

**GOVERNMENT OF INDIA
MINISTRY OF MINES**

**RAJYA SABHA
UNSTARRED QUESTION NO. 1489
TO BE ANSWERED ON 11TH MARCH, 2013
ILLEGAL MINING**

1489. SHRI SHADI LAL BATRA:

Will the Minister of **MINES** be please to state:

- (a) the details of cases of illegal mining detected in the country during the last three years, State-wise;
- (b) the details of officials and companies found involved in illegal mining operations;
- (c) the loss of revenue to the Central and State Governments during the said period;
- (d) whether any mechanism has been evolved to recover such losses; and
- (e) the measures taken by Government to check illegal mining?

ANSWER

THE MINISTER OF MINES (SHRI DINSHA PATEL)

(a) to (d): As per section 23C of the Mines and Minerals (Development and Regulation) Act, 1957, the State Governments have been empowered to make rules for preventing illegal mining, transportation and storage of minerals. In cases of illegal mining, where there is a loss of revenue to the State Government from royalty, rents or taxes and the actual loss of mineral, the Mines and Minerals (Development and Regulation) Act, 1957, provides a penalty of imprisonment for a term upto two years or a fine extending to Rs. 25,000 or with both. The said Act also provides that the State Governments may recover not only the price of mined out mineral, in case the mineral is disposed off, but also the royalty and rent or taxes, as may be payable for the mineral mined illegally from an area. Since the State Governments deal with cases of illegal mining, specific details are not centrally maintained in the Ministry. However, year-wise details of cases of illegal mining detected and action taken by State Governments till September 2012, as reported by the State Governments are given in Annexure.

(e): The Central Government in co-ordination with State Governments has taken the following steps to curb and check illegal mining in the country:

- i. State Governments were asked to frame rules to control illegal mining as per Section 23 C of MMDR Act (18 States have framed Rules).
- ii. State Governments were advised to set up State Coordination-cum-Empowered Committee (SCEC) to coordinate efforts to control illegal mining by including representatives of Railways, Customs and Port authorities (13 State Governments have set up such Committees).

- iii. State Governments were advised to adopt an Action Plan with specific measures to detect and control illegal mining including, use of remote sensing, control on traffic, gather market intelligence, registration of end-users and setting up of special cells etc.
- iv. A Central Coordination-cum-Empowered Committee set up under Secretary (Mines) having representation of major mineral bearing states and concerned Central Government Ministries/Departments on 4.3.2009. The Committee is holding regular meetings to consider all mining related issues including matters relating to coordination of activities to combat illegal mining.
- v. Railways have instituted a mechanism to allow transportation of iron ore only against permits issued rake-wise and verified by State Government, apart from taking measures to fence and set up check post at the railway sidings.
- vi. Customs Department has issued instructions to all its field units to share information on ore export with State Governments.
- vii. Ministry of Shipping has issued a direction to all major Ports to streamline the verification procedures for movement of consignment by road and rail to Ports for exports.
- viii. Government has notified amendment in Rule 45 of Mineral Conservation and Development Rules, 1988, on 9.2.2011 making it mandatory for all miners, traders, stockist, exporters and end-users to register with IBM and report their transaction in minerals on monthly basis for a proper end-to-end accounting of minerals.
- ix. Indian Bureau Mines had constituted Special Task Forces for inspection of mines in endemic areas by taking the help of Satellite imageries.
- x. The Central Government has set up Justice M. B. Shah Commission to inquire into large scale illegal mining of iron ore and manganese ore in the country. The extended tenure of the Commission is till 16th July, 2013.
