

**COMMITTEE ON THE WELFARE OF
SCHEDULED CASTES AND
SCHEDULED TRIBES
(1996-97)**

(ELEVENTH LOK SABHA)

**SIXTH REPORT
ON
MINISTRY OF WELFARE
(TRIBAL DEVELOPMENT DIVISION)**

[Action taken by the Government on the recommendations contained in the Fifty-Ninth Report of the Committee on the Welfare of Scheduled Castes and Scheduled Tribes on the Ministry of Welfare (Tribal Development Division)—Rehabilitation of Displaced Tribals by Major Projects in Madhya Pradesh]



*Presented to Lok Sabha on 30.4.97
Laid in Rajya Sabha on 2.5.97*

**LOK SABHA SECRETARIAT
NEW DELHI**

April, 1997/Vaisakha, 1919 (Saka)

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COMPOSITION OF THE COMMITTEE ON THE WELFARE OF
SCHEDULED CASTES AND SCHEDULED TRIBES
(1996-97)

Shri Khagapati Pradhani—*Chairman*

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INTRODUCTION

I, the Chairman, Committee on the Welfare of Scheduled Castes and Scheduled Tribes having been authorised by the Committee to finalise and submit the Report on their behalf, present this 6th Report (11th Lok Sabha) on Action Taken by the Government on the recommendations contained in the 59th Report (10th Lok Sabha) on the Ministry of Welfare (Tribal Development Division) regarding Rehabilitation of Displaced Tribals by Major Projects in Madhya Pradesh.

2. The Draft Report was considered and adopted by the Committee on 22 April, 1997.

3. The Report has been divided into the following Chapters:

Chapter I	Report
Chapter II	Recommendations/Observations which have been accepted by the Government.
Chapter III	Recommendations/Observations which the Committee do not desire to pursue in view of replies of the Government.
Chapter IV	Recommendations/Observations in respect of which replies of the Government have not been accepted by the Committee and which require reiteration.
Chapter V	Recommendations/Observations in respect of which final replies of the Government have not been received.

4. An analysis of the Action taken by Government on the recommendations of the Committee contained in the Fifty-Ninth Report is given in Appendix. It would be observed therefrom that out of 19 recommendations/Observations contained in the Report, 10 recommendations *i.e.* 52.6 per cent have been accepted by the Government. The Committee do not desire to pursue 5 recommendations *i.e.* 26.2 per cent of their total recommendations in view of Government's replies. There are 4 recommendations *i.e.* 21.05 per cent in respect of which replies of Government have not been accepted by the Committee which require reiteration.

NEW DELHI;
April, 1997

Vaisakha, 1919 (S)

KHAGAPATI PRADHANI,
*Chairman,
Committee on the Welfare
of Scheduled Castes and
Scheduled Tribes.*

CHAPTER I

REPORT

This Report of the Committee on the Welfare of Scheduled Castes and Scheduled Tribes deals with the action taken by the Government on the recommendation contained in the Fifty-Ninth Report (Tenth Lok Sabha) of the Committee on the Welfare of Scheduled Castes and Scheduled Tribes on the Ministry of Welfare (Tribal Development Division) regarding Rehabilitation of Displaced Tribals by Major Projects in Madhya Pradesh.

1.2 The Fifty-Ninth Report was presented to Lok Sabha on 7.3.96. It contained 19 recommendations/observations. Replies of the Government in respect of these recommendations/observations have been examined and may be categorised as under:—

- (i) Recommendations/Observations, which have been accepted by the Government (Sl. Nos. 3, 4, 6, 7, 8, 10, 11, 14, 16, 19).
- (ii) Recommendations/Observations, which the Committee do not desire to pursue taking into consideration the replies of the Government (Sl. Nos. 2, 5, 9, 13, 18).
- (iii) Recommendations/Observations replies to which have not been accepted by the Committee and which need reiteration (Sl. Nos. 1, 12, 15, 17).
- (iv) Recommendations/Observations in respect of which final replies have not been received (Sl. No. Nil).

