

BEFORE THE NATIONAL GREEN TRIBUNAL

SOUTHERN ZONE, CHENNAI

Original Application No.239 of 2024 (SZ)

In the matter of:

Tribunal on its own motion SUO MOTU
based on the News Item in The Hindu
Newspaper dt: 25.06.2024, under
the caption, "Illegal sand mining continues
in Cauvery river in parts of Karur district,
allege activists".

... Applicant(s)

Versus

TNPCB, Through its Member Secretary,
Chennai and Ors.

...Respondent(s)

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Through

Dr. D. Shanmuganathan

Standing Counsel of Tamil Nadu

National Green Tribunal

Southern Zone, Chennai

DATE:12.02.2025

**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI**

Original Application No.238 of 2024 (SZ)

(Transferred from Principal Bench of National Green Tribunal New Delhi)

O.A No.878 of 2024 (PB)

- 1) Suo Motu registered by Principal Bench of National Green Tribunal based on the News item title Illegal Sand Mining issues in Cauvery river in parts of Karur district. The Hindu dated:25.06.2024

... Applicant

- Vs. -

- 1) Tamilnadu Pollution Control Board
Through its Member Secretary
76, Mount Salai, Guindy, Chennai-32
- 2) Central Pollution Control Board
Through its Member Secretary
Parivesh Bhavan,
East Arjun Nagar,
New Delhi - 110032
- 3) Ministry of Environment,
Forest & Climate Change
Through its Regional Office,
Integrated Regional Office,
1st and IInd floor,
Handloom Export Promotion Council,
34, Cathedral Garden Road,
Nungambakkam Chennai.

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4) The District Collector
Karur
First Floor,
Collectorate
Karur

... Respondent(s)

COMPLIANCE AND ACTION TAKEN REPORT OF THE 4TH
RESPONDENT

I, M.Thangavel, I.A.S., S/o.Meenakshisundaram, aged about 58 years, serving as District Collector, Karur District, do hereby solemnly and sincerely affirm state that as per the cause list suo motu registered by the Hon'ble Principal Bench of National Green Tribunal vide original Application No.878/2024, I have been arrayed as the 4th respondent and based on the news item published in the daily newspaper "The Hindu" on 25.06.2024 under the heading "Illegal Sand Mining continues in Cauvery river in parts of Karur District" and heard and ordered on 22.07.2024 to list the case before Southern Zone of Hon'ble National Green Tribunal on 23.09.2024.

Accordingly the "Hon'ble National Green Tribunal (SZ) registered the petition copy as O.A.No. 238 of 2024 (SZ) on 11.09.2024 and intimated the issue through their Judicial Section NGT SZ as the next date of hearing is posted on 19.09.2024 and to reply with necessary action and compliance on the afore said issue. As directed the action

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taken and compliance report on curbing illegal sand quarrying in Cauvery river in Karur District is respectfully submitted herein.

- 2) I respectfully submit that, the prior to the publication of the news in The Hindu dated:25.06.2024, the concerned reporter contacted this respondent, for clarification. At, that time itself, it had been communicated to the said person that the routine enforcement is always executed in the District of Karur regarding curbing illegal quarrying of river sand as “round the clock vigil had been mounted at 15 places to check illegal sand mining. Police and Revenue personnel were posted along the banks of Cauvery River on shift basis. Barricades have been erected to prevent the entry of trucks and Lorries who indulged in illegal activities”.
- 3) I also submit that a riparian district, to the Cauvery and Amaravathi, the district administration is always prepared to restrain and alleviate the act of unauthorized quarrying of river sand from the said water bodies and numerous channels passing across the length and breadth of Karur District. Police, Revenue, Geology and Mining department’s personnel are constantly keeping surveillance in all vulnerable places, river banks, important roads and inter district boundaries. Even

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though, an unprecedented guarding of the natural resource river sand is being rendered by the district administration, sporadic incidents of lifting of sand already quarried and transported by bullock carts and lorries are reported. They are dealt with seizure of transporting medium, initiating criminal action on the offenders and confiscation of vehicles by the appropriate court of law. Some of the action taken in compliance of the governing Act and Rules are submitted as below.

