

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL(SZ)
CHENNAI.

O.A . No. 252 of 2017 (SZ).

IN THE MATTER OF :-

UDAYA SUVARNA

....Appellant.

VERSUS.

THE STATE OF KARNATAKA & ORS.

....RESPONDENTS.

Next Date. 08.10.2021

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THROUGH


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Date:- 08/10/2021.

Place New Delhi

BEFORE THE NATIONAL GREEN TRIBUNAL

APPLICATION No. 252/2017

BETWEEN:

UDAYA SUVARNA

....APPLICANT

VERSUS

STATE OF KARNATAKA
REPRESENTED BY THE
DEPUTY COMMISSIONER
UDUPI AND OTHERS

....RESPONDENTS

REPORT ON COMPLIANCE OF ORDER DTD 25.02.2020

1. It is respectfully submitted that, this Hon'ble Tribunal on 20.09.2021 passed order directing the Respondent No.1- The Deputy Commissioner, Udupi to file compliance report to Hon'ble Tribunal on or before 08.10.2021 by e-filing in the form of searchable PDF/OCR supportable PDF and not in the form of image PDF along with necessary hard copy to be produced as per rules.
2. It is submitted that Removal of Sand from the identified sandbars in CRZ area of Udupi District is done as per the Office Memorandum dated: 24.02.2011, 09.06.2011 and 08.11.2011 and also as per the sustainable Sand Mining guidelines issued by Ministry of Environment, Ecology and Forest and Climate Change Notification No.11-83/2005-IA-III(VOL.III).
3. It is submitted that as per the Office Memorandum dated: 24.02.2011, the Seven member Udupi District Sand

Monitoring Committee is set up and has adopted scientific and transparent method for selection of the traditional sand excavators and to ensure the norms and guidelines are followed in its true spirit.

4. It is submitted that, as per the sustainable sand mining guidelines, the seven member committee has adopted Scientific and systematic methods like, to conduct river wise/Stream wise Bathymetric Survey annually to identify the sand bars and to estimate the quantity of sand available as well as to know the rate of replenishment of sand in CRZ area. This method helps us to establish a long term monitoring program. This Bathymetric survey data is analyzed by the NITK, Surathkal keeping environment and ecology in focus and it deliberates on the demarcation level of sand extraction in the river to be allowed. Further, upon scrutiny of the report, it is forwarded to the KSCZMA through District CZMA recommendation. After obtaining approval from KSCZMA, Seven Member Sand Monitoring Committee grants Temporary permits for the removal of sand by the 170 registered members of the Traditional Community for a period of One Year.

Details of Temporary permit holders for Sand Bar removal:

Year	Number of TP's Sanctioned
2017-18	165
2018-19	45
2019-20	170

2020-21	168
2021-22 (Up to 07.10.2021)	40

5. It is submitted that, the available sand bars are demarcated by using Floating balls fitted with GPS to mark the boundaries of these sand bars within which the sand removal is allowed and these boundaries are Geo-Fenced.
6. It is submitted that only three boats (for each temporary sand permit holder) which are installed with GPS only are allowed to remove sand. If any violations with respect to the removal of sand outside the sanctioned sand bars or more number of boats are found using removal of sand, Penalty is levied as per the 7 Member Sand Monitoring Committee decisions and cases filed depending upon the gravity of violation.
7. It is further submitted that, the district administration made mandatory to install GPS for the vehicles to carry sand. The movements of boats and sand carrying vehicles, are being monitored. The district administration has quoted tender from the agencies to monitor the GPS installed vehicles including boats during sand mining. If any violations found, actions are initiated based on the violations and tampering of GPS based on the reports given by the GPS Company.

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Details of Cases filed for illegal Sand Mining/ Transportation:

Year	Sand Removal	Transportation	Total
2017-18	08	03	11
2018-19	06	57	63
2019-20	15	111	126
2020-21	-	32	32
2021-22 (Upto Sept-2021)	4	2	6

Details of Penalty Collected with respect to illegal Sand Mining /Transportation & GPS Violation for transporting vehicles & Boats

Year	Sand Removal	Penalty Amount	Transportation	Penalty Amount	Total
2017-18	78	4000000	44	1125000	5125000
2018-19	116	1990000	-	-	1990000
2019-20	118	7650000	36	450000	8100000
2020-21	64	1953723	128	3684020	5637743
2021-22 (Upto Sept-2021)	30	929128	43	1151976	2193464
Total	406	16522851	251	6410996	23046207

8. It is submitted that to reduce escalation in sand rate and for uniform distribution of sand in Udupi District, the District Administration has fixed a low price of Rs. 600/- per Metric Ton for CRZ sand and transportation charges of 3000/- (For large Vehicles upto 8 to 10 MTs), Rs. 2000/- (For Medium Vehicles upto 4 to 8 MTs) and Rs.1,500/- (For Small size Vehicles upto 1 to 4 MTs) upto 20 Kilometers and Rs. 50/- for every Additional Kilo meter.

9. It is submitted that to combat leakage of royalty to the Government, The District Administration has brought the whole cycle of sand removal (excluding Fish breeding season and monsoon), transportation and delivery into e-platform. The

district administration has adopted the most transparent, hassle free mechanism for distribution of sand through Sand App management. In this method if a person requires specific quantity of sand for specific purpose, then he should book the sand through online using Sand App by making e-payment for the specific quantity. Thereafter an OTP is generated and sent to the registered phone number given by the person while booking the sand. Immediately, nearest to the destination address, registered sand supplier and whoever vehicle owner accepts the order will be allotted. After the delivery of sand the vehicle driver needs to obtain the OTP and upload in the Sand App to complete delivery of sand to the destination. The complaint management is also incorporated in the vehicle app of sand app as well as manual method for public is kept open.

20/10/2021
DEPUTY COMMISSIONER
AND CHAIRMAN,
7 MEMBER SAND MONITORING
COMMITTEE
UDUPI DISTRICT
UDUPI
DEPUTY COMMISSIONER
UDUPI DIST.