1.3 The Committee will now deal with these Action Taken Replies of the Government which need reiteration and comments.

Role of Voluntary Organisations Recommendation (Sl. No. 1, Para 1.13)

1.4 In para 1.13 the Committee in its Fifty-Ninth Report had observed that in the Sardar Sarovar Project, out of 33014 persons displaced, only 3170 had been rehabilitated. Similarly, in Indira Sagar Project, out of 30739 persons displaced only 37 persons had been rehabilitated. The position seems to be more deplorable in case of Maneshwar, Omkareshwar and Jobat projects where out of 2264, 1751 and 548 persons displaced respectively, none has been rehabilitated. The Committee viewed it as a poor reflection on the performance of the State Government of Madhya Pradesh in so far as the resettlement of tribals is concerned. The Committee therefore had urged upon the State Government of Madhya Pradesh to expeditiously gear up all the resources and mechanism at their command in resettlement of the displaced tribals.

1.5 The Ministry of Welfare in their Action Taken Notes have stated that all the 38 tribal Families so far affected under Indira Sagar Project have been resettled whereas 178 PAFs have been resettled under Maneshwar Project. It has also been stated that no tribal family has been affected so far in Jobat Project. The Ministry has also stated that the construction of Maneshwar or Omkareshwar Projects are reported to have not been started so far. Similarly the work of Man, Jobat projects is also not proceeding ahead as per schedule on account of non-availability of sufficient budgetary provision/funds.

Comments of the Committee

1.6 The Committee are not convinced with the reply of the Ministry as all the 38 tribal families so far affected under Indira Sagar Project have been resettled. During March, 1996 when the Committee finalised its Fifty-Ninth Report, it was stated that only 37 persons were resettled out of 30739 persons affected in the Indira Sagar Project. But in their Action Taken Replies dated 12th July, 1996 the Committee have been informed that all the 38 tribal families affected under Indira Sagar Project have been rehabilitated. The Committee would like the Ministry to clarify whether 37 persons or 38 families have been rehabilitated. In case it is 38 tribal families whether the number 30739 persons displaced under the Indira Sagar Project belong to the same number of families. It is not clear whether the earlier statement furnished to the Committee is correct or the present one.

The displaced persons have not been rehabilitated on the plea that the construction of two projects have not been started as yet and work in some projects is not proceeding ahead, does not seem to be convincing as the displacement of tribals has already taken place. The Committee, therefore, again urge upon the State Government of Madhya Pradesh to make all out efforts to rehabilitate the displaced tribals notwithstanding the commencement of progress of any project.

Compensation

Recommendation (Sl. No. 12, Para 2.41)

1.7 In para 2.41 of the Fifty-Ninth Report (Tenth Lok Sabha) the Committee had recommended that all concerned should take immediate steps to finalise the identification process so that the needy landless oustees are rehabilitated without further loss of time.

1.8 The Ministry of Welfare in their Action Taken Notes has stated that the State Government of Madhya Pradesh has replied that their consultants have submitted a draft individual plan—self-employment scheme for 1500 PAFs of SSP and the same was under examination. A new formation (staff) comprising Additional Director at the Headquarter and three Project Assistants in the field is also reported to have been sanctioned.

Comments of the Committee

1.9 The Committee are not convinced with the reply of the Government. The fact remain that not even a single PAF has been given the prescribed financial assistance so far.

The State Government is saying that Draft Individual Plan-self-employment has been prepared and is under examination.

The Committee would like to recommend that the Draft-Individual Plan should be finalised expeditiously so that the PAFs get the needed financial assistance which is already much delayed. The Committee would also like the Ministry to periodically monitor the progress made in this regard and apprise them accordingly within the period of three months.

Monitoring & Evaluation of Rehabilitation of Programmes

Recommendation (Sl. No. 15, Para 3.17)

1.10 In para 3.17 of the fifty Ninth Report (Tenth Lok Sabha) the Committee had desired that the Ministry of Welfare in general and the Tribal Division in particular, to act more responsibility towards the rehabilitation and resettlement of the displaced tribals of Madhya Pradesh. The Committee had also agreed that the exact responsibility in this regard could be better carried out by the concerned State Governments and the project authorities but the Ministry of welfare being the binding force between the State Governments on the one hand and the affected tribals on the other should not tend to skip responsibility altogether. The Committee had desired that the Tribal Division of the Ministry should hanceforth keep an account of the overall performance of different State Governments including that of Madhya Pradesh towards their rehabilitation programmes of displaced tribals and advise them accordingly whenever they fall short of the target in quality as well as in quantity.

