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KERALA STATE POLLUTION CONTROL BOARD

കേരള സംസ്ഥാന മലിനീകരണ നിയന്ത്രണ ബോർഡ്

Pattom P.O., Thiruvananthapuram – 695 004

പട്ടം പി.ഒ, തിരുവനന്തപുരം 695 004



KSPCB/98/2024-SEE-1

Date: 17/03/2026

CIRCULAR

Sub: - Validity of Environmental Clearance (EC) granted by District Environmental Impact Assessment Authority (DEIAA)

Ref: -

1. Letter No. KSPCB/98/2024-SEE-1 dated 20/09/2025
2. Hon'ble High Court of Kerala judgment dated 22/01/2026 in W.A. No. 2330 of 2025
3. Legal Opinion received from Legal Advisor of the Board vide email dated 16/03/2026

The clause 9 (iv) of Ministry of Environment, Forest & Climate Change (MoEF&CC) Notification S.O. 1807(E) dated 12/04/2022, which stated that the prior Environmental Clearance (EC) granted for mining projects shall be valid for the project life as laid down in the mining plan approved and renewed by competent authority, from time to time, subject to a maximum of thirty years, whichever earlier, was previously quashed by a Single Judge of the Kerala High Court in a subsequent Order dated 26/08/2025 in WP(C) 23150 of 2023.

Subsequently, Board vide letter dated 20.09.2025, clarified that for quarries having valid EC issued by the DEIAA, the consent can be granted by the Board limiting the validity to the period of EC granted, subject to the condition that the consent granted will stand automatically cancelled either on the rejection of the re-appraisal by the SEIAA or on the basis of such other orders as may be issued by the Hon'ble Supreme Court or Hon'ble High Court.

Now the Division Bench High Court of Kerala, in its judgment dated 22.01.2026 in W.A. No. 2330 of 2025 and connected writ appeals set aside the Single Judge's order dated 26/08/2025 in WP(C) 23150 of 2023.

In light of the legal opinion, referred (3), received on the matter that, *in the absence of any interdictory orders fettering the operation of the notifications, both the notification S.O.1807(E)No.12/04/2022 and the subsequent clarification are perfectly valid. The applications, if any, received are therefore liable to be considered treating the above two notifications as being valid.*

Accordingly consent applications in this regard, may be processed based on the benefit entitled in clause 9 (iv) of (MoEF&CC) Notification S.O. 1807(E) dated 12/04/2022. The validity of such consent will be subject to further orders or judgments as may be issued by the Hon'ble Supreme Court or Hon'ble High Court.

Sd/-

CHAIRPERSON

Forwarded by Order

CHIEF ENVIRONMENTAL ENGINEER

To

1. The Chief Environmental Engineer,
Regional Office, Thiruvananthapuram /Ernakulam/Kozhikode.

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

Copy to:-

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

CHAIRPERSON

Forwarded by Order

[Handwritten Signature]

CHIEF ENVIRONMENTAL ENGINEER