

GOVERNMENT OF INDIA
MINISTRY OF MINES
LOK SABHA
UNSTARRED QUESTION NO. 2601
ANSWERED ON 10.03.2021

ILLEGAL SAND MINING

2601. DR. UMESH G. JADHAV:

Will the Minister of MINES be pleased to state:

- (a) the details of cases pertaining to illegal mining of major and minor minerals especially sand mining reported in the country including Karnataka during the last three years;
- (b) whether the Government has taken measures to check illegal mining of sand and if so, the action taken against the offenders during the last three years and the current year;
- (c) whether the Union Government has held any discussions with the State Governments including Karnataka in regard to illegal sand mining and if so, the details and the outcome thereof;
- (d) whether the Government has developed any mechanism to check and control illegal sand mining in Karnataka and if so, the details thereof along with the names of nodal officers, District-wise and if not, the reasons therefor; and
- (e) the other steps taken/being taken by the Government to check the damage to the environment from illegal mining of sand from the river beds?

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 monitor and check 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							Action taken from 2017-18 to 2020-21 (Up to Quarter ending September-20)		
Sr. No.	State	2017-18	2018-19	2019-20	2020-21 (Quarter ending Sept-20)	FIR Lodged (Nos.)	Court Cases Filed (Nos.)	Vehicle Seized (No.)	Fine realized by State Govt. (Rs. Lakh)
1.	Andhra Pradesh	8128	7644	8354	3994	39	18	1857	60949.271
2.	Chhattisgarh	4857	5060	6449	1963	0	16366	0	3117.187
3.	Gujarat	7827	7679	7476	3355	423	51	20619	32954.900
4.	Haryana	1391	1380	1251	696	565	0	0	1658.748
5.	Himachal Pradesh	1753	590	2424	1967	84	755	17	161.814
6.	Jammu & Kashmir	1485	n.r	n.r	n.r	0	0	1485	15.896
7.	Jharkhand	2772	3132	3269	n.r	2262	1051	8759	4083.115
8.	Karnataka	4669	4101	4935	2197	3845	1379	1895	8242.932
9.	Kerala	8315	7797	8575	2673	0	0	0	17108.560
10.	Madhya Pradesh	15205	16405	8223	5384	61	21924	29	142720.411
11.	Maharashtra	26628	13436	10456	4326	6561	0	54846	33858.040
12.	Odisha	47	29	16	1	2	0	7	740.782
13.	Rajasthan	6632	17118	4027	n.r	2274	43	292655	21162.515
14.	Tamilnadu	132	113	66	57	34941	1345	42074	10677.899
15.	Telangana	6143	6553	7039	n.r	0	0	1	3666.190
16.	Uttar Pradesh	20214	24455	n.r	n.r	677	4423	0	11667.530
Grand Total		116198	115492	72560	26613	51734	47355	424244	352785.790

n. r. – quarterly return not received.