



Amrut

IN THE HIGH COURT OF BOMBAY AT GOA
PUBLIC INTEREST LITIGATION (SUO MOTU) NO.1 OF 2019

.....

... Petitioner

Versus

STATE GOVERNMENT, THR. ITS DEP.
OF SCIENCE, TECHNOLOGY AND
ENVIRONMENT, GOVT. OF GOA AND 4
ORS.

... Respondents

Ms Norma Alvares, Senior Advocate – Amicus Curiae with Mr Om D'Costa, Advocate.

Mr Shivadatta Munj, Additional Government Advocate for respondent Nos.1 to 5.

**CORAM: M. S. KARNIK &
 NIVEDITA P. MEHTA, JJ**

DATED : 16th DECEMBER 2024

P.C.:

1. We have gone through the compliance report dated 04.09.2024 duly signed and submitted by the Chief Secretary, Government of Goa, Secretariat, Porvorim Goa, wherein based on the inquiry report, the action that has been taken against the officers is mentioned therein. Further, the recovery statement (amount recovered till date) is placed on record. Para 14 of the compliance report states that a need was felt to establish a Standard Operation Procedure to continuously monitor, detect, prevent and

act upon unauthorised extraction of minor minerals across the State. A copy of the SOP is placed on record. In Para 16, it is stated that the SOP which is referred to in the compliance report, the State authorities will be able to proactively monitor, detect, prevent and act upon unauthorised extraction of minor minerals. In Para 17, it is mentioned that the Directorate of Mines and Geology has applied for Environmental Clearances for the extraction of sand in the rivers Mandovi and Zuari and the application for Chapora is in process. Pursuant to the grant of EC's, the Department will grant permits for the extraction of sand in a legal and sustainable manner. The concerned Departments will be informed regarding the zones in which the sand extraction is permitted to enable them to identify the possible illegal extraction. We expect the respondents to scrupulously follow the SOP and adhere to all the statements made in the compliance report and the stand taken in the compliance report.

2. Our attention is also invited to the preliminary compliance report which has been filed by the Secretary (Revenue), Government of Goa, wherein it is stated that periodic reviews will be conducted to ensure the expeditious and effective progression of the recovery process in alignment with this Court's directions and the same shall be regularly and closely monitored by the Secretary (Revenue) for effective recovery.

3. In this view of the matter, as necessary action has been taken and even the recovery is monitored by the Secretary (Revenue), we do not propose to keep the petition pending any further as the purpose of filing PIL petition is served.

4. The petition is disposed of in view of the compliance report filed and assurance that the SOP and the recovery process will be strictly adhered to and that the recovery process will be monitored regularly and closely. Liberty to apply in case of difficulty is kept open.

NIVEDITA P. MEHTA, J

M. S. KARNIK, J