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सत्यमेव जयते

No.Review-10/Mineral/2018 RU-II

Government of India

National Commission for Scheduled Tribes

6th floor, 'B' Wing, Lok Nayak Bhawan
Khan Market, New Delhi-110 003
Date:- 11th.07.2019

To

The Chairman –Cum Managing Director,
National Mineral Development Corporation,
Khanij Bhawan, Masab Tank,
Castle Hills, Hyderabad,
Telangana-500028.

Sub:- Review of reservation policy and socio-economic development of Scheduled Tribes through National Mineral Development Corporation by Dr. Nand Kumar Sai, Hon'ble Chairman, National Commission for Scheduled Tribes, New Delhi.

Sir,

I am directed to enclose herewith a copy of recommendations/minutes of the review meeting held on 18.01.2019, at 11.30. A.M. in National Mineral Development Corporation Limited at Hyderabad, Telangana under the Chairmanship of Hon'ble Chairperson, National Commission Scheduled Tribes on the above mentioned subject for information and necessary action. In this regard, the comments along with action taken report may also be submitted to the Commission within 30 days positively.

Yours faithfully,

Encl:-As above.


(S.P. Meena)
Assistant Director
Tel: 24645826

Copy for information to:-

- i) PS to Hon'ble Chairperson, NCST, New Delhi.
- ii) PA to Hon'ble Member (HKD).
- iii) Sr. PPS to Secretary/PA to JS/PA to Director
- iv) SSA, NIC, NCST (for uploading on the Commission's website)



Government of India
National Commission for Scheduled Tribes

Report and recommendations under Article 338A (5) (e) of the Constitution on the measures to be taken by the NMDC LIMITED for the effective implementation of Constitutional safeguards and other measures for the protection, welfare and socio-economic development of the Scheduled Tribes.

No. Review-04/UD/2018/RU-II

Dated: 18th January, 2019


The National Commission for Scheduled Tribes (NCST) is a Constitutional body set up under Article 338A of the Constitution of India to investigate and monitor all matters relating to protection, welfare and socio-economic development of the Scheduled Tribes in the country. As per Constitutional provisions, the Union and every State Government shall consult the Commission on all major policy decisions affecting Scheduled Tribes. The Commission is required to present to the Hon'ble President of India reports upon working of those safeguards and all such reports are to be laid before each House of the Parliament along with Memorandum explaining the action taken or proposed to be taken on the recommendations relating to the Union and the reasons for non-acceptance, if any, of any of such recommendations.

2. In pursuance of the above Constitutional mandate, a review meeting was held under the Chairmanship of Shri Nand Kumar Sai, Hon'ble Chairperson, National Commission for Scheduled Tribes on 18th January, 2019 at 11.30 A.M., NMDC Limited at Hyderabad on evaluation and monitoring of implementation of reservation policy (service safeguards) for Scheduled Tribes and schemes for their socio-economic development with the officers of NMDC Limited.

3. List of participants is appended.

4. CMD, NMDC apprised the activities of the PSE. NMDC owes its genesis to the vision of independent India's founding fathers who believed that true and meaningful independence was possible only with economic self-sufficiency. Thus, came into existence a few PSEs which provided seminal seeds for the foundation of a great nation. NMDC was established on 15th November, 1958 as a Public Sector Undertaking to explore, develop and exploit mineral resources other than fuel oil and atomic minerals. It is engaged in mining of Iron ore, Magnesite and Diamonds. NMDC is India's single largest iron ore producer, presently producing over 30 million tones' of iron ore from 3 fully mechanized mines in Chhattisgarh and Karnataka State.

In acknowledgement of its substantial contribution to the domestic mineral sector during the last six decades it has been accorded the status of a Scheduled-A public sector company. In recognition of the company's consistent performance, the Company was also categorized as a Navratna Public Sector Enterprise in 2008. The company is diversifying into steel making and


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भारत सरकार/Govt. of India
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has undertaken several capital-intensive projects to modernize and increase capacities to retain its domestic leadership and has also forayed overseas successfully


The company has undertaken expansion plans to enhance its iron ore production capacity to 67 MTPA by FY 2022.

A band of over 5000 dedicated employees make NMDC what it is a world class mining organization. These are professionals who delve into the bowels of the earth to bring her riches before the world. NMDC is proud of its work culture and the positive attitude of its employees who have earned several laurels for the company and continue to work ceaselessly to take it ever forward.

Only Mechanized Diamond mine in Asia: NMDC also operates the only mechanized diamond mine in Asia with a capacity to produce one lakh carats per annum from its Diamond Mine, Panna, Madhya Pradesh. Scientific Mining NMDC has been carrying out scientific mining of the mineral deposits. Quality control, mineral beneficiation, proper blending, etc., are done systematically and religiously to ensure optimum exploitation of precious mineral. NMDC's mines stand testimony to scientific mining and conservation of the mineral.

5. Before the review meeting with the Management of the NMDC Limited, the Commission met the representatives of SC/ST Employees Welfare Organization of NMDC Limited. The representatives apprised the Commission about various issues concerning ST employees working in NMDC Limited. Following issues were raised by SC/ST Employees Organization:

- i) Lower posts should be filled by local ST people by the NMDC Limited.
 - ii) Privatization of NMDC should be stopped.
 - iii) Baster District should be developed as education hub.
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- i. A member of Union should be nominated/included in the Management Committee of the NMDC Limited; for taking the decision.
 - ii. At least two members of the Union to be nominated in the Bilateral and Tripartite Committee of NMDC.
 - iii. A member of Union should be nominated in the School Advisory Committee and Accountability Committee of NMDC.
 - iv. Employees on contract basis should not be appointed in the NMDC & Diamond Mines Project at Panna.


