

GOVERNMENT OF INDIA  
MINISTRY OF MINES  
**LOK SABHA**  
**UNSTARRED QUESTION NO- 494**  
ANSWERED ON 16.09.2020  
**ILLEGAL SAND MINING**

494. MS. DIYA KUMARI:

Will the Minister of MINES be pleased to state:

- (a) whether the Government is aware of the increase in illegal sand mining especially in the State of Rajasthan despite the imposition of a ban on river-sand mining;
- (b) if so, the details thereof;
- (c) whether the Government is planning to increase the fine imposed on illegal river-sand mining; and
- (d) whether the Government is planning to make the same a criminal offence and if so, the details thereof?

**ANSWER**

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

(a): Sand is a minor mineral, as defined under Section 3(e) of the Mines and Minerals (Development and Regulation) Act, 1957 ("MMDR Act 1957"). Section 15 of the MMDR Act empowers the State Governments to make rules for regulating the grant of mineral concessions in respect of minor minerals and for purposes connected therewith. Moreover, 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. Therefore, the administration and legislative control of minor minerals including sand comes within the domain of the State Government.

As per the information provided by the Directorate of Mines and Geology, Govt. of Rajasthan, the Hon'ble Supreme Court vide order dated 16.11.2017 has imposed ban on river sand mining. After this ban, the incidences of illegal sand mining are noticed but State Government is taking strict action against the persons involved.

(b): Directorate of Mines and Geology, Govt. of Rajasthan has informed that State-Level Task Force headed by Chief Secretary and District Level Task Forces under the chairmanship of District Collectors have been formed to take action against illegal mining. In every district, SITs have been formed including officials of Mining, Revenue, Transport and Police Departments to conduct joint operations against illegal mining.

Mining Department of the State of Rajasthan has hired 333 Border Home Guards and deployed in different mining offices to help in vigilance activities. A total number of 31542 cases have been registered against illegal mining, transport and stocking from 16.11.17 to 31.08.2020 in which a total penalty of amount Rs.191.52 cr. has been recovered and 2803 FIRs have been lodged in concerned Police Stations against the offenders.

(c): As per the information provided by the Directorate of Mines and Geology, Govt. of Rajasthan, at present cost of mineral calculated as 10 times of Royalty Rate is recovered along with compounding fee charges ranging from Rs. 25000 to 1,00,000/ depending upon type of vehicle and in addition to this amount, environmental degradation charge of Rs. 1 lakh per vehicle is being also recovered from offenders of illegal mining of sand.

(d): Illegal Mining is already a criminal offence as per Section 21 of the MMDR Act 1957. Moreover, the Rajasthan Minor Mineral Concession Rules, 2017 have penal provisions of imprisonment upto 5 years or fine of Rs. 5 lakh or both for illegal mining.

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