (consultant) and Mr. Mohammed Sadique (Advocate of the Proponent) were present. The Forest Range Officer (Vigilance), Palakkad briefed of their findings and showed the cairns on the forest boundary and was with the Team for measurement of distance from the boundary pillar to the cairns and to the existing quarried area. The Divisional Forest Officer, Palakkad replied to the queries of/clarifications sought by the sub-committee through e mail/WhatsApp messages. The District Geologist shared a letter/Report addressed to the District Collector. The sub-committee was benefitted from the assistance of Dr. Anand, a GIS expert of IRTC especially with the field measurements of geo-coordinates and verification of maps. The sub-committee has also benefitted from the discussions with Dr. Sreekumar, Member, SEAC.

The points raised in the petition of the complainant (in Italics) and the reply of the proponent are given below.

#### **Purposeful concealment /submission of false data in Form-1**

1. *The project proponent had already started mining activity within the project site, which is adjacent to a forest land, much before the application was submitted and appraisal was done. This was purposefully concealed in Form-I. Mining activity was further expanded after 18-05-2012 without obtaining EC. The project was then seeking and ex-post facto EC, against the provisions of the EIA Notification, 2006. But deliberately suppressing the same, EC was sought as a new project.*

#### **The Response of the Proponent**

- The mining activity in the project site was carried out with the Short-Term Permit for an area of 0.6 to 1 hectare prior to 2012, by the previous owners of the quarry.
- Prior to O.M. dt. 18.05.2012 there was no requirement for prior Environmental Clearance for mine lease area less than 5 hectares for the mining of minor minerals and since the area mined under the mining permit was less than 5 hectares prior EC was not required as per the provisions of EIA Notification, 2006 and its further amendments.
- The project proponent submitted application for obtaining Environmental Clearance for an area of 9.3928 hectares as per the then prevailing law on 29.11.2013 before SEIAA, Kerala as Category B2.
- The project proposal was approved by SEAC, field inspection was carried out by SEAC. The project was recommended for EC by SEAC. The recommendations of SEAC were considered by SEIAA and EC was granted.

- Project was accorded with Environmental Clearance vide 160/SEIAA/KL/3490/2013 dated 24.05.2014.

The following points in the Environmental Clearance Order are to be noted.

- The mine lease area is for 9.3928 hectares.
  - The annual permissible production permitted is 3,50,000 MT.
  - The validity of EC is for a period of 15 years from 25.04.2014
  - Environment Management Plan and the additional clarifications including a map showing a buffer distance of 50 m from the forest land situated on the north direction was furnished in response to the observations made by the SEAC while recommending environmental clearance to the project.
  - Subsequent to the grant of Environmental Clearance, the project proponent has taken mine lease for an area of 7.0655 hectares (leaving the buffer area as stipulated in the EC out of the total area of 9.3928 hectares) valid from 22.08.2014 till 21.08.2026.
  - The mining activity is in progress at site.
  - The existence of mining activity was mentioned in our EC application and no information which is pertinent to the project is concealed by the PP.
2. *The presence of adjacent forest land and presence of a thodu within the quarry site was deliberately concealed in the Form-1.*

### **The Response**

- The presence of forest is provided in Form-1 (EC application) and in the Environmental Clearance Order.
- As per O.M. dt. 04.07.2014 by MoEF, the minimum set back distance to be left from the boundary of forest is 7.5 meter.
- As per 87<sup>th</sup> SEIAA meeting held on 14.01.2019 “SEIAA decided to impose a minimum distance of 50 m from the forest boundary to the quarry. However, SEAC while assessing any application for quarry may recommend higher distance from forest boundary based on scientific reasons to be mentioned”.
- There is no *thodu* located within 500 meters from the mine lease area. A “Surface Layout Plan” (land use plan showing all features within 500 metres from the boundary of mine lease area) which is part of our application submitted in 2013 explains this.
- The block map obtained from Akethethara Village office in which mine lease area is located is attached as ***Annexure No. 8***. From the block map, it can be inferred that there is no



perennial / seasonal drain (thodu) located within the mine lease area or within 500m from the mine lease area.

3. *The slope of the site is more than 45 degree and is highly vulnerable to natural hazards like landslides. This area was identified as highly/moderately hazard to landslides by the National Centre for Earth Science and Studies (NCESS) in its study report. This is approved by the Kerala State Disaster Management Authority as well. This aspect was purposefully concealed in Form-1 and PFR.*

#### **The Response**

- The average slope of the mine lease area is 25<sup>0</sup>.
  - The map showing the slope of the mine lease area at every 50 meter interval is provided
  - As per the Landslide Hazard Zonation Map published by State Disaster Management Authority (SDMA), Kerala, part of the mine lease area is falling in “**Moderate**” Zone (Orange Zone and not in Red Zone). The map showing the landslide hazard zonation map of the area superimposed with the mine lease area is given
  - During the time an application was submitted by the project proponent in 2013, there was no landslide prone hazard zonation map published by SDMA and therefore there is no concealment of such information. The publication of the landslide zonation map by State Disaster Management Authority is only in 2016.
4. *Many threatened/rare/ endemic species of plants, insects, butterflies and animals were present within the quarry site. Site was cleared by illegal mining before the application was submitted and no such rare and threatened plant species were present at the time of appraisal. This was deliberate attempt to tamper with the appraisal process.*

#### **The Response**

- The ecological assessment of the site was carried out and the details are provided in the application submitted at SEIAA, Kerala. From the Ecological Assessment Report, there are no Rare / Endangered / Threatened (RET) species of plants, insects, butterflies and animals.
- The endemic plant species which are observed during the ecological assessment of the site and report in our ecological assessment report are provided below:
  - *Arundinella ciliata* (Roxb.) Nees ex Miq.
  - *Byttneria herbacea* Roxb.
  - *Crotalaria grahamiana* Wight & Arn.
  - *Glochidion zeylanicum* var. *tomentosum* Trim.
  - *Terminalia paniculata* Roth, Nov.

- The project site or its vicinity is not falling in Ecologically Sensitive Area (ESA) as identified by HLWG report on Western Ghats.
  - As stated above, mining activity was in progress in the mine lease area with Short Term Permit even before this project proponent procured the said land.
  - The project proponent procured the land in 2012.
  - An area equivalent to 0.6071 hectares (7% of the Total Land) of area was cleared of vegetation for mining activities prior to the submission of application.
  - Therefore, there is no concealment of any fact or any attempt to tamper with the appraisal process by the State Expert Appraisal Committee (SEAC). Further, after the first appraisal of the project, sub-committee of SEAC visited the mine lease area for ground truthing and for physical verification and all the details stated in our application are verified and based on the site visit report the SEAC recommends the project for Environmental Clearance.
5. *There was more than one residential building within 500 meters of the project site. It is evident from the Google Images in 2013 and 2014. Project Proponent has deliberately submitted false and misleading data that there is no residential building within 500 m from quarry site. This alone is sufficient to cancel the EC granted.*

#### **The Response**

- There is no residential building with human inhabitancy within 500-meter radius (owned by others) from the mine lease area at the time of submission of application for EC.
  - This aspect is verified by the sub-committee of SEAC during the site visit.
  - As per the then prevailing norm of SEIAA, Kerala, the minimum set back distance to be maintained between the nearest habitation and the boundary of the mine lease area is 100 meters only.
  - The project proponent has not gained any undue benefit by this statement/declaration particularly when the statutory distance at the relevant time was only 100 metres and there is no case for the complainant that there actually is any residential house within 100 metres from the quarry site.
6. *There is an active elephant path nearby the quarry site, which was concealed deliberately by the PP. Two elephants fell into the quarry pit recently and got injured. The presence of wildlife including Schedule 1 animals in the close proximity was deliberately concealed by the project proponent.*

#### **The Response**

- There is no active elephant path within the mine lease area. This fact is further verified by this project proponent from the Forest Officials having jurisdiction over the area.
  - There is no case of any accident to elephants or any other animals within the mine lease area. The allegation is wild and baseless only to create a prejudice.
  - As stated above, there is no schedule 1 animals in the project vicinity as per the ecological assessment carried out during the preparation of application for Environmental Clearance.
7. *Camera trap of forest officials at Dhoni forest shows the presence of many rare/threatened animals in the close proximity of the quarry site. This was also not shown in the application. Life of many of the wildlife is under threat. Hence, the actual impact of mining in the site could not be appraised by the then committee.*

### **The Response**

- The ecological assessment of the project site is carried out and the list of faunal species in the project site or in the immediate vicinity is provided in the ecological assessment report which is part of our application submitted for Environmental Clearance.
- Moreover, the EC was granted after detailed deliberations and site inspection by the subcommittee of the SEAC.

