

**GOVERNMENT OF INDIA  
MINISTRY OF MINES**

**RAJYA SABHA  
UNSTARRED QUESTION NO. 1792  
TO BE ANSWERED ON 10<sup>TH</sup> DECEMBER, 2012**

**CURB ON ILLEGAL MINING**

**1792. DR. PRADEEP KUMAR BALMUCHU:**

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

- (a) whether Government is concerned about the illegal mining being carried out all over the country;
- (b) If so, the details thereof;
- (c) the places where illegal mining is being carried out;
- (d) whether Government has set up committee under Justice MB Shah to probe into the facts about illegal mining activities in the country;
- (e) whether the committee has submitted its report to Government;
- (f) if so, the details of the findings of the committee and the recommendations made therein; and
- (g) the steps being taken by Government to curb illegal mining in the country?

**ANSWER**

**THE MINISTER OF MINES (SHRI DINSHA PATEL)**

(a) to (c): Yes Sir. However State Governments have been empowered in terms of Section 23C of Mines and Minerals (Development and Regulation) Act, 1957 to deal with cases of illegal mining, therefore specific details are not centrally maintained in the Ministry. Year-wise details of cases of illegal mining for all minerals including minor minerals detected and action taken by State Governments till June 2012, as reported by the State Governments are given as **Annexure**.

(d) to (f): The Government has appointed Shri Justice M. B. Shah Commission of Inquiry (COI) under the Commissions of Inquiry Act, 1952 to inquire into the large scale mining of iron ore and manganese ore without lawful authority in several States vide notification No. S.O.2817 dated 22.11.2010. The COI has submitted an Interim Report and a Report on mining in State of Goa. The Interim Report recommends, inter-alia:

- i) amendment in section 24 of the Mines and Minerals (Development and Regulation) Act 1957;
- ii) amendments in Rules 24A of Mineral Concession Rules (MCR), 1960 regarding deemed extension of mining leases, in Rule 26 and Rule 27 of MCR restricting persons convicted for illegal mining from renewal of mining lease and cancellation of mining lease;
- iii) amendments in field circulars issued by Indian Bureau of Mines for stringent regulation of boundary pillars of mining leases;

- iv) ban on export of iron ore and manganese ore; and
- v) measures to be taken by State Governments for improving regulation by:
  - introducing Computerized weigh bridges;
  - installing Check Posts at exit points;
  - proper maintenance of roads and collection of toll tax; and
  - providing adequate staff for regulatory purposes in State.

Further, the COI has submitted its Report on illegal mining of iron ore and manganese ore in the State of Goa on 15<sup>th</sup> March, 2012 (part I and II) and 25<sup>th</sup> April, 2012 (part III). The important observations and recommendations of the COI in its Report on the State of Goa, inter- alia, are:

- i) punitive action for allowing mining in eco-sensitive areas without proper renewal of leases, or statutory clearances under Forest (Conservation) Act, 1980 and The Indian Wildlife (Protection) Act, 1972;
- ii) punitive action for poor quality of inspections on the basis of mining plan;
- iii) cancellation of iron ore mining leases in Goa for irregularities in renewal of mining leases;
- iv) grant of mining leases by public auction;
- v) regulation of removal of dumps outside the mining lease.

(g): The Central Government 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 (so far 18 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 21 States 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) All State Governments 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) Ministry of Mines has so far held five meetings with the State Governments to specifically review the action taken by the State Governments on illegal mining on 3.8.2009, 27.11.2009, 22.2.2010, 16.4.2010 and 21.9.2010. This periodical review has been dovetailed in the meeting of Central Coordination-cum-Empowered Committee meetings.
- (vi) A Central Coordination-cum-Empowered Committee set up under Secretary (Mines) on 4.3.2009 has held ten meetings on 24.7.2009, 22.12.2009, 18.6.2010, 22.12.2010, 3.5.2011, 20.9.2011, 16.1.2012, 27.3.2012, 28.6.2012 and 21.9.2012 to consider all mining related issues, including matters relating to coordination of activities to combat illegal mining.
- (vii) 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.

- (viii) Customs Department has issued instructions to all its field units to share information on ore export with State Governments.
- (ix) 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.
- (x) 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. As on 11.6.2012, out of 9409 mining leases in the country, 8027 mining leases have registered online with the IBM. The IBM has suspended 1587 mines for non-compliance and initiated prosecution in 4 cases and recommended 21 cases to State Governments for termination. IBM has also requested the State Governments not to issue transit passes for movement of minerals to unregistered operators.
- (xi) Indian Bureau Mines had constituted Special Task Forces for inspection of mines in endemic areas by taking the help of Satellite imageries. Special Task Force conducted inspections in a total of 454 mines in the States of Karnataka, Andhra Pradesh, Orissa, Jharkhand and Gujarat and suspended 155 mines under rule 13(2) of Mineral Conservation and Development Rules, 1988 due to serious violations. Further, the Indian Bureau of Mines have recommended for termination of eight leases.
- (xii) In so far as the online approval of mining plans and display of approved mining plans in the public domain is concerned, it is submitted that the Ministry is developing 'Mining Tenement System (MTS)' to automate the various processes associated with the mineral concession regime with features also to reflect the information which will be available on the public domain.
- (xiii) The Central Government has set up Justice M. B. Shah Commission of Inquiry (COI) to inquire into large scale illegal mining of iron ore and manganese ore in the country. The tenure of the COI has been extended till 16<sup>th</sup> July, 2013 by the Government. COI has so far visited Andhra Pradesh, Goa, Jharkhand, Karnataka and Odisha.

**ANNEXURE MENTIONED IN THE STATEMENT TO THE REPLY TO RAJYA SABHA  
UNSTARRED QUESTION NUMBER 1792 FOR REPLY ON 10.12.2012 ASKED BY DR.  
PRADEEP KUMAR BALMUCHU**

Details of State-wise Illegal mining cases						Action taken upto June 2012		
S. No.	State	2009-10	2010-11	2011-12	2012-13 (till June)	FIR Lodged (Nos.)	Court Cases Filed (Nos.)	Fine realized by State Governments (Rs. Lakh)
1	Andhra Pradesh	15530	13939	19913	5227	18	537	9304.313
2	Chhattisgarh	2606	2017	2946	868	88	6961	1896.6047
3	Goa	12	13	1	-	0	0	3.33799
4	Gujarat	4020	2184	3485	1607	215	4	6961.062
5	Haryana	1437	3446	2022	1419	438	19	890.91445
6	Himachal Pradesh	1398	1213	1289	-	186	1189	97.1162
7	Jharkhand	15	199	364	-	285	30	46.8607
8	Karnataka	4692	6476	6691	1837	488	175	5223.086
9	Kerala	1847	2028	3175	-	0	0	698.33956
10	Madhya Pradesh	5782	4245	7147	1634	2741	18562	8510.0997
11	Maharashtra	26283	34265	40642	7721	0	1	13143.323
12	Odisha	487	420	309	65	11	36	4339.34
13	Punjab	131	754	314	-	67	0	382.525
14	Rajasthan	4690	1833	1201	1719	1236	53	1725.2944
15	Tamilnadu	273	277	123	64	1528	561	6573.9309
16	Uttar Pradesh	-	4641	4708	3266	0	0	2433.03
17	West Bengal	113	239	269	92	824	128	0
Total		69316	78189	94599	25519	8125	28256	62229.178

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

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