



राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes

(भारत के संविधान के अनुच्छेद 338क के अंतर्गत एक संवैधानिक निकाय)
(A Constitutional body under Article 338A of the Constitution of India)

F. No. NCST-02/0102(OD)/1/2021-ESDW
F. No. NCST-16011(OD)/24/2021-RU-III(ESDW)

Dated: 29.08.2022

To,

Dr. Uddhaba Chandra Majhi,
Registrar,
Cooperative Societies Odisha,
Heads of the Directorate Building,
7th and 8th floor, Keshari Nagar,
Bhubaneswar, 751001 (Odisha)
E-Mail: cooperationodisha@gmail.com,
res@nic.in

Shri Bharat Chandra Behera,
Special Secretary & Auditor General of
Cooperative Societies,
Cooperative Societies Odisha,
Block-1, 4th Floor,
Toshali Bhawan, Satyanagar,
Bhubaneswar, 751007 (Odisha)
E-Mail: agesodisha@gmail.com

Sub: Minutes of the Sitting held on 27.07.2022 at 11:00 AM under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, NCST, New Delhi on Representation dated 08.07.2021 of Shri Khageshwar Purty and others At-Uparjagur, Po-Uramunda, Dist. Keonjhar, Odisha-758001 regarding Labour Mining, Labour Employment and Justice to the peripheral Primitive Tribes and Traditional Forest Dwellers of Gandhamardan Iron Ore Mines, Suakati, Keonjhar, Odisha-reg.


Sir,

I am directed to enclose herewith a copy of Minutes/Proceeding of the Sitting/Hearing taken by Shri Ananta Nayak, Hon'ble Member, NCST, New Delhi on 27.07.2022 at 11:00 AM on the above mentioned subject for information and necessary action.

2. In this regard, Action Taken Report (ATR) to be submitted within 15 days from the date of receiving of the Minutes/Proceeding.

Encl: As Above

Yours faithfully,


(H.R. Meena)
Research Officer

Copy for information to: -

Shri Khageshwar Purty,
At-Uparjagur, Po-Uramunda,
Dist. Keonjhar,
Odisha-758001

National Commission for Scheduled Tribes

No. NCST NCST-02/0102(OD)/1/2021-ESDW

No. NCST-16011(OD)/24/2021-RU-III-ESDW

Minutes of the Sitting held under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, in the case of Shri Khageswar Purty and others who approached the Commission because their lives have been badly affected due to the activities of Gandhmardan Iron Mines operated by OMC.

Date of the sitting : 27.07.2022

Participants in the sitting: As per Annexure

-
- In the instant case the petitioner Shri Khageswar Purty and others in their representation stated that the tribal people of Keonjhar District are badly affected by Gandhmardan Iron Ore Mines. Odisha Mining Corporation has significantly expanded the mining activities and caused damage to the locality, ecosystem and livelihood of the tribals. The corporation has also shifted to mechanical mining instead of labour mining which has further worsened unemployment. Due to constant air and noise pollution their lives have been seriously affected. Children aren't able to go to schools due to the traffic chaos created by the trucks. They also haven't been given membership of cooperative society.
 - During the course of hearing the Commission noted that the previous recommendations of the commission in the sitting held on 19.05.2021 have not been replied properly.
 - The Auditor General of Cooperative Societies of Odisha and the Registrar of Cooperative Societies of Odisha and the petitioner were present in the Sitting, however the District Collector was absent.
 - The Registrar stated that he is not aware about the aerial distance of the mining affected area. He also stated that he has taken charge recently therefore needs some more time for further action.
 - The petitioner raised the issue of four other villages not being added and given membership. The Auditor General replied that the members are added according to the by-laws of each society and it is not in their purview to change the by-law. Their purview extends to the violation of existing by-laws and any financial irregularities.
 - The Auditor General also stated that election process will continue till late November and no final report can be submitted until the process is completed, however interim report can be submitted.
 - The Registrar of Co- operative Society stated that only 25 new members have deposited membership fee that is Rs 10/- (Rupees Ten only).

- The Petitioner raised the issue strongly that all 3219 members of OMC affected people deposited Rs 10/- at the time of taking application form for membership and submitted membership application form. If Registrar agrees and Commission advice then they again they will deposit the membership fee.
- The officials were also questioned about discrimination in voting rights. The Auditor General replied that voting rights can't be given to members who haven't attended the general body meeting since many years. They also assured the Commission that they would investigate if any members were illegally being denied voting rights.
- During the hearing, it has also been brought to the notice of the Commission that many in-eligible candidates, outsider, people from out side areas as per bye-law have been continuing as member in the Co-operative Society.
- The Commission pointed out that by-laws had been changed within the last 3 month to deny membership to the 4 other villages that were sought to be added. More than one member from many general families has been added but many ST families do not have even one member in the society. The Auditor General submitted that members cannot be forcefully added and only those that apply can be added. They will investigate about members who had been added in violation of the rules. The petitioners submitted that most of them had spent money to buy forms and apply for membership yet a lot of them were being denied membership.
- **After hearing both the sides, the Commission recommends the followings: -**
 - The Auditor General and Registrar of Cooperative Societies to work as per rules with a compassionate approach for the welfare of the Tribals living in the area.
 - An interim report detailing the irregularities in the Gandhmardan Cooperative Society and the action taken to be submitted within 45 days.
 - A report on the details of departmental proceedings against the irregularity in the society to be submitted
 - The Managing Director OMC to inform with all authenticity that the aerial distance of mining affected area. Whether they have followed the mining guideline or not.
 - The Registrar to ensure that membership is not being denied in illegal manner and action to be taken against officials found to be negligent and inactive in ensuring the rights of the eligible local tribals.
 - A Fact Finding Team (FFT) headed by the Joint Secretary of the Commission to visit the affected area and submit a detailed report within a period of 15 days.

The Action Taken Report (ATR) to be submitted within 15 days.

(Annexure)

F. No. NCST-02/0102(OD)/1/2021-ESDW
F. No. NCST-16011(OD)/24/2021-RU-III(ESDW)

Attendance Sheet of the Sitting held on 27.07.2022 at 11:00 AM in Conference Hall of NCST under the chairmanship of Shri Ananta Nayak, Hon'ble Member, NCST on the Representation dated 08.07.2021 of Shri Khageshwar Purty and others At-Uparjagur, Po-Uramunda, Distt. Keonjhar, Odisha-758001 regarding Labour Mining, Labour Employment and Justice to the peripheral Primitive Tribes and Traditional Forest Dwellers of Gandhamardan Iron Ore Mines, Suakati, Keonjhar, Odisha-reg.

S. No.	Date	Designation
1.	Shri Ananta Nayak	Hon'ble Member
2.	Shri K. Touthang	Joint Secretary
3.	Shri S.P.Meena	Deputy Director
4.	Shri H.R. Meena	Research Officer
5.	Shri Radhakanta Tripathy	Sr. Legal Advisor
O/o the Cooperative Societies.		
Odisha		
1.	Dr. Uddhaba Chandra Majhi.	Registrar. Cooperative Societies Odisha.
2.	Shri Bharat Chandra Behera.	Special Secretary & Auditor General of Cooperative Societies.
Petitioner		
1.	Shri Khageshwar Purty and others	Petitioners