### **The Complainant: Violation case**

*All the mining activities after Office Memorandum dated 18-05-2012 irrespective of its size should have obtained prior EC. The project proponent had conducted mining and expanded the same after 18-05-2012 without obtaining EC. Then only they had applied for EC. There was no provision in the EIA Notification since it was a case involving violation.*

### **The Response**

- The project proponent has not violated any provision of EIA Notification, 2006 or the provisions of Environment Protection Act, 1986.
- The EC was not sought to expand any project. Prior to the grant of EC, the project proponent was running the quarry for a very minimal area (less than 5 hectares) based on the quarrying permit issued by the Department of Mining and Geology. This was permissible for mining areas less than 5 hectares. Existence of mine was clearly disclosed in the application form for EC by this project proponent.
- The permitted annual production for the mine is 3,50,000 MT. However, the project proponent has carried out mining for an average 62,000 MTA only. The cumulative production for the last 6 years is only about 3,66,482 MT.

### **The Complainant: Violation of Conditions in existing EC**

*During last 5 years, many of the General and Specific conditions prescribed in the EC dated 25-04-2014 was purposefully violated by the project proponent M/s Royal Sand and Gravels Pvt Ltd. Condition to keep the statutory distance from adjacent forest land was not kept. No proper bench of 5 meters was kept as prescribed in the EC and in Mining Plan. Though the total area granted for mining activities was 9.3928 hectare, the project proponent has used outside project areas for mining activities, including keeping of over burden. The ground water level of the entire area had been drastically reduced due to the mining in last 6 years and it badly affected the locality including the forest land. No greenbelt development was done till date, as per the specific condition. Proper maintenance of roads/springing water was also not done.*

### **The Response**

- The project proponent regularly submits six monthly compliance report and comply with all conditions of Environmental Clearance. The regional office of MoEF & CC, Bangalore has inspected the site on 23.01.2019 and issued a compliance certificate on 30.01.2019. The copy of the certificate of compliance issued by the MoEF is attached at **Annexure 12**.
- The Six-monthly compliance reports are uploaded in the website <http://www.royalsand.in>

### **The Complainant**

*There is specific condition in the EC which stipulates to provide a low level check dams in the stream to trap the silt. This condition is blatantly violated and for the past 5 years, the entire silt and quarry waste was flown through the pristine stream water that destroyed some local endemic fish varieties in the stream. Waste materials from the quarry mining unit and Crushing unit was dumped into the nearby thodu/water stream and completely polluted the down streams by violating this condition, is an admitted fact by the Project Proponent. Conditions regarding bench height is admittedly violated. Mineral reserve is being mined. Several complaints were raised by the locals affecting their health and agriculture in this regard. There is no Environment Monitoring Cell as stipulated, and is only in paper. A mere site visit will prove all violations.*

*EC was recommended by the SEAC without noticing the basic fact that the quarry site falls within 7.5 meters from the adjacent forest land. The General condition of the EC for all quarry projects states that the mining shall not be done within 100 meters from the boundary of any forest land. If so, this proposal ought to have been rejected on the sole reason of close proximity to the forest land and the bad effect on the ground water level especially in the forest areas. Mining in the close proximity to the forest land, that too on the foothill, the very existence of the forest and its wildlife will be badly affected. Rainwater storage of the whole forest and hillock is badly affected due to the mining. This ground water issue will increase the man-animal conflict in the forest areas. On this reason alone, EC is liable to be set aside.*

### **The Response**

- The allegation raised in the complaint is without any factual basis. Proper buffer as stipulated in the EC is maintained by this project proponent. The forest boundaries are properly marked by *jandas* and there exists a clear demarcation of the buffer with the mine lease area.
- As per the conditions laid down in the EC the project proponent is required to properly stack the topsoil/overburden within their own property but outside the lease area for utilisation for plantation over the reclaimed areas.
- The mining activity is carried out by following the progressive mining plan as approved by the Geologist. It is to be noted that the quantity mined by the project proponent is far below the permissible limit as per the EC and the approved mining plan.
- The permitted annual production for the mine is 3,50,000 MT. However, the project proponent has carried out mining for an average 62,000 MTA only. The cumulative production for the last 6 years is only about 3,66,482 MT. The copy of the production statement submitted and certified by Mining & Geology Department is provided.
- Considering this reduced extraction of minerals than that is permitted, most of the benches are still in the formative stage. The mining activities are progressing strictly in compliance with the conditions laid down in the EC as well as in the approved mining plan.
- The allegation on the reduction of groundwater level of the entire area is baseless and bereft of any material. As stated above, the mining activities are strictly based on the scientifically prepared mining plan which has been approved by the Geologist.
- The proper green belt development is being done by the project proponent. The project proponent has deployed scientific methods while developing and setting up the green belt. The Greenbelt consists of many plant varieties which even caters to the daily dietary requirements of the staff availing the canteen facility set up by the project proponent. Setting up of a Greenbelt is not something that exists on paper. Photographs of the developed Greenbelt within the mine lease area is produced.
- The project proponent has set up a check dam as stated in the specific conditions (condition number 3) attached to the EC. Compliance of this condition has been verified and reported by the Asst. Engineer of Kerala State Pollution Control Board pursuant to their inspection dated 26.04.2019. The said inspection report in clear terms gives a finding that the said check dam acts as a silt trap and the water flowing from the check dam is clear. A copy of the relevant portion of the file that includes the inspection report obtained under the Right to Information Act is produced.
- The Environment Monitoring Cell is very much in place and functional and is carrying out its responsibilities as contemplated under the relevant rules.
- As stated earlier, the EC was issued a detailed site visit by the sub-committee of the SEAC and every aspect has been noted by the said subcommittee which had recommended for the



issuance of EC upon imposing certain specific conditions particularly with respect to the distance to be left from the forest boundaries. The existence of forest at a distance of 7.5 m finds a mention at paragraph number 3 of the EC.

### **The Complainant: The Validity**

*Validity of the EC issued by the SEIAA for mining projects is always for 5 years, and subjected to the renewal. Quite surprisingly, this EC was issued with a validity of 15 years, which must be spelling mistake, I believe. That is so because the EC specifically mandates for renewal in every 5 years. This is a clear case of non-application of mind of both SEIAA and SEAC at the time of grant of such EC. When this EC has come before the SEIAA for renewal, a strange decision was taken by SEIAA in its 88<sup>th</sup> meeting. Item No. 88.12 states that, instead of renewal, they are replacing as review. Paragraph 9(iii)(a) of the EIA Notification mandates that the renewal application shall be referred to SEAC and obtain recommendation, for such renewal. This procedure was not seen followed in this case.*

### **The Response**

- The EC is issued for a period of 15 years (validity). In the 8<sup>th</sup> paragraph of EC issued on 24.05.2014, it was stated that the validity of EC is for a period of 15 years from 24.05.2014 subject to renewal in every 5 years. However, in an erratum issued on 16.02.2019 by the SEIAA, the word “renewal” referred in the 8<sup>th</sup> paragraph of the EC is modified and corrected to read as “review”. Now the said paragraph reads as: the validity of the EC will be 15 years from 24.05.2014 subject to review in every 5 years. This corresponds to the decision taken by the SEIAA in its 88<sup>th</sup> meeting held on 25.01.2019.

