

GOVERNMENT OF INDIA
(MINISTRY OF TRIBAL AFFAIRS)
LOK SABHA
UNSTARRED QUESTION NO. 3076
TO BE ANSWERED ON 31.12.2018

TRIBAL PEOPLE DISPLACED SINCE INDEPENDENCE

3076. SHRI J.J.T. NATTERJEE

Will the Minister of TRIBAL AFFAIRS be pleased to state:

- (a) the details of 8.2 per cent of the total population, the Scheduled Tribes (STs) constitute 55 percent of the people displaced since independence due to the construction of Dams, Mines, Industrial Development, the creation of Wildlife Parks and Sanctuaries;
- (b) if so, the details thereof;
- (c) whether the Government is planning for any special constitutional and legal provisions for safeguarding the rights of tribals to land and also special affirmative action provisions for the STs being the most displaced, most vulnerable and most impoverished of all groups in India; and
- (d) if so, the details thereof?

ANSWER

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

(a) & (b) 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. The details are as under:-

S. No.	Type of Project	Tribal Displaced (Number in Lakh)	Tribal Resettled (Number in Lakh)
1	Dams	63.2	15.8
2	Mines	13.3	3.3
3	Industries	3.1	0.8
4	Wild-Life	4.5	1.0
5	Others	1.3	0.3
Total		85.4	21.2

(c) & (d) Constitutional and legal provisions for safeguarding the rights of tribals to land are already in place as under: -

- i. 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.

- ii. To address the issue of Land Acquisition and displacement of tribals, the Government has enacted the RFCTLARR Act, 2013. The purpose of the said Act is to ensure, in consultation with institutions of local self-government and Gram Sabhas established under the Constitution, a humane, participative, informed and transparent process for land acquisition with the least disturbance to the owners of the land and the other affected families and provide just and fair compensation to the affected families whose land has been acquired or proposed to be acquired.
- iii. 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.
- iv. 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.
- v. 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.
