



सत्यमेव जयते

भारत सरकार

राष्ट्रीय अनुसूचित जनजाति आयोग

GOVERNMENT OF INDIA

NATIONAL COMMISSION FOR SCHEDULED TRIBES

BY SPECIAL MESSENGER

छोटी मंजिल, 'बी' विंग, लोक नायक भवन
खान मार्किट, नई दिल्ली-110003
6th Floor, 'B' Wing, Lok Nayak Bhawan
Khan Market, New Delhi-110 003

Dated15/07/2011.....

File No. 13/1/2011/MMIN1/SEOTH/RU-III

To

The Secretary,
Ministry of Mines,
3rd Floor, A Wing,
Shastri Bhawan,
New Delhi

Sub:- Meeting on New Draft Mines and Minerals (Development & Regulation) Bill,
2010 – regarding.

Sir,

The Constitution of India enjoins upon this Commission to monitor all matters relating to the safeguards provided for the Scheduled Tribes, and to participate and advise on the planning process of socio-economic development of the Scheduled Tribes. Clause (9) of Article 338A of the Constitution also provides that "The Union and every State Government shall consult the Commission on all major policy matters affecting Scheduled Tribes. Clause 5(d) further provides that the Commission shall present to the President, annually and at such other times as the Commission may deem fit, reports upon the working of those safeguards.

2. It is understood from the reports that Group of Ministers(GoM) had approved the new draft Mines and Minerals(Development & Regulation) Bill, 2010 (MMDR Bill, 2010). As mining affects tribals in a large measure, particularly their livelihood, settlements, environment and culture, this Commission is anxious that certain important concerns need to be adequately addressed in the Bill. The comments of this Commission regarding safeguards of the STs in the MMDR Bill, 2010 were communicated to Hon'ble Minister for mines vide DO letter No. 12/2/2009-Coord dated 11.10.2010. A copy of the DO letter and comments of the Commission on the related clauses of the Bill are enclosed.

3. The Ministry have not informed the Commission regarding the action taken on the comments / suggestions made by the Commission in letter dated 11-10-2010 cited above. The Commission's recent DO letter No. 12/2/2009-Coord dated 13-07-2011 refer in this regard. A copy of this DO letter is also enclosed for information.

5063

18/7/11
किया
ISSUED

o/c

