

GOVERNMENT OF INDIA
MINISTRY OF MINES
LOK SABHA
STARRED QUESTION NO. *134
ANSWERED ON 10.02.2021

ILLEGAL MINING

*134. SHRI JAYANT SINHA:

Will the Minister of MINES be pleased to state:

- (a) the steps taken by his Ministry to identify and curb illegal mining in the country;
- (b) the details of the manner in which the Ministry plans to use Space Technology in this regard; and
- (c) the achievements made under all such initiatives, especially in Jharkhand?

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.

**STATEMENT REFERRED IN REPLY TO PARTS (a) TO (c) OF LOK SABHA
STARRED QUESTION NO. 134 FOR ANSWER ON 10.02.2021 ASKED BY SHRI
JAYANT SINHA REGARDING ILLEGAL MINING.**

(a): As per section 23C of the Mines and Minerals (Development and Regulation) Act, 1957 ["MMDR Act 1957"], State Governments have been empowered to frame rules for preventing illegal mining, transportation and storage of minerals for both major and minor minerals and for purposes connected therewith. Therefore, prevention and control of illegal mining comes under the legislative and administrative jurisdiction of State Governments. Central Government has, inter-alia, taken the following measures for controlling illegal mining in the country:

(i) Penalty for illegal mining was made more stringent by amendment of the MMDR Act. The penalties 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 for contravention of Section 4(1) and 4(1A) of the Act. Further, any rule made under the Act may provide that any contravention thereof shall be punishable with imprisonment for a term which may extend to two years or with fine which may extend to five lakh rupees, or with both, and in the case of a continuing contravention, with additional fine which may extend to fifty thousand rupees for every day during which such contravention continues after conviction for the first such contravention. Section 30B of the Act provide for constitution of Special courts and 30C of the Act provides that such Special Courts shall be deemed to be a Court of Session.

(ii) Rule 45 of the Mineral Conservation and Development Rules, (MCDR) 2017 makes it mandatory for all miners, traders, stockist, exporters and end-users of minerals to register and report on the production, trade and utilization of minerals to the State Government(s) and Indian Bureau of Mines. It facilitates end-to-end national-scale accounting of all minerals produced in the country from pithead to its end-use, reducing the scope for illegal mining, royalty evasion, etc.

(iii) The Ministry of Mines, through Indian Bureau of Mines, has developed the Mining Surveillance System (MSS) to use space technology for curbing illegal mining activity in the country.

(iv) 21 State Governments namely, Andhra Pradesh, Bihar, Chhattisgarh, Goa, Gujarat, Haryana, Himachal Pradesh, Jammu & Kashmir, Jharkhand, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Nagaland, Orissa, Punjab, Rajasthan, Tamilnadu, Uttar Pradesh, Uttaranchal, and West Bengal have framed rules under section 23C of MMDR Act, 1957 to curb illegal mining.

(v) State Governments were requested to set up Task Forces at State and District Level to control illegal mining. Subsequently, 22 States have set up Task Forces to control illegal mining and review the action taken by member departments for checking the illegal mining activities at state and district levels so far. Andhra Pradesh, Assam, Bihar, Chhattisgarh, Goa, Gujarat, Haryana, Himachal Pradesh, Jharkhand, Karnataka, Madhya Pradesh, Maharashtra, Manipur, Mizoram, Nagaland, Odisha, Punjab, Rajasthan, Tamil Nadu, Uttar Pradesh, Uttarakhand and West Bengal have constituted Task Forces.

(b) & (c): The Ministry of Mines, through Indian Bureau of Mines, has developed the Mining Surveillance System (MSS), in coordination with Bhaskaracharya Institute for Space Applications and Geo-informatics (BISAG), Gandhinagar and Ministry of Electronics and Information Technology (MEITY), to use space technology for curbing illegal mining activity in the country. Mining Surveillance System (MSS) is a satellite-based monitoring system which aims to detect illegal mining activity through use of satellite images. The system records any landform disturbances upto 500m beyond the lease boundary and generates trigger, which is investigated by the State Government and necessary action is taken.

In the initial phase (Phase-I) of MSS during the year 2016-17, total 296 triggers for major minerals have been generated across the country and sent to the respective State Governments including State of Jharkhand for the field verification of the these triggers. State Governments verified 287 triggers out of 296 triggers and unauthorized mining has been detected / confirmed in 47 cases. Details are given at Annexure-I. In second phase of MSS as on 12/11/2020, 45 triggers were verified out of 52 triggers for major minerals and 5 cases of un-authorized mining were detected. Details are given at Annexure-II. Further, 106 triggers out of 130 triggers have been verified for minor minerals and 11 cases of un-authorized mining have been reported. Details are given at Annexure-III

A user-friendly mobile app for MSS has also been launched for use of general public for raising complaint of illegal mining activities. Once a complaint is received, it is forwarded to the respective State Government for taking appropriate action in the matter.

Annexure-I**MSS TRIGGER REPORT FOR THE FIRST PHASE DURING THE YEAR 2016-17**

State	Total Trigger	Total Inspection
CHHATTISGARH	6	6
HIMACHAL PRADESH	11	11
MADHYA PRADESH	46	46
KARNATAKA	35	35
MEGHALAYA	8	1
RAJASTHAN	23	22
GUJARAT	32	32
TAMIL NADU	29	29
ODISHA	20	20
MAHARASHTRA	8	7
TELANGANA	6	6
GOA	42	42
JHARKHAND	1	1
ANDHRA PRADESH	29	29
Total	296	287

Annexure-II**MSS TRIGGER REPORT FOR THE SECOND PHASE OF MAJOR MINERALS DURING THE YEAR 2018-19**

State	Total Trigger	Total Inspection
ANDHRA PRADESH	8	8
CHHATTISGARH	4	3
GUJARAT	7	7
HIMACHAL PRADESH	2	-
JAMMU & KASHMIR	2	2
JHARKHAND	1	-
KARNATAKA	4	4
MADHYA PRADESH	4	4
MAHARASHTRA	3	3
ODISHA	2	2
RAJASTHAN	8	8
TAMIL NADU	7	4
Total	52	45

Annexure-III**MSS TRIGGER REPORT FOR THE SECOND PHASE OF MINOR MINERALS DURING THE YEAR 2018-19**

State	Total Trigger	Total Inspection
ANDHRA PRADESH	8	8
CHHATTISGARH	4	-
GOA	3	3
GUJARAT	27	27
HARYANA	4	2
JHARKHAND	11	4
KARNATAKA	12	12
KERALA	5	3
MAHARASHTRA	2	-
RAJASTHAN	37	35
TAMIL NADU	10	8
TELANGANA	3	3
UTTAR PRADESH	4	1
Total	130	106