### **The Complainant: Violation of Circular dated 30-05-2012**

*The Office Memorandum dated 01-07-2011 and the Circular dated 30-05-2012 issued by MoEF&CC clearly states that renewal or expansion of EC shall not be done without obtaining a certified report of compliance of the conditions stipulated in the EC, from the Regional Offices of the Ministry. It is reliably known that the renewal (expansion) of period of the Environmental Clearance was done by the SEIAA, in violation of the above mentioned circular. Hence, the decision taken by the SEIAA, if any, for renewal of that EC should be recalled, after giving sufficient opportunity for the project proponent for his explanation.*

### **The Response**

- As per the decision taken by the SEIAA in its 88<sup>th</sup> meeting held on 25.01.2019, the validity of the EC is for 15 years subject to review every 5 years. As such, it was reviewed by the SEIAA upon completing 5 years. The Certificate of Compliance issued by the Regional office, MoEF dated 30.01.2019 formed the basis for the review and a copy of the same is attached as Annexure No. 12.

- Further, the water quality of the storm water drain leaving the site was monitored by the laboratory approved by Kerala State Pollution Control Board. The copy of the monitoring reports is attached. It can be inferred from the report that there is no contamination of the water and all parameters are well within the prescribed standards.
- The time series of Google images (prior to the obtaining of EC and post EC till date) is attached.

### **The Complainant: Hazard Zonation**

*The quarry site falls within the natural landslide hazard zonation map prepared by NCESS, and identified this area highly vulnerable to landslides. As per the State Disaster Management Plan passed by the Cabinet and Government of Kerala, as approved by the Govt. Order as referred above, no quarry blasting shall be permitted in High Hazard Zones. In moderate Hazard Zones, quarrying shall be permitted only with the prior approval of the District Crisis Management Committee. Mining activity in landslide prone areas is strictly against the principle of sustainable development also. The project proponent should not have concealed the fact that the NCESS has identified this area as landslide prone area, way back in 2012. The Hon'ble High Court of Kerala has also held in WPC No. 4022 of 2017 that no Environmental Clearance can be granted by the authority in hazard zones in violation of the provisions of the Disaster Management Plan approved as per GO9Rt)No. 3667/2016DMD dated 09-09-2016. SEIAA was a party respondent in that case. At the time of renewal, the SEAC and SEIAA ought to have been rejected the renewal by stating this reason.*

### **The Response**

- As per the landslide Hazard Zonation map published by State Disaster Management Authority (SDMA), Kerala, part of the mine lease area is falling in “**Moderate**” Zone (Orange Zone and not in Red Zone). The map showing the landslide hazard zonation map of the area superimposed with the mine lease area is provided.
- During the time an application was submitted by the project proponent in 2013, there was no landslide prone hazard zonation map published by SDMA and therefore there is no concealment of such information.

### **The Complainant**

*There are many more reasons to stop the mining activity being permitted in Sy. No.2,14,15 and 16/1 at Akathethara village, Palakkad District. Since no public hearing was done to this project, people in the locality could not get an opportunity to express their concerns, at proper time, before SEIAA. No effective steps were taken by the local self- government and the District Collector, though many complaints were submitted earlier.*

*I am directly affected due to the environmental degradation being caused by the mining activity, under question. Many of the local people have got irreparable loss/damage due to this*

*mining activity, but all are frightened due to the criminal threat from the quarry owner. There are minor landslides already happened in this area. A big disaster can happen at any time if this mining is permitted to be continued in this area. This is also in violation of the Kerala State Disaster Management Plan, 2016.*

### **The Response**

- The unit possesses Consent to Establish, Consent to Operate issued by Kerala State Pollution Control Board and a copy of the said approvals is annexed.
- The unit is already accorded with Panchayat Licence, Explosive Licence etc. A copy of these approvals is attached.
- The copy of the latest compliance report is available at <http://www.royalsand.in/wp-content/uploads/2020/11/Royal-Sand-FINAL-13th-CR-Apr-to-Sept2020.pdf>

During the site visit, the sub-committee had a sitting with the complainant and sought for evidences/clarifications to prove the points raised in his petition. Similarly, the committee had sought clarifications from the proponent. The point wise clarifications of the complainant are summarized below.

On the starting of quarry operation much before the EC application submitted, he said the satellite imagery was the evidence.

On the presence of adjacent forest land and presence of a *thodu* within the quarry site, he said this is visible and later he showed the said *thodu*, which is about 30 m away from the quarry site. This is seasonal. He also showed another seasonal *thodu* on the eastern side with water draining into the quarry drainage.

On the slope of 45<sup>0</sup>, no evidence or report could be provided. On the hazard zonation map of NCESS, the complainant reiterated his statement in the petition.

On the rare animals and plants mentioned in his petition, Mr. Joby had no evidences to provide.

He said Google images of 2013 and 2014 are the proof for more than one residential building within 500 m radius. Though he promised to provide these, the sub-committee has not received.

On the active elephant path and elephant falling into the quarry pit, the complainant said this was based on heresay.

The mention of camera trap photographs of rare animals was also said to be based on heresay.

On the violation cases mentioned in the petition viz. distance from forest land, bench height (guestimate) and OB outside the project area, the complainant repeated the statement in the petition. There is no documentary evidence on the ground water level. According to him, the green belt development was only recently done. The road maintenance was also not done. The

existence of EMC is not known to him. On the increase of man-animal conflict due to the impact of quarry, the complainant said there was no proof and is only a statement.

According to the complainant, the compliance reports were not verified at the time of review. There have been irreparable damage to buildings due to the mining activity. However, there was no insistence that the Team should see any of these.

### **Observations/Comments of the Sub-committee**

The sub-committee verified the records of the mine and did field verifications. Point by point clarifications/observations are given below.

#### **On the concealment of facts in Form 1.**

- 1. The project proponent had started quarrying much before the submission of the application.....*

#### **Observation**

The Proponent had permits to quarrying as per the details given below (Copies attached).

- Dealer's licence to sell, stock and exhibit for sale of minor mineral under the KMMC Rules, 1967. This is issued by the District Geologist and was effective during 2010-11 and is in the name of Mr. Saifulla (the predecessor in title), Plaza junction, Dhoni.
- Quarrying Permit issued by District Geologist under Consolidated Royalty Payment System (CRPS) to Mr. Saifulla, Dhoni crusher (No. 41/GBS/DOP/1438/2011/A1/CRPS dt.24-06-2011) and was valid till 23-06-2012. This is in R. sy No. 14/2 and 13/2.
- Quarrying Permit issued by District Geologist under Consolidated Royalty Payment System (CRPS) to M/s Royal Sand and Gravels (P) Ltd (No. 40/GBS/DOP/1691/2012/A1/CRPS dt.06-06-2012) and was valid till 05-06-2013. This is in R. sy No. 14.
- Quarrying Permit issued by District Geologist under Consolidated Royalty Payment System (CRPS) to M/s Royal Sand and Gravels (P) Ltd (No. 116/GBS/DOP/3277/2012/A1/CRPS dt.25-01-2013) and was valid till 24-01-2014. This is in R. sy Nos. 2, 15.
- Quarrying Permit issued by District Geologist under Consolidated Royalty Payment System (CRPS) to M/s Royal Sand and Gravels (P) Ltd (No. 96/GBS/DOP/2194/2014/A1/CRPS dt.09 - 06- 2014) and was valid till 08-06-2015. This is in R. sy Nos. 14, 15.

According to the proponent, the last permit issued on 09-06-2014 was not used as EC was obtained by the time.

2. *The presence of adjacent forest land and presence of a thodu within the quarry site was deliberately concealed in the Form – 1.*

### **Observation**

On verifying the Form 1, it is seen that the proponent has disclosed the presence of forest land as item No. 2 under Environmental Sensitivity. SEAC Team while doing ground truthing had ascertained this. SEIAA in its proceedings have noted and said that 50 m buffer should be left on the Northern side, which was found followed. The *thodu* is not within the quarry site. The presence of *thodu* on the Eastern side is a seasonal first order stream and is considered while issuing the EC and conditions imposed.

Further, the Village Officer of Akathethara Village, in a reply to an RTI question, had stated that the Resurvey numbers 2, 13, 14,15, 16/1-2, 16/4, 17, 18/1-3 and 19/1-2 in Block 25 has no common *thodu*, ponds and streams.

