Illegal mining

†102. DR. SANJAY SINH: Will the Minister of MINES be pleased to state:

(a) whether there has been an increase in the case of illegal mining in the country;

(b) the number of cases of illegal mining detected in Uttar Pradesh in the last ten years;

(c) the action taken in these cases and the fine recovered by Government of Uttar Pradesh, year-wise; and

(d) whether the existing law has not been successful in curbing illegal mining in the country and whether it is required to enforce a strong and effective legislation for curbing illegal mining, if so, the plan of the Government in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF MINES (SHRI VISHNU DEO SAI): (a) State Governments are empowered, under Section 23C of the Mines and Mineral (Development and Regulation) Act, 1957 (MMDR Act, 1957) to make rules for prevention of illegal mining, transportation and storage of minerals; and, therefore, matters relating to illegal mining come under the legislative and administrative jurisdiction of State Governments.

However, based on the quarterly returns on illegal mining submitted by various State Governments to Indian Bureau of Mines (IBM) (a subordinate office under the Ministry of Mines), the total cases of illegal mining in the country reported from year 2009-10 to 2015-16 (Quarter ending September, 2015) is provided below:

Year-wise details of illegal mining	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16 (Quarter ending Sept-2015)
GRAND TOTAL	69316	78189	94604	98597	88689	97149	48467

(b) and (c) In exercise of the power conferred by section 23C of Mines and Minerals (Development and Regulation) Act, 1957, Government of Uttar Pradesh has published the Uttar Pradesh Mineral (Prevention of Illegal Mining), Transportation and Storage Rules, 2002. In addition, Uttar Pradesh Government *vide* Order No-5360/77-5-2005-371/05 dated 10.11.2005 has constituted a task force under the chairmanship of District Magistrate to check and curb illegal mining and illegal transportation in all the districts of Uttar Pradesh. The number of cases of illegal mining and fine recovered by Government of Uttar Pradesh in the last ten years are provided below:

† Original notice of the question was received in Hindi.

Years	No. of cases	Revenue recovered (₹ in lakhs)
06-07	5120	433.27
07-08	4656	469.96
08-09	3874	500.18
09-10	5472	847.67
10-11	6234	1376.71
11-12	6713	1668.35
12-13	9708	3193.98
13-14	8612	2978.35
14-15	9920	2527.35
15-16 (Till January 2016)	10016	2953.67
TOTAL	70,325	16949.49

(d) The Mines and Minerals (Development and Regulation) (MMDR) Act, 1957 was amended through the MMDR Amendment Act, 2015 which came into effect from 12th January, 2015. The Amendment Act has, *inter-alia*, stringent punitive provisions for combating illegal mining. Illegal mining has been made punishable with imprisonment for a term which may extend to five years and with fine which may extend to five lakh rupees per hectare of the area. Provisions have been made for setting up of Special Courts for the purpose of providing speedy trial of offences relating to illegal mining.

Construction cess

103. DR. K.P. RAMALINGAM: Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

(a) whether it is a fact that the State Governments have raised thousands of crores for welfare of urban labourers through construction cess paid by home buyers, but only a fraction of that amount has been spent for the benefits of daily wage earners;

(b) if so, the details thereof;

(c) whether it is a fact that Government is considering to make it mandatory to use the labour cess collected by the State Government exclusively for the benefit of labourers; and

(d) if so, the details thereof?