Court's order on illegal mining

Why in news?

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Supreme Court has recently directed that there will be a levy of 100% penalty on the miners' total value of illegal mining extracts over the years.

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What is the case about?

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- The judgment was on the basis of a PIL plea filed by NGO Common Cause about the rampant illegal mining of iron and manganese ore in Odisha.
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- The court had appointed a Central Empowered Committee (CEC) to look into illegal activities by mining companies and furnish a report on it.
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- CEC had recommended that 30% notional value be realized from illegal mining companies.
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- The Supreme Court had, however, imposed a **100% penalty on illegal mining on account of lack of forest and environment clearances.**
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What are the directions given?

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- Mining has become a source of corruption, excessive exploitation of natural resources and a curse in the lives of forest dwellers and tribal community.
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- In this regard, the court has observed that the **National Mineral Policy (NMP) of 2008** has failed to check illegal mining of natural resources.
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- It has directed the Centre to revisit the policy, which is ineffective due to the involvement of powerful vested interests.

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- It has firmly ruled that any **excess extraction even within the leased area** of the company would also amount to unlawful mining.
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- It has clarified that every **renewal of a mining lease** would require such clearance, even if there is no expansion, modernisation or increase in the pollution load.
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- It gave directions for setting up of an **expert committee** presided over by a retired judge to identify the lapses that have occurred over the years with regard to mining and recommend preventive measures.
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- Supreme Court has gone **beyond** a mere affirmation of the **'polluter pays' principle** and has made a stringent action against undue exploitation of natural resources.
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Source: The Hindu

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