

**GOVERNMENT OF INDIA
MINISTRY OF MINES**

**LOK SABHA
UNSTARRED QUESTION NO.2391
TO BE ANSWERED ON 23TH AUGUST, 2013**

ILLEGAL MINING

**2391. SHRI HARI MANJHI:
SHRI AVTAR SINGHBHADANA:
SHRI NISHIKANT DUBEY:
SHRI DHRUVANARAYANA:
SHRI S.S. RAMASUBBU:
SHRI ARJUN MEGHWAL:**

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

- (a) whether incidents of illegal mining, particularly of sand and iron ore are on the rise in the country;
- (b) if so, the cases of illegal mining, particularly of sand and iron ore detected/reported in the country during the last one year and till date indicating the officials and companies found involved in such activities and the action taken/being taken against them, State/UT-wise;
- (c) the estimated amount of excess and illegal ore that has been mined and estimated loss of revenue to the Union and State Governments thereby along with the mechanism evolved to recover the losses indicating the penalties imposed in this regard;
- (d) the stringent measures being taken/proposed to be taken by the Union Government in co-ordination with State Governments to curb illegal mining and activities of mining mafia, particularly constitution of separate police force to prevent it along with the success achieved therefrom; and
- (e) the present status in regard to constitution of State Level Empowered Committees by State Governments along with the review of position by the Union Government in this regard?

ANSWER

THE MINISTER OF MINES (SHRI DINSHA PATEL)

(a) to (d): As per section 23C of the Mines and Minerals (Development and Regulation) (**MMDR**) Act, 1957, the State Governments have been empowered to make rules for preventing illegal mining, transportation and storage of minerals.

State Governments deal with cases of illegal mining therefore specific details is not centrally maintained in the Ministry.

However, as per information compiled by Indian Bureau of Mines (**IBM**) (a subordinate office under the Ministry) based on information provided by the State Governments in the quarterly returns on illegal mining, year-wise details of cases of illegal mining detected and action taken by State Governments for the last three years period from 2010-11 to 2012-13 are given in Annexure. This information indicates that incidents of illegal mining have increased during last three years period.

Where there is a loss of revenue to the State Government from royalty, rents or taxes and the actual loss of mineral on account of illegal mining, the MMDR 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 MMDR Act, 1957 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.

The Central Government in co-ordination with State Governments has also 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 (20 States have framed Rules).
- (ii) State Governments were requested to set up Task Forces at State and District level to control illegal mining since the year 2005 (so far 23 State Governments have reported to have set up Task Forces).
- (iii) 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).
- (iv) 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.
- (v) 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.
- (vi) 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.

- (vii) Customs Department has issued instructions to all its field units to share information on ore export with State Governments.
- (viii) 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.
- (ix) 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.
- (x) Indian Bureau Mines had constituted Special Task Forces for inspection of mines in endemic areas by taking the help of Satellite imageries.
- (xi) 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 October, 2013.

(e): As per information compiled by IBM, thirteen State Governments viz. Andhra Pradesh, Chhattisgarh, Gujarat, Goa, Haryana, Jharkhand, Karnataka, Madhya Pradesh, Maharashtra, Mizoram, Orissa, Rajasthan and West Bengal have set up a Coordination-cum-Empowered Committee. The Central Government, in the meetings of the Central Coordination-cum-Empowered Committee held periodically, reviews the position of constitution of State Coordination-cum-Empowered Committee by the important mineral producing State Governments.

ANNEXURE MENTIONED IN THE STATEMENT TO THE REPLY TO LOK SABHA UNSTARRED QUESTION NO. 2391 FOR REPLY ON 23.8.2013 ASKED BY SHRI HARI MANJHI AND OTHERS

(for all minerals excluding atomic and fuel minerals)

Illegal mining cases						Action taken from 2010-11 to 2012-13		
Sr. No.	State	2010-11	2011-12	2012-13	FIR Lodged (Nos.)	Court Cases Filed (Nos.)	Vehicle Seized (No.)	Fine realized by State Govt. (Rs. Lakh)
1	Andaman & Nicobar	0	3	0	0	0	0	0.05
2	Andhra Pradesh	13939	19913	16592	0	0	0	9601.099
3	Assam	0	0	0	0	0	0	0
4	Chhattisgarh	2017	2946	3238	87	8198	1	2349.2047
5	Goa	13	1	0	0	0	1	1.91
6	Gujarat	2184	3485	6023	192	5	5146	41944.80
7	Haryana	3446	2022	3517	512	0	0	1148.05
8	Himachal Pradesh	1213	1289	0	186	700	0	71.46
9	Jharkhand	199	364	663	486	30	337	199.58
10	Karnataka	6476	6691	6677	396	236	10517	5509.2
11	Kerala	2028	3175	4550	0	0	0	1067.42
12	Madhya Pradesh	4245	7147	7169	2737	18297	0	9129.909
13	Maharashtra	34265	40642	42918	0	0	101744	12672.62
14	Mizoram	0	2	16	0	0	0	0.805
15	Odisha	420	309	314	8	4	687	3354.83
16	Punjab	754	314	19	86	0	61	144.88
17	Rajasthan	1833	1201	2861	1319	60	195	1884.328
18	Tamilnadu	277	123	295	1504	13	27040	2841.07
19	Uttar Pradesh	4641	4708	3266	0	0	0	2433.03
20	West Bengal	239	269	479	929	93	815	0
Grand Total		78189	94604	98597	8442	27636	146544	94354.2457

(Source: Indian Bureau of Mines, Government of India)
