

Minutes of the 33rd Meeting of Kerala State Single Window Clearance Board (KSSWCB) chaired by Chief Secretary, held through Video Conference, at 10:30 AM on 22nd December 2022

(A) CONFIRMATION OF MINUTES OF THE 32nd MEETING AND THE SPECIAL MEETING OF THE BOARD

The Minutes of the 32nd meeting of Kerala State Single Window Clearance Board (KSSWCB) held through Video Conference at 10.30 AM on 9th May 2022, and the Special Meeting of the Board held through Video Conference at 2.30 PM on 17th September 2022, have been circulated to all members.

Decision:

The Minutes of the 32nd meeting of Kerala State Single Window Clearance Board (KSSWCB) held through Video Conference at 10.30 AM on 9th May 2022, and the Special Meeting of the Board held through Video Conference at 2.30 PM on 17th September 2022 were confirmed.

(B) MATTERS ARISING OUT OF THE PREVIOUS MEETINGS

AGENDA ITEM-1:

Setting up of a Private Integrated IT & Hi-Tech Park at Mannuthy, Thrissur, by M/s. Malabar Group at Mannuthy, Thrissur - Permission for Conversion/ reclamation of 'Nilam'

The proponent informed that vide G.O.(Rt) NO.180/2022/TTD dated 01/09/2022, Government have rescinded the Certification for Private Integrated IT and Hi-Tech Park issued to M/s. Malabar Group. Citing the reason for cancellation of certification, the G.O states that 'projects close to airports alone can grow and attract IT entrepreneurs'. The proponent claims that the proposed Private Integrated IT & Hi-Tech Park at Mannuthy and the Infopark, Kochi, have similar proximities to Cochin International Airport. The proponent asserted that the Government shall not be looking at the viability of the proposed project, as it is a Private Park with the entire investment being brought by the private sector.

Chief Secretary reciprocated the views of ACS (Environment, Home & Vigilance) that the project is a long-pending case requiring immediate resolution.

The representative from Revenue Department informed the Board that the issue is still pending because the Agriculture Department has instructed Revenue Department to revoke the public purpose categorization granted to M/s. Malabar Group.

The Board observed that the Government Order G.O (P) No.84/2015/RD, dated 26.02.2015, issued by Revenue Department specifying the purpose of the project as "public purpose" under the provisions of the Kerala Conservation of Paddy Land & Wetland Act, 2008, is still valid.

Chief Secretary instructed the Revenue Department to immediately initiate cabinet note for conversion permission, in line with the aforesaid G.O. issued by Revenue Department specifying the project as "public purpose" under the Act.

Decision: Revenue Department to immediately forward the Cabinet Note to consider granting of conversion permission to the project, along with record of the opinion, if any, received from the Agriculture Department, as the purpose of the project has already been specified as "public purpose" under the Kerala Conservation of Paddy Land & Wetland Act, 2008. [Action: Revenue Department]

AGENDA ITEM-2:

Setting up of a Common Biomedical Waste Treatment Facility (CBWTF) in Ernakulam by Indian Medical Association (IMA)

IMA informed that they are in the beginning stages of setting up a CBWTF in 3 acres of land allotted in KINFRA Industrial Park at Adoor. They have already received the 'Consent to Establish' (CTE) from the KSPCB.

IMA informed that it is insisted in the CTE that Environment Clearance from SEIAA shall be obtained and an agency approved by NABET have been chosen for conducting the EIA study, and the application for obtaining the TOR for conducting the EIA study have been submitted. The application submitted by IMA was considered by SEAC in its 134th meeting, and the recommendations have been forwarded to SEIAA for consideration. Directions from SEIAA are awaited.

Decision: The Board directed SEIAA to expedite its decision on the matter [Action: SEIAA]

AGENDA ITEM-3:

M/s. Accelerated Freeze Drying Company Ltd. - Expansion of existing facility

The Board noted that the District Collector, Alappuzha had convened a meeting on 20.05.2022 to discuss the issue of non-allotment of building number by Ezhupunna Grama Panchayat, wherein the Panchayat was directed to expedite the matter, rather than seeking additional documents one after the other. However, vide letter dated 18.07.2022, the proponent informed that the Panchayat Secretary had asked the proponent to obtain a direction from Principal Secretary (LSGD) so as to approve the building expansion and allot building number.