3. *The slope of the site is more than 45 degree and is highly vulnerable to natural hazards.....This area has been identified as highly/moderately hazard to landslides by NCESS in its study report..... This was purposefully concealed in Form1 and PFR.*

### **Observation**

A drawing of the slope is given by the consultant. Based on the contour map, our estimates show the slope at the top is about 30<sup>0</sup> and bottom about 28-25<sup>0</sup>. The average could be about 25<sup>0</sup>. The 45<sup>0</sup> mentioned by the complainant must be the top of the hill behind on the Northern side. As far as the hazard zonation map is concerned, KSDMA has legalized and published the hazard zonation map only in 2016. The map reported to have been prepared by NCESS (CESS that time) was never made available to the public. As per the present SDMA map, part of the area falls in orange zone.

A map of Palakkad district titled *Landslides Triggered by Rainfall (2018) in parts of Palakkad district, Kerala (dated 27-09-2018 DSC/NDEM map no. 2018/02, NRSC/ISRO, Hyderabad)* was provided by the Complainant. This is based on the analysis of post event multitemporal high resolution data Map of the Disaster Management Authority showing the landslide area in 2018. According to a statement given in the map, *a number of large landslides were identified in all the districts. A total of 1298 new landslides were identified in Palakkad District. It appears that majority of landslides are of shallow translational nature confined to lower order channels.* The major landslide is reported to be in areas south of Elavancheri, which is far away from the site inspected.

According to the Divisional Forest Officer, Palakkad (letter addressed to the District Collector dt. 28-07-2020), landslide has occurred about 400 m away from the quarry site of M/s Royal Sands and Gravels in 2018. There was no landslide in 2019. According to



him, the said slide cannot be attributed to the blasting in the quarry as several such slides of small magnitude happened even within the forest areas away from the quarry site.

4. *Many threatened/rare/endemic species of plants/ animals were present within the quarry site. The site was purposefully cleared before the appraisal.....*

#### **Observation**

As can be seen from the Minutes of SEAC, the Committee had asked the proponent to redo the biodiversity assessment. Since the site was subjected to mining from 2010 onwards, it is possible that at least a part must have been cleared, which cannot be considered as deliberate. The complainant could not also provide any details to support his statement.

5. *There was more than one residential building within 500 m of the project site as evident from the Google Images of 2013 and 2014. The proponent has deliberately submitted false and misleading data.....*

#### **Observation**

According to the map showing areas in 500 m radius, submitted by the proponent, there is only one shed located at a distance of 170 m. The sub-committee of SEAC during the field visit prior to issue of EC also would have clarified this point. Moreover, as per the prevailing norms of SEIAA at the time of application to SEIAA by the proponent, the minimum distance to nearest habitation was 100 m. Thus the proponent has not gained any advantage by the statement. A study Report (2018) of the National Institute of Technology, Karnataka (A Government of India Institution) on impact of blasting operation carried out in the stone quarry of Royal Sand and Gravels on surrounding structures has stated that *at distances of 800 m onwards, there are houses of different construction type like.....* Though the Complainant had agreed to provide satellite images of 2013 and 2014 to prove his statement regarding the number of houses within 500m, this was never received even after a reminder over phone. However, this was verified with the Google Images and the proponent seems to be correct. The scenario must have changed afterwards.

6. *There is an active elephant path nearby the quarry site, which was concealed deliberately by the proponent. Two elephants fell into the quarry pit recently and got injured.*

#### **Observation**

The Divisional Forest Officer, Palakkad, in response to a query raised by this committee informed through e-mail that there was no such incident of elephant falling into the pit in the area as stated by the Complainant. Moreover, an enquiry with the Forest Officials of the area indicates no presence of elephants near the quarry site.

7. *Camera trap of forest officials at Dhoni forest shows the presence of many rare/threatened animals in the close proximity of the quarry site. This was also not shown in the application. Life of many of the wildlife is under threat. Hence, the actual impact of mining in the site could not be appraised by the then committee.*

#### **Observation**

The camera trapping in forest areas for animal presence was initiated only recently and hence the proponent or the then sub-committee cannot be found fault for not reporting this. Further, the Divisional Forest Officer reports that there is no camera trapping done in Dhoni area for the last three years and there was no such attempts known to him in the area even before three years.

#### **Violation Case**

1. *All the mining activities after Office Memorandum dated 18-05-2012 irrespective of its size should have obtained prior EC. The project proponent had conducted mining and expanded the same after 18-05-2012 without obtaining EC. Then only they had applied for EC. There was no provision in the EIA Notification since it was a case involving violation.*

#### **Observation**

M/s Royal Granites had permits for mining issued by the Geology Department and was working in a very minimal area. The details are given under *Concealment of facts in Form I*. The existence of quarry has also been disclosed in the Form 1.

#### **Violation of conditions in Existing EC**

1. *During last 5 years, many of the General and Specific conditions prescribed in the EC dated 25-04-2014 was purposefully violated by the project proponent M/s Royal Sand and Gravels Pvt Ltd. Condition to keep the statutory distance from adjacent forest land was not kept. No proper bench of 5 meters was kept as prescribed in the EC and in Mining Plan. Though the total area granted for mining activities was 9.3928 hectare, the project proponent has used outside project areas for mining activities, including keeping of over burden. The ground water level of the entire area had been drastically reduced due to the mining in last 6 years and it badly affected the locality including the forest land. No greenbelt development was done till date, as per the specific condition. Proper maintenance of roads/springing water was also not done.*

#### **Observation**

Distance from the adjacent forest is maintained as per the conditions given in EC. The geo-coordinates of the boundary pillars were verified at random and found to be correct. Measurements were made, in the presence of the Forest Range Officer, on the distance

from the Forest cairn to the nearby quarry boundary pillar 20 on the South Western side. The distance is 8.75 m. Distance from BP 25 to the nearby forest boundary cairn is 8.25 m. About 50 m distance is maintained on the Northern side as stipulated in the EC. The Divisional Forest Officer, in his letter on 23-07-2020 addressed to the District Collector has also mentioned the distance from the quarry boundary to the forest. He has also stated that there is no violation of the EC conditions regarding the distance. The forest bordering the south west part is a bit (Dhoni Bit II) of forest vested with the Government surrounded by private areas.

The Divisional Forest Officer in a reply (30-07-2020) to Shri Suseel S., Dhoni on questions under RTI has stated that M/s Royal Sands and Gravels follows the conditions of EC as regards the conditions related to forest and has not mined in the forest area. Further, it was also informed that there was no accident involving wild animals reported either from the forests nearer to the quarry site or in the site.

According to the proponent, he has extracted only 62,000 MTA only against the permissible annual production of 3,50,000 MT. The cumulative production for the last 6 years is only about 3,66,482 MT. Considering the reduction in the extracted quantity, the benches are in the formative stage. However, the Team found that the 5 m bench condition is followed in the present quarrying area.

The over burden is dumped in the location specified in the application. The OB dumping cannot be permitted inside the quarry site. The Complainant could not provide any evidence regarding the statement on ground water depletion. According to the Forest officials, based on their observation, the situation of water in the forest is the same as before the quarrying.

The Evidences of a first order seasonal stream could be seen on the south western side. However, it was dry. Later, the complainant showed the said *thodu* ( actually the course of the stream) and was about 30 m away from the boundary and was with very little water in a small shallow pool. The geo-co-ordinates of boundary pillars were randomly checked and found to be correct. Check dams and silt traps were also seen.

The Proponent has done very good afforestation programme on the Eastern side and has planted diverse species. The Complainant, while discussing of his points had mentioned that the planting was done only recently. However, observations indicate that most of the planting has been done at least 4-5 years back as evident from the growth of the native plant species. An expert in nursery raising and plant care (Mr. Sathyan with years of experience) has been appointed for managing the plants. The sub-committee had interaction with him on the afforestation and selection of species.

Roads are wide and are comparatively well maintained. Sprinkling was personally seen by the sub-committee. Even if this could be considered as done only at the time of official

visit, not much dust is seen deposited on the plant leaves, which could be taken as an indication of *dust problem*. Inside the quarry site area, Air Classifier and De-dusting Units are seen installed. There are a number of sprinklers around the site which would help in suppressing the dust.

