ANSWER

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

(a) & (b): Sand is defined as a minor mineral, under Section 3(e) of the Mines and Minerals (Development and Regulation) Act, 1957 (MMDR Act) and 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. Therefore, regulation and administration of minor minerals including sand comes under the purview of the State Governments.

Moreover, Section 23C of the MMDR Act, empowers the state governments to frame rules to prevent illegal mining and the State Government may, by notification in the Official Gazette, make such rules for preventing illegal mining, transportation and storage of minerals and for the purposes connected therewith.

Details of illegal mining cases and action taken in such cases are not maintained centrally. However, based on the quarterly returns on illegal mining submitted by various State Governments including State of Karnataka to Indian Bureau of Mines (a subordinate office of this Ministry), details of instances of illegal mining for the last three years [2017-18 to 2020-21 (Sep 2020)] alongwith the action taken is at Annexure.
(c) to (e): Ministry of Mines has prepared a Sand Mining Framework, as a model for adoption by the States, in consultation with Mining Departments of the States incorporating the best practices amongst them and suggestions based on the objectives of sustainability, availability, affordability and transparency in sand mining. In addition, Ministry of Environment, Forest and Climate Change has issued Sustainable Sand Mining Management Guidelines, 2016, which, *inter alia*, addresses the issues relating to regulation of sand mining.

Further, as per the information received from Government of Karnataka, the State Government has taken following steps to control and regulate the illegal sand mining in the state:

- Amendment has been brought into the Karnataka Minor Mineral Concession Rules, 1994 [KMMCR] on 12.08.2016 wherein the District and Taluka Sand Monitoring Committee are constituted to monitoring and checking illegal sand mining and transportation in the respective districts. The committee comprises officers from Revenue, Police, Forest, PWD, Zilla Panchayat, Transport and Mines & Geology Departments. All the officers are empowered to book a case against the persons who indulge in illegal sand mining activities as per Rule 31-R of (13) of KMMCR 1994.

- All the district sand committees of the State established mobile squads to check the illegal sand mining activities and also established check posts at the strategic locations to control illegal sand transportation.

- Rule 43 of the KMMCR, 1994 was further amended on 30.06.2020 wherein a provision was made for collection of heavy penalty including seizing of tool, equipment and vehicles etc. used in the illegal sand mining/transportation.

Further, the Government of Karnataka has brought Karnataka New Sand Policy, 2020 and guidelines to implement the New Sand Policy on 05.05.2020. A provision has been made in the said guidelines to constitute independent committee involving retired Indian Army officer, retired officer cadre civil servant and retired professor who is expert in the field of mining and environment to assess the damage causing to the Environment.
## ANNEXURE

### Illegal mining cases

<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>State</th>
<th>2017-18</th>
<th>2018-19</th>
<th>2019-20</th>
<th>2020-21 (Quarter ending Sept-20)</th>
<th>FIR Lodged (Nos.)</th>
<th>Court Cases Filed (Nos.)</th>
<th>Vehicle Seized (No.)</th>
<th>Fine realized by State Govt. (Rs. Lakh)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Andhra Pradesh</td>
<td>8128</td>
<td>7644</td>
<td>8354</td>
<td>3994</td>
<td>39</td>
<td>18</td>
<td>1857</td>
<td>60949.271</td>
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<tr>
<td>2.</td>
<td>Chhattisgarh</td>
<td>4857</td>
<td>5060</td>
<td>6449</td>
<td>1963</td>
<td>0</td>
<td>16366</td>
<td>0</td>
<td>3117.187</td>
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<tr>
<td>3.</td>
<td>Gujarat</td>
<td>7827</td>
<td>7679</td>
<td>7476</td>
<td>3355</td>
<td>423</td>
<td>51</td>
<td>20619</td>
<td>32954.900</td>
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<tr>
<td>4.</td>
<td>Haryana</td>
<td>1391</td>
<td>1380</td>
<td>1251</td>
<td>696</td>
<td>565</td>
<td>0</td>
<td>0</td>
<td>1658.748</td>
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<tr>
<td>5.</td>
<td>Himachal Pradesh</td>
<td>1753</td>
<td>590</td>
<td>2424</td>
<td>1967</td>
<td>84</td>
<td>755</td>
<td>17</td>
<td>161.814</td>
</tr>
<tr>
<td>6.</td>
<td>Jammu &amp; Kashmir</td>
<td>1485</td>
<td>n.r</td>
<td>n.r</td>
<td>n.r</td>
<td>0</td>
<td>0</td>
<td>1485</td>
<td>15.896</td>
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<td>7.</td>
<td>Jharkhand</td>
<td>2772</td>
<td>3132</td>
<td>3269</td>
<td>n.r</td>
<td>2262</td>
<td>1051</td>
<td>8759</td>
<td>4083.115</td>
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<td>8.</td>
<td>Karnataka</td>
<td>4669</td>
<td>4101</td>
<td>4935</td>
<td>2197</td>
<td>3845</td>
<td>1379</td>
<td>1895</td>
<td>8242.932</td>
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<td>9.</td>
<td>Kerala</td>
<td>8315</td>
<td>7797</td>
<td>8575</td>
<td>2673</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<td>10.</td>
<td>Madhya Pradesh</td>
<td>15205</td>
<td>16405</td>
<td>8223</td>
<td>5384</td>
<td>61</td>
<td>21924</td>
<td>29</td>
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<td>11.</td>
<td>Maharashtra</td>
<td>26628</td>
<td>13436</td>
<td>10456</td>
<td>4326</td>
<td>6561</td>
<td>0</td>
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<td>12.</td>
<td>Odisha</td>
<td>47</td>
<td>29</td>
<td>16</td>
<td>1</td>
<td>2</td>
<td>0</td>
<td>7</td>
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<td>13.</td>
<td>Rajasthan</td>
<td>6632</td>
<td>17118</td>
<td>4027</td>
<td>n.r</td>
<td>2274</td>
<td>43</td>
<td>292655</td>
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<tr>
<td>14.</td>
<td>Tamilnadu</td>
<td>132</td>
<td>113</td>
<td>66</td>
<td>57</td>
<td>34941</td>
<td>1345</td>
<td>42074</td>
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<tr>
<td>15.</td>
<td>Telangana</td>
<td>6143</td>
<td>6553</td>
<td>7039</td>
<td>n.r</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>3666.190</td>
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<tr>
<td>16.</td>
<td>Uttar Pradesh</td>
<td>20214</td>
<td>24455</td>
<td>n.r</td>
<td>n.r</td>
<td>677</td>
<td>4423</td>
<td>0</td>
<td>11667.530</td>
</tr>
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| Grand Total | 116198 | 115492 | 72560 | 26613 | 51734 | 47355 | 424244 | 352785.790 |

n. r. – quarterly return not received.