The proponent informed that the building is an extension of an existing facility, which is a seafood processing unit. The Panchayat had issued building permit on February 2019, and after the completion of building, the drawings were submitted to the Panchayat on 18.08.2021 for allotment of building number. However, the Panchayat then observed that an additional

construction of 300 sq.m. was done by the proponent, over and above the approved Plan. The Panchayat sought clarifications/ advice from District Town Planner (DTP) on the matter, and the DTP advised that since the additional construction stayed within the permissible limit, the Panchayat can regularise it.

The Panchayat Secretary informed that certain portion of the expanded facility was on wet land that comes under the Data Bank. The Panchayat Secretary also concurred that this matter was not fully investigated at the time of issuing Building Permit.

Additional Chief Secretary (Finance) opined that the local body may regularise an excess construction/ built-up area, provided the construction complied with the building codes in effect at the time the permit was obtained.

Chief Secretary expressed displeasure over the tendency of local bodies to refuse issuing building number after according building permit, and directed Principal Secretary, LSGD to issue a Circular with necessary checklist on the aspects to be ensured while issuing Building Permits.

Decision: Since Building Permit was already issued by the Panchayat, the Board directed Principal Secretary (LSGD) to look into the matter and sort out the issue regarding building number, immediately. [Action: Principal Secretary, LSGD]

AGENDA ITEM-4:

Setting up of a Convention Centre and Hotel project in Kozhikode by M/s. Spice Bowl Hotels (P) Ltd - Clearance from Panchayat

Principal Secretary-II (Industries) informed that the team led by Dr. R. Sundaravadivelu, Emeritus Professor from IIT has already visited the site and had requested assistance from NIT Trichy to complete the detailed inspection, which is currently complete. The proponent has now sought for an additional time of one month in order to produce the inspection report.

Decision: The Board decided to wait for the proponent to submit the Inspection Report in order to move forward with further proceedings. [Action: Proponent]

AGENDA ITEM-5:

Construction of Vizhinjam International Seaport by M/s. Adani Vizhinjam Ports (P) Ltd.

A. Clearance from Dept. of Forest & Wildlife

The proponent informed that final notification from the Department of Forest & Wildlife, GoI declaring ESZ of Neyyar and Peppara Wildlife Sanctuary was issued on 29th June 2022.

B. NOC for Diesel Storage Facility inside port premises: -

The proponent informed that the NOC for Fuel Storage Facility inside port premises was issued on 17th December, 2022.

Decision: The Board noted that the matters have been resolved.

AGENDA ITEM-6:

Construction of a 5-Star Hotel at Kovalam, Thiruvananthapuram, by M/s. Travancore Enterprises Ltd. (RP Group) - Approval of Plan & Drawings by Town Planning Department

The proponent informed that they are proceeding with the current sketch submitted to the Town Planning Department and are working on revising those drawings and resubmit later.

Decision: The proponent was instructed to approach the Board after submitting revised drawings to the Town Planning Department. [**Action: Proponent**]

AGENDA ITEM-7:

Construction of Compound Wall, Swimming Pool and Ayurveda Spa in the Resort project being implemented in Ayiroor, Varkala, by M/s. Hill Country Hotels & Resorts (P) Ltd.

Clearance from Elakamon Grama Panchayat

The Board noted that the project was started in 2011, and the matter has been coming up before every State Single Window Clearance Board. The proponent informed that 3 out of the 4 cases have been withdrawn by the parties concerned, including the case filed by the Panchayat Secretary. However, one case, filed by some locals against the decision of the State Board, is still pending before the Hon'ble High Court, in which there is a stay from the Court.

Chief Secretary stated that the disagreements with the community or nearby people shouldn't delay the project's prompt completion. He added that the LSG institutions should facilitate and encourage projects that are beneficial to the economy, rather than contributing to the project's challenges. Chief Secretary instructed the Principal Secretary (Industries) to take the appropriate steps to move the Hon'ble High Court and get the stay vacated.

