

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 1007/2024

News item titled "Pavoor Uliya Kudru shrinking due to illegal sand mining locals demand justice" appearing in udayavani dated 25.06.2024

Date of hearing: 02.08.2024

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON  
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER  
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

**ORDER**

1. This original application is registered *suo-motu* on the basis of the news item titled "Pavoor Uliya Kudru shrinking due to illegal sand mining locals demand justice" appearing in udayavani dated 25.06.2024.

2. The matter relates to the shrinkage of Pavoor Uliya Kudru near Magalore, Karnataka due to illegal sand mining. As per the article, Pavoor Uliya Kudru, a small island in the Netravati River between Pavoor and Adyar, is facing severe erosion and reduction in size due to illegal sand mining. The island has dramatically reduced from 80 acres and 2 kilometers in length to 40 acres and 1 kilometer. Despite repeated complaints from local residents, no significant action has been taken by the authorities.

3. The news item highlights the primary cause of the island's shrinkage to be relentless illegal sand mining. The illegal sand mining has led to the reduction of the island's size, threatening its very existence, especially during potential major floods. The residents, primarily dependent on agriculture and external jobs, are losing their land and means of livelihood due to the shrinking island. The local

community feels overpowered by the sand extractors' money and muscle power, leading to a pervasive sense of fear and insecurity. A temporary bridge built by residents was damaged by sand smugglers, complicating transportation and connectivity for the island's inhabitants. The number of families residing on the island has decreased from over 50 to 35, indicating a significant impact on the community's stability.

4. The above matter indicates violation of the provisions of the Environment Protection Act, 1986 and the Sustainable Sand Mining Guidelines, 2016.

5. The news item raises substantial issue relating to compliance of the environmental norms and implementation of the provisions of scheduled enactment.

6. Power of the Tribunal to take up the matter *suo-motu* has been recognized by the Hon'ble Supreme Court in the matter of "*Municipal Corporation of Greater Mumbai vs. Ankita Sinha & Ors.*" reported in 2021 SCC Online SC 897.

7. Hence, we implead the following as respondents:

i. Central Pollution Control Board, Through its Member Secretary  
Parivesh Bhawan, East Arjun Nagar, Delhi-110032

ii. Karnataka Pollution Control Board, Through its Member  
Secretary  
"Parisara Bhavan", No.49, 4th & 5th Floor,  
Church Street, Bangalore - 560001.

iii. National Centre for Sustainable Coastal Management, Through  
its Director  
MOEF&CC, Anna University Campus, Chennai-600025

iv. Ministry of Environment and Forest, Through its Regional Office

Kendriya Sadan, 4th Floor, E&F Wings,  
17th Main Road, Koramangala II Block,  
Bangalore – 560034.

- v. Deputy commissioner, Dakshina Kannada  
Election Tahashildar  
O/o The Deputy Commissioner  
Dakshina Kannada  
Mangalore-575001

8. Issue notice to the respondents for filing their response before the appropriate bench of the Tribunal at least one week before the next date of hearing.

9. Since the matter relates to the Southern Zonal Bench, Chennai, therefore, OA is transferred to the Southern Zonal Bench. Therefore, the original record of this OA be transferred to the Southern Zonal Bench, Chennai for further action.

10. List before Southern Zonal Bench at Chennai on 30.09.2024.

Prakash Shrivastava, CP

Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

August 02, 2024  
O.A. No. 1007/2024  
HB