

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

Original Application No. 76/2019
(I.A. No. 109/2020)

(With report dated 13.02.2020)

News item published in "Indian
Express" Authored by Vishnu Varma
Titled

"17-year-old's video gets Kerala talking of impact of sand mining"

Date of hearing: 25.02.2020

CORAM: **HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON**
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER
HON'BLE MR. SIDDHANTA DAS, EXPERT MEMBER

For Applicant(s): Ms. Geeti Ara, Mr. Sumit Goel, Advocates

For Respondent(s): Mr. Keerthi Priyan, Advocate for KSPCB
Mr. Nishe Rajen Shonker, Advocate for State
of Kerala

ORDER

1. The issue for consideration is the alleged unscientific mining by Centre Rare Earths Limited and Kerala Minerals and Metal Limited along the coastal area of Kollam in Kerala. Vide order dated 29.03.2019, a report was directed to be furnished on the factual aspects by District Magistrate, Kollam and the State Pollution Control Board (PSCB).
2. This Tribunal vide order dated 19.07.2019 considered the report jointly submitted by the State PCB and District Magistrate showing illegal mining and directed as follows:

"4. In view of above, we constitute a joint Committee with representatives from the Central Pollution Control Board (CPCB) and the State Pollution Control Board (SPCB) to determine the amount of compensation to be recovered for damage to the environment by two months by e-mail at

judicial-ngt@gov.in. It is open to the concerned regulatory authorities to recover the compensation by following due procedure of law.”

3. Accordingly, further report has been filed on 02.11.2019 by the joint Committee recommending recovery of compensation based on the damage to the environment and to enforce the Rule of Law as follows:

“Summary of damage assessment

- (a) *Interim damage assessment and compensation for temporary restoration activities calculated for IREL for the period 2001-19 is Rs.69,12,76,280 (69.12 Cr and the total value of excess mining 223,81,60,851 (223.81 Cr)*
- (b) *Interim damage assessment and compensation for temporary restoration activities calculated for KMML for the period 2001-19 is Rs.95,36,24,067 (95.36 Cr) and the total value of excess mining is 266,50,55,094 (266.51 Cr).”*

4. In view of the above, the State PCB may take further action according with law, after giving hearing to the affected parties. Since the State PCB is to hear the affected parties, we do not consider it necessary to hear the said parties at this stage, in view of the fact that order of the State PCB is appealable to this Tribunal.
5. The State PCB may file action taken report before the next date by email at judicial-ngt@gov.in.

List again on July 8, 2020.

Adarsh Kumar Goel, CP

Dr.Nagin Nanda, EM

Siddhanta Das, EM

February 25, 2020
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AK

