

**GOVERNMENT OF INDIA
TRIBAL AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:1798

ANSWERED ON:07.03.2006

RESETTLEMENT POLICY FOR TRIBALS

Acharia Shri Basudeb;Krishnadas Shri N.N.;Mediyam Dr. Babu Rao;Satpathy Shri Tathagata

Will the Minister of TRIBAL AFFAIRS be pleased to state:

- (a) the existing displacement and resettlement policy of the Government;
- (b) whether the Government is aware that Tribals in many parts of the country particularly Orissa and Andhra Pradesh have been agitating due to the lack of proper resettlement policy for them;
- (c) if so, the details thereof and the reactions of the Government thereto;
- (d) whether the Government is considering to enact a law to ensure that tribal people may not be forcibly evicted from their homes and agricultural land; and
- (e) if so, the details thereof?

Answer

MINISTER OF TRIBAL AFFAIRS (P. R. KYNDIAH)

(a) Government of India in the Ministry of Rural Development has formulated and notified a comprehensive National Policy on Resettlement & Rehabilitation, 2003, on 17.2.2004 for Project Affected Families, including tribals. The guiding principles as enshrined in this policy are required to be followed by various State/UT Governments and project authorities while preparing the R & R Plans. The policy, inter-alia provides a special package for R & R benefits for the Scheduled Tribes in addition. Further, the policy also emphasizes that the compensation package proposed in the policy would be minimum, and States where Resettlements and Rehabilitation packages are higher than proposed in the said policy, are free to adopt their own packages.

(b) & (c) Government of India is aware that some dissatisfaction has been expressed in Orissa and Andhra Pradesh regarding the resettlement and rehabilitation policy followed by the State Governments in Kalinganagar (Orissa) and Polavaram (Andhra Pradesh). As regards Kalinganagar, the Government of India has offered to extend assistance to the displaced tribals. As regards the Polavaram project, the Government of Andhra Pradesh has approached the Ministry of Tribal Affairs for clearance of their R&R Plan. The State Government has been asked to follow the Constitutional provisions and provisions of Panchayats (Extension to Scheduled Areas) Act, 1996.

(d) & (e) No separate law is under contemplation at present. Safeguards exist in the Constitution as well as in State laws in respect of transfer of land belonging to tribals in scheduled areas. In addition, this Ministry has already introduced the Scheduled Tribes (Recognition of Forest Rights) Bill, 2005 in the Parliament for the protection of rights of tribals on forest land which they have been occupying for generations.