

GOVERNMENT OF INDIA
MINISTRY OF MINES
LOK SABHA
UNSTARRED QUESTION NO. 2864
ANSWERED ON 15.12.2021

ILLEGAL MINING

2864. SHRI BALAK NATH:

Will the Minister of MINES be pleased to state:

- (a) the details of the plans of the Government to check illegal mining;
- (b) whether the Government is aware that illegal mining is taking place in the country; and
- (c) if so, the details of the plans of the Government for prevention of environmental pollution being caused due to mining in stone mines?

ANSWER

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

(a) & (b): Government has, *inter-alia*, taken following measures for preventing illegal mining in the country:

- (i) Penalty for illegal mining was made more stringent by the Central Government through amendment of the Mines and Minerals (Development and Regulation) Act, 1957 (MMDR Act). The penalties have been increased from Rs. 25 thousand per hectare 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 MMDR Act.
- (ii) Section 30B of the MMDR Act provides for constitution of Special courts and Section 30C provides that such Special Courts shall be deemed to be a Court of Session.
- (iii) Rule 45 of the Mineral Conservation and Development Rules, 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.

Further, Section 23C of the MMDR Act empowers the State Governments to frame rules for preventing illegal mining, transportation and storage of minerals for both major and minor minerals and for purposes connected therewith. Hence, prevention and control of illegal mining comes under the legislative and administrative jurisdiction of State Governments. Accordingly, 21 State Governments have framed rules under Section 23C of MMDR Act to curb illegal mining. Moreover, 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.

(c): Stone is a minor mineral under Section 3(e) of the MMDR Act. Section 15 of the MMDR Act empowers the State Governments for making rules for regulating the grant of quarry leases, mining leases or other mineral concessions in respect of minor minerals including stone and for purposes connected therewith. Hence, the regulation of minor minerals comes under the legislative and administrative domain of the State Governments.