

Recent Initiatives of Mines Ministry to Check Illegal Mining

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Section 23C of Mines and Minerals (Development and Regulation) Act (MMDR Act) 1957, empowers the State Governments to frame rules to prevent illegal mining, transportation and storage of minerals and for the purposes connected therewith. Hence, control of illegal mining comes under the legislative and administrative purview of the State Governments.

The MMDR Act, inter-alia, has the following provisions to curb illegal mining:

(i) Penalty for illegal mining was made more stringent by amendment of the MMDR Act in 2015. Penalties for contravention of Section 4(1) and 4(1A) of the Act have been increased from Rs. 25 thousand per hectares to Rs. 5 Lakh per hectare and the term of imprisonment has been increased from 2 years to 5 years. Further, Section 30B of the Act provides for constitution of Special courts by State Governments for speedy trial of Illegal mining/Transportation/Storage cases and 30C of the Act provides that such Special Courts shall be deemed to be a Court of Session.

(ii) Rule 45 of the Mineral Conservation and Development Rules, (MCDR) 2017 makes it mandatory for all miners, traders, stockist, exporters and end-users of minerals to register with Indian Bureau of Mines and submit online returns on the production, trade and utilization of minerals to the State Government(s) and Indian Bureau of Mines.

(iii) The Ministry of Mines, through Indian Bureau of Mines, has developed the Mining Surveillance System (MSS) to use space technology for reporting any illegal mining activity to the State Government who will take necessary action. Mining Surveillance System (MSS) is a satellite-based monitoring system which aims to detect illegal mining activity beyond the lease area through use of satellite images.

(iv) In pursuance of the provisions of Section 23(C) of the Act, 21 State Governments have framed rules to curb illegal mining.

Also, 22 State Governments 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.

Further, Stone is a minor mineral under Section 3(e) of the Mines and Minerals (Development & Regulation) Act, 1957 (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 and for purposes connected therewith. Hence, the regulation of minor minerals comes under the legislative and administrative domain of the State Governments.

This information was given by the Union Minister of Coal, Mines and Parliamentary Affairs Shri Pralhad Joshi in a written reply in Rajya.Sabha today.