



# Rehabilitation of Displaced Tribals

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The figures on tribal displacement as featuring in the Annual Report of the Ministry for the year 2016-17 have been reproduced from the Report of the Steering Committee for 10th Five Year Plan “Empowering the Scheduled Tribes” of Planning Commission.

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, which plays a monitoring role in the field of land reforms. Land and its management fall under the legislative and administrative jurisdiction of states as provided under the Constitution of India (Seventh Schedule – List II (State List) – Entry No. (18). 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 Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and National Rehabilitation and Resettlement Policy, 2007.

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 also lays down procedure and manner of rehabilitation and resettlement.

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;

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.

This Press Release is based on the information given by the Minister of State for Tribal Affairs Shri Sudarshan Bhagat in a written reply to a question in Rajya Sabha on 21.12.2017 (Thursday).

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