

**GOVERNMENT OF INDIA
RURAL DEVELOPMENT
LOK SABHA**

UNSTARRED QUESTION NO:1903

ANSWERED ON:17.07.2009

LAND REFORMS

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Will the Minister of RURAL DEVELOPMENT be pleased to state:

- (a) whether the Union Government has issued any guidelines to the State Governments regarding acquisition of land;
- (b) if so, the details thereof;
- (c) whether the State Governments have been requested to review the land reforms programmes; and
- (d) if so, the details thereof?

Answer

MINISTER OF STATE FOR RURAL DEVELOPMENT (SHRI SISIR KUMAR ADHIKARI)

(a): The Government of India has not issued any guidelines to the State Governments regarding acquisition of land per se. However, with the approval of the Cabinet, a National Rehabilitation and Resettlement Policy, 2007 has been formulated which came into effect on 31.10.2007. The benefits under the policy shall be available to all affected persons and families whose land, property or livelihood is adversely affected by land acquisition or by involuntary displacement of a permanent nature due to any other reason, such as natural calamities, etc. The policy provides that only the minimum area of land commensurate with the purpose of a project may be acquired. As far as possible, projects may be set up on wasteland, degraded land or un-irrigated land. Further, acquisition of agricultural land for non-agricultural use in the project may be kept to the minimum; multi-cropped land may be avoided to the extent possible for such purposes, and acquisition of irrigated land, if unavoidable, may be kept to the minimum.

(b): The salient features of the NRRP-2007 are the following:

Policy covers all cases of involuntary displacement;

Social Impact Assessment (SIA) introduced for projects involving displacement of 400/200 or more families in plain/tribal, hilly, Scheduled Areas, etc;

Tribal Development Plan in case of displacement of 200+ ST families;

Consultations with Gram Sabhas or public hearings made compulsory;

Principle of rehabilitation before displacement;

If possible, land for land as compensation;

Skill development support and preference in project jobs (one person per nuclear family);

Rehabilitation Grant in lieu of land/job;

Option for shares in companies implementing projects to affected families;

Housing benefits to all affected families including the landless;

Monthly pension to the vulnerable, such as disabled, destitute, orphans, widows, unmarried girls, etc;

Monetary benefits linked to the Consumer Price Index; also to be revised suitably at periodic intervals;

Necessary infrastructural facilities and amenities at resettlement areas;

Periphery development by project authorities;

R&R Committee for each Project, to be headed by Administrator for R&R;

Ombudsman for grievance redressal;

National Rehabilitation Commission for external oversight

(c) & (d): Land and its management falls within the administrative jurisdiction of the State Governments as provided under Entry No.18 of State List (List II) of the Seventh Schedule to the Constitution. The role of the Central Government in this field is only of an advisory and coordinating nature. However, implementation of land reforms programmes is reviewed from time to time at various fora, including Conferences of the Revenue Ministers/Secretaries of States and UTs organized by the Ministry of Rural Development. The State Governments have been requested from time to time for distribution of ceiling surplus land, Govt. wