

GOVERNMENT OF INDIA  
MINISTRY OF MINES  
**LOK SABHA**  
**UNSTARRED QUESTION NO. 4627**  
ANSWERED ON 29.03.2023

**SAND MINING**

†4627. SHRIMATI QUEEN OJA:

Will the Minister of MINES be pleased to state:

- (a) whether it is necessary to obtain No Objection Certificate (NOC) from the Department of Mines for undertaking sand mining activities in the country as mining is considered illegal in the absence of the said NOC;
- (b) if so, whether the Government has details of such illegal mines where mining activities are being undertaken without permission, State-wise;
- (c) whether the Government is committed to check illegal mining but the same is taking place due to involvement of certain officers;
- (d) if so, the details thereof;
- (e) whether certain cases have been reported where the officers who conducted raid to check illegal mining were assaulted and chased away and murder attempts were made against them; and
- (f) if so, the details thereof, State-wise?

**ANSWER**

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

(a): Sand is a minor mineral under Section 3(e) of the Mines and Minerals (Development & Regulation) Act, 1957 (MMDR Act). Section 15 of the MMDR Act empowers the State Governments for making rules for regulating the grant of quarry leases, mining leases or other mineral concessions in respect of minor minerals and for purposes connected therewith. Hence, the regulation of minor minerals comes under the legislative and administrative domain of the State Governments.

(b) to (f): Section 23C of the MMDR Act empowers the State Governments to make rules for preventing illegal mining, transportation and storage of minerals and for the purposes connected therewith. Hence, control of illegal mining comes under the legislative and administrative purview of the State Governments.

However, the Central Government has taken the following measures to prevent illegal mining in the country:

(i) Penalty for illegal mining was 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. Further, Section 30B of the Act 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.

(ii) 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 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.

(iii) In pursuance of the provisions of Section 23(C) of the Act, 22 State Governments have framed rules to curb illegal mining.

(iv) 22 State Governments have set up Task Forces to review the action taken by member departments for checking the illegal mining activities in their respective jurisdiction.

Further, Ministry of Mines has prepared a 'Sand Mining Framework' in consultation with Mining Departments of the States incorporating best practices amongst States with the objectives of sustainability, availability, affordability and transparency in sand mining. The 'Sand Mining Framework' has been circulated to all the State Governments for necessary action. Moreover, Ministry of Environment, Forest & Climate Change has issued Sustainable Sand Mining Management Guidelines, 2016, which, inter-alia, addresses the issues relating to regulation of sand mining.

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