1.11 The Ministry of Welfare in their Action Taken Reply have stated that the issue of large scale displacement and inadequate rehabilitation of tribals in the past had gained the attention of the Ministry. Recognising the problems of the tribals who were displaced without proper rehabilitation and resettlement facilities, the Ministry took the initiative for preparing a separate National Policy for Rehabilitation of Tribals displaced by developmental Projects. A draft policy was also prepared and submitted to the Committee of Secretaries for their consideration. However, the Committee of Secretaries decided to have a common National Policy on Rehabilitation and entrusted the responsibility of drafting such a policy to the Ministry of Rural Development. The Ministry of Welfare, however, is still continuing its efforts to have a separate policy for displaced tribals. Further, the Ministry of Welfare as a member of the Technical Advisory Committee for clearance of irrigation projects scrutinises the R&R Action Plans for the displaced tribals of irrigation projects under consideration for approval. While scrutinising these rehabilitation and resettlement Action

Plans, the Ministry ensures that proper package of rehabilitation is provided to the tribals affected by projects. The responsibility, however, of proper rehabilitation and resettlement of people including tribals displaced on account of development projects is that of the project authorities and the State Governments concerned. Monitoring of rehabilitation and resettlement programmes of all the projects in the country, it will be appreciated, is an enormous task which the Ministry is just not equipped to handle.

Comments of the Committee

1.12 The Committee appreciate the Ministry's version that it ensures proper package of rehabilitation to the affected tribals while scrutinising the R & R programmes of all the projects.

The Committee opine that with a proper perspective planning and timely coordination with the various State Governments and periodical review of the progress would help the Ministry in simplifying the task. The Committee therefore, recommend the Ministry to streamline the entire process so that the monitoring of R&R of programmes of PAFs in the country does not look as enormous and gigantic as has been projected.

Recommendation (Sl. No. 17, Para 3.19)

1.13 In para 3.19 of the Fifty-Ninth Report (Tenth Lok Sabha) the Committee had recommended the National Thermal Power Corporation to evolve a procedure where its R&R Cells constituted at the project level besides recording the complaints/grievances should also voluntarily attend the Project Affected Persons to see that these people are properly taken care of as well as to confirm that National Thermal Power Corporation is really doing a good job. The Committee would also like National Thermal Power Corporation to expeditiously dispose of the only and one complaint received in case of Vindhyachal Super Thermal Power Project.

1.14 In their reply Ministry of Power has stated that in the case of Vindhyachal Super Thermal Power Project, NTPC has deposited the total compensation of Rs. 10.35 crores with Land Acquisition Office, Waidhan, Sidhis district.

Comments of the Committee

1.15 The Committee deprecate to note that their recommendation at the Project level to voluntarily attend PAFs to see that those people are properly taken care of as well as to confirm that NTPC is doing a good job has not been responded by the Ministry.

The Committee would like the Ministry to guard against such lapses in future. The Committee would like to reiterate their earlier recommendations that NTPC's R&R Cell should evolve a procedure besides recording the complaints/grievances to attend to the PAFs to ensure that these people are properly taken care of. The Committee would like the Ministry of Welfare to Coordinate in the matter and apprise them accordingly.

CHAPTER II

RECOMMENDATIONS/OBSERVATIONS WHICH HAVE BEEN ACCEPTED BY THE GOVERNMENT

Recommendation (Sl. No. 3, Para 1.15)

The Committee are constrained to note that there is hardly any voluntary organisation worth the name in the State of Madhya Pradesh to convince the tribals to surrender their land for construction of major projects by explaining them the importance of the construction of the projects to the developmental needs of the country and also the benefits that would accrue to the tribals themselves under the rehabilitation programme. The Committee are of the view that the services of Voluntary Organisation/Non-Government Organisations with high credibility among the tribals be encouraged to take up the task in the project sites of Madhya Pradesh so that they can equally motivate the tribals as well as the Government—one to surrender land for the developmental needs of the country and another to provide and ensure a better life-style to the land oustees through benevolent compensation package.

Reply of the Government (Ministry of Welfare)

The Government of Madhya Pradesh has replied that to encourage participation of NGOs a scheme has been formulated and rules have also been framed to provide them financial assistance. These rules are known as 'Punarwas Ke Kshetra Me Bhagidari Aur Is Pariyojana Se Asaskiya Sewa Sansthan Ko Vittiya Sahayata Nigam'. So far eight NGOs have submitted their proposals for participation in the R&R. These proposals are being examined by the State Government.

