



## Illegal Mining Operation in Haryana | Haryana | 07 Jan 2025

### Why in News?

- Recently, the mining mafia allegedly injured [Haryana State Enforcement Bureau](#) officers during an inspection of an [illegal mining operation](#) in **Ghata Shamshabad village, Nuh district**.

### Key Points

- **About the Incident:**
  - The State Enforcement Bureau team **sustained injuries from the stone pelting** and narrowly escaped.
  - Police registered an [First Information Report \(FIR\)](#) against 22 unidentified individuals under [the Bharatiya Nyaya Sanhita](#) and other laws.
- **Illegal Mining:**
  - **About:**
    - Illegal mining is the extraction of minerals, ores, or other valuable resources from land or water bodies **without the necessary permits, licenses, or regulatory approvals** from government authorities.
    - It can also involve the violation of environmental, labor, and safety standards.
  - **Issues:**
    - **Environmental Degradation:**
      - It can lead to deforestation, soil erosion, and water pollution and can result in **the destruction of habitats for wildlife**, which can have serious ecological consequences.
    - **Hazards:**
      - Illegal mining often involves the **use of hazardous chemicals such as mercury and cyanide**, which can pose serious **health risks to miners** and nearby communities.
    - **Loss of Revenue:**
      - It can lead to a **loss of revenue for governments** as miners may not pay appropriate taxes and royalties.
      - This can have significant economic impacts, particularly in countries where natural resources are a major source of revenue.
    - **Human Rights Violations:**
      - Illegal mining can also result in [human rights violations](#), including forced labor, child labor, and exploitation of vulnerable populations.

# BHARATIYA NYAYA SANHITA (BNS), 2023

**BNS 2023 replaced Indian Penal Code 1860, incorporating 358 sections (511 in IPC), maintaining most of the IPC provisions, introducing new offences, eliminating court- struck-down offences, and enhancing penalties for various offences.**

## New Offences

- ▶ **Promise to Marry:** Criminalising "deceitful" promises to marry
- ▶ **Mob Lynching:** Codify offences linked to mob lynching and hate-crime murders
- ▶ Ordinary criminal law now covers **Organized Crime** and **Terrorism**, including a broader scope for terror financing in BNS compared to UAPA
- ▶ **Attempt to Suicide:** Criminalises attempts to commit suicide with intent to compel or restrain any public servant from discharging official duty
- ▶ **Community Service:** Added as possible form of punishment

## Deletions

- ▶ **Unnatural Sexual Offences:** Section 377 of the IPC, which criminalised homosexuality among other "unnatural" sexual activities repealed completely
- ▶ **Adultery:** Offence of adultery omitted in consonance of apex court judgement
- ▶ **Thugs:** Section 310 of IPC fully omitted
- ▶ **Gender Neutrality:** Some laws dealing with children modified to bring gender neutrality



## Other Modifications

- ▶ **Fake News:** Criminalisation of publishing false and misleading information
- ▶ **Sedition:** Introduced under a new name 'deshdroh' with wider definition
- ▶ **Mandatory Minimum Sentence:** In several provisions, mandatory minimum sentences prescribed which may limit scope for judicial discretion
- ▶ **Damage to Public Property:** Carry a graded fine (i.e. fine corresponding to the amount of damage caused)
- ▶ **Death by Negligence:** Elevates punishment for causing death by negligence from two to five years (for doctors - 2 yrs imprisonment)

## Key Issues

- ▶ **Criminal Responsibility Age Discrepancy:** Criminal responsibility starts at seven, extendable to 12 based on maturity, potentially conflicting with global recommendations
- ▶ **Inconsistencies in Child Offense Definitions:** It sets child age below 18, but age criteria for offenses like rape differ, causing inconsistency
- ▶ **Retention of IPC Provisions on Rape and Sexual Harassment:** Maintains IPC provisions on rape and sexual harassment, omitting **Justice Verma Committee's 2013** suggestions for gender-neutral rape and recognizing marital rape as an offense.