

**KARNATAKA LOKAYUKTA**

Compt/Uplok/BCD/2710/2016/DRE-2

M.S.Building,  
Dr. B.R.Ambedkar Veedhi,  
Bangalore, dtd. 07/01/2016.

**REPORT UNDER SECTION 12(1) OF**  
**KARNATAKA LOKAYUKTA ACT, 1984**

Sub: To take appropriate action with respect to  
illegal filter sand mining at Arkavathi River  
Basin near Jogerahalli Village-reg.

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An investigation was taken up by invoking section 9 of Karnataka Lokayukta Act, 1984, on the complaint filed by Sri Giriyappa, S/o. Patel Bairappa, Jogerahalli Village, Tavarekere Hobli, Bengaluru South Taluk, Bengaluru (hereinafter referred to as 'complainant' for short), against Sri Shashikantha Reddy-the then Deputy Director, Presently Joint Director, Mines and Geology Department, Khanija Bhavan, Bengaluru, (hereinafter referred to as 'respondent' for short) alleging that he has committed misconduct.

2. The complainant alleges that one Shri. Gangadhar S/o Papanna and his sons are involved in illegal mining of filtered sand by removing the earth upto the depth of 20 feet from Arkavathi River Basin near Jogerahalli village. Many cattle of the village have died by falling into the ditch. They are transporting the sand in the land of the complainant bearing Sy.No. 21 of Jogerhalli village. His application filed before the respondent has not been considered and illegal mining has not been stopped. Tavarekere Police have also not taken any action upon the complaint filed by him. The illegal miners

have also threatened the complainant and his family members to take their life. Hence has prayed to redress his grievance.

3. The complainant has produced copies of the complaint filed before the respondent dated 16.05.2016 and also the photographs showing ditches caused due to illegal mining.

4. The respondent has submitted his comments dated 24.12.2016 stating that taking action with respect to illegal mining comes within the jurisdiction of Sr. Geologist, Bengaluru South Division. After receiving the complaint of the complainant dated 16.05.2016, he has directed the Sr. Geologist to visit the spot immediately and to take appropriate action. Accordingly on 24.05.2016, the Sr. Geologist has visited the spot along with complainant and other villagers and have conducted panchanama in the presence of Revenue Inspector, Village Accountant and Dy. Tahasildar. No such mining was found to be carried on at that point of time. But there were remnants showing illegal sand mining prior to that. Many complaints have also been lodged before the Police. After receiving notice from this authority, on 03.12.2016, Sr. Geologist has conducted spot inspection for the 2<sup>nd</sup> time jointly along with revenue officials. The complainant and other villagers were also present. No such mining was found to be carried out during their visit. Further by stating that all necessary actions have been taken to prevent illegal mining of filter sand, the respondent has prayed to close the matter. He has also produced the photographs taken during the spot inspection & also the panchanams.


5. The photographs produced by the complainant along with the complaint and the photographs produced by the respondent along

with comments go to show that illegal sand mining has taken place previously as alleged in the complaint. During spot inspection, it is stated that no such mining activity was found. Merely because no such illegal mining activity was found during spot inspection, it cannot be said that there is no illegal mining of sand at all. It is admitted that there are remnants of illegal filter sand mining from Arkavathi River Basin near Jogerahalli village. No document showing lodging of any complaint with respect to illegal sand mining near Jogerahalli village is produced by the respondent. Under the circumstances, it cannot be said that the authorities have taken action to stop illegal filter sand mining from Arkavathi River Basin near Jogerahalli village.

6. Hence, recommendation is made to the Competent Authority under Section 12(1) of the Karnataka Lokayukta Act, 1984 to take appropriate action with respect to illegal filter sand mining at Arkavathi River Basin near Jogerahalli Village, Tavarekere Hobli, Bengaluru.

7. Further, as per section 12(2) of Karnataka Lokayukta Act, 1984, the Competent Authority is required to intimate this Authority within one month from the date of receipt of this report, the action taken or proposed to be taken on this report.

Connected records are enclosed.

  
(Justice N. ANANDA)  
Upalokayukta-1,  
State of Karnataka. 