Recommendation (Sl. No. 4, Para 1.16)

The Committee appreciate to note that the State Government of Madhya Pradesh has formulated a four-tier system *i.e.* involvement of land oustees in village level committees etc. to ensure participation of non-Governmental Organisations in the rehabilitation work of the tribals displaced by execution of major projects. They also note that the State Government is educating the tribals regarding the benefits of the projects through media, workshops and seminars. Under the changed scenario, the Committee feel that it is a step in the right direction and would like the State Government of Madhya Pradesh to carry on their activities zealously in future also.

Reply of the Government (Ministry of Welfare)

The State Government has noted this recommendation.

Recommendation (Sl. No. 6, Para 2.35)

The Committee also recommend the Ministry of Welfare to keep on impressing upon the Government the need for formulating a separate policy for tribals exclusively keeping in mind the number of tribals *vis-a-vis* other displaced due to execution of major projects apart from the economic backwardness and unique culture of the tribals. The Committee may be apprised of the progress made in this regard periodically.

Reply of the Government (Ministry of Welfare)

The recommendation of the Committee is noted. It is also stated that the Ministry of Welfare is continuing its efforts to have a separate Rehabilitation Policy for tribals by explaining to appropriate levels of the Government the special conditions and circumstances of tribal life which necessitate such a separate policy.

Recommendation (Sl. No. 7, Para 2.36)

In order to ensure the involvement of displaced tribals in the process of rehabilitation the Committee recommend the Ministry to immediately implement its proposed scheme whereby the representatives of the displaced tribals including women are included in the project rehabilitation committee at the project level.

Reply of the Government (Ministry of Welfare)

The Ministry of Rural Development has intimated that suitable provisions to include displaced tribals including women in the project rehabilitation committees have already been made in the draft Policy on Rehabilitation under preparation by them.

Recommendation (Sl. No. 8, Para 2.37)

As stressed by the Committee and as agreed to by the representatives of the Ministry of Welfare the Committee recommend that the displaced tribals mostly dependent upon agriculture should be provided with an alternative land for their sustenance as far as possible.

Reply of the Government (Ministry of Welfare)

The draft Policy on Rehabilitation under preparation by the Ministry of Rural Development already provides for allotment of alternative land to displaced tribals against land acquired by them. However the draft Policy does not make such allotment mandatory but leaves the issue to be decided by respective State Governments depending on the availability of alternate land in the State for such allotment. The Ministry of Welfare, on its part, has impressed upon the Ministry of Rural Development that allotment of land *in lieu* of land acquired should be made mandatory as far as the displaced tribals are concerned as tribal economy is essentially land based. The Ministry of Rural development has now intimated that the suggestions of Committee has already been incorporated in the draft Policy.

Recommendation (Sl. No. 10, Para 2.39)

The Committee appreciate to note that in the execution of new projects provisions have been made for landless oustees in order to enable them to get compensation and resettlement facilities although no such provision does exist in the Land Acquisition Act. The Committee feel that the landless oustees need as much compensation and rehabilitation facilities as those of the land-holder oustees. The Committee, therefore, recommend that the State Government of Madhya Pradesh alongwith Narmada Valley Development Authority should always keep in mind the plight of landless oustees while finalising the compensation package.

Reply of the Government (Ministry of Welfare)

The Government of Madhya Pradesh has replied that in the R&R policy for the projects of NVDA provisions have been made for special financial assistance of Rs. 40,000 and Rs. 25,000 for landless agricultural labourers/ all Scheduled Tribes and Scheduled Castes landless labourers, and other landless labourers respectively for purchase of productive assets' including the cultivable land, and thereby establish themselves in Self-Employment Programme/Non-agricultural pursuits.

Recommendation (Sl. No. 11, Para 2.40)

In this context the Committee would like to encourage National Thermal Power Corporation Limited to keep up its efforts in providing self-employment to the landless oustees. The Committee also hope that the Mine and Coal projects would follow suit.

Reply of the Government (Ministry of Welfare)

Ministry of Power has intimated that self-employment schemes such as training in different trades, running shops, dairy, poultry etc. were being implemented with the cooperation of the State government. The Ministries of Mines and Coal have been furnished with extracts of this recommendation of the Committee for necessary action.

