

**GOVERNMENT OF INDIA
TRIBAL AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:3620
ANSWERED ON:16.05.2006
MINING LEASE IN SCHEDULED AREAS
Gamang Shri Giridhar

Will the Minister of TRIBAL AFFAIRS be pleased to state:

- (a) whether the Government has received any reference from the Government of Orissa regarding policy on grant of mining lease and transfer of land for commercial projects in scheduled areas;
- (b) if so, the details of the policy therefore and its impact and implications on scheduled area and on scheduled tribes, if any;
- (c) whether the Government has decided to examine the policy in the light of constitutional protections provided under Article 244 (i); and
- (d) if so, details thereof ?

Answer

MINISTER OF TRIBAL AFFAIRS (SHRI P.R. KYNDIAH)

(a)&(b): The Government of Orissa have reported that to protect the interest of tribals in the Scheduled Areas, the State Government has formulated a policy namely " Policy on grant of mining lease and transfer of land for commercial projects in Scheduled Areas, 2003" where, in the interest of the tribal land losers, the mining industry and the other commercial projects coming up in Schedule Areas should agree to earmark up to 5% of their equity towards preferential equity shares of the company for the displaced tribal persons, based on the value of their land acquired for the project. Apart from this, 5% of the net annual profit accrued in the project shall be spent for the development of health, education, communication, irrigation and agriculture of the said Scheduled Areas within a radius of 50 Kms. Care is also being taken in the matter of employment to give preference to the tribals and the persons who become displaced because of taking up of mining operations. In case of occupation of private land with the consent of the tenant, the lessee pays compensation to the tenant on mutually agreed terms or terms fixed by the Government. In case of total acquisition of land, the tenant is provided with the cost of land by the lessee and the tenant is also rehabilitated as per the Rehabilitation and Resettlement Policy of the Government of Orissa.

(c) and (d): No such decision has been taken.