The issue of maintenance of roads has been raised by the Complainant and a few others in the area with whom the sub-committee members have contacts. The matter was also taken up with the Proponent. He has produced letters of their request to the Panchayath authorities on the road maintenance. M/s Royal Sand and Gravels had written to the Secretary of Akathethara Grama Panchayath on 17-10-2018 expressing their willingness to construct the 900 meters of road from Plaza junction up to the company's entrance complying PWD standards. Since there was no reply to the letter, a reminder was sent on 27-07-2020 and no response was received. SEIAA may take appropriate step to recommend/bring it to the notice of the concerned authorities so that positive action is taken by the Secretary of the Panchayath for maintenance of the road from Plaza junction to the company entrance to reduce the problem of dust.

2. *There is specific condition in the EC which stipulates to provide a low level check dams in the stream to trap the silt. This condition is blatantly violated and for the past 5 years, the entire silt and quarry waste was flown through the pristine stream water that destroyed some local endemic fish varieties in the stream. Waste materials from the quarry mining unit and Crushing unit was dumped into the nearby thodu/water stream and completely polluted the down streams by violating this condition, is an admitted fact by the Project Proponent.*

### **Observation**

The Proponent produced a report by the Asst. Engineer of Kerala State Pollution Control Board after an inspection on 26-04-2019 in which the inspecting Engineer has mentioned about the rectification pointed out by them during the inspection on 26-03-2019. The Report expresses satisfaction on the compliance of the conditions.

The Kerala State Pollution Control Board, in response to a complaint of Mr. Joby and two others, had visited the site on 09-10-2020 and collected water samples for analysis. According to the letter sent to the complainants, there is no pollution of water. The PCB officials mention that they had inspected the various parts of the check dam and silt traps and found that there was no mixing up of any material from the quarry. The subcommittee had also seen.

The water from the first order stream on the eastern side flows down freely and pass through silt trap and to the check dam through a 1m diameter underground pipe of 300 m length before it flows out of the land owned by the project proponent. The sub-committee visited these and found small fishes in the pool below the check dam.

There is no report available on the fishes of the area to verify the facts of the allegation raised by the complainant. The complainant himself could not produce any evidence in the matter.

The proponent has planted grass in an effort to strengthen the OB dump slope and has succeeded to some extent. More soil binding plants such as vetiver, bamboo etc could be planted to avoid any erosion from the dump.

3. *Conditions regarding bench height is admittedly violated. Mineral reserve is being mined. Several complaints were raised by the locals affecting their health and agriculture in this regard. There is no Environment Monitoring Cell as stipulated, and is only in paper. A mere site visit will prove all violations.*

#### **Observation**

The matters related to bench height has already been given in detail. The records of Environment Monitoring Cell were seen and are satisfactory.

4. *EC was recommended by the SEAC without noticing the basic fact that the quarry site falls within 7.5 meters from the adjacent forest land. The General condition of the EC for all quarry projects states that the mining shall not be done within 100 meters from the boundary of any forest land. If so, this proposal ought to have been rejected on the sole reason of close proximity to the forest land and the bad effect on the ground water level especially in the forest areas. Mining in the close proximity to the forest land, that too on the foothill, the very existence of the forest and its wildlife will be badly affected. Rainwater storage of the whole forest and hillock is badly affected due to the mining. This ground water issue will increase the man-animal conflict in the forest areas. On this reason alone, EC is liable to be set aside.*

#### **Observation**

Most of the points raised here are already explained. The facts related to forests have been given in Form1 and seen in the field by the earlier sub-committee. The General condition does not stand valid since specific conditions are given. The Forest Officer in charge of the area himself has clarified the matter related to the effect on wildlife. Scientifically, there is no proof to claim that the ground water reduction will increase man-animal conflict. Further, there is no proof (data) available to conclude that there is a reduction in the ground water availability.

5. *Validity of the EC issued by the SEIAA for mining projects is always for 5 years, and subjected to the renewal. Quite surprisingly, this EC was issued with a validity of 15 years, which must be spelling mistake, I believe. That is so because the EC specifically mandates for renewal in every 5 years. This is a clear case of non-application of mind of both SEIAA and SEAC at the time of grant of such EC. When this EC has come before the SEIAA for*



*renewal, a strange decision was taken by SEIAA in its 88<sup>th</sup> meeting. Item No. 88.12 states that, instead of renewal, they are replacing as review. Paragraph 9(iii)(a) of the EIA Notification mandates that the renewal application shall be referred to SEAC and obtain recommendation, for such renewal. This procedure was not seen followed in this case.*

#### **Observation**

SEIAA in its 88<sup>th</sup> meeting rectified the error in the EC through an Erratum whereby the term ‘renewal’ was replaced with ‘review’. The validity of the EC is for 15 years and hence there is no fresh application for renewal and hence need not be referred to SEAC. Further, the Regional Office of MoEF and CC at Bangalore, the authority which is mandated to look into the compliance has inspected and given a satisfactory report.

#### **Violation of Circular dated 30-05-2012**

6. *The Office Memorandum dated 01-07-2011 and the Circular dated 30-05-2012 issued by MoEF&CC clearly states that renewal or expansion of EC shall not be done without obtaining a certified report of compliance of the conditions stipulated in the EC, from the Regional Offices of the Ministry. It is reliably known that the renewal (expansion) of period of the Environmental Clearance was done by the SEIAA, in violation of the above mentioned circular. Hence, the decision taken by the SEIAA, if any, for renewal of that EC should be recalled, after giving sufficient opportunity for the project proponent for his explanation.*

#### **Observation**

The Regional Office of the MoEF and CC at Bangalore has already given the report on the compliance of the conditions in the EC based on the field inspection on 23-01-2019.

7. *The quarry site falls within the natural landslide hazard zonation map prepared by NCESS, and identified this area highly vulnerable to landslides. As per the State Disaster Management Plan passed by the Cabinet and Government of Kerala, as approved by the Govt. Order as referred above, no quarry blasting shall be permitted in High Hazard Zones. In moderate Hazard Zones, quarrying shall be permitted only with the prior approval of the District Crisis Management Committee. Mining activity in landslide prone areas is strictly against the principle of sustainable development also. The project proponent should not have concealed the fact that the NCESS has identified this area as landslide prone area, way back in 2012. The Hon’ble High Court of Kerala has also held in WPC No. 4022 of 2017 that no Environmental Clearance can be granted by the authority in hazard zones in violation of the provisions of the Disaster Management Plan approved as per GO9Rt)No. 3667/2016DMD dated 09-09-2016. SEIAA was a party respondent in that case. At the time of renewal, the SEAC and SEIAA ought to have been rejected the renewal by stating this reason.*

### **Observation**

The matter has already been raised earlier and the observations are recorded.

8. *There are many more reasons to stop the mining activity being permitted in Sy. No.2,14,15 and 16/1 at Akathethara village, Palakkad District. Since no public hearing was done to this project, people in the locality could not get an opportunity to express their concerns, at proper time, before SEIAA. No effective steps were taken by the local self- government and the District Collector, though many complaints were submitted earlier.*

### **Observation**

There was no public hearing for the projects with this extent at the time of considering this application. However, the EC seems to have been put in public domain as stipulated in the EIA Notification, 2006.

9. *I am directly affected due to the environmental degradation being caused by the mining activity, under question. Many of the local people have got irreparable loss/damage due to this mining activity, but all are frightened due to the criminal threat from the quarry owner. There are minor landslides already happened in this area. A big disaster can happen at any time if this mining is permitted to be continued in this area. This is also in violation of the Kerala State Disaster Management Plan, 2016.*

### **Observation**

There was no proof to substantiate the statement. The Complainant while interacting with the sub-committee had handed over some files in a pendrive in which there are a few photographs of houses with crack is shown. It is not possible to verify the facts regarding the distances of these houses from the quarry site. The Complainant also did not demand for a visit to the affected houses. There is no mention of the cracks in the houses in the petition. The Complainant himself had stated during the interaction that his house is more than 600-700 m away from the site. Further, Shri Ravi, Panampotta house, Dhoni had complained to the District Collector on cracks in the houses due to blasting. The Asst. Engineer, LSGD made an enquiry and submitted his findings. According to the Engineer, the cracks in the house cannot be attributed to blasting of any kind. In a letter dated 24-07-2020 addressed to the District Collector, the Secretary of Akathethara Grama Panchayath has reported the matter.