Recommendation (Sl. No. 14, Para 2.43)

The Committee are surprised to note that the Tribal Advisory Council consisting of eighteen Scheduled Tribe members was never consulted in the rehabilitation and resettlement process of the displaced tribals under the execution of a single project in Madhya Pradesh. It is disheartening more so when there was no reason at all for not consulting the Tribal Advisory Council in the matter. Such deliberate omissions can hardly be acceptable to the Committee. As assured to them during evidence, the Committee, therefore, recommend that the State Government should remain careful in future and consult the Tribal Advisory Council invariably in the finalisation of the rehabilitation and resettlement process of the displaced tribals as regards every single project in Madhya Pradesh.

Reply of the Government (Ministry of Welfare)

The State Government of M.P. has replied that at present there is no common rehabilitation policy for all projects as such. Only Narmada Valley Development Department has formulated a rehabilitation and resettlement policy as per the guidelines of N.W.D.T. (Narmada Water Dispute Tribunal) award for the Narmada Projects. Due to this aspect Tribal Advisory Council was not consulted previously. The State Government is now reported to have taken a conscious decision to formulate a rehabilitation and resettlement policy. Before finalising the same, the State Government will put up the policy before the TAC as per recommendation of the committee.

Recommendation (Sl. No. 16, Para 3.18)

The Committee note that the monitoring and evaluation of the rehabilitation programme of the displaced tribals in Madhya Pradesh is done at the State level by the Project authorities or Land Acquisition and Rehabilitation Commissioner etc. The Committee also note that since the present system of monitoring and evaluation in Madhya Pradesh is found to be inadequate, the State Government is proposing to constitute a separate cell under its Water Resource Department for Tribal Welfare and Rehabilitation. The Committee are of the opinion that without proper and adequate monitoring system no developmental programme will bear fruit. The Committee, therefore, urge upon the State Government of Madhya Pradesh to carry out an in-depth study with a view to finding out the reason for which their present system of monitoring and evaluation of the rehabilitation programmes is considered to be inadequate. The Committee would also like to be immediately apprised of the latest position as regards the constitution of a separate cell for proper monitoring work.

Reply of the Government (Ministry of Welfare)

The State Government of Madhya Pradesh has stated that in this matter the GOMP Department of Rehabilitation is required to take immediate steps in consultation with Tribal Welfare Department, Water Resources Department, Industries Department and other users departments. The State Government has conceded that creation of monitoring cell is quite necessary and that such cells will be established in consultation with rehabilitation department.

Recommendation (Sl. No. 19, Para 3.21)

The Committee are happy to note that Government of Madhya Pradesh have constituted a rehabilitation Committee at Commissioner level for various irrigation projects of State Government. They simultaneously note that no Scheduled Tribe has been appointed on the same. The Committee, therefore, recommend that in order to watch the interest of tribals displaced due to projects undertaken by the State Government, a Scheduled Tribe member as far as possible should invariably be appointed in the Rehabilitation Committee.

Reply of the Government (Ministry of Welfare)

The State Government of Madhya Pradesh has stated that necessary action will be taken accordingly.

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CHAPTER III

RECOMMENDATIONS/OBSERVATIONS WHICH THE COMMITTEE DO NOT DESIRE TO PERSUE IN VIEW OF GOVT. REPLY

Recommendation (Sl. No. 2, Para 1.14)

The Committee are at pain to observe that information with regard to the number of tribals displaced and rehabilitated under the Dudhawa and Sindhi Phase I irrigation projects is still being collected. The explanation of the State Government that the completion of Dudhawa and Sindhi Projects some 30 years and 20 years back respectively has delayed in getting the requisite information is really shocking. The Committee fail to understand when the two projects were completed such a long time back why the information is still being collected. In the opinion of the Committee either the records in this regard are not maintained properly or something is seriously wrong somewhere else. The Committee, therefore, impress upon the State government of Madhya Pradesh to collect at the earliest the detailed information regarding the number of tribals displaced and rehabilitated in the above mentioned projects so that the rehabilitation process of the displaced tribals is not inordinately delayed. The Committee also recommend that such detailed information should be maintained meticulously by the State Government without fail.