Decision: Principal Secretary (Industries) to take necessary action to get the stay order against the State Board's decision vacated. [**Action: Principal Secretary, Industries**]

AGENDA ITEM-8:

Setting up of an International Convention Centre, Family Park & Hotel at Changanassery by M/s. Contour Holiday Resorts (P) Ltd. - Correction of nature of land in Town Planning Master Plan

The Board noted that the Special Committee, in its meeting held on 30.05.2022, decided to amend the Master Plan by changing the zone included in Re - Survey Block No. 194, 203 in Changanassery Village from Paddy Zone to Mixed Zone. The decision was approved by the Municipal Council, in its meeting held on 10.10.2022. A copy of this decision, along with a request to amend the masterplan, was forwarded to the District Town Planner on 01.12.2022 for further proceedings. The District Town Planner stated that all required actions on their end have been completed, and the Municipal Council shall now release the notification for amending the Masterplan. Secretary, Changanassery Municipality informed that the notification would be issued at the next Council meeting.

Chief Town Planner informed that the Municipal Council, in addition to its decision to amend the Master Plan for this particular project, has also recommended several other changes like, zone changes, road widenings, etc., which would result in a total masterplan revision that would be time consuming.

Additional Chief Secretary (Finance) suggested to Chief Town Planner to approve Master Plan change for the subject project, as it has been brought before the Board, and provide instructions to the Municipal Council that the remaining cases will be considered at a later stage along with a full revision.

Decision: The Board directed the Chief Town Planner to immediately decide upon the approval of Master Plan change for the subject project, and then inform the Municipal Council that the remaining cases would be considered at a later stage along with a full revision of master plan. [Action: Chief Town Planner/ Secretary, Changanassery Municipality].

AGENDA ITEM-09:

Construction of a Multi-Specialty Hospital in Thiruvalla by Believers Church Medical College Hospital - Removal of a portion of land from Data Bank.

The board noted that the 43.85 ares of land including 24.40 ares belonging to Re-Sy No. 95/3 and 19.45 ares belonging to Re-Sy No. 95/1 in Block No. 08 of Kuttapuzha Village in Thiruvalla Taluk have been removed from the data bank, and orders were issued.

Decision: The Board noted that the matter has been resolved.

AGENDA ITEM-10:

Setting up of an Industrial Warehousing & Logistics Park in Ernakulam by M/s. Avigna Group – Facilitating necessary clearances on fast track basis.

The project proponent informed that they have dropped the initial plan that would require permission to convert 28 acres of Rubber Plantation for industrial use. Instead, the facility is now proposed to be set up in 22 acres of land in Parakkadavu Village, Aluva Taluk, Ernakulam District, of which around 1.6 acres comes under Plantation category that would be kept as such without any conversion. The proponent informed that applications with drawings have been submitted to the District Town Planner, Ernakulam, and the District Fire Officer for necessary approvals. The proponent requested the intervention of the Board to fast-track the required approvals so that they could immediately commence construction and inaugurate the facility during April 2023.

Decision: As the project has come up through the 'Meet the Investor' campaign of the Hon'ble Minister (Industries, Law & Coir), the Board directed the District Town Planner and District Fire Officer, Ernakulam, and other authorities concerned, to expedite approvals on top priority basis so that the facility would become operational within the mentioned timelines. [**Action: District Town Planner, Ernakulam/ District Fire Officer, Ernakulam**]

AGENDA ITEM-11:

Arangathu Aggregates, Kottayam - Appeal to the State Board

The proponent informed that, as directed by the Board in its previous meeting, discussions were held with the PCB officials on 25.10.2022, and it was decided to relocate the machinery proposed to be installed, so as to meet the distance criteria. Accordingly, the proponent had taken on rent two adjacent properties and executed rent agreements with respective land owners. The proponent stated that the distance criteria has been met, and the updated site plan was also submitted to KSPCB on 03.11.2022.

Chairman, KSPCB informed that the Technical Committee has decided to grant consent to the project upon payment of the consent fee by the proponent, as the proponent has now complied with all requirements needed to meet the guidelines.

