

**GOVERNMENT OF INDIA
ENVIRONMENT, FORESTS AND CLIMATE CHANGE
LOK SABHA**

UNSTARRED QUESTION NO:2963

ANSWERED ON:30.07.2014

ILLEGAL SAND MINING

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Will the Minister of ENVIRONMENT, FORESTS AND CLIMATE CHANGE be pleased to state:

- (a) whether effective legislations/ regulations are in place to restrict sand mining in the rivers in the country;
- (b) if so, the details thereof and if not, the action taken by the Government to bring in effective regulation/policy for the same;
- (c) whether reports on large scale illegal sand mining from various States have been received;
- (d) if so, the details thereof State and river-wise and the action taken by the Government in this regard;
- (e) whether the Government has done any study on the impact of sand mining on rivers in the country and if so, the findings thereof; and
- (f) whether any research has been conducted to find an alternative building material to substitute river sand and if so, the details thereof?

Answer

MINISTER OF STATE (INDEPENDENT CHARGE) FOR ENVIRONMENT, FORESTS AND CLIMATE CHANGE (SHRI PRAKASH JAVADEKAR):

(a) & (b): Sand mining is regulated in terms of the Mines and Minerals (Development and Regulation) Act, 1957 [MMDR Act] and the Mineral Concession Rules framed by the concerned State Governments under section 15 of this Act. The projects of sand mining require prior environmental clearance as per the Environment Impact Assessment (EIA) Notification, 2006, as amended from time to time, notified under the Environment (Protection) Act, 1986.

(c) to (e):The enforcement of various legal provisions with a view to containing the menace of illegal sand mining is largely in the domain of the State Governments.

This Ministry had constituted a group under the Chairmanship of Secretary, Ministry of Environment and Forests to look into the environmental aspects associated with mining of minor minerals vide order dated 24.03.2009. The Group submitted its report with recommendations viz. (i) Minimum size of mine lease should be 5ha; (ii) Minimum period of mine lease should be 5 years; (iii) A cluster approach to mines should be taken in case of smaller mine leases operating currently;(iv) Mine plans should be made mandatory for minor minerals as well; (v) A separate corpus should be created for reclamation and rehabilitation of mined out areas; (vi) Hydro-geological reports should be prepared for mining proposed below groundwater table; (vii) For river bed mining, leases should be granted stretch wise, depth may be restricted to 3m/water level, whichever is less, and safety zones should be worked out; and (viii) The present classification of minerals into major and minor categories should be re-examined by the Ministry of Mines in consultation with the States. The report of the Group was sent to all State Governments in June 2010 with the request for incorporating in their Mineral Concessions Rules for mining of minor minerals. Subsequently, the Hon'ble Supreme Court vide order dated 27.02.2012 in SLP(C) Nos.19628-19629 of 2009 titled "Deepak Kumar etc. Vs. State of Haryana & Ors.", inter-alia directed the State Governments to take immediate steps to frame necessary rules under section 15 of the MMDR Act taking into consideration the recommendations of aforesaid MoEF's report and model guidelines framed by Ministry of Mines, Government of India.

(f): MOEF&CC has not carried out any research on possible alternate building material as substitute of River sand.