

GOVERNMENT OF INDIA
MINISTRY OF MINES
LOK SABHA
UNSTARRED QUESTION NO. 2631
TO BE ANSWERED ON 02.08.2018

ILLEGAL MINING OF MINERALS

2631. SHRI KANWAR SINGH TANWAR:

Will the Minister of MINES be pleased to state:

- (a) whether the Government has taken cognizance of illegal mining of minerals especially sand in various States of the country during the last three years and the current year;
- (b) if so, the details thereof, State/ location-wise;
- (c) whether the Government has taken/is taking any steps to stop such illegal mining and if so, the details thereof; and
- (d) whether the Government has constituted any high powered committee to check the illegal mining and if so, the details thereof?

ANSWER

THE MINISTER OF STATE FOR MINES
(SHRI HARIBHAI PARTHIBHAI CHAUDHARY)

(a)to(c): Sand is a minor mineral, as defined under section 3(e) of the Mines and Minerals (Development and Regulation) Act, 1957 (MMDR Act). Section 15 of the MMDR Act completely devolves upon the State Governments for making rules for regulation of the grant of quarry leases, mining leases or other mineral concessions in respect of minor minerals and for purposes connected therewith. Further, as per section 23C of the MMDR Act, 1957, State Governments have complete powers to make rules for preventing illegal mining, transportation and storage of minerals and for the purposes connected therewith in the State. Therefore, the administration of mining of minor minerals including sand is a subject that is completely within the domain of the respective State Governments.

However, based on the information received from the State Governments in the quarterly returns on illegal mining submitted to Indian Bureau of Mines, details of instances of illegal mining for both major and minor minerals including sand reported for the last three years along with the details of action taken against the offenders is at **Annexure**.

To strengthen the States in curbing the illegal Mining, the Central Government, *inter-alia*, has taken the following measures:

- (i) The MMDR Act, 1957 was amended with effect from 12.01.2015, which has made the penalty and punishment provisions for illegal mining very stringent. Illegal mining has been made punishable with imprisonment for a term which may extend to five years and with fine which may extend to five lakh rupees per hectare of the area. Provisions have been made for setting up of Special Courts for the purpose of providing speedy trial of offences relating to illegal mining.
- (ii) The Rule 45 of Mineral Conservation and Development Rules has been amended to provide for the mining companies to provide periodic reports on the production, trade and utilization of minerals to the State Government and IBM on daily / monthly /yearly basis for a proper end-to-end accounting of minerals diminishing the scope for illegal mining, royalty evasion, etc.
- (iii) The Ministry of Mines, through IBM has developed the Mining Surveillance System (MSS), to use space technology for facilitating State Governments in curbing illegal mining activities in the country. MSS is a satellite-based monitoring system which aims to establish a regime of responsive mineral administration, through public participation, by facilitating State Governments in curbing instances of illegal mining.
- (iv) In the meeting of mining minister on 04th May, 2017, the States raised several issues of sand mining in regard to environmental degradation, non-availability of sand, high sand prices, illegalities in sand mining, etc. To address this issue, a committee chaired by the Union Secretary, Ministry of Mines also comprising of officials of State Governments had been constituted to study the existing system of sand mining in various states and to submit a report. A 'Sand Mining Framework' has been prepared and circulated to the States. The 'Sand Mining Framework' is a compilation of best practices and is suggestive in nature for consideration of adoption by States while framing their rules and administrative setup, as per their objectives, endowments and state deployment of resources.

(d): No, Madam.

Annexure

Number of Illegal mining cases for major and minor minerals							Action taken from 2013-14 to 2017-18 (Up to Quarter ending December – 2017)			
Sr. No.	State	2013 – 14	2014 – 15	2015 – 16	2016 – 17	2017-18 (Quarter ending December – 2017)	FIR Lodged (Nos.)	Court Cases Filed (Nos.)	Vehicle Seized (No.)	Fine realized by State Govt. (Rs. Lakh)
1	Andhra Pradesh	7692	9379	9953	9703	6269	22	12	9	15047.738
2	Chhattisgarh	3994	4953	5862	4794	3427	2	22987	1138	4004.317
3	Goa	1	0	2	0	0	1	0	1	0
4	Gujarat	5447	5716	6499	8325	6069	394	29	21963	17080.11
5	Haryana	4548	5333	3912	1345	923	656	0	0	3876.213
6	Himachal Pradesh	n.r.	n. r.	n. r.	783	1753	0	331	4	63.166
7	Jammu & Kashmir	n.r.	n. r.	n. r.	n. r.	1485	0	0	1485	15.896
8	Jharkhand	901	1162	1645	838	1573	2939	481	4396	542.65
9	Karnataka	8509	8464	9185	5692	4020	1888	468	11597	11649.30
10	Kerala	4448	4172	3701	4861	5721	0	0	0	9204.43
11	Madhya Pradesh	6725	8173	13627	13880	11619	516	42942	2978	115077.685
12	Maharashtra	36476	32717	33621	31173	18974	1329	1	163758	31058.05
13	Mizoram	21	26	n. r.	n. r.	n. r.	1	0	0	1.537
14	Odisha	76	104	62	45	36	0	4	79	1181.292
15	Rajasthan	2953	2945	3661	3945	3622	2584	41	11695	7772.346
16	Tamilnadu	1078	205	58	87	48	15297	16	45905	15477.082
17	Telangana	-	3311	6538	5839	4593	0	0	4	5315.61
18	Uttar Pradesh	8718	10024	11575	5737	6949	1474	3889	0	10718.11
19	West Bengal	n.r.	n. r.	575	n. r.	n. r.	1132	0	218	0
Grand Total		91587	96684	110476	97047	77081	28235	71201	265230	248085.532

n.r* (not reported by State Government)
Source: Indian Bureau of Mines