Reply of the Government (Ministry of Welfare)

The Government of Madhya Pradesh has stated that it has since been ascertained that no tribal family was affected by construction of Sindhi Phase I projects. Dudhawa project was constructed in the year 1963 and rehabilitation work was completed prior to the year 1963. From the available information it has been found that 584 families of tribal community were displaced due to construction of dam out of a total of 1409 families. the ousted families were paid land compensation as per prevailing rules in the period prior to 1963. The oustees were required to rehabilitate themselves according to their own will after the receipt of land compensation.

[Vide Ministry of Welfare Office Memorandum No. 16015/3/92TDB
(Vol. V) dated 12th July, 1996]

Recommendation (Sl. No. 5, Para 2.34)

The Committee note with dismay that a National Policy on Rehabilitation of tribals displaced by major projects has been under consideration since 1987 as a result of which the resettlement and rehabilitation programmes differ from State to State and even from project

to project in a State. Needless to mention the delay in implementing a uniform policy must be causing resentment amongst the displaced tribals and the reasons put forward by the Government in finalising a uniform national Policy on rehabilitation of tribals is hardly acceptable to the Committee. Keeping in view the importance of resettling the displaced tribals through an uniform policy the Committee impress upon the Ministry of Rural Development to finalise and formulate the National Policy on Rehabilitation of Tribals without further loss of time. The Committee in this regard would like the Committee of Secretaries to refer the draft policy on Rehabilitation of Tribals to the State Governments as soon as possible so that the suggestions of the different State Governments can be incorporated in the salient features of the policy thereby making it more beneficial to the interest of the displaced tribals.

Reply of the Government (Ministry of Welfare)

The matter was taken up with Ministry of Rural Development. The proposed National Policy on Rehabilitation & Resettlement was sent to the State Governments on the 13th September, 1995. After receiving comments from them, the note has been sent to the Cabinet Secretariat. The Committee of Secretaries is likely to discuss the matter shortly.

[Vide Ministry of Welfare Office Memorandum No. 16015/3/92TDB
(Vol. V) dated 12th July, 1996]

Recommendation (Sl. No. 9, Para 2.38)

The Committee are unhappy to note that sometimes land acquired from the tribals for execution of projects are found to be more than the requirement and surprisingly no decision has been taken so far to return the surplus land to the tribals. Such negligence which is quite detrimental to the tribal interest can hardly be compromised. The Committee, therefore, strongly recommend that land acquired in excess of the requirement should immediately be given back to the tribal land-holders without fail.

Reply of the Government (Ministry of Welfare)

The recommendation of the Committee has been intimated to all the central ministries and State Governments for their information and suitable action.

[Vide Ministry of Welfare Office Memorandum No. 16015/3/92TDB
(Vol. V) dated 12th July, 1996]

Recommendation (Sl. No. 13, Para 2.42)

The Committee note that a Committee has been constituted to examine a time limit within which the rehabilitation process of the displaced tribals can be finalised. The Committee would like to be apprised of the steps taken by the Madhya Pradesh Government in this regard as soon as the report of the Committee constituted for this purpose is received.

Reply of the Government (Ministry of Welfare)

The State Government of Madhya Pradesh has stated that the Committee has since submitted its report and its recommendations are under consideration of the State Government. Some of its major recommendations are as follows:

(1) the setting up of State and district level commission to which aggrieved parties can prefer appeals against the proposed requisition of their land.

(2) Provision to be made for land oustees in all new economic opportunities created by land acquisition including provision of employment.

(3) The concept of potential price rather than prevailing price for determining compensation.

Displacement not to be carried out without consent.

[Vide Ministry of Welfare Office Memorandum No. 16015/3/92TDB
(Vol. V) dated 12th July, 1996]

Recommendation (Sl. No. 18, Para 3.20)

So far as complaints pertaining to non-employment of displaced tribals of Korba Project are concerned the Committee recommend that National Thermal Power Corporation should go deep into the matter sympathetically to see the feasibility of appointment of suitable displaced tribals in National Thermal Power Corporation. The Committee would like to be apprised of the steps taken by National Thermal Power Corporation in this regard at the earliest.

Reply of the Government (Ministry of Welfare)

Ministry of Power has intimated that out of 318 Project Affected Persons (PAP) employed in the Korba project 229 belonged to SC/ST categories. Further, they have stated that NTPC encouraged land oustees to form cooperatives/partnership firms which are awarded contracts on single tender basis. Around 180 PAPs are reported to be employed in this manner. In addition 11 shops are reported to have been allotted to the PAPs and financial assistance provided for purchasing jeeps to two PAPs. Implementation of other income generating schemes is reported to be in progress.

