

GOVERNMENT OF INDIA
MINISTRY OF MINES
LOK SABHA
UNSTARRED QUESTION NO. 2410
ANSWERED ON 21.12.2022

SOP TO CHECK ILLEGAL MINING

2410. SHRIMATI APARAJITA SARANGI:

Will the Minister of MINES be pleased to state:

(a) whether any national Standard Operating Procedure (SOP) has been developed for the concerned States to check illegal mining in the country and if so, the details thereof;

(b) whether the Government has advised the State Government of Odisha on development of SOP to tackle illegal mining and if so, the details thereof; and

(c) the details of draft SOP recommended by the Union Government to check illegal mining?

ANSWER

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

(a) to (c): Section 23C of Mines and Minerals (Development and Regulation) Act (MMDR Act) 1957, empowers the State Governments to frame rules to prevent illegal mining and the State Governments may, by notification in the Official Gazette, make such rules for preventing 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.

However, the Central Government has taken the following measures to prevent illegal mining in the country:

(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) The Ministry of Mines, through the 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.

(iii) In pursuance of the provisions of Section 23(C) of the Act, 22 State Governments including Odisha have framed rules to curb illegal mining.

(iv) 22 State Governments have set up Task Forces to review the action taken by member departments for checking the illegal mining activities in their respective jurisdiction.
