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The specific measures of systemic improvements adopted by the Department of Atomic Energy (DAE) to curb the illegal mining activities in India

1. In the year 2015, the Govt. of India has brought major amendment in MMDR, 1957 and a number of new rules were introduced. Under Section 11B of the MMDR Act, the Atomic Minerals Concession Rules, 2016 [AMCR, 2016] was notified. The concept of "Threshold Value" for Atomic Minerals was introduced in the AMCR. In the said notification the threshold value for BSM was 0.75% of monazite in total heavy minerals with a view that monazite-rich deposits remain under the control of DAE.
2. All beach sand minerals including Garnet and Sillimanite were notified as 'atomic minerals' under Part B of First Schedule of MMDR Act, 1957 in 2016.
3. The revised Mineral Conservation Development Rules, 2017 designates Director, AMD as competent authority for Atomic Minerals above the threshold values specified in AMCR, 2016.
4. Monazite Test Certification (MTC) by AMD has been reintroduced for every export consignments of beach sand minerals as per the Standard Operating Procedures (SOP) of Canalization framed by IREL.
5. As the mining of beach sand minerals by private parties has been terminated, AERB has also not been renewing the license for operation of mineral separation plants by these private parties under Atomic Energy (Radiation Protection) Rules, 2004 from radiological safety considerations.
6. In view of stockpiled monazite enriched tailings with private BSM operators, AERB has been renewing the approval of Radiological Safety Officer (RSO) in these facilities so as to ensure the radiation surveillance of the plant premises and submission of reports of radiation monitoring to AERB, till these tailings are acquired by the Central Government.
7. For licensing of Beach Sand Minerals processing facilities which are not involved in direct mining but procure the raw material from IREL or other countries, AERB issues license from radiation safety considerations only after the facility been licensed by Department of Atomic Energy (DAE) under Atomic Energy (Working of Mines, Minerals and handling of Prescribed Substance) Rules, 1984 for handling of monazite tailings.

8. A notification dated July 27, 2019 was issued for reserving the prospecting and mining rights of offshore minerals under Offshore Areas Mineral (Development and Regulation) Act, 2002 exclusively to Government and Government owned companies for curbing illegal mining of atomic minerals by private parties.

9. The systemic improvements undertaken by Ministry of Mines(MoM) for curbing the illegal mining under the MMDR Act, 1957 are also applicable for Atomic Minerals declared under Part-B of First Schedule, which includes :-

- Amendment of the MMDR Act, 1957 on 12.01.2015 wherein a new section 30B introduced empowering the State Governments to constitute Special Courts for providing speedy trial of offences pertaining to illegal mining activities.
- Launching of Mining Surveillance System (MSS) on 15.10.2016 which is a geo-referencing tool for curbing the illegal mining activities in the country. It is monitored through National Centre of Geo Informatics (NCoG). DAE/AMD has initiated the process to develop Mining Surveillance System (MSS) for atomic minerals in collaboration with NIC and BISAG (N). As an interim measure, MoM has approved the access of MSS application for monitoring of open cast mining activities in respect of atomic minerals to DAE/AMD.

10. Ministry of Mines and Directorate General of Foreign Trade (DGFT) had taken up the following measures for protecting and conserving the 'Atomic Minerals' and to curb illegal mining of BSM in consultation with Department of Atomic Energy:

- Issue of Notification of Atomic Mineral Concession Rules 2016 (AMCR-2016) towards protecting and conserving the "Atomic Minerals". "Beach Sand Minerals" (which include Ilmenite, Rutile, Zircon, Monazite, Sillimanite, Leucoxene and Garnet) are included to the list of "Atomic Minerals" declared under the MMDR Act 1957.
- Directorate General of Foreign Trade, Department of Commerce, Ministry of Commerce and Industry, Government of India issued Notification No. 26/2015-2020 dated 21.08.2018 on export policy on BSM under which export of BSM have been brought under State Trading Enterprise and shall be canalized through IREL, a CPSE under DAE.

- On 20.02.2019, towards ensuring complete government control over "Monazite" and "Zircon" occurring within the "Beach sand Minerals", amended the Threshold value of "Monazite" for BSM occurring in beach sand or placer deposits as "0.00%" in Total Heavy Minerals (THM), which resulted in bringing the overall BSM deposits of the Country under the complete control of the AMCR 2016 irrespective of Monazite content.
- In the interest of regulation of mines & minerals development and conservation of BSM resources, Ministry of Mines vide order dated 01.03.2019 requested all the State Governments to take necessary action for pre-maturely terminating the existing private BSM mining leases under section 4A(1) & 4A(3) of the MMDR Act 1957 towards conservation of Zirconium, Hafnium, Rare Earths and Thorium bearing strategic beach sand minerals.