- 4) I also respectfully submit that, the undivided Cauvery river is flowing through Karur district. The river Kollidam is originating from Mukkombu check dam of Tiruchirappalli District. At present the entire river Cauvery is having surface flow of water touching on both of the banks. Therefore the river sand quarry permissions previously granted to the water Resources Department of Public works Department vide Proceedings in Rc.No.835/Kanimam/2018, dated:13.12.2022 and Rc.No.559/Kanimam/2020, dated:14.12.2022, having validity till 12.12.2024 and 13.12.2024, respectively are not in operation in Nanniyur and Mallampalayam villages of Manmangalam Taluk.

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- 5) I further respectfully submit that, on receipt of a letter from the general observer, Karur parliament constituency dated 09.04.2024 regarding illegal quarrying of sand in the village limits of Nerur, Vangal, Mallampalayam, Sevathipalayam and Muniappanur, a special teams consisting the Assistant Director, Department of Geology and Mining Karur, Assistant Executive Engineer, PWD, (WRD) River Conservation Division, Kulithalai and the Tahsildhar of Manmangalam taluk were nominated by this respondent vide proceedings in RC No.105/Kanimam /2024, dated:12.04.2024 to inspect and report. As directed the team inspected the river bed of Cauvery in the above mentioned and their adjoining villages and dugout trenches across the approach Pathways made by the offenders and for erecting iron fencing on the river bank, wherever access to the river bed were formed. They also installed display boards with appropriate warning messages to the culprits who were indulged in theft of river sand.
- 6) I respectfully submit that, during the wee hours of the night, the offenders damaged the stone pillars, fitted with iron fencing, trenches dugged and display boards immediately. Therefore, as per the letter numbers 55/D.5/2024 dated:15.04.2024 of the

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Assistant Executive Engineer, PWD (WRD) Karur, Assistant Director, Geology and Mining, Karur vide letter No.105/Kanimam/2024 dated:18.04.2024 made complaints to the jurisdictional Police Station at Vangal village of Manmangalam Taluk, The Tahsildhar Manmangalam visited the sites on 22.04.2024 inspected the areas wherein damages to the erected safety structures were damaged with the Revenue Divisional Officer, Karur and Deputy Superintendent of Police, Karur and filed F.I.R complaints in Crime number 166/2024 in the Jurisdictional Police Station at Vangal under Section 427 and 5711 of Indian Penal code 1860. Appropriate instructions were given to the taluk level task force and to the enforcement officials in the District Level Task Force meetings are being periodically conducted during every month, except the duration covered under code of conduct for parliament elections 2024.

- 7) I respectfully submit that, the Taluk Level Task Force seized bullock carts, involved in quarrying and loading of river sand in Amaravathi river in Viswanathapuri village of Pugalur taluk was seized by the convenor of Taluk Level Task Force, Pugalur and reported vide letter No: A1/1157/2024 dated 03.06.2024 Moreover the intensified vehicle interceptions yielded seizure of

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four tipper lorries laden with illegally quarried and transported river sand by the Tahsildhars of Kulithalai, Pugalur and Krishnarayapuram. As per the G.O.(Ms) No.170/Industries (MMC1) Department dated:05.08.2020 appropriated actions under 303(2) of BNS, read with Section 21(1) of Mines and Minerals (Development and Regulation) Act 1957 actions were initiated against the offenders and the vehicles involved.

8) I respectfully submit that, the District level task force committee meetings, conducted on 07.06.2024 was pertaining to the months of February 2024 to May 2024 and 26.07.2024, for the month of June 2024, 30.08.2024 for the month of July 2024 issued with specific instructions to the Taluk Level Task Forces of all the taluks of Karur district and to the enforcement officials directing to

- (i) conduct bi-monthly review meetings of the taluk level task forces
- (ii) To nominate the personnel of Police, Revenue, PWD (WRD), TWAD Board, Geology and Mining, and other allied departments are to be deployed on rotation basis to traverse all along the banks of

Cauvery and Amaravathi rivers, and vulnerable places for illegal Quarrying of river sand.

- (iii) Check posts at all vintage points of rural, village roads have been installed and manpower with 24 X 7 timings and they are making verification of vehicles carrying minerals, especially with river sand.

