



BY SPEED
POST/FAX

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: 20th Sept., 2011

To


The Secretary (Legal Affairs),
Ministry of Law and Justice,
R.No. 404, A Wing,
Shastri Bhavan, New Delhi.
FAX 23384403

Sub: Proceedings of the Meeting taken by Dr. Rameshwar Oraon, Hon'ble Chairperson with Secretary, Ministry of Mines on 15.09.2011 on the MMDR Bill 2010

Sir,

A copy of the proceedings of the meeting taken by Dr. Rameshwar Oraon, Hon'ble Chairperson with the Secretary, Ministry of Mines and the Ministry of Law & Justice on 15.09.2011 on the MMDR Bill 2010 is enclosed for necessary action.

Yours faithfully,


(Aditya Mishra)
Joint Secretary

Encl: As above


Copy to

The Secretary,
Ministry of Mines,
3rd Floor, A Wing, Shastri
Bhavan, New Delhi - 110001

For information and necessary action.

SSA/MIC

P.c. put it on website


20/09/11

**Proceedings of the Meeting taken by Dr. Rameshwar Oraon, Hon'ble
Chairperson with Secretary, Ministry of Mines on MMDR Bill, 2010 on
15.09.2011**

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

1.0 Initiating the discussion, Joint Secretary, NCST mentioned that the meeting was convened to ascertain views of the Ministry of Law on the reference made by the Ministry of Mines on the following, as communicated vide their O.M.No. 16/83/2009-MVI (part V) dated 13th September, 2011:

- (i) whether the draft MMDR Bill, 2011, as a legislation based on National Mineral Policy, 2008, qualifies as a policy matter affecting the Scheduled Tribe in terms of the provisions of clause (9) of Article 338A of the Constitution of India, and
- (ii) whether the draft MMDR Bill, 2011, can be shared at this stage with the National Commission for Scheduled Tribes, when the Group of Ministers has recommended the draft Bill to be placed before the Cabinet (since it is a part of the Cabinet process).

2.0 Joint Secretary, Deptt. of Legal Affairs, Ministry of Law and Justice informed that the Ministry of Law was in the process of finalization of its views in the matter and its opinion would be communicated shortly. Hon'ble Chairperson, NCST desired that the Ministry of Law & Justice should urgently communicate their comments on the subject to the Commission, positively within 10 days.

Annexure

List of officials present in the meeting taken by Dr. Rameshwar Oraon,
Chairperson, NCST with the Secretary, Ministry of Mines and Ministry of Law &
Justice on 15.09.2011

National Commission for Scheduled Tribes (NCST)	Ministry of Mines,	Ministry of Law & Justice, Deptt. of Legal Affairs
1 Sh Aditya Mishra, Joint Secretary	1 Shri S. Vijay Kumar, Secretary 2. Shri Anil Subramaniam, Under Secretary	Shri M.K. Sharma, Joint Secretary