

BEFORE THE NATIONAL GREEN TRIBUNAL, SOUTH ZONE

ORIGINAL APPLICATION NUMBER 258 / 2024

[Earlier OA No 1007 / 2024 (PB)]

IN THE MATTER OF

**Suo Moto matter in respect of news item appearing in Udayavani dated
25.06.2024 titled “Pavoor Uliya Kudru shrinking due to illegal sand
mining, Locals demand justice”**

AFFIDAVIT ON BEHALF OF KARNATAKA STATE

POLLUTION CONTROL BOARD

PAPERBOOK

[PLEASE SEE INSIDE FOR INDEX]

A handwritten signature in black ink, appearing to read 'Devraj Ashok', with a stylized flourish at the end.

DEVRAJ ASHOK

COUNSEL FOR KARNATAKA STATE POLLUTION CONTROL BOARD

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PLACE: BENGALURU

DATE: 05/July/2025



THROUGH COUNSEL

DEVRAJ ASHOK
PH: 8050637442

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BEFORE THE NATIONAL GREEN TRIBUNAL, SOUTH ZONE

ORIGINAL APPLICATION NUMBER 258 / 2024

[Earlier OA No 1007 / 2024 (PB)]

IN THE MATTER OF

**Suo Moto matter in respect of news item appearing in Udayavani dated
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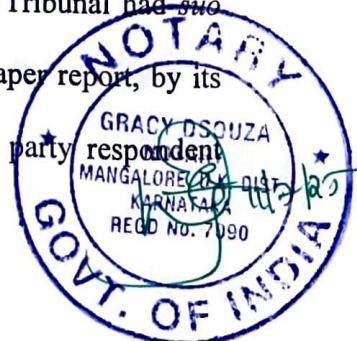
AFFIDAVIT ON BEHALF OF THE KARNATAKA

STATE POLLUTION CONTROL BOARD

I, Dr. H Lakshmikantha , son of Hanumanthappa, aged about 53 years, currently posted as Environment Officer, Regional Office, Karnataka State Pollution Control Board (KSPCB), Mangaluru, Karnataka 575011, do hereby solemnly affirm and state that I am duly authorized and competent to depose the present affidavit, on behalf of the KSPCB. I am familiar with the facts and circumstances pertaining to the present matter, based on the official documents/records of the Karnataka State Pollution Control Board and also in my official capacity and depose as set forth below:

1. It is respectfully submitted that the subject-matter of the above titled petition pertains to illegal sand mining and the consequent shrinking of the Pavoor Uliya Kudru. The Principal Bench of this Hon'ble Tribunal had ~~suo~~ *motu* instituted the above titled petition based on a news paper report, by its order dated 02.08.2024, had impleaded KSPCB also as a party respondent

Errors/ Corrections Etc.

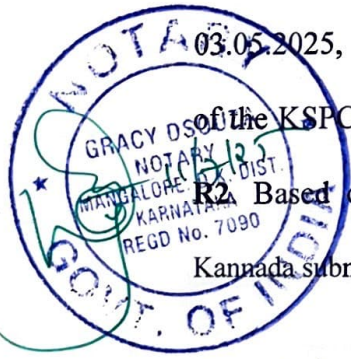


together with the District Commissioner, Dakshina Kannada, the CPCB, MoEF &CC and the National Center for Sustainable Coastal Management. 2

2. It is respectfully submitted that the subject-matter of the petition is specifically limited to issues of illegal sand mining that come under the purview of the Mines and Geology Department, Mangaluru, Dakshina Kannada. As such, the KSPCB has written to the Deputy Commissioner, Dakshina Kannada, on 02.09.2024, to provide a report as per the directions of this Hon'ble Tribunal. The letter addressed to the Deputy Director, Department of Mines & Geology, Mangalore and Deputy Commissioner, Dakshina Kannada, is annexed herewith as ANNEXURE R1. In this regard, the CPCB had also requested the KSPCB to communicate to the Deputy Commissioner, Dakshina Kannada to provide a factual report on the subject matter of the petition and the request of the CPCB has also been forwarded to the Deputy Commissioner, Dakshina Kannada on 17.12.2024. A follow up request was also sent by this office to the office of the Deputy Director, Department of Mines & Geology, Mangalore, Dakshina Kannada on 03.05.2025, wherein the earlier communications are also referenced. A copy

of the KSPCB letter dated 03.05.2025 is annexed herewith as ANNEXURE R2. Based on which Department of Mines & Geology, Mangaluru, Dakshina Kannada submitted action taken report annexed herewith as ANNEXURE R3.

3. It is also respectfully submitted that the KSPCB Regional Office, Mangaluru has undertaken a site inspection of the Pavor Uliya Kudru on 20.06.2025 and consulted the local populace to ascertain if there are any specific issues of pollution at the subject-matter site. During inspection it was observed that there are no illegal sand mining activity being carried out at Pavor Uliya upon consultation with some villagers Sri Saleem Pavor Village and Hemavathi, Asha Karyakartha Workers who informed that there



Errors/ Corrections Etc.
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were no illegal sand mining activities observed by them since last few months.

