



भारत सरकार

Government of India

राष्ट्रीय अनुसूचित जन जाति आयोग

National Commission for Scheduled Tribes

(A Constitutional Body set up under Art. 338A of the Constitution of India)

File No. GR/8/2015/MCOL1/SEOTH/RU-IV

Dated: 29.06.2018

To,

- 1 The Secretary,  
Ministry of Coal,  
Shastri Bhawan,  
New Delhi – 110 001.
- 2 The Principal Secretary,  
Energy Department,  
Government of Telangana,  
Hyderabad – 500 063.
- 3 The Chairman cum Managing Director,  
Singareni Collieries Company Ltd.,  
Kothagudem Collieries – 507 101  
Khammam District  
(Andhra Pradesh).

**Sub: Minutes of the Sitting taken by Shri Nand Kumar Sai, Hon'ble Chairperson, National Commission for Scheduled Tribes (NCST) on 07.06.2018 in the matter of Dr. Narayana Rao, National President, Forum for Social Justice, H. No. 8-7-80, HAL Colony, Old Bowenpally, Secunderabad regarding non-implementation of Hon'ble NCST proceedings/order in respect of harassment to poor Scheduled Tribes and stop the written test dated 10.06.2018.**

Sir,

I am directed to enclose a copy of the Minutes of the Sitting held under the Chairmanship of Shri Nand Kumar Sai, Hon'ble Chairperson, National Commission for Scheduled Tribes on 07.06.2018 on the above mentioned subject for perusal.

It is requested that action taken report in the matter may please be sent to the Commission within 30 days positively for placing the same before the Hon'ble Member, NCST.

Yours faithfully,

(Y.K. Bansal)

Research Officer

Copy to:-

Dr. Koduri Narayana Rao,  
National President,  
Forum for Social Justice,  
Chamallamudi (Via) Etukur,  
Guntur – 522 017, Amaravati  
(Andhra Pradesh).

Copy to: - I. SAS, NIC, NCST.

## NATIONAL COMMISSION FOR SCHEDULED TRIBES

Case File No. GR/8/2015/MCOL1/SEOTH/RU-IV

**Minutes of Sitting taken by Shri Nand Kumar Sai, Hon'ble Chairperson, NCST on 07.06.2018 at 4.00 P.M. with reference to implementation of proceedings of Sitting taken by the former Vice-Chairperson, NCST on 30.08.2016 in the matter of Shri G. Ramesh, Deputy Superintendent Engineer (IE), working at IEX, RG-1 Areas, SCCL, Telangana regarding safeguard and rights of STs in the Singareni Collieries Company Limited.**

Date of Sitting: 07.06.2018

List of officers present is at Annexure

Dr. Koduri Narayana Rao, National President, Forum for Social Justice, Andhra Pradesh Admn. Office, Guntur (Andhra Pradesh) had submitted a representation dated 28.05.2018 to the Commission, wherein he informed that proceedings of Sitting taken by the former Vice-Chairperson, NCST on 30.08.2016 had not been implemented by the CMD, Singareni Collieries Company Limited. Therefore, the project displaced families of ST category are suffering without any adequate compensation. He requested to the Commission for conducting a hearing with the CMD, SCCL and Secretary, Ministry of Coal, Govt. of India and Secretary, Energy Department, Government of Telangana for solution the issue. Therefore, Hon'ble Chairperson, NCST fixed a Sitting with the above authorities on 07.06.2018 at 4.00 P.M. in the Commission. Accordingly Sitting notice has been issued.

2. Shri Ashish Upadhyaya, Joint Secretary, Ministry of Coal, Government of India, Shri Ajay Misra, Special Chief Secretary, Govt. of Telangana and Shri N. Sridhar, CMD, SCCL appeared before the Commission on 07.06.2018. The representationist (Shri G. Ramesh and Dr. K.N. Rao) were also present in the day of Sitting.

3. The Hon'ble Chairperson asked the petitioner to explain their grievances. The representationist Shri G. Ramesh submitted the following points before the Commission.

(i) Government of Andhra Pradesh in the year 2010 has issued GoMS No. 34 (Tribal Empowerment Policy – 2010-15) as per which atleast one member of Tribal Project displaced family (PDF) shall be provided employment in SCCL.

(ii) Accordingly, SCCL Board has taken decision to implement the same in the year 2013.



नन्द कुमार साय/Nand Kumar Sai  
अध्यक्ष/Chairperson  
राष्ट्रीय अनुसूचित जनजाति आयोग  
National Commission for Scheduled Tribes  
भारत सरकार/Govt. of India  
नई दिल्ली/New Delhi



- (iii) There are about 532 Tribal PDFs in SCCL who lost their dwelling units between 2010 and 2015. Project administration for R&R, Khammam also instructed SCCL to give jobs.
- (iv) As SCCL has not provided employment as per its decision, NCST in the year 2016 directed SCCL to submit the details of eligible Tribal PDFs for job in SCCL.
- (v) But SCCL has not submitted the same so far.
- (vi) Meanwhile SCCL is conducting written exam on 10.06.2018 to fill up 655 ST backlog vacancies with general STs of Telangana.
- (vii) Petitioner demanded to cancel the written test for 655 backlog posts of STs and those vacancies shall be first filled up with tribal PDFs.

