



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/DEV-356/JH/15/2022-ESDW

Dated: 23.12.2022

To,

The Chief Secretary,
Government of Jharkhand,
1st Floor, Project Building, Dhurwa,
Ranchi -834004
Jharkhand,
E-Mail: cs-jharkhand@nic.in

The Secretary,
Urban Development & Housing Department,
Government of Jharkhand,
Project Building, 4th Floor,
Dhurwa, Ranchi,
Jharkhand
E-Mail: ud.secy@gmail.com

The Commissioner,
Ranchi Municipal Corporation,
First floor, Ranchi Municipal Corporation,
Kachahari Road, Ranchi-834001,
Jharkhand
E-Mail: ceo@ranchimunicipal.com
,support@ranchimunicipal.com

Sub: Minutes/proceeding of the Sitting/Hearing taken by Shri Ananta Nayak, Hon'ble Member, NCST, New Delhi on the 05.12.2022 at 03:00 PM on the representation dated 08.04.2022 of Dr. Asha Lakra, Mayor, Ranchi, First floor, Ranchi Municipal Corporation, Kachahari Road, Ranchi (Jharkhand) regarding humiliation by Municipal Commissioner, Municipal Corporation, as being a ST woman.

Sir/Madam,

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 the 05.12.2022 at 03:00 PM 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: -

Dr. Asha Lakra,
Mayor, Ranchi,
First floor, Ranchi Municipal
Corporation,
Kachahari Road, Ranchi
Jharkhand

National Commission for Scheduled Tribes

No. NCST/DEV-356/JH/15/2022-ESDW

Minutes of the sitting held under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, NCST, in the case of Dr Asha Lakra, Mayor from Ranchi Municipal Corporation, Kachahari Road, Ranchi (Jharkhand)

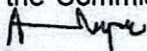
Date of the sitting: 05.12.2022

Participants in the sitting: As per Annexure

Dr Asha Lakra, Mayor from Ranchi, Jharkhand, vide her representation dated 08.04.2022 has alleged that in her jurisdictional area the Municipal Commissioner is forbidding her to act according to law, the officer is showing disrespect to her works, on several occasions without the consents Commissioner handles all the matters on his own, She being the public representative is answerable to all the issues of the people but under non-cooperation of the Commissioner it has become hard to work for the betterment of the people

The Commission issued notice to the Secretary, Urban Development & Housing Department, Government of Jharkhand and The Commissioner, Ranchi Municipal Corporation, Ranchi on 20.04.2022 and sought a reply within 07 days of the receipt of the notice.

Pursuant to the notice Shri Mukesh Kumar, Municipal Commissioner, Ranchi Municipal Corporation via letter dated 28.04.2022 sent a reply stating that no such step has been taken by the officer to which Mayor may face any hindrance in the discharge of her functions and responsibilities under Jharkhand Municipal act, 2011 everyone were treated equal none of the category were discriminated from any works further submits that he is posted has Municipal Commissioner has exercised his power & responsibilities in accordance with the law. The rights conferred on the Hon'ble Mayor have always respected, also submits that the he was present on all the meetings called by the mayor. Urban development & housing department and the advice of the advocate general that Meeting of the corporation has clarified that meeting should be called by the Municipal Commissioner also it was clarified that the agenda of the meeting can neither be stopped nor modified by the mayor, all this matter comes under the preview of the Commissioner not the Mayor also submits that he


अनंत नायक/ANANTA NAYAK
सदस्य/Member
राष्ट्रीय अनुसूचित जनजाति आयोग
NATIONAL COMMISSION FOR SCHEDULED TRIBES
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

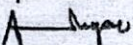
never acted in contradictory to law he has responded to all the works of the mayor and he is been doing all the works in accordance with law.

Pursuant to the notice Shri Vinay Kumar Choubey, Secretary Urban Development & Housing Department, Government of Jharkhand via letter sent a reply stating that the department has constituted 2-member committee. In the issue to decide and set the agendas of any meeting of the Ranchi Municipal Corporation, the clarification through advocate general has been sought and the same was sent to all the municipal bodies to take action according the said advice. In order to resolve the doubts between the elected representative and the executive municipalities the State Govt has decided to introduce the Jharkhand Municipal Council meeting procedure and conduct of Business rules 2022 On the allegation against the Municipal Commissioner the constituted committee is investigating the matter, also Submitted the investigation report stating that the Municipal Commissioner has never acted in contradictory to law he has responded to all the works of the mayor and he is been doing all the works in accordance with law. No such information has been received from against the such abusive against the mayor also he has not violated any of the laws. Further submitted that all the schemes' projects are planned by engineering branch, after the plan the same was sent to the Urban Development & Housing Department through the Municipal Commissioner, the consent of the Mayor could not be obtained due to Covidalso on the several projects the mayor not objected has accepted the several projects proposed by the engineering branch.

