

GOVERNMENT OF INDIA
(MINISTRY OF TRIBAL AFFAIRS)
LOK SABHA
UNSTARRED QUESTION NO. 3729
TO BE ANSWERED ON 19.03.2018
DIVERSE TRIBAL VILLAGERS

3729. SHRI S.P. MUDDAHANUME GOWDA:
SHRI B.V. NAIK:

Will the Minister of TRIBAL AFFAIRS be pleased to state:

- (a) whether the Government has received petitions during the last three years from diverse tribal villagers who have been displaced on account of various National Water Projects and if so, the details thereof;
- (b) whether these affected and displaced Tribals have not received either financial compensation for their land lost or got replacement of land and if so, the details thereof; and
- (c) whether the Government has considered these petitions to redress their problems and if so, the details thereof; and
- (d) the steps being taken by the Government in this regard?

ANSWER

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

(a) & (b) The Department of Land Resources in the Ministry of Rural Development is the nodal agency for matters relating to land acquisition and as per Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (RFCTLARR Act, 2013) also for rehabilitation and resettlement. Acquisition of land for various projects is done by concerned State Governments/ UT Administrations as per provisions laid down in the Land Acquisition Act, 1894 and /or under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (RFCTLARR Act, 2013). Further, the Ministry of Water Resources, River Development and Ganga Rejuvenation is the nodal Ministry for implementing Irrigation and Water Resources Projects in the country. Representation(s) have been received during the last three years in connection with the displacement of people due to Polavaram Dam Andhra Pradesh mainly regarding provision of due compensation and employment to affected families.

As per information obtained from the Government of Andhra Pradesh through the Department of Land Resources, Government of India, land was acquired for construction of powerhouse of Polavaram Project as per Land Acquisition Act, 1894 and compensation for land and properties and rehabilitation and resettlement (R&R) benefits were extended to both tribal and non-tribals prior to 2012 as per Andhra Pradesh Rehabilitation and Resettlement (AP R&R) Policy, 2005.

The Government of Andhra Pradesh has committed to extend all benefits as per the provisions of Land Acquisition Act, 1894 upto 31.12.2013 and beyond this date as per Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (RFCTLARR Act, 2013).

(c)& (d) to ensure adequate compensation and timely and proper rehabilitation of displaced tribal people across the country, special provisions exist in the “Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (RFCTLARR) Act, 2013”. As per the Act, as far as possible, no land is to be acquired in the Scheduled Areas except as last resort. In case acquisition or alienation of any land in the Scheduled Areas, prior consent of Gram Sabha or the Panchayat or the Autonomous District Councils, as the case may be, are required to be obtained. The Act also lays down procedure and manner of rehabilitation and resettlement (R&R) making it an integral part of the land acquisition process itself. Chapter -V and VI of the said Act contain detailed provisions for R&R awards and their implementation. The provisions of employment under the RFCTLARR Act, 2013 covers those whose land has been acquired after 31.12.2013.

Section 45 of RFCTLARR Act, 2013 provides for R&R committee at project level to monitor and review progress of implementation of R&R scheme. In accordance with the provisions of Section 48 of the RFCTLARR Act, 2013 a National Monitoring Committee has been set up under the Chairmanship of Secretary, Department of Land Resources in the Ministry of Rural Development for reviewing and monitoring the implementation of Rehabilitation and Resettlement Scheme or Plans under this Act.
