

GOVERNMENT OF INDIA
(MINISTRY OF TRIBAL AFFAIRS)
LOK SABHA
UNSTARRED QUESTION NO. 1790
TO BE ANSWERED ON 02.03.2020
REHABILITATION OF TRIBES

1790. DR. AMAR SINGH:

Will the Minister of TRIBAL AFFAIRS be pleased to state:

- (a) the displacement and rehabilitation of tribals statistics of India;
- (b) the details of the statistics, State wise;
- (c) whether any action has been taken in this regard; and
- (d) the action being taken to protect and support them?

ANSWER

MINISTER OF STATE FOR TRIBAL AFFIARS
(SMT. RENUKA SINGH SARUTA)

(a) to (d) 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. 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). Land acquisition is undertaken by the Central and State Governments under various Central and State Acts, including the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (RFCTLARR Act, 2013 in short) and the provisions of the RFCTLARR Act 2013 are implemented by appropriate Government as defined under Section 3 (e) of the said Act. As such information on State/UT wise land acquired, rehabilitation and resettlement are not maintained centrally.

The First Schedule of the RFCTLARR Act provide for compensation for land owners. The Second Schedule provide for element of rehabilitation and resettlement for all the affected families (both land owners and the families whose livelihood is primarily dependent on land acquired) in addition to those provided in the first Schedule. Similarly, the Third Schedule provide for infrastructural amenities for a reasonably habitable and planned settlement in the resettlement area.

To ensure adequate compensation and timely and proper rehabilitation of such displaced tribal people across the country, the Government has also made special provision in Section 41 and Section 42 of the RFCTLARR ACT 2013. As per the said special provisions of Act, as far as possible, no land is to be acquired in the scheduled area except as last resort. In case acquisition for alienation of any land in the Scheduled Areas, the prior consent of Gram Sabha or the Panchayat or the Autonomous District Councils, at the appropriate level in the Scheduled Area in the Fifth Schedule to the Constitution, as the case may be, are required to be obtained, in all cases of land acquisition in such areas, including acquisition in case of urgency.

The special provisions for affected Scheduled Tribes also include a development plan, payment of at least one third of the compensation amount due initially at first instalment, resettlement properly in the same Scheduled Area in a compact block, making available of Rehabilitation & Resettlement (R&R) benefit to original tribal land owners in case of acquisition of alienated tribal lands, fishing rights in the reservoir area of the irrigation or hydel project, payment of additional twenty five percent R&R benefits in monetary terms along with a one time entitlement of fifty thousand rupees in case of relocation outside of the district, continuance of all benefits, including reservation benefits available to Scheduled Tribes in the affected areas etc.

The Act also lays down procedure and manner of rehabilitation and resettlement (R&R) wherein R&R is an integral part of the land acquisition plan itself. Chapter -V and VI of the said Act contains detailed provision for R&R awards and their implementation. National Monitoring Committee also reviews and monitors the implementation of R&R scheme and looks into issue related to displacement of people and timely payment of compensation.