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- v. The reservation for five seats for children of employees of NMDC for MBBS in Medical College at Jagdalpur run with the assistance of NMDC needs to re-opened, as this was available up to 2016.
- vi. Land of poor people in Bastar District and Dantewada should not be acquired without the assent/agreement.


6. After the meeting with the representatives of ST Association, the Commission met the Director and other Sr. officers of NMDC Limited. The Director, NMDC informed the Commission that it is a company under the Ministry of Urban Development and it is a leader company in the field of Mines Sector. NMDC Limited has been executing many land-mark projects. The area covered under its umbrella includes Mines, Hospitals & Medical Colleges, Institutions etc.

7. In order to fulfil its social mandate, NMDC Limited involved in various activities across the country. Under the various schemes of CSR, the Company is providing scholarships for the poor school children for their education, helping in skill development of workers in various trades etc.13. Regarding recruitment of SC/ST employees, the Director, NMDC limited informed that government guidelines regarding reservation and concessions to SCs and STs in the matter of promotion are being followed. Vacancies identified for various posts are published in leading newspapers. Due to non-availability of SC/ST candidates, vacancies reserved for SC/ST could not be filled up. The grievances are disposed of properly.

8. The Commission appreciated works undertaken by the NMDC Limited. The Commission also acknowledged that NMDC Limited being a Government Company offering sustainable innovative and cost effective mining products and services contributing to National wealth upholding responsibility for the environment and promoting wellbeing of all stakeholders including employees, customers and society as a whole.

9. After detailed discussion on various matters relating to the welfare of ST employees working in the NMDC Limited, the Commission has raised the following questions: -

- i) 609- hectare land of Scheduled Tribes was acquired in Nagarnar. 161 persons out of 507 families are got the employment. What about others?



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- ii) NMDC stated that they have distributed Rs.296/- lakhs as compensation of the land which calculated Rs.50-60 thousand per persons. As per Land Acquisition Rehabilitation and Resettlement Act 2013, compensation should be Rs.20-25 lakhs per person. The compensation given by NMDC should be raised accordingly.
- iii) What is the status of 29 facilities to be given to the land acquired account holder's colony?
- iv) Clarify the disinvestment of Steel Plant of Nagarnar. What is the plan for the protection of their employees?
- v) What the plan for development of STs under CSR, an independent plan for development of ST should be developed, so that ST employees and other citizen get benefits.
- vi) Under CSR Scheme how much amount was invested for the ST people, clarify it.

Recommendations:

- i) Lower posts should be filled by local ST people by NMDC.
- ii) Baster District should be developed as Education Hub.
- iii) Privatization of NMDC should be stopped.
- iv) Five medical seats should have revived by the State Government for the children of NMDC employees.
- v) Land of poor people should not be acquired without consent/agreement.

10. The management has informed the Commission that there are 938 land affected person. We have already given employment to the 600 land affected persons. We have given one employment to one person to the land affected family. The Commission has pointed out that at the time acquirement of the land of joint family account than the employment will be given to more people.


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The management has informed that the land was acquired during the year 2001, 2007 and 2010 the plant was not started, at that time a Committee was constituted, and it was decided that the concerned person will be paid an equal amount to the contract labour.

- vii) The Chairperson of the Commission has pointed out that the Central government has started to set up in project area, which help for improvement of literacy of Scheduled Tribes.

The meeting was ended with vote of thanks to the Hon'ble Chairperson.

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LIST OF PARTICIPANTS

REVIEW MEETING TAKEN BY HON'BLE SHRI NAND KUMAR SAI, CHAIRPERSON,
NATIONAL COMMISSION FOR SCHEDULED TRIBES WITH THE MANAGEMENT OF
NMDC LIMITED, MASAB TANK, HYDERABAD AND THE REPRESENTATIVES OF
NMDC SC&ST EMPLOYEES WELFARE ASSOCIATION.

S.NO.	NAME	DESIGNATION
1.	Dr. Nand Kumar Sai	Hon'ble Chairperson
2.	Shri Harshadbhai Chunnilal Vasava	Hon'ble Member
3.	Shri Hari Krishna Damor	Hon'ble Member
4.	Shri A.K. Singh	Secretary
5.	Shri S.K. Ratho	Joint Secretary
6.	Shri S.P. Meena	Asstt. Director
PARTICIPANTS FROM THE MANAGEMENT OF NMDC		
1.	Shri N. Baijendra Kumar	Chairman cum Managing Director
2.	Shri K. Mohan	Joint General Manager (Personnel)
3.	Dr. T.R.K. Rao	Director (Commercial)
4.	Shri P.K. Satpathy	Director (Production)
5.	Shri Sandeep Tula	Director (Personnel)
6.	Shri Amitava Mukherjee	Director (Finance)
7.	Shri Saraswati Prasad	Director, NMDC Ltd.
PARTICIPANTS FROM NMDC SC&ST EMPLOYEES WELFARE ORGANIZATION		
1.	Shri Hanumant Rao	President
2.	Shri Shankraiya	Kirdul Complex
3.	Smt. Sita	Kirdul Complex
4.	Shri Dev Narayan	Bacheli Complex
5.	Shri Jamuda	Bacheli Complex
6.	Shri Avadh Kumar	Bacheli Complex
7.	Shri Jageshwar	Donimalai Complex
8.	Shri H. Shivkumar	N.I.S.P
9.	Shri E. Narsimha	N.I.S.P.
10.	Shri D. Raja	N.I.S.P.
11.	Shri Ramesh Kashyap	D.M.P.
12.	Shri Sanjay Rohitash & Others	Panna