Petitioner has submitted rejoinder to the reply dated 14.09.22 sent by the Shri Vinay Kumar Choubey, Secretary Urban Development & Housing Department, Government of Jharkhand are incorrect, on several occasions without the consents Commissioner handles all the matters on his own.

In this matter, as per direction of Hon'ble Member, Summons was issued to The Commission issued summons to Secretary, Urban Development & Housing Department, Government of Jharkhand and The Commissioner, Ranchi Municipal Corporation, Ranchion 18.11.2022 to appear before the commission on 05.12.2022

In the sitting the Commissioner, Ranchi Municipal Corporation, Ranchi stated that he had joined recently, this incident happened before his tenure and based on the reports its found that no such step has been taken by the Shri Mukesh Kumar ex-Municipal Commissioner to which Mayor may face any hindrance in the discharge of her functions and responsibilities, he has exercised his power & responsibilities in accordance with the law.


अनंत नायक/ANANTA NAYAK
सदस्य/Member
राष्ट्रीय अनुसूचित जनजाति आयोग
NATIONAL COMMISSION FOR SCHEDULED TRIBES
भारत, भारत/India


Urban development & housing department and the advice of the advocate general that Meeting of the corporation has clarified that meeting should be called by the Municipal Commissioner also it was clarified that the agenda of the meeting can neither be stopped nor modified by the mayor, all this matter comes under the preview of the Commissioner not the Mayor Further submitted that all the schemes projects are planned by engineering branch, after the plan the same was sent to the Urban Development & Housing Department through the Municipal Commissioner, the consent of the Mayor could not be obtained due to Covid also on the several projects the mayor not objected has accepted the several projects proposed by Commissioner.

The Commission has pointed that the investigation report submitted by the Secretary Urban Development & Housing Department, Government of Jharkhand is one-sided, no proper investigation has been conducted in this matter and it shows through submission that Mayor being Women also belongs to Scheduled tribe the authorities have taking advantage and are discriminate her.

Petitioner representative Submitted that in Mayor jurisdictional area the Municipal Commissioner is intentionally forbidding to act according to Jharkhand Municipal act, 2011, the officer is showing disrespect to her works through handling all the matters on his own, on several projects Commissioners has sent the proposal directly to Urban Development & Housing Department, Govt of Jharkhand without the consents of the Mayor, She being the public representative is answerable to all the issues of the people but under non-cooperation of the Commissioner it has become hard to work for the betterment of the people.

After the discussion, the Commission recommends the following:

1. Chief Secretary, Government of Jharkhand shall constitute High power committee to make independence enquiry on this matter also re-verify the investigation done by Urban Development & Housing Department, Govt of Jharkhand.
2. Secretary, Urban Development & Housing Department, Govt of Jharkhand shall come with copy of file noting of 25-27th March 2011 & 30th September board meeting & also with other related documents in the next meeting of the Commission.


अनंत नायक/ANANTA NAYAK
सदस्य/Member
राष्ट्रीय अनुसूचित जनजाति आयोग
NATIONAL COMMISSION FOR SCHEDULED TRIBES
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

(Annexure)

F. No. NCST/DEV-356/JH/15/2022-ESDW

Sub: Attendance Sheet of sitting to be held on 05.12.2022 at 03:00 PM in conference hall of NCST under the Chairmanship of Hon'ble Member, NCST on the representation dated 08.04.2022 of Dr. Asha Lakra, Mayor, Ranchi, First floor, Ranchi Municipal Corporation, Kachahari Road, Ranchi (Jharkhand) regarding humiliation by Municipal Commissioner, Municipal Corporation, as being a ST woman.

S. No.	Name	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
6.	Shri Avinash	JLRC
The Secretary, Urban Development & Housing Department, Government of Jharkhand,		
1.	Nor Present.	
The Commissioner, Ranchi Municipal Corporation, Jharkhand		
1.	Shri Shashi Ranjan	Municipal Commissioner
Petitioners		
1.	Shri Kusheshwar Sahu	Behalf of Petitioner