[Vide Ministry of Welfare Office Memorandum No. 16015/3/92TDB
(Vol. V) dated 12th July, 1996]

CHAPTER IV

RECOMMENDATIONS/OBSERVATIONS IN RESPECT OF WHICH REPLIES OF GOVERNMENT HAVE NOT BEEN ACCEPTED BY THE COMMITTEE AND WHICH REQUIRE REITERATION

Recommendation (Sl. No. 1, Para 1.13)

The Committee further note from the statement furnished to them that in the Sardar Sarovar Project out of 33014 persons displaced only 3170 have been rehabilitated. Similarly in Indira Sagar Project, out of 30739 persons displaced only 37 persons have been rehabilitated. The position is more deplorable in case of Maneshwar, Omkareshwar and Jobat projects where out of 2264, 1751 and 548 persons displaced, none has been rehabilitated. The Committee opine that it is a poor reflection on the performance of the State Government of Madhya Pradesh in rehabilitating the displaced tribals notwithstanding their efforts in rehabilitating cent per cent tribals in other projects. The Committee therefore, urge upon the State Government of Madhya Pradesh to expeditiously gear up all the mechanism at their command with a view to ensuring that all the tribals displaced under the aforesaid projects are rehabilitated soon.

Reply of the Government (Ministry of Welfare)

The Government of Madhya Pradesh has replied that the PAFs are to be rehabilitated pari-passu to the construction of the dam. The present height of the SSP dam is 81.5 m. which affects 692 families whereas 2539 PAFs have so far been allotted agricultural land in Gujarat. They have also mentioned that Gujarat is facing difficulty in making cultivable land available for R&R one year in advance as per the stipulation in the NWDT Award.

Government of Madhya Pradesh has also stated that the 38 tribal families so far affected under Indira Sagar project has been resettled whereas 173 PAFs have been resettled under Man project though none of them are as yet affected by the project. No tribal family has been affected so far under Jobat project. The construction of Maneshwar & Onkareshwar projects are reported to have not been started so far. Similarly, the work of Man, Jobat Projects is also not proceeding ahead as per schedule on account of non-availability of sufficient budgetary provisions.

[Vide Ministry of Welfare Office Memorandum No. 16015/3/92TDB
(Vol. V) dated 12th July, 1996]

Recommendation (Sl. No. 12, Para 2.4)

The Committee are, however, extremely dissatisfied to note

that so far not a single landless labourer project affected family has been provided with financial assistance of Rs. 40,000/- or Rs. 25,000/- as per the prescribed amount due to delay in identification process. The Committee are of the view that mere mention of the amount in paper will serve no purpose unless and until the amount actually reaches the landless oustees. The Committee, therefore, recommend that all concerned should take immediate steps to finalise the identification process so that the needy landless oustees are rehabilitated without further loss of time.

Reply of the Government (Ministry of Welfare)

The State Government of Madhya Pradesh has replied that their consultants have submitted a draft individual plan—self-employment scheme for 1500 PAFs of SSP and the same was under examination. A new formation (staff) comprising Additional Director at the Headquarters and three Project Assistants in the field is also reported to have been sanctioned.

[Vide Ministry of Welfare Office Memorandum No. 16015/3/92TDB
(Vol. V) dated 12th July, 1996]

Recommendation (Sl. No. 15, Para 3.17)

The Committee note that the Ministry of Welfare do not take any responsibility in the monitoring of the progress of the rehabilitation and resettlement programmes of the displaced tribals in Madhya Pradesh. The Committee fail to understand that when the Tribal Division of the Ministry has been entrusted with the responsibility to look after the rehabilitation and resettlement programmes of the displaced tribals throughout the country, what would have prevented it in playing a responsible role towards the displaced tribals of Madhya Pradesh. The Committee, therefore, desire the Ministry of Welfare in general and the Tribal Division in particular, to act more responsibly towards the rehabilitation and resettlement of the displaced tribals of Madhya Pradesh. The Committee agree that the exact responsibility in this regard can be better carried out by the concerned State Governments and the project authorities but the Ministry of Welfare being the binding force between the State Governments on the one hand and the affected tribals on the other should not tend to skip responsibility altogether. The Committee hope that the Tribal Division of the Ministry should henceforth keep in account of the overall performance of different State Governments including that the Madhya Pradesh towards their rehabilitation programmes of displaced tribals and advise them accordingly whenever they fall short of the target in quality as well as in quantity.

