



BY SPEED
POST

GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR SCHEDULED TRIBES

(A Constitutional Commission set up under Art. 338A of the Constitution to investigate and monitor all matters relating to violation of rights and safeguards provided for STs.)

F.No.12/2/2009-Coord

Date:3rd November, 2011

To

The Secretary,
Ministry of Mines,
Room No.320, 'A' Wing,
Shastri Bhavan,
New Delhi.

Sub: Proceedings of the Meeting taken by Dr. Rameshwar Oraon, Chairperson, NCST with the Secretary, Ministry of Mines on 03.11.2011.

Sir,

The Proceedings of the Meeting taken by Dr. Rameshwar Oraon, Chairperson, NCST with the Secretary, Ministry of Mines on 03.11.2011 are enclosed.

Yours faithfully,

(Aditya Mishra)

Joint Secretary

Encl: As above. (Total 2 pages)

N.O.O.

SSA/NIC

**Proceedings of the Meeting taken by Dr. Rameshwar Oraon, Chairperson,
NCST with the Secretary, Ministry of Mines on 03.11.2011**

A list of the officers present in the meeting is at the Annexure.

2. Joint Secretary, NCST mentioned that the Secretary, Ministry of Mines was called to submit the position, as under, in accordance with para 4 of NCST letter No. 12/2/2009-Coord dated 13th October, 2011, as the Secretary, Ministry of Mines had shown the obdurate avoidance in respect of the obligation to consult the Commission in a meaningful manner on the MMDR Bill, as mandated under Article 338A(9) of the Constitution.

- (a) Produce a chronological record of the action taken on the requests made by the Commission regarding the MMDR Bill, 2010.
- (b) Explain the reasons for avoiding meaningful consultation with the Commission on this important legislation concerning the STs; and
- (c) Explain why legal action should not be instituted against the Secretary, Ministry of Mines, for repeated disregard of the Commission's requests to provide a copy of the draft legislation to the Commission to ensure meaningful consultation before submission of these Bills to the Cabinet.

Chairman, NCST mentioned that the Commission, in particular, desired a chronological statement of the manner in which the request of the Commission had been dealt with by different officials at different stages so that the cause can be included in the Annual Report of the Commission and appropriate legal action taken against the delinquents

3. Chairman, NCST also asked the Secretary to explain why he had disregarded his obligation under Rule 11 of the Transactions of Business Rule to ensure proper transaction of business and failed to observe due diligence in the discharge of his duties according to the Rule of Law.

4. Chairman, NCST also questioned the Secretary, Ministry of Mines about his failure to understand the problem of STs and deal with them sympathetically as expected of all India Service officers.

5. Secretary, Ministry of Mines briefly submitted the position in the matter. The Chairman, NCST desired that the Secretary, Ministry of Mines should submit his comments on all the points mentioned in paragraph 2 to 4 above with documentary evidences, within a fortnight.

Rameshwar Oraon

डा० रामेश्वर उराँव / Dr. RAMESHWAR ORAON
अध्यक्ष / Chairman
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
भारत सरकार / Govt. of India
नई दिल्ली / New Delhi

Annexure

List of the officials present in the meeting taken by Dr. Rameshwar Oraon,
Chairperson, NCST with the Secretary, Ministry of Mines on 03.11.2011

**National Commission for
Scheduled Tribes (NCST)**

- 1 Sh Aditya Mishra,
Joint Secretary
- 2 Sh S.P. Meena, Asstt. Dir.

Ministry of Mines

- 1 Shri S. Vijay Kumar,
Secretary
- 2 Shri Anil Subramaniam,
Under Secretary.

Rameshwar Oraon

डॉ० रामेश्वर ओरण / Dr. RAMESHWAR ORAON
अध्यक्ष / Chairman
राष्ट्रीय अनुसूचित जनजाती आयोग
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