### **Conclusion and Recommendation**

The points raised by the Complainant and the observations on each are given above. The sub-committee does not feel that the petition has any substance requiring cancellation of EC. However, the following two points could be considered.

The Proponent may be asked to further strengthen the OB dumping site slope with appropriate planting or by using gabion and then plant. The Secretary, Akathethara or the concerned authority may be suggested to extend the required permission allowing the proponent to take up the maintenance of the road from Plaza junction to the quarry site.

The Report is submitted for discussion and appropriate decision.

Dr. P. S. Easa

Dr. A. V. Raghu

THE HIGH COURT OF KERALA

No.....

Ernakulam,

Dated.....17/9/2020.....

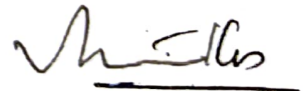
From

THE REGISTRAR OF THE HIGH COURT

To M/s Royal Sand & Gravels Pvt Ltd  
rep. by MD Mr. Mohd Fazeel T.A.  
Plaza Junction, Dhoni P.O.  
Sir, Palakkad

I am to forward herewith a copy of Judgment in W.P. (C) No. 14175/2020 (V)  
for information and necessary action.

Yours faithfully,



Section Officer  
For Registrar.

Encls:

8  
17/9/2020

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS

WEDNESDAY, THE 22ND DAY OF JULY 2020 / 31ST ASHADHA, 1942

WP(C).No.14175 OF 2020(V)

PETITIONER/S:

JOBY K JOSEPH  
AGED 46 YEARS  
S/O K.S JOSEPH, RESIDING AT KALLAMMAKKAL HOUSE, DHONI  
P.O.PALAKKAD DISTRICT-678 009.

BY ADVS.  
SRI.RAJAN VISHNURAJ  
SRI.V.HARISH

RESPONDENT/S:

1 STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY  
REPRESENTED BY ITS MEMBER SECRETARY, K.S.R.T.C BUS  
TERMINAL COMPLEX, 4TH FLOOR, THAMPANOR,  
THIRUVANANTHAPURAM-695 001.

2 M/S ROYAL SAND AND GRAVELS PVT LTD,  
REPRESENTED BY ITS MANAGING DIRECTOR MR. MOHAMMED  
FAZEEL T.A, PLAZA JUNCTION, DHONI P.O. PALAKKAD,  
KERALA-678 009.

OTHER PRESENT:

SRI.K.J.MANU RAJ, GOVT.PLEADER

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION. ON  
22.07.2020, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:



**W.P.(C.) No. 14175 of 2020**

-----  
**Dated this the 22<sup>nd</sup> day of July, 2020**

**JUDGMENT**

The case set up in the Writ Petition (Civil) is as follows :

*That the petitioner is a resident of Dhoni in Palakkad district. The petitioner approaches this Court being highly aggrieved by the non-consideration of his representation by the 1<sup>st</sup> respondent, which highlights the illegal mining operations done by the 2<sup>nd</sup> respondent in his quarry flouting all the conditions laid down in Exhibit P1 clearance. That the petitioner submits that the mining operations presently carried out by the 2<sup>nd</sup> respondent are by flouting the conditions laid down in Exhibit P1 clearance, that too obtained by submitting false information. That the petitioner also submits that on enquiry it is also learnt that Exhibit P1 by the 2<sup>nd</sup> respondent has been obtained by deliberately concealing various information in the Form-1 application. As a result of which, there has been heavy environmental degradation in the area of the petitioner. That the petitioner submits that as per Regulations 8(vi) of the EIA Notification, 2006, any deliberate concealment and/or submission of false or misleading information or data which is material to screening or scoping or appraisal or decision on the application shall make the*

application liable for rejection, and cancellation of prior environmental clearance granted on that basis. Hence, the petitioner believes that upon bringing to the ~~the~~ notice of the above mentioned illegalities, the 1<sup>st</sup> respondent has to conduct an enquiry, and is duty bound to hear the petitioner as well as the 2<sup>nd</sup> respondent and pass orders on Exhibit P2 in a time bound manner. That moreover, the area where the mining operations is being carried is having high risk of landslide as classified by the National Centre for Earth Science Studies. The blasting operations causes much risk to the locality for landslides and landslips and must be curtailed at all costs. The factual aspect also was not disclosed by the 2<sup>nd</sup> respondent while obtaining Exhibit P1. Hence, the 1<sup>st</sup> respondent was not able to appraise this aspect with regard to the 2<sup>nd</sup> respondent's project. Through a judgment reported in 2019 KHC 803 this Court held that the 1<sup>st</sup> Respondent has a duty to do post EC Monitoring. However, even after a period of almost an year, the 1<sup>st</sup> respondent has not taken any steps to curtail the illegal mining operations of the 2<sup>nd</sup> respondent or even hear the petitioner's grievances. The petitioner believes that the inaction of the 1<sup>st</sup> respondent herein facilitating the 2<sup>nd</sup> Respondent to perpetuate the illegality.

2. It is in the light of these averments and contentions that the petitioner has filed the instant Writ Petition (Civil) with the following prayers :



- i) "Issue a writ of mandamus or any other appropriate writ directing the 1<sup>st</sup> respondent to consider on Exhibit P2 representation, in accordance with law.
- ii) Pass such any other order, direction or reliefs as this Hon'ble Court may deem fit in the interest of justice, equity and good conscience."

3. Heard Sri.Rajan Vishnuraj, learned counsel appearing for the petitioner and Sri.M.K.Aboobacker, learned Standing Counsel for Kerala State Environment Assessment Authority appearing for R1. In the nature of the orders proposed to be passed in this petition, notice to contesting respondent No.2 will stand dispensed with.

4. Without getting into the merits of the controversy in any manner, it is ordered that the 1<sup>st</sup> respondent will take up the matters raised by the petitioner in Ext.P2 representation dated 20.7.2019 for consideration without much delay and may conduct an inspection, if necessary with due prior notice to the 2<sup>nd</sup> respondent and the petitioner and copies of the inspection report may then be given in advance to the 2<sup>nd</sup> respondent and the petitioner and thereafter, the 2<sup>nd</sup> respondent and the petitioner shall be afforded reasonable opportunity of being heard through their authorized representative/counsel, if any and then the competent authority of the respondent will take a considered decision on the matters raised in Ext.P2 representation in accordance with law, without much delay, preferably within an outer time limit of 3 months from the date of production of a certified copy of this judgment.

5. The petitioner will produce certified copy of this judgment along with the memorandum of this W.P.(C.) with all the exhibits before


the Secretary of the 1<sup>st</sup> respondent-State Environment Impact Assessment Authority for necessary information and further action. Registry will forward a certified copy of this judgment to contesting respondent No.2, at the cost of the petitioner.

With these observations and directions, the above Writ Petition (Civil) will stand finally disposed of.

sd/-

**ALEXANDER THOMAS,  
JUDGE**

SKS

TRUE COPY  
  
Section Officer

## APPENDIX

### PETITIONER'S/S EXHIBITS:

- EXHIBIT P1**                      A TRUE PHOTOCOPY OF THE ENVIRONMENTAL  
CLEARANCE NO 160/SEIAA/KL/3490/2013 DATED  
24.5.2014 ISSUED BY THE 1ST RESPONDENT TO  
THE 2ND RESPONDENT
- EXHIBIT P2**                      A TRUE PHOTOCOPY OF THE REPRESENTATION  
(ALONG WITH ANNEXURE) DATED 20.7.2019  
PREFERRED BY THE PETITIONER BEFORE THE 1ST  
RESPONDENT
- EXHIBIT P3**                      A TRUE PHOTOCOPY OF THE POSTAL RECEIPT  
ISSUED TO THE PETITIONER
- EXHIBIT P4**                      TRUE PHOTOGRAPHS OF THE QUARRY SITE AND A  
GOOGLE IMAGE OF THE AREA.



