

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS

RAJYA SABHA
UNSTARRED QUESTION NO. 1108
ANSWERED ON 10.02.2023

REHABILITATION SCHEME FOR HALDWANI EVICTION FAMILIES

1108 SMT. RAJANI ASHOKRAO PATIL:
SHRI SYED NASIR HUSSAIN:
DR. AMEE YAJNIK:

Will the Minister of RAILWAYS be pleased to state:

- (a) whether Government has ensured the displacing families from Railway land, any rehabilitation schemes and measures in favour of the affected families, while taking cognizance of the humanitarian aspect of the issue;
- (b) the steps taken by Government to clarify the policy of the ownership of disputed land;
- (c) the steps Government will take with regard to the schools, banks, religious sites, and state institutions on the railway land, while at the same time declaring its long time occupants as 'encroachers'; and
- (d) reasons for eviction despite the legal documentation and generational land holding proof of the affected?

ANSWER

MINISTER OF RAILWAYS, COMMUNICATIONS AND
ELECTRONICS & INFORMATION TECHNOLOGY
(SHRI ASHWINI VAISHNAW)

- (a): Housing is a State Subject and responsibility for providing alternative sites for rehabilitation/ resettlement as well as bearing cost for the same, vests with the State Governments or the Urban Local Bodies concerned. Section 147 of Railway Act only provides for eviction of unauthorized occupants from railway's land.
- (b): As per the Authenticated Land Plan of 2003 duly certified by revenue authorities, and as per the joint survey report of 2017 conducted by team of Railway, Revenue, and Nagar Nigam authorities of the area, the ownership of the land vests with the Railways.

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(c) & (d): Railways carry out eviction process for removal of encroachment of any type on railway land. If the encroachments are of temporary nature (soft encroachments) in the shape of jhuggies, jhopris and squatters, the same are removed in consultation with and the assistance of Railway Protection Force and local civil authorities. For old encroachments, where party is not amenable to persuasion, action is taken under Public Premises (Eviction of Unauthorized Occupants) Act, 1971 (PPE Act, 1971), as amended from time to time. Actual eviction of unauthorized occupants is carried out with the assistance of State Government and police. As the area is under encroachment, eviction process was started in compliance of Hon'ble High Court, Nainital's order dated 20.12.2022. At present, the eviction process has been stopped and the matter is subjudice before Hon'ble Supreme Court.
