

**BEFORE THE KERALA STATE HUMAN RIGHTS COMMISSION,
THIRUVANANTHAPURAM**

**Present: Mr.Justice N.Dhinakar,
Hon'ble Chairperson**

Dated this the 13th November , 2009.

H.R.M.P.No.230/2008

Petitioner : P.Sandeep,
G-6, D D Nest,
Thammanam-Pullepady Road,
Kaloor.P.O, Kochi – 682 017.

Respondent :

ORDER

The complaint of the petitioner is that on account of the activities of a mafia in Kochi which is involved in creating artificial scarcity of building materials including river sand, metal, bricks, quarry dust, etc, no common man can construct a decent dwelling unit and in the areas between Edappally Toll junction, Edappally-Vyttila Bypass the said mafia is stocking river sand and other materials on account of which the cost of construction materials go up and an artificial scarcity is created.

In the report submitted by the District Collector, Ernakulam, it is stated that an enquiry was conducted by the City Police Commissioner, Ernakulam, and it was noticed that the materials are stocked near National Highway at Edappally in survey Nos.17/1, 147/3A, 3B and 147/45 L after licence was granted for storing the materials by the Cochin Corporation and also by the Mining & Geology Department. It is further stated in the report that the sand is brought from Tamilnadu and also collected from various parts of Kerala on proper documents and that whenever lorries are seen engaged for transporting sand illegally they were seized and reports are submitted to the District Collector for further action. According to the report, the City Police Commissioner has

issued direction to take stringent action against sand mafias and confiscate the vehicles used for the said purpose.

Along with the report of the City Police Commissioner a copy of the judgment in WP (C) 20734/07 (R)is also annexed where in it was held by the High Court that transportation of sand without obtaining 'P' Forms brought from out side the State cannot be an offence under any provisions of Law.

On the averments in the report the petition is to be closed more so when there is no specific allegation is made against any particular authority or Department falling under the control of the Government in the said HRMP.

The petition is accordingly closed.

Justice N. Dhinakar,
Chairperson.