Accordingly, the Tahsildhar, Pugalur vide Proceedings Rc. A1/99/2024 dated:31.072024 nominated the village Administrative Officers of Monjanur (South), Thennilai (South), Kuppam, Munnur, Punnam, Pavithram, Nedungur, Vettamanagalam, (East & West), Punjai Pugalur North and South, Nanjai Pugalur and Vettamangalam (South) Villages, to intercept and verify the vehicles from 8 PM to 8 AM of the next day, crossing the check posts formed in the above villages, with an aim to seize the river sand illegally transported from Thottakuruchi (Nanjai & Punjai), Mettupalayam, Thavittupalayam and Kombupalayam areas” The said Mineral check posts are supervised by the zonal Deputy Tahsildhar, Pugalur and Firka Revenue Inspector Pugalur.

The Revenue Divisional Officer, Kulithalai also formed teams to verify the movement of vehicles from 8 PM to 8 AM of the Next day, on the banks of river Cauvery in the taluk limits of Kulithalai and Krishnarayapuram taluks. The personnel deployed are Village Administrative Officers, and Village Assistants of Kumaramangalam, Maruthur (North) Rajendiram (North), Kulithalai, Vaigainallur (North) Manathattai, Vathiyam, Lalapettai, Mayanur and Renganathapuram (North) under the supervision of the respective Firka Revenue Inspectors. The place assigned to them is also indicated in the proceedings in Rc.No.A1/374/2024, dated:20.08.2024.

The Tahsildhar Manmangalam vide Proceedings No.A6/0002/2021, dated:21.06.2024, ordered for formation of Minerals check posts at Vangal, Naniyur and Kuppuchipalayam on the river banks, village roads and near river/road over bridges, manned by the respective Village Administrative Officers and Village Assistants, supervised by the Zonal Deputy Tahsildhars taluk supply officers of Manmangalam Taluk.

The following Criminal cases have been filed in the Jurisdictional Police stations by the concerned Village Administrative Officers and Tahsildhar Krishnarayapuram.

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S. No.	Police Station	Crime No	Date	Reason & Vehicle involved	Sections under FIR filed
1	Vangal	166/2024	22.04.2024	Damages caused to the stone pillars, iron fencing & trenches opened to curtail illegal entry and quarrying of sand in river bed of Cauvery	427, 511
2	Mayanoor	264/2024	06.07.2024	Bolero-Pick up	303(2) BNS r/w 21(1) MMDR Act 1957
3	Mayanoor	266/2024	10.07.2024	TN-47-BT-1599 Tipper Lorry	303(2) BNS r/w 21(1) MMDR Act 1957
4	Mayanoor	278/2024	17.07.2024	Bullock Cart driver Saravanan, S/o.Kandasamy Kattalai	303(2) BNS r/w 21(1) MMDR Act 1957

9) I respectfully submit that the news published in The Hindu news paper dated:25.06.2024 reflects only a part of the functional analogy among the reported illegal production and dispatch of river sand from Cauvery river and the action taken by the authorities in tandem basis, by Police, Revenue, Geology and Mining departments. But in practical all the 365 days

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24 X 7 basis surveillance and steady observation of unauthorised quarrying and removal of river sand is being rendered by the District administration through taluk level task forces, flying squads of Department of Geology and Mining and all other enforcement personnel delegated with powers under G.O.(Ms) No. 170/Industries Department dated:05.08.2020. The uncovered river bed, multiple number of approach ways, demand for river sand, lack of agricultural activities and easy money made the offenders in indulging illegal quarrying and transportation of river sand. But the stringent measures taken by the government to register criminal cases on the offenders, vide Section 303 BNS, Seizure and confiscation of the vehicles under Section 21(4) & 21(4-A), penalising the offenders under Section 21(1) & 21 (5) of Mines and Minerals (Development and Regulation) Act 1957, read with Rule 36-A (1) & (3) of the Tamilnadu Minor Mineral Concession Rules 1959 and the enforcement authorities have been accelerated to eliminate illegal sand quarrying for ever in Cauvery and Amaravathi rivers of Karur district. The introduction and overwhelming response to manufactured sand among the public also played its part in the said exercise. The district of Karur is moving towards an

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environment friendly and free from illegal mining of river sand. Therefore, in view of the above submissions, the Hon'ble National Green Tribunal Southern Bench may be pleased to accept this report and may be pleased to order accordingly as per law and thus render Justice.

Date:


District Collector,
Karur.

VERIFICATION

Verified at Karur on this day of 18TH SEPT. 2024 that the contents of the above affidavit are true and correct to my knowledge based on the records.


District Collector
Karur.

DATE :18.09.2024

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