

GOVERNMENT OF INDIA
MINISTRY OF MINES
LOK SABHA
UNSTARRED QUESTION NO. 2110
ANSWERED ON 04.03.2020

EXCESSIVE MINING

†2110. SHRI MANOJ TIWARI:
SHRI SANGAM LAL GUPTA:
SHRI RAMDAS C.TADAS:
SHRI CHANDRA PRAKASH JOSHI:

Will the Minister of MINES be pleased to state:

- (a) Whether the Government is aware of excessive mining being carried out at certain places across the country;
- (b) If so, the details of the proposed action plan to reduce such mining activities across the country including Delhi;
- (c) Whether some people have lost their land/home due to excessive mining; and
- (d) If so, the details thereof along with compensation paid to them?

ANSWER

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

- (a) & (b) Yes, Sir. Cases of mining in excess of proposals approved in mining plan/review of mining plan have been reported by Indian Bureau of Mines (a subordinate office under Ministry of Mines). The year-wise, State-wise details during the last four years and measures taken to tackle the problem are given in Annexure-I.
- (c) No such information is maintained in Ministry of Mines.
- (d) Does not arise in view of reply furnished at item (c) above.

The year-wise, State-wise details during last four years are furnished in the table given below:

SI No	State	Year wise Number of Cases		
		2016-17	2017-18	2018-19
1	Rajasthan	00	00	03
2	Tamil Nadu	02	00	01
3	Andhra Pradesh	01	01	01
4	Jammu and Kashmir	03	01	10
5	Gujarat	07	07	02
6	Telangana	01	00	00
7	Madhya Pradesh	11	12	10
Total		25	21	27

The Government has already taken adequate measures to reduce excessive mining activities through various statutory provisions, summary of which is furnished below:

A. MMDR Act, 1957

(1) **Section 4A:** Provisions for termination of Prospecting Licences or Mining Leases.

(2) **Section 21:** Penalties for contravention of provisions for imprisonment upto five years and fine upto five lakh Rupees per hectare of the area.

(3) **Section 23C:** State Government is empowered to make rules for preventing illegal mining, transportation and storage of minerals.

B. Minerals (other than atomic and Hydro Carbons Energy Minerals) Concession Rules, 2016

(1) Rule 54 has Provision for Penalty for contravention of provisions of Rules including excessive production.

C. Mineral Conservation and Development Rules 2017

(1) Rule 62: Penalty for contravention of provisions of Rules.

Further, The lessee is obliged to carry out mining operations in accordance with approved document as per Rule 13 of Minerals (other than atomic and Hydro Carbons Energy Minerals) Concession Rules, 2016 and Rule 11 of MCDR 2017. Thus, a mining plan/review of mining plan is essential for grant of mining lease and for carrying out mining operation for major minerals. Monitoring of the proposals approved in Mining Plan/Review of Mining Plan is carried out through MCDR inspection & reconciliation with data filed in statutory returns by the lessee. In case of contravention of the provisions the mining operations are suspended as per Rule 11(2) of MCDR 2017. Also prosecutions are launched and recommended for termination of lease for non-compliance.