4. The KSPCB will be obliged to provide any other information or take other necessary steps as may be directed by this Hon'ble Tribunal, in connection with the present subject-matter.


DEPONENT

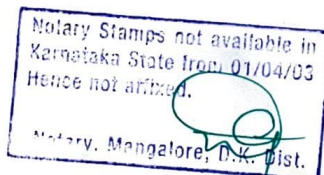
Environmental Officer
Karnataka State Pollution Control Board
MANGALURU

VERIFICATION

Verified on this 01 day of July, 2025, at Bengaluru, that the contents of the above affidavit are true and correct to the best of my knowledge, information and belief and nothing material is concealed there from.

DEPONENT


Environmental Officer
Karnataka State Pollution Control Board
MANGALURU



Errors/ Corrections Etc.

NOTARIAL REGISTER NO.

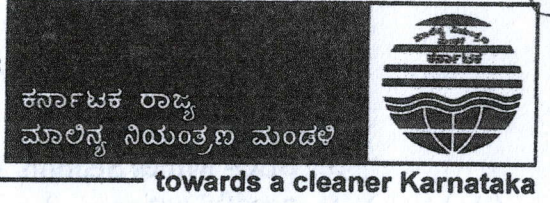
4393/25

Sworn and Signed Before me this
11th day of July 2025
at Mangalore, D.K. District


NOTARY
Mangalore, D.K. Dist.

Regional Office :
Karnataka State Pollution Control Board
Parisara Bhavana, 10B, Baikampady Industrial Area,
Mangaluru - 575 011
Tel.: 0824-2408239
e-mail: mangalore@kspcb.gov.in website: http:kspcb.gov.in

ಪ್ರಾದೇಶಿಕ ಕಛೇರಿ :
ಪರಿಸರ ಭವನ, 10ಬಿ
ಬೈಕಂಪಾಡಿ ಕೈಗಾರಿಕಾ ಪ್ರದೇಶ
ಮಂಗಳೂರು 575 011



No: PCB/RO(MNG)/NGT No: O.A 1007/2024 (PB)/2024-25/ 1248 Date: 02/09/2024

To,
The Deputy Director,
Department of Mines & Geology,
Mangaluru-, Dakshina Kannada

NGT MATTER

Sir,

Sub: Submission of action taken report in the matter of NGT O.A. No.1007/2024 (PB) registered Suo-Moto case based on news item in Udayavani Dated: 25.06.2024 -reg.

Ref: 1.The Hon'ble National Green Tribunal, Principal Bench, Delhi Order dated 02.08.2024.
2. Board Office Mail dated:17.08.2024.
4. RSEO, Zonal Office, Mangaluru Memo No: 227 Dated: 20.08.2024.

Hon'ble NGT, Principal Bench, Delhi, registered suo-moto vide No: OA 1007/2024 based on news item in Udayavani Dated: 25.06.2024 titled "*Pavoor Uliya Kudru shrinking due to illegal sand mining locals demand justice*" and disposed the case to Southern Zone, Chennai (NGT Order copy enclosed) .

Hon'ble NGT vide its order cited at ref (1) as *directed the authorities to file their respective response on the above matter*. As the said matter falls under your Department, it is requested to bring the matter to the knowledge of Deputy Commissioner and call for sand committee joint inspection of the said NGT subject.

Treat this matter as **MOST URGENT**.

The next hearing is adjourned on 30.09.2024.

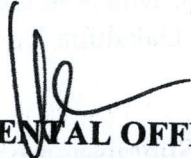
This is for your kind information and further needful action.

Your's Faithfully
Sd/-

**ENVIRONMENTAL OFFICER
KSPCB, RO-MANGALURU**

1. The Deputy Commissioner, Dakshina Kannda District, Mangalore for kind information
2. The Member Secretary, Head Office, KSPCB for kind information

- 17-12-2020
- 5
3. SEO- Mines Section, Head Office, KSPCB for kind information and further needful action.
 4. Law Officer, Legal Cell, Head Office, KSPCB for kind information and further needful action.
 5. SEO, Zonal Office, KSPCB, Mangaluru for kind information and further needful action.
 6. Case file.


