

GOVERNMENT OF INDIA
(MINISTRY OF TRIBAL AFFAIRS)
RAJYA SABHA
UNSTARRED QUESTION NO. 1740
TO BE ANSWERED ON 27.12.2018

REHABILITATION OF DISPLACED TRIBAL COMMUNITY

1740. SHRI B.K. HARIPRASAD:

Will the Minister of TRIBAL AFFAIRS be pleased to state:

- (a) whether, out of an estimated 85 lakh persons displaced due to development projects and natural calamities, only 21 lakh have been rehabilitated as in December, 2016; and
- (b) what is the present status of rehabilitation of tribal community members who have been displaced by various development projects including the details of such persons who have received compensation?

ANSWER

MINISTER OF STATE IN THE MINISTRY OF TRIBAL AFFAIRS
(SHRI SUDARSHAN BHAGAT)

(a) As per the Annexure-XII of the Report of the Steering Committee for the 10th Five Year Plan “Empowering the Scheduled Tribes” (of Planning Commission), during 1951-1990, out of the 85.4 lakh displaced due to various development projects, about 21.2 lakh tribals were rehabilitated.

(b) In so far as land related issues are concerned, the Ministry of Rural Development, Department of Land Resources (DoLR), is the nodal Ministry at the Centre, which plays a monitoring role in the field of land reforms. Land and its management fall under the exclusive legislative and administrative jurisdiction of states as provided under the Constitution of India (Seventh Schedule – List II (State List) – Entry No. (18). Therefore, this data is not maintained centrally. Under Section 48 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (RFCTLARR Act, 2013 in short), a National Level Monitoring Committee for Rehabilitation and Resettlement has been constituted in the DoLR vide DoLR’s Order No. 26011/04/2007-LRD dated 2nd March, 2015 for the purpose of reviewing and monitoring the implementation of rehabilitation and resettlement schemes and plans related to land acquisition under the RFCTLARR, 2013 and National Rehabilitation and Resettlement Policy, 2007.

By way of safeguards against displacement special provisions have been made for Scheduled Castes and Scheduled Tribes under Sections 41 and 42 of the RFCTLARR Act, 2013 which protect their interests. The RFCTLARR Act, 2013 also lays down procedure and manner of rehabilitation and resettlement.

The Panchayats (Extension to Scheduled Areas) Act, 1996, also provides that the Gram Sabha or the Panchayats at the appropriate level shall be consulted before making the acquisition of land in the Scheduled Areas or development projects and before resettling or rehabilitating persons affected by such projects in the Scheduled Areas; the actual planning and implementation of the projects in the Scheduled Areas shall be coordinated at the State Level;

Constitutional provisions under Schedule – V also provide for safeguards against displacement of tribal population because of land acquisitions etc. The Governor of the State which has scheduled Areas is empowered to prohibit or restrict transfer of land from tribals and regulate the allotment of land to members of the Scheduled Tribes in such cases. Land being a State subject, various provisions of rehabilitation and resettlement as per the RFCTLARR Act, 2013 are implemented by the concerned State Governments.