IN THE COURT OF THE MUNSIFF OF PALAKKAD

O.S.477/2020

I.A.2575/2020

Sibi Joseph, aged 38 years  
S/c K.S.Joseph  
Kailamakal House,  
Dhoni Post, Palakkad

Petitioner/Plaintiff

Vs

M/s Royal Sand and Gravels  
Pvt Ltd Rep by its Managing  
Director Muhammed Fazeel.T.A  
Plaza Junction, Dhoni Post  
Palakkad

1<sup>st</sup> Respondent/1<sup>st</sup> Defendant

Injunction order to the 1<sup>st</sup> respondent/1<sup>st</sup> Defendant

Hg: 9/11/2020

Whereas the petitioner/plaintiff has filed an I.A.2575/2020 in O.S.477/2020 before this Court praying for an order of temporary injunction and the same is allowed by this Court by granting an order of ad-interim injunction restraining the 1<sup>st</sup> respondent/1<sup>st</sup> defendant and his men from carrying on the activities of the quarry and crusher unit in plaint A schedule property in violation of the permission and carrying on the activities of transporting materials through plaint B schedule property in violation of the rules and causing nuisance to the residents of the locality until further orders.

Schedule of property

Attached

Given under my hand and seal of this court on this the 4<sup>th</sup> day of November 2020

By order

CN 4/11

10/11/20



Plaint A Schedule Property

Number	District	Sub District	Taluk	Amsom	Description of Property	Boundaries			
						East	South	West	North
1	Palakkad	Palakkad	Palakkad	Akathethara	Property situated on the southern side of vested forest with Quarry and Crusher Unit Block. 25, Survey No. 2, 14, 15, 16/1 9.3928 Hectors	Property of Kunjeed	B schedule Road & Private Property.	Forest Land	Forest Land

Plaint B Schedule Property

Number	District	Sub District	Taluk	Amsom	Description of Property	Boundaries			
						East	South	West	North
1	Palakkad	Palakkad	Palakkad	Akathethara	Road having a width of 3 meter and a length of 900 meter starting from Palakkad - Dhoni Road and reaching at the plaint A schedule property.	Residential Houses	PWD Road	Residential Houses	A schedule property

Dated this the 4<sup>th</sup> day of November-2020



b/o  
 I  
 P M E  
 OS 477/20  
 1A 2575/20  
 R, m m m m m m m m m m

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**Present:**

**THE HONOURABLE MR.JUSTICE C.S.DIAS**

**Tuesday, the 10<sup>th</sup> day of November 2020/ 19<sup>th</sup> Karthika, 1942**

**OP(C) No.1679/2020**

**IA 2575/2020 in OS No.477/2020 of the MUNSIF COURT, PALAKKAD**

**PETITIONERS/ RESPONDENT 1 / DEFENDANT 1.**

**M/S ROYAL SANDS AND GRAVELS PVT. LIMITED,  
REPRESENTED BY ITS MANAGING DIRECTOR,  
MOHAMMAD FAZEEL T.A, PLAZA JUNCTION, DHONI P.O, PALAKKAD,  
KERALA, PIN 678 009.**

**RESPONDENTS/ PETITIONER/ PLAINTIFF/ RESPONDENTS 2 TO 7/ DEFENDANTS 2 TO 7.**

- 1. SIBI JOSEPH, AGED 38 YEARS, S/O. K.S JOSEPH, KALLAMACKAL HOUSE, DHONI P.O, PALAKKAD PIN 678 009.**
- 2. STATE ENVIRONMENTAL IMPACT ASSESSMENT,  
AUTHORITY REPRESENTED BY ITS MEMBER SECRETARY KSRTC BUS TERMINAL  
COMPLEX, THAMBANOOR, TRIVANDRUM, PIN 695 001.**
- 3. ENVIRONMENTAL ENGINEER, STATE POLLUTION CONTROL BOARD,  
NEAR DISTRICT PANCHAYATH OFFICE, PALAKKAD PIN 678 001.**
- 4. GEOLOGIST, MINING AND GEOLOGY DEPARTMENT, TOWN BUS STAND, PALAKKAD,  
PIN 678 001.**
- 5. STATE OF KERALA, REPRESENTED BY DISTRICT COLLECTOR,  
CIVIL STATION, PALAKKAD, PIN 678 001.**
- 6. SECRETARY, AKATHETHARA GRAMA PANCHAYATH, AKATHETHARA, PALAKKAD,  
PIN 678 009.**
- 7. SUB INSPECTOR OF POLICE,  
HEMAMBIKA NAGAR, POLICE STATION, HEMAMBIKA NAGAR, PALAKKAD, PIN 678 009**

**OP (Civil) praying inter alia that in the circumstances stated in the affidavit filed along with the OP(C) the High Court be pleased to stay the operation of Exhibit P5 order and to stay all further proceedings in O.S No. 477 of 2020 on the files of the Munsiff Court, Palakkad pending disposal of the above Original Petition .**

**This petition coming on for admission upon perusing the petition and the affidavit filed in support of OP(C) and upon hearing the arguments of Sri. V. V.ASOKAN Senior Advocate along with M/S T.H.ABDUL AZEEZ, K.P.MAJEED, MOHAMMED SADIQUE.T.A & SHANKAR V, Advocates for the petitioner and of Sri. M.P. SREEKRISHNAN, Advocate for respondent 2, Sri. T. NAVEEN, Standing Counsel for respondent 3 & GOVERNMENT PLEADER, for respondents 4, 5 & 7, the court passed the following:**



C.S.DIAS, J.

=====

OP(C) No. 1679 of 2020

=====

Dated this the 10<sup>th</sup> day of November, 2020.

ORDER

Admitted.

2. Issue urgent notice by speed post to the respondents 1 and 6. Sri.M.P.Sreekrishnan takes notice for the second respondent. Sri.T.Naveen takes notice for the third respondent. The learned Government Pleader takes notice for the respondents 4,5 and 7.

3. After a perusal of the averments in the memorandum of original petition, the materials on record and also the judgment of the Hon'ble Supreme Court in **Ratnagiri Nagar Parishad v. Gangaram Narayan Ambekar [2020 SCC Online SC 441]**, I am satisfied that Ext P5 order and all further proceedings in O.S No.447/2020 of the Munsiff Court, Palakkad has to be stayed. Hence, I stay the operation of Ext P5 and all further proceedings in O.S No.447/2020 of the Munsiff Court, Palakkad for a period of two months.

Post after service is complete.

sks/10.11.2020

True Copy

Sd/-  
C.S. DIAS, JUDGE

OP(C) No.1679/2020

**EXHIBIT P4:** TRUE COPY OF I.A No. 2575 of 2020 dated 30-10-2020 in  
O.S No. 477 of 2020.

**EXHIBIT P5:** TRUE COPY OF THE ORDER OF INJUNCTION IN EXHIBIT P4  
DATED 04-11-2020 SERVED TO THE PETITIONER ON 05-11-2020.

hr . . . .

*By*  
20/11



IN THE HIGH COURT OF KERALA AT ERNAKULAM



PRESENT

THE HONOURABLE MR.JUSTICE T.V.ANILKUMAR

THURSDAY, THE 07TH DAY OF JANUARY 2021 / 17TH POUSHA, 1942

OP(C).No.1679 OF 2020

AGAINST THE ORDER/JUDGMENT DATED 04-11-2020 IN I.A.NO.2575 OF 2020  
IN OS 477/2020 OF PRINCIPAL MUNSIF COURT, PALAKKAD

PETITIONER/RESPONDENT 1/DEFENDANT 1:

M/S ROYAL SANDS AND GRAVELS PVT. LIMITED  
REPRESENTED BY ITS MANAGING DIRECTOR, MOHAMMAD FAZEEL  
T.A, PLAZA JUNCTION, DHONI P.O, PALAKKAD, KERALA, PIN  
678 009

BY ADVS.  
SRI.V.V.ASOKAN (SR.)  
SRI.T.H.ABDUL AZEEZ  
SRI.K.P.MAJEED  
SRI.MOHAMMED SADIQUE.T.A  
SHRI.SHANKAR V.

