

GOVERNMENT OF INDIA  
MINISTRY OF MINES  
**LOK SABHA**  
**STARRED QUESTION NO. 355**  
ANSWERED ON 17.07.2019

**MINING ACTIVITIES**

† \*355. SHRI JANARDAN MISHRA:  
SHRI RODMAL NAGAR:

Will the Minister of MINES be pleased to state:

- (a) whether any effective scheme has been prepared by the Government to check mining near continuously depleting rivers and other water bodies;
- (b) if so, the details thereof; and
- (c) if not, the steps taken/proposed to be taken by the Government to save/safeguard such water bodies from illegal mining activities?

**ANSWER**

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

(a) to (c): A Statement is laid on the Table of the House.

**THE STATEMENT REFERRED TO IN REPLY TO LOK SABHA STARRED QUESTION NO. 355 REGARDING 'MINING ACTIVITIES' RAISED BY SHRI. JANARDAN MISHRA AND SHRI RODMAL NAGAR, HON'BLE MEMBERS OF PARLIAMENT FOR REPLY ON 17<sup>TH</sup> JULY, 2019.**

(a) to (c): Mining near rivers and water bodies mostly relate to sand mining. Sand being a minor mineral under MMDR Act comes under the complete jurisdiction of the State Government, which is fully authorised to frame rules and regulate the same. Nevertheless, recently Government of India in consultation with various State Governments has prepared a Sand Mining Framework, a compilation of various best practices in the sand mining field, for assisting States to arrive at an appropriate policy and administrative system for addressing the needs of this sector.

Rule 12(1)(d) of the Minerals (Other than Atomic and Hydro Carbons Energy Minerals) Concession Rules, 2016 provides that the lessee shall not carry on or allow to be carried on, any mining operations at any point within a distance of fifty meters from any reservoir, canal or other public works, or buildings, except under and in accordance with the previous written permission of any officer authorised by the State Government in this behalf.

Apart from the above, Ministry of Environment, Forest and Climate Change has also has issued Sustainable Sand Mining Management Guidelines, 2016, which, inter-alia, addresses the issues relating to regulation of sand mining. The salient features of the Guidelines in this regard are as follows:

- i. It provides for a detailed programme for ensuring that mining of river sand is done in a sustainable manner;
- ii. Grant of Environment Clearance for minor minerals, including sand and gravel, for mining lease of area up to 5 hectare will be done by the District Environment Impact Assessment Authority headed by the District Collector / District Magistrate.
- iii. Removal of sand accumulated on the agricultural field after cessation of flooding will not be considered as mining operation and its removal and selling can be allowed without the requirement of environment clearance till it is done only to the extent of reclaiming the agricultural land.

Further, as per section 23C of the Mines and Minerals (Development and Regulation) Act, 1957 ("MMDR Act 1957"), State Governments are empowered to make rules for prevention of illegal mining, transportation and storage of minerals for both major and minor minerals and for purposes connected therewith. Therefore, matters relating to illegal mining come under the legislative and administrative jurisdiction of State Governments and the information regarding the cases of illegal mining is not maintained centrally.

\*\*\*\*\*