4. The joint Secretary, Ministry of Coal informed the Commission that for every 2 Acres of land Acquisition, one job is being given to the land losers in Coal India. The SCCL is the state PSE, therefore, the Ministry of Coal has no role in providing job to the PDF in the SCCL.

5. The Hon'ble Chairperson asked the CMD, SCCL to explain the position of action taken on the issue. The CMD, SCCL apprised to Hon'ble Chairperson of NCST that Singareni is acquiring land under, GoMS No. 68 which doesn't mandate job to displaced families.

6. He further informed that as per "fair compensation and transparency in land, acquisition, Rehabilitation and Resettlement Act, 2013", job is not mandatory and only Rs. 5 lakhs in lieu of job is to be given to land losers.

7. The Special Chief Secretary, Energy Department, Government of Telangana submitted to the Commission that recruitment on 655 vacancies is being made by the SCCL as per order of Hon'ble High Court of Hyderabad. He informed that representation of ST families will be filled up as per reservation quota for STs.

8. After hearing both side, the Commission observed that injustice and discrimination is being committed by the SCCL with the PDF of STs. Therefore, the SCCL should implement GO No. 34 and first provide jobs to Tribal PDFs and then only they shall resort to filling up of 655 ST backlog posts.



नन्द कुमार साय/Nand Kumar Sai  
अध्यक्ष/Chairperson  
राष्ट्रीय अनुसूचित जनजाति आयोग  
National Commission for Scheduled Tribes  
भारत सरकार/Govt. of India  
नई दिल्ली/New Delhi

9. The Commission also instructed SCCL that action taken report in the matter should be sent to the Commission within 30 days positively.

10. The Commission noted that SCCL is a Government company with 49% shareholding with Government of India. There are 3 Government of India nominee Directors in the 9 members Board of Directors of SCCL. Therefore, it is natural that the policies of job to Project Displaced Families as followed in Coal India Limited must be followed by SCCL. Accordingly, after the Sitting of the Commission on 07.06.2018, the Commission vide letter No. GR/8/205/MCOL1/SEOTH/RU-IV dated 12.06.2018 sought the following additional information from the CMD, SCCL for further investigation of the case under Article 338(A) of the Constitution.

- a. Total number of Displaced Scheduled Tribe families whose land was acquired by the SCCL for mining and related purpose (irrespective of size of holding). For this purpose, displaced Scheduled Tribe families means a family whose land or some part of land was acquired for the purpose of mining and related activities by the SCCL.
- b. Out of these Displaced Scheduled Tribe families, in how many cases, the family members of Scheduled Tribe families were given employment with year wise details?
- c. In pursuance of GO No. 34, how many numbers of these Scheduled Tribe families were given employment? Please indicate date of employment and details of family members.
- d. In the unskilled category, how many non-displaced persons (who are not Displaced STs) have been provided employment by SCCL and justification for this.
- e. Number of Compassionate Appointment that have been given to unskilled workers who were not Displaced STs (due to land acquired for mining and other purpose), year wise details.

The required information and action in favour of Project Displaced STs was sought within one week period and the same has not been received from the CMD, SCCL so far.

11. The Commission also observed that the approach and attitude of the CMD, SCCL is not in the interest of STs. Therefore, the Commission decided to take up the matter at the highest level with the Government of Andhra Pradesh on this Policy Issue.

T S F 08.6.18

नन्द कुमार साय/Nand Kumar Sai  
अध्यक्ष/Chairperson  
राष्ट्रीय अनुसूचित जनजाति आयोग  
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**NATIONAL COMMISSION FOR SCHEDULED TRIBES**

**Annexure**

(File No. GR/8/2015/MCOL1/SEOTH/RU-IV)

**List of participants**

**NCST**

1. Shri Nand Kumar Sai, Hon'ble Chairman (In chair)
2. Shri Raghav Chandra, Secretary
3. Shri S.K. Ratho, Joint Secretary
4. Shri P.T. Jameskutty, Deputy Secretary
5. Shri H.R Meena, Sr. Investigator

**Ministry of Coal**

Shri Ashish Upadyaya, Joint Secretary

**Government of Telanaga**

Shri. Ajay Misra, Special Chief Secretary

**Singareni Collieries Company Limited, Khammam District, Andhra Pradesh**

1. Shri N. Sridhar, CMD
2. Shri S. Chandrasekhar, Director

**Petitioner**

Dr. Koduri Narayana Rao