RESPONDENTS/PETITIONER/PLAINTIFF/RESPONDENTS 2 TO 7/DEFENDANTS 2  
TO 7:

- 1 SIBI JOSEPH,  
AGED 38 YEARS,  
S/O. K.S JOSEPH, KALLAMACKAL HOUSE, DHONI P.O,  
PALAKKAD PIN 678 009
- 2 STATE ENVIRONMENTAL IMPACT ASSESSMENT,  
AUTHORITY REPRESENTED BY ITS MEMBER SECRETARY, KSRTC  
BUS TERMINAL COMPLEX, THAMBANOOR, TRIVANDRUM, PIN 695  
001
- 3 ENVIRONMENTAL ENGINEER,  
STATE POLLUTION CONTROL BOARD, NEAR DISTRICT  
PANCHAYATH OFFICE, PALAKKAD PIN 678 001
- 4 GEOLOGIST,  
MINING AND GEOLOGY DEPARTMENT, TOWN BUS STAND,  
PALAKKAD PIN 678 001
- 5 STATE OF KERALA,  
REPRESENTED BY DISTRICT COLLECTOR, CIVIL STATION,  
PALAKKAD, PIN 678 001
- 6 SECRETARY,



OP(C).No.1679 OF 2020

2

AKATHEETHARA GRAMA PANCHAYATH, AKATHEETHARA, PALAKKAD  
PIN 678 009

7

SUB INSPECTOR OF POLICE,  
HEMAMBIKA NAGAR, POLICE STATION, HEMAMBIKA NAGAR,  
PALAKKAD PIN 678 009

R1 BY ADV. SRI.P.B.SAHASRANAMAN  
R1 BY ADV. SRI.T.S.HARIKUMAR  
R6 BY ADV. SRI.U.BALAGANGADHARAN

OTHER PRESENT:

SRI. JOHNSON M.I. (SR.G.P)

THIS OP (CIVIL) HAVING BEEN FINALLY HEARD ON 07.01.2021,  
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

CERTIFIED COPY



**JUDGMENT**

This O.P invoking Article 227 of the Constitution of India was filed seeking to quash Ext.P5 ex-parte order of injunction passed in O.S.No.477 of 2020 by the Munsiff's Court, Palakkad.

2. When this matter was taken up, the learned counsel for the first respondent/plaintiff concedes that the order was passed by a court which did not have jurisdiction to entertain the suit. He submitted that he proposes to withdraw the suit and pursue appropriate remedies available under law before the appropriate legal forum.

3. In view of the submission made that the impugned order is not sustainable under law, it is quashed and accordingly, this O.P is allowed.



It is made clear that this order will not affect the right of the first respondent/plaintiff to pursue the legal remedies available to it under law before appropriate forum.

Sd/-

**T.V.ANILKUMAR,  
JUDGE**

pm

CERTIFIED COPY

APPENDIXPETITIONER'S/S EXHIBITS:

EXHIBIT P1	TRUE COPY OF WRIT PETITION (C) NO. 14175 OF 2020 DATED 02-07-2020 ALONG WITH THE EXHIBITS
EXHIBIT P2	TRUE COPY OF THE JUDGEMENT DATED 22-07-2020 IN W.P(C) NO. 14175 OF 2020 OF THE HON'BLE HIGH COURT OF KERALA
EXHIBIT P3	TRUE COPY OF THE PLAINT IN O.S NO. 477 OF 2020 DATED 30-10-2020 BEFORE THE MUNSIFF COURT, PALAKKAD
EXHIBIT P4	TRUE COPY OF I.A NO. 2575 OF 2020 DATED 30-10-2020 IN O.S NO. 477 OF 2020
EXHIBIT P5	TRUE COPY OF THE ORDER OF INJUNCTION IN EXHIBIT P4 DATED 04-11-2020 SERVED TO THE PETITIONER ON 05-11-2020
EXHIBIT P6	TRUE COPY OF I.A NO. 2576 OF 2020 DATED 30-10-2020 IN O.S NO. 477 OF 2020 ON THE FILES OF THE MUNSIFF COURT, PALAKKAD
EXHIBIT P7	TRUE COPY OF THE NOTICE ISSUED BY THE ADVOCATE COMMISSIONER DATED 03-10-2020
EXHIBIT P8	TRUE COPY OF THE JUDGEMENT DATED 06-05-2020 REPORTED IN 2020 SCC ONLINE SC 441 IN RATNAGIRI NAGAR PARISHAD V. GANGARAM NARAYAN AMBEKAR
EXHIBIT P9	TRUE COPY OF THE ORDER DATED 25-10-2016 IN W.P(C) NO. 10034 OF 2016 OF THE HON'BLE HIGH COURT OF KERALA.
EXHIBIT P10	TRUE COPY OF THE ENVIRONMENTAL CLEARANCE GRANTED TO THE PETITIONER BY THE 2ND RESPONDENT DATED 24-05-2014
EXHIBIT P11	TRUE COPY OF THE MINING LEASE GRANTED TO THE PETITIONER BY THE DIRECTORATE OF MINING AND GEOLOGY DATED 22-08-2014





EXHIBIT P12

TRUE COPY OF THE CONSENT TO OPERATE  
ISSUED AND RENEWED FROM TIME TO TIME BY  
THE KERALA STATE POLLUTION CONTROL BOARD  
DATED 27-06-2012

EXHIBIT P13

TRUE COPY OF THE LICENCE ISSUED BY THE  
AKATHETHARA PANCHAYATH DATED 27-04-2020

RESPONDENTS' EXHIBITS: NIL

CERTIFIED COPY

**HIGH COURT OF KERALA  
AT ERNAKULAM**

**Number and Year of the Case** : OP(C) 1679/2020  
**Name Of Applicant** : Mohammed Sadique T. A.  
: Sadique  
**Number and Date of Application** : A 417/2021 , 07-01-2021  
**Date when the copy was delivered** : 08-01-2021

**Examiner**



**IN THE COURT OF THE MUNSIFF (PRINCIPAL), PALAKKAD.**

Present :- Sri. K. Santhosh Kumar, Principal Munsiff.

Friday, the 8<sup>th</sup> day of January, 2021.  
18<sup>th</sup> day of Pousha, 1942 S. E.

**Original Suit No. 477/2020**

**Plaintiff :-**

Sibi Joseph, Aged 38 years, S/o. K.S. Joseph, Kallamakkal House, Dhoni (PO), Palakkad.

By Advocate :- Sri. P. Sreeprakash.

**Vs.**

**Defendants :-**

1. M/s. Royal Sansd and Gravals Pvt. Ltd., Rep. by its Managing Director, Muhammed Fazeel. T.A., Plaza Junction, Dhoni (PO), Palakkad, Kerala.
2. State Environment Impact Assessment Authority, Rep. by its Member Secretary, KSRTC Bus Terminal Complex, 4<sup>th</sup> Floor, Thambanoor, Thiruvananthapuram.
3. Environmental Engineer, State Pollution Control Board, Near District Panchayath Office, Palakkad.
4. Geologist, Mining and Geology Department, Town Bus Stand, Palakkad.
5. State rep. by District Collector, Civil Station, Palakkad.
6. The Secretary, Akathethara Gramampanchayath, Akathethara, Palakkad.
7. Sub Inspector of Police, Hemambika Nagar Police Station, Hemambika Nagar, Palakkad.

By Advocates :- Smt. T. Reena for D1

Sri. T.N. Harshan for D3

The Addl. Govt. Pleader for D4, D5 & D7

Sri. A.V. Ravi & Sri. Sujeesh. G for D6 .

2<sup>nd</sup> Defendant not entered in appearance.

This suit having been finally heard on this day and after considering the matter this Court delivered the following :-

## J U D G M E N T

Suit for declaration, mandatory and prohibitory injunction.

2. Plaintiff is represented. Steps defect. But D1 & D3 to 7 are represented through counsel. Counsel for plaintiff filed a statement to dismiss the suit without costs by reasoning his right to approach the Hon'ble Green Tribunal. Heard both counsel and the statement of plaintiff is accepted. The suit is dismissed without order as to costs.

Pronounced by me in open Court on this the 8<sup>th</sup> day of January, 2021.

  
Principal Munsiff.

Appendix : Nil.

Typed by : VT.  
Compared by :

  
Principal Munsiff.

( True Photo )  
False Copy Supplied