

Enforcement and monitoring guidelines for sand mining in India

February 5, 2020

Source: *PRS India & The Indian Express*

Following a series of orders by the National Green Tribunal in 2018, the Ministry of Environment, Forests and Climate Change notified the enforcement and monitoring guidelines for sand mining. It is supplementary to the Sustainable Sand Management Guidelines, 2016 which focuses on the management of sand mining in the country.

Background

The Mines and Minerals (Development and Regulation) Act, 1957 has empowered state governments to make rules to prevent illegal mining, transportation, and storage of minerals. “But in the recent past, it has been observed that there was a large number of illegal mining cases in the country and in some cases, many of the officers lost their lives while executing their duties to curb illegal mining.

Objectives of the guidelines

- Regulating sand mining in the country
- Preventing illegal sand mining
- **Use of IT-enabled services and technologies for surveillance of sand mining**, and
- Ensuring **post environmental clearance monitoring**.

Salient features of the guidelines:

- **District Survey Report:** The guidelines provide the procedure to be followed for identifying areas where mining can be allowed or prohibited. It provides

guidelines for preparing a district survey report, which includes:

1. Preparing a **report** before granting a mining lease, and
 2. Defining **mining and no mining zones** based on certain environmental and social factors.
- **Preventing Illegal Mining:** The guidelines suggest that sites can be monitored remotely by **using unmanned artificial vehicles or drones**. Drones can also be used for **quantity estimation and land use monitoring**. Further, the guidelines propose **night surveillance of mining activity through night-vision drones**. The **environmental damages** incurred due to illegal mining will be **assessed by a committee constituted by the District Administration**.
 - **Environmental Clearance:** Environmental Clearance for mining is **given by regulatory authorities after considering the potential environmental impact**. However, it has been observed that often the **Letter of Intent (LoI) is granted for a location which is not feasible for environment-friendly mining**. The guidelines provide that LoIs should be granted for those locations which have the least possibility of an impact on the environment and nearby habitation.
 - The guidelines also push for **online sales and purchase of sand and other riverbed materials** to make the process transparent.