Reply of the Government (Ministry of Welfare)

The issue of large scale displacement and inadequate rehabilitation of tribals in the past had gained the attention of the Ministry. Recognising the problems of the tribals who were displaced without proper rehabilitation

and resettlement facilities, the Ministry took the initiative for preparing a separate National Policy for Rehabilitation of Tribals displaced by developmental Projects. A draft policy was also prepared and submitted to the Committee of Secretaries for their consideration. However, the Committee of Secretaries decided to have a common National Policy on Rehabilitation and entrusted the responsibility of drafting such a policy to the Ministry of Rural Development. The Ministry of Welfare, however, is still continuing its efforts to have a separate policy for displaced tribals. Further, the Ministry of Welfare as a member of the Technical Advisory Committee for clearance of irrigation projects scrutinises the R&R Action Plans for the displaced tribals of irrigation projects under consideration for approval. While scrutinising these rehabilitation and resettlement Action Plans, the Ministry ensures that proper package of rehabilitation is provided to the tribals affected by projects. The responsibility, however, of proper rehabilitation and resettlement of people including tribals displaced on account of development projects is that of the project authorities and the State Governments concerned. Monitoring of rehabilitation and resettlement programmes of all the projects in the country, it will be appreciated, is an enormous task which the Ministry is just not equipped to handle.

[Vide Ministry of Welfare Office Memorandum No. 16015/3/92 TDB
(Vol. V) dated 12th July, 1996]

Recommendation (Sl. No. 17, Para 3.19)

The Committee are pleasantly surprised to note that only one complaint has been received in National Thermal Power Corporation with regard to non-receipt of suitable compensation by tribals in case of Vindhyachal Super Thermal Power Project. The Committee are of the opinion that wherever a major project is implemented by ousting persons including tribals it is bound to affect them in a large number and to satisfy all but one of these project affected persons through compensation/rehabilitation programmes is really a praise worthy into consideration the poor educational background and general awareness of the project affected persons, the Committee feel that there is a possibility that these people may not be aware of the procedure for lodging their complaints/grievances in case they do not get suitable compensation. The Committee, therefore, recommend National Thermal Power Corporation to evolve a procedure where its Resettlement & Rehabilitation Cells constituted at the project level besides recording the complaints/grievances should also voluntarily attend the Project Affected Persons to see that these people are properly taken care of as well as to confirm that National Thermal Power Corporation is really doing a good job. The Committee would also like National Thermal Power Corporation to expeditiously dispose of the only and one complaint received in case of Vindhyachal Super Thermal Power Project.

Reply of the Government (Ministry of Welfare)

Ministry of Power has stated that in the case of Vindhyachal Super Thermal Power Project, NTPC has deposited the total compensation of Rs. 10.35 crores with Land Acquisition Office, Waidhan, Sidhis district.

[*Vide* Ministry of Welfare Office Memorandum No. 16015/3/92TDB
(Vol. V) dated July, 1996]

CHAPTER V
RECOMMENDATIONS/OBSERVATIONS IN RESPECT OF WHICH
FINAL REPLIES HAVE NOT BEEN RECEIVED.

—Nil—

NEW DELHI;
April, 1997

Vaisakha, 1919 (S)

KHAGAPATI PRADHANI,
Chairman,
Committee on the Welfare of Scheduled
Castes and Scheduled Tribes.

APPENDIX

(Vide Para 4 of the Introduction)

Analysis of the Action Taken by Government on recommendations contained in the 59th Report (10th Lok Sabha) of the Committee on the Welfare of SCs and STs.

1.	Total number of the Recommendations	19
2.	Recommendations/Observations that have been accepted by Government	
	Numbers	10
	Percentage to total	52.5
3.	Recommendations/Observations which the Committee do not desire to pursue in view of the Governments replies	
	Numbers	5
	Percentage to total	26.2
4.	Recommendations/Observations in respect of which replies of Government have not been accepted by the Committee and which require reiteration	
	Numbers	4
	Percentage to total	21.05
5.	Recommendations/Observations in respect of which final replies of Government have not been received	
	Numbers	Nil
	Percentage to total	Nil