

Item No.02:-

**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI**

[Through Physical Hearing (Hybrid Option)]

Original Application No.105 of 2026(SZ)

IN THE MATTER OF:

Punem Ramulu & Ors.

...Applicant(s)

Versus

The State of Telangana,
Represented by its Chief Secretary,
Hyderabad and Ors.

...Respondent(s)

Date of hearing: 11.08.2026.



CORAM:

HON'BLE Smt. JUSTICE PUSHPA SATHYANARAYANA, JUDICIAL MEMBER

HON'BLE Dr. PRASHANT GARGAVA, EXPERT MEMBER

For Applicant(s):

M/s. Rana Sandeep Bussa &
Penuballi Ramesh Babu.

For Respondent(s):

Mr. S. Rahul Reddy, Spl. Govt. Pleader a/w.
Mrs. H. Yasmeen Ali for R1, R3, R4 & R6 to R8.
Mr. B. Rajaprabhakar represented
Mr. T. Sai Krishnan for R5.

ORDER

1. The Original Application is challenging the proceedings dated 25.04.2026 of the District Collector & Chairman of the District Level Sand Committee, Mulugu, Telangana, which has accorded permission for the de-siltation of sand for a quantity of 42,95,394 Cu.M. for the Sitamma Sagar Multipurpose Project, including the de-siltation and extraction of sand accumulated in the submergence area of the Sitamma Sagar Multipurpose Project in Mulugu District. An extent of 55.00 sq. km. will be under submergence in Mulugu District, as per the above proceedings.

2. When the matter came up for hearing on 07.08.2026, the learned counsel appearing for the State of Telangana was directed to obtain appropriate instructions in this regard.

3. Today, it is brought to our knowledge that a writ petition [W.P. No.16757 of 2026] has been filed by a different set of applicants before the Hon'ble High Court of Telangana at Hyderabad, seeking to quash the impugned proceedings dated 25.04.2026.

4. Admittedly, the Telangana State Mineral Development Corporation Limited is the Project Proponent, who is carrying on this de-siltation process by engaging contractors. Item (6) of Appendix - IX of the EIA Notification, 2006, provides for *"Dredging and desilting of dams, reservoirs, weirs, barrages, rivers and canals for the purpose of their maintenance, upkeep and disaster*

management". The above Appendix provides exemption in certain cases from the requirement of Environmental Clearance.

5. While so, in *Civil Appeal Nos. 1628 - 1629 of 2021 [Noble M. Paikada Vs. Union of India]*, which is an appeal from the judgment dated 28.10.2020 of this Tribunal, the Hon'ble Supreme Court of India has held that when the linear project has not been defined, it is difficult to imagine which projects will be termed linear projects. The process to be adopted for excavation also has not been set out. Therefore, it was held that Item (6) is a case of completely unguided and blanket exemption, which is arbitrary. It is also stated that before carrying on the activities mentioned in Item (6), the Project Proponent must notify the State Pollution Control Board, which is required to monitor the compliance status of the SOP or any other environmental safeguards. Therefore, the Hon'ble Supreme Court has struck down Item (6) of Appendix - IX of the EIA Notification, 2006.

6. The allegation of the applicant is that even between the last date of hearing, viz., 07.08.2026, till today, a considerable quantity of sand has been extracted without obtaining Environmental Clearance, resulting in the said act being illegal.

7. Therefore, we direct that the sand extraction pursuant to the proceedings dated 25.04.2026 by the respondents be stopped forthwith till the next date of hearing.

8. Let notice be issued to the respondents through the Tribunal as well as privately.

9. The learned counsel Mrs. H. Yasmeen Ali accepts notice on behalf of Respondent Nos.1, 3, 4, 6 to 8 and Mr. B. Rajaprabhakar representing Mr. T. Sai Krishnan accepts notice on behalf of Respondent No.5.

10. Post the matter on **21.08.2026**. In the meanwhile, the respondents are directed to file their respective replies.

Sd/-
Smt. Justice Pushpa Sathyanarayana, JM

Sd/-
Dr. Prashant Gargava, EM

O.A. No.105/2026(SZ),
11thAugust, 2026. AD.

