

**Proceedings of the Meeting taken by Dr. Rameshwar Oraon,
Chairperson , NCST with the Secretary, Ministry of Rural Development
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 Rural Development was called to submit the position, as under, in accordance with para 5 of NCST letter No. No.NCST/2008/REHAB/01 dated 14th October, 2011 as the Secretary, MoRD 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 (i) Land Acquisition (Amendment) Bill, 2007, (ii) Rehabilitation and Resettlement Bill, 2007 and, (iii) Land Acquisition and Rehabilitation & Resettlement Bill, 2011.
- (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, Deptt. of Land Resources, MoRD, 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, MoRD about his failure to understand the problem of STs and deal with them sympathetically as expected of all India Service officers.

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

Annexure

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

National Commission for Scheduled Tribes (NCST)	, Ministry of Rural Development
1 Sh Aditya Mishra, Joint Secretary	1 Shri B.K. Sinha, Secretary
2 Sh S.P. Meena, Asstt.Dir.	2 Shri Prabhudayal Meena Addl. Secretary
	3. Shri Surendra Kumar, Joint Secretary
	4. Shri N.K. Srivastava, Deputy Secretary.

Rameshwar Oraon

डॉ० रामेश्वर ओरण / Dr. RAMESHWAR ORAON
अध्यक्ष / Chairman
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
नयाँ दिल्ली / Govt. of India
नई दिल्ली / New Delhi