ENVIRONMENTAL OFFICER
KSPCB, RO-MANGALURU

Regional Office :

Karnataka State Pollution Control Board

Parisara Bhavana, 10B, Baikampady Industrial Area,
Mangaluru - 575 011

Tel.: 0824-2408239

e-mail: mangalore@kspcb.gov.in website: http:kspcb.gov.in

ಪ್ರಾದೇಶಿಕ ಕಛೇರಿ :

ಪರಿಸರ ಭವನ, 10ಬಿ

ಬೈಕಂಪಾದಿ ಕೈಗಾರಿಕಾ ಪ್ರದೇಶ
ಮಂಗಳೂರು 575 011

ಕರ್ನಾಟಕ ರಾಜ್ಯ

ಮಾಲಿನ್ಯ ನಿಯಂತ್ರಣ ಮಂಡಳಿ



towards a cleaner Karnataka

-RPAD-

No: PCB/RO(MNG)/NGT No:O.A 1007/2024 (PB)/2025-26/140

Date:03-05-2025

REMINDER -3

To,

The Deputy Director,

Department of Mines & Geology,

Mangaluru, Dakshina Kannada

MOST URGENT-NGT MATTER

Sir,

Sub: Submission of action taken report in the matter of NGT O.A. No.1007/2024 (PB) (OA 258/2024 (SZ)) registered Suo-Moto case based on news item in Udayavani Dated: 25.06.2024 -reg.

- Ref: 1.The Hon'ble National Green Tribunal, Principal Bench, Delhi Order dated 02.08.2024.
2. Board Office Mail dated: 17.08.2024.
3. RSEO, Zonal Office, Mangaluru Memo No: 227 Dated: 20.08.2024.
4. This Office Letter No: 1348 Dated: 02.09.2024.
5. Board Office Memo No: 3883 Dated: 17.12.2024.
6. This Office Letter No: 1715 Dated: 23.12.2024
7. Board Office Memo No: 273 Dated: 21.04.2025.

Hon'ble NGT, Principal Bench, Delhi, registered suo-moto vide No: OA 1007/2024 based on news item in Udayavani Dated: 25.06.2024 titled "Pavoor Uliya Kudru shrinking due to illegal sand mining locals demand justice" and disposed the case to Southern Zone, Chennai.

Hon'ble NGT vide its order cited at ref (1) as directed the authorities to file their respective response on the above matter and also the Regional Director, CPCB, Bengaluru requested Board to instruct concerned official to furnish the factual report in the above said matter and the same has been forwarded by the Board Office vide ref (5).

As the said matter comes under your Department jurisdiction, it is already requested to bring the matter to the knowledge of Deputy Commissioner and file the response of your department through Deputy Commissioner vide ref (4 & 6).Till now no report received from your department with respect to the above NGT matter.

Further, Board Office issued Memo to submit the latest Action Taken Report with the direction issued by the Hon'ble NGT in the above matter is adjourned to 16.07.2025 and Hon'ble NGT gave last chance for filing the reports. If reports are not filed before the date of next hearing, the same will be accepted only on payment of costs.

31. 9.11.2025

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Hence, in this regard, it is once again informed to bring the matter to the knowledge of Deputy Commissioner and file the response of your department through Deputy Commissioner.

Treat this matter as **MOST URGENT**. The next hearing is adjourned on 16.07.2025.

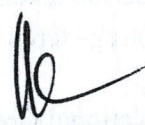
This is for your kind information and further needful action.

Your's Faithfully

Sd/-

ENVIRONMENTAL OFFICER
KSPCB, RO-MANGALURU

1. The Member Secretary, Head Office, KSPCB for kind information (Kind Att: SEO-Mines)
2. Case File.



ENVIRONMENTAL OFFICER
KSPCB, RO-MANGALURU

Annexure-R3

Office of the Senior Geologist
Dept. of Mines & Geology
Jugul Towers 1st Floor
Kadri, Mallikatte
Mangalore - 575 002

GOVERNMENT OF KARNATAKA
OFFICE OF THE SENIOR GEOLOGIST, DEPT. OF MINES & GEOLOGY

1st Floor, Jugul Tower Building, Mallikatte, Mangaluru-575002. Ph:0824-2429932, Email: ddmangalore.dmg@gmail.com

No:DMG/KSPCB/NGT/258/2025-26/600

Date:08-05-2025

To,

The Environmental Officer
Karnataka State Pollution Control Board
Mangaluru- 575011

Respected Sir/Madam,

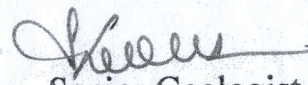
Sub: Submission of action taken report in the matter of NGT O.A No.
1007/2024(PB) (OA 258/2024(SZ))

Ref: Your office letters dated 17-01-2025 & 03-05-2025 .

With reference to the above subject and letters of reference Hon'bl NGT 1007/2024 based on news item in udayavani dated 25-06-2024 titled " Pavor Uliya Kudru shrinking due to illegal sand mining locals demand Justice " and he case has been transferred from principal Bench, Delhi to Southern bench, Chennai (OA 258/2024(SZ)) .

As per the directions from the the NGT, Southern bench, chennai the matter has been brought to the notice of the Deputy Commissioner and factual report alongwith necessary annexures duly signed by Deputy Commissioner has been submitted through our Standing Counsel, State of Karnataka, Advocate Darpan KM before NGT, Southern Bench, Chennai. The copy of the report is attached with letter as an enclosure for your reference and further necessary action.

Yours' Sincerely


Senior Geologist

Dept. of Mines and Geology
Mangaluru

