

**THIRD REPORT OF JOINT COMMITTEE IN THE MATTER OF O.A. 144 OF 2020 (DR. SARVABHOUM BAGALI) SUBMITTED BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, SOUTHERN ZONE, CHENNAI, AS PER ORDER DATED 22.02.2022.**

**1.0 PREAMBLE**

In the Original Application No. 144 of 2020 (SZ), filed by Dr.Sarvabhoom Bagali, Vs The State of Karnataka &Ors, the Hon'ble National Green Tribunal (NGT), Chennai vide Order dated 07.08.2020 constituted a Joint Committee to inspect the sites in question and submit a Report. Accordingly, the Joint Committee has inspected the sand mines at Raichur District and submitted a report on 21.12.2020. Hon'ble NGT vide order dated 09.11.2021 directed the Joint Committee to file another report on excess mining, penalty collected etc., Accordingly, the Committee, had collected the information from concerned Departments and after deliberated in detail, has submitted a report on 17.12.2021.

Hon'ble NGT vide order dated 22.02.2022 made the following observation:

- “ 5. *The Ministry of Environment, Forests and Climate Change (MoEF & CC) has not answered the allegations made in the application as to whether the sand mining can be permissible even in a manmade wet land, tanks, lakes and ponds etc.,*
6. *It is also not clear from the report submitted by the Joint Committee as well as the statements filed by the respondents as to whether they are doing de- silting or dredging in the water bodies or they are permitted for mining.*
7. *The applicant is also directed to file their objections, (if any) to the Joint Committee report to be filed.*
8. *The Ministry of Environment, Forests and Climate Change (MoEF & CC) is also*

*directed to file their statements answering the query that has been raised by us and they are directed to file their report, reply statement and also for objections to the Joint Committee report to this Tribunal on or before 23.03.2022, by e-filing in the form of searchable PDF/OCR Supportable PDF and not in the form of Image PDF along with necessary hardcopies to be produced as per rules.”*

9. *The Registry is directed to communicate this order to the members of the committee and also to the official respondents including the Ministry of Environment, Forests and Climate Change (MoEF & CC) immediately through e-mail for their information and also for compliance of the report.*

## **2.0 DELIBERATIONS AND CONCLUSION**

The Joint Committee noted that the observation at paras 5 & 8 pertains to the Ministry of Environment, Forests and Climate Change (MoEFCC) and learnt from the Nodal Officer [ Integrated Regional Office, MoEFCC, Bangalore] that the concerned Division at MoEFCC, New Delhi is in the process of filing reply.

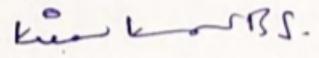
The para 6 of the Order pertains to Joint Committee Report and hence needs to file another report. Accordingly, the Joint Committee had examined the Environmental Clearances and mining leases of the two mines viz. Gonavara and Albanuru which were granted permission for mining in Nala in the Raichur District. It is noted from the EC and Mine lease that these mine leases were granted for mining sand in Nala and not for desilting or dredging.

  
**Shri Santhosh Kumar Gouda, KAS**  
Assistant Commissioner, Raichur Sub-  
Division.

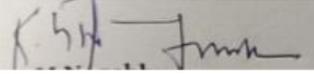
  
**Shri Mahanathesh T**  
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**Smt. Suganda B Kuri**  
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