

GOVERNMENT OF INDIA
MINISTRY OF MINES
RAJYA SABHA
UNSTARRED QUESTION NO. 1721
ANSWERED ON 18.12.2023

RISE IN ILLEGAL MINING

1721. SHRI PRAMOD TIWARI:

Will the Minister of MINES be pleased to state:

- (a) whether Government is aware of the rising illegal mining being operated in the country and if so, the details thereof;
- (b) actions which are being taken by Government to stop these illegal mining through administrative control and regulations;
- (c) whether Government is planning to make any new policy or amend the existing one or provide any guidelines to the authorities to prevent these operations and if so, the details thereof and if not, reasons therefor; and
- (d) the steps which are being taken to ensure the safety and security of mine workers to prevent them from tragic accidents in these illegal mining operations?

ANSWER

THE MINISTER OF MINES, COAL AND PARLIAMENTARY AFFAIRS
(SHRI PRALHAD JOSHI)

(a) to (d): As per Section 23C of the Mines and Minerals (Development and Regulation) Act, 1957 [**MMDR Act, 1957**], State Governments have been empowered to frame rules to curb illegal mining, transportation, and storage of illegally mined minerals and for the purposes connected therewith. So far, 21 State Governments namely, Andhra Pradesh, Bihar, Chhattisgarh, Goa, Gujarat, Haryana, Himachal Pradesh, Jammu & Kashmir, Jharkhand, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Nagaland, Orissa, Punjab, Rajasthan, Tamilnadu, Uttar Pradesh, Uttarakhand and West Bengal have framed rules under section 23C of MMDR Act, 1957 to curb illegal mining. Accordingly, State Governments are delegated with the matters connected with illegal mining.

Further, 22 States have set up Task Forces specially constituted to control illegal mining and review the action taken by member departments for checking the illegal mining activities at state and district levels, so far. Andhra Pradesh, Assam, Bihar, Chhattisgarh, Goa, Gujarat, Haryana, Himachal Pradesh, Jharkhand, Karnataka, Madhya Pradesh, Maharashtra, Manipur, Mizoram, Nagaland, Odisha, Punjab, Rajasthan, Tamil Nadu, Uttar Pradesh, Uttarakhand and West Bengal have constituted Task Forces.

Further, Central Government has, *inter-alia*, taken the following measures to curb illegal mining:

(i) Penalty for illegal mining has been made more stringent by amendment of the MMDR Act in 2015. Penalties for contravention of Section 4(1) and 4(1A) of the Act have been increased from Rs. 25 thousand per hectares to Rs. 5 Lakh per hectare and the term of imprisonment has been increased from 2 years to 5 years.

(ii) Section 30B of the MMDR Act, 1957 provides for constitution of Special courts by State Governments for speedy trial of Illegal mining/Transportation/Storage cases and 30C of the Act provides that such Special Courts shall be deemed to be a Court of Session.

(iii) The Ministry of Mines, through Indian Bureau of Mines, has developed the Mining Surveillance System (MSS) to use space technology for reporting any illegal mining activity to the State Government who will take further necessary action. Mining Surveillance System (MSS) is a satellite-based monitoring system which aims to detect illegal mining activity beyond the lease area through use of satellite images.

The provisions for occupational safety & health for persons employed in the mines have been made in the Mines Act 1952 and rules & regulations framed there under. Directorate General of Mines Safety (DGMS) issues Circulars from time to time based on the accidents and the technological advancements in the mining method and the machinery.