Decision: Consent will be given by KSPCB to M/s. Arangathu Aggregates for installing additional machineries, upon receipt of the Consent fee. [**Action: Proponent & KSPCB**]

AGENDA ITEM-12:

Appeal application by Shri. Tomy Emmanuel against the provisional quarry license issued to M/s. Welcome Granites, Muvattupuzha

The Board noted that the decision taken in the Special Meeting of the Board in this regard was communicated to the Hon'ble Court, in compliance with its judgment. Accordingly, the contempt case was disposed off by the Hon'ble High Court vide judgment dated 19.09.2022. The Board observed that Deemed License was also issued to M/s. Welcome Granites on 24.09.2022.

Decision: The Board noted that the matter has been resolved.

(C) NEW PROPOSALS BEFORE THE BOARD

AGENDA ITEM-1:

Markaz Knowledge City, Kozhikode – Permit for construction of two building complexes - Non-issuance of Building Permit by Kodencheri Grama Panchayat

The proponent, commonly known as the Jamia Markaz, is an academic and charitable organisation established in 1978 under Societies Act, and has been running educational and charitable institutions across the country. The Markaz Knowledge City is an integrated township located in Kozhikode, and is made up of eighteen distinct entities working in the realms of education, culture, health, entrepreneurship and residence. The components of Markaz Knowledge City include a Cultural Centre, Educational complexes for Medicine, Law, Management, Arts, Science, Skill Development, Centre of Excellence, etc.

As part of the project, the proponent proposes to construct a Centre of Excellence (Hillsinai) and a School of Management Studies (AIMER), in a total extent of 3.76 acres of land in Kodencheri Village, Thamarassery Taluk, and Kozhikode District. Applications for building permit for the two projects were submitted to Kodencheri Grama Panchayat on 27.04.2021 and 14.03.2022, respectively. However, building permits were not granted by the Panchayat on the grounds that the project lands were plantation lands that got exemption u/s 81 of KLR Act, 1963. Accordingly, the proponent has submitted application before the Board, requesting intervention for granting building permits for the two project components of Markaz Knowledge City.

The proponent informed that approval was obtained from Town Planning Department for the entire Knowledge City Project, however the Panchayat has denied building permit for the two components (Hillsinai and AIMER).

Decision: The Board directed LSG Department to look into the details of the issue, as to whether building permit and/or layout approval were given to the project, on its entirety or component-wise, and furnish report to KSIDC within a week, so that the matter can be considered in the next meeting of the Board. [Action: Principal Secretary (LSGD)].

AGENDA ITEM-2:

Setting up of an Ayurveda Hospital in Kasaragod District by M/s. Poovar Ayurveda Centre & Hospital Pvt. Ltd. - Building Permit and facilitation of CRZ clearance by Valiyaparamba Grama Panchayat

The proponent company has been operating an Ayurveda centre in Poovar Island, Thiruvananthapuram, and as part of expansion, proposes to construct an Ayurveda Hospital in 14 acres of land owned by it in Valiyaparamba Panchayat, Kasaragod District at an investment of around Rs.15.50 Crore. The project envisages a 100% Ayurveda Wellness Centre and Hospital targeting foreign as well as domestic clients, and comprises Ayurvedic Spa treatment rooms, 5-star accommodation facility for clients, a Health Club and an Ayurveda restaurant.

The proponent had made application through the Panchayat for obtaining CRZ clearance for the project, and uploaded necessary documents through the 'Parivesh' portal of the Ministry of Environment, Forest and Climate Change (MoEF & CC), Government of India. The Member Secretary, KCZMA informed that the proposal has been recommended to the MoEF & CC, GoI, and that approval would normally be obtained within a month.

Decision: KCZMA to follow up with MoEF & CC for expediting the requisite clearance. [Action: KCZMA].

AGENDA ITEM-3:

Appeal application by Shri. P. Ramadas against the grant of deemed license issued to M/s. V.K Fisheries, Pandikkad, Malappuram - Appeal against the grant of deemed license issued to M/s. V.K Fisheries by the District SWCB, Malappuram

The appellant is the convener of Valliyathrappadi Janakeeya Committee, and has submitted an appeal before the State Board requesting to set aside the decision of the District SWCB, Malappuram, granting deemed license to M/s.V.K Fisheries for setting up a wholesale fish market in Pandikkad, Malappuram. According to the appellant, the wholesale fish market is being set up in a residential area, and that the Convener of DSWCB, Malappuram (GM, DIC)

had earlier cancelled the Acknowledgement Certificate issued to the project on grounds that the nature of activity was only trading, and not marine processing.

Moreover, the Pandikkad Grama Panchayat Committee, in its meeting held on 25.03.2022, had unanimously resolved to reject the license application of the unit in view of the local protest against the proposed project on the grounds of pollution. However, the DSWCB, Malappuram, in its meeting held on 17.06.2022 decided to grant deemed license to the project, observing that the project had obtained all other necessary licenses/ NOCs, including that of PCB. Accordingly, deemed license was issued by GM, DIC, Malappuram on 01.07.2022.

Aggrieved by this, the petitioner filed a writ petition (WP(C) No.22891/2022) before the Hon'ble High Court challenging the decision of DSWCB, Malappuram. The petitioner and the Panchayat claims that the project is a fish market, and that Panchayat is the authority to decide on granting license to such markets. The Hon'ble High Court, in its judgement on the WP, dated 25.10.2022, had directed the State SWCB to consider the Appeal application of the petitioner and pass appropriate orders thereon, within 3 weeks.

The counsel for the appellant informed that the project is an open fish market, for which the Panchayat is the licensing authority as per relevant statutes. He also informed that the appellant is residing within 100 meters of the proposed fish market, and that the market would contribute to pollution, especially water pollution of nearby wells.

The project proponent (M/s. V K Fisheries) informed that the appellant is residing far outside the project vicinity, beyond 100 meters, and that the PCB had issued Consent after having satisfied with all pollution control measures adopted by the firm.

GM, DIC, Malappuram reported that the project is not an open fish market; instead a yard with cold storage facility, where fish brought in from various locations are transferred to the trucks of wholesale merchants for outbound sales. As such it is a trading activity, which also comes under the ambit of the District/ State Single Window Clearance Boards. He confirmed that all aspects of pollution were duly considered by the authority concerned before granting Consent for the project.

Decision: The Board, after hearing all concerned, decided to uphold the decision of the District Single Window Clearance Board, Malappuram, in granting deemed license to the wholesale fish trading project of M/s. V K Fisheries.

AGENDA ITEM-4:

M/s. Tasna Mines, Kottarakkara – Delay in issuing Letter of Intent (LOI) for a quarry lease on Government land by District Geologist, Kollam

The proponent had obtained NOC from DC, Kollam on 23.01.2020, to undertake quarry mining activity in 6.9033 hectares of government-owned rocky fallow land in Re. Sy. No

130/3, Block No. 27, Elamadu Village, Kottarakkara Taluk, Kollam District, on lease basis. The NOC granted by DC, Kollam, was in accordance with the decision of the 25th KSSWCB held on 07.01.2020. Later, due to circumstances presented by Covid-19 pandemic, the validity of the NOC was extended by one year, with effect from 23.02.2022. As per the NOC provisions, the proponent has to obtain Environment Clearance during this extended period.

Letter of Intent (LOI) from Department of Mining & Geology being a necessity for applying for EC, the proponent had applied for LOI from the District Geologist, Kollam, during March 2022. However, the LOI has not yet been issued by the District Geologist, who informed that the same can be processed only after getting the opinion of DC, Kollam on certain local protests against granting of mining NOC to the proponent. It is understood that the major complaints against NOC for the quarry were from a nearby Temple Trust and a few other religious organisations.

The proponent states that the Trust had illegally encroached upon the Government land and had installed a lamp on it. However, Mining Plan was prepared, including only 4.4280 Ha out of the 6.9033 Ha land so as to keep a sufficient distance of 115 metres from the temple's lamp. According to the proponent, mining has been taking place in that area for the past 25 years, and that several companies have mined there until EC for rock mining was made mandatory in 2010. As there is delay from the Mining and Geology Department in granting the LOI, the proponent has requested intervention of the KSSWCB in expediting the process within the NOC timeline.

Decision: The Board directed the District Geologist (Kollam) to take a decision on the LOI issuance based on the rules and guidelines, within 2 weeks. [**Action: District Geologist, Kollam**].

The meeting came to an end at 12:15 PM.



Chief Secretary