

## High Court Rules Illegal Mining a Grave Offense, Despite Weak Penalties



In a recent ruling, the Punjab and Haryana High Court has declared that illegal mining is a grave offense that demands a serious response, regardless of the relatively mild punishments currently prescribed by law. The decision came forward during the consideration of an anticipatory bail plea by an individual accused of illegal mining, highlighting a significant judicial stance on an issue with severe environmental and economic consequences. The court's assertion directly addresses the disparity between the crime's impact and the perceived leniency of its legal penalties.

The case involved an individual whose JCB machine was allegedly used for illegal mining in the Satluj River. The defense argued for leniency, citing the minor nature of the offense and the low punishment stipulated under the Mines and Minerals (Development and Regulation) Act. However, Chief Justice Sheel Nagu of the High Court rejected this argument, emphasizing that humanity has already "suffered enough environmental damage, especially to the river as well as to the environment at large." This judicial view frames illegal mining not merely as a regulatory violation, but as a direct threat to public good and ecological stability.

Illegal mining, particularly in riverbeds, is known to cause extensive environmental degradation, including soil erosion, changes in river course, and depletion of groundwater. These activities often operate outside of any environmental protection protocols, leading to irreversible damage to local ecosystems and communities. The court's decision to deny anticipatory bail underscores a growing judicial intolerance for such crimes, signaling a shift towards a more proactive and punitive approach. The Chief Justice also cast doubt on the authenticity of a document

presented by the petitioner, further solidifying the court's skeptical view of the defendant's claims.

By defining illegal mining as a grave offense, the High Court's ruling sets a clear precedent for lower courts to consider the broader ecological implications when handling such cases. Legal experts believe this could lead to more stringent enforcement and potentially prompt legislative action to align punishments with the severity of the crime, ensuring a more effective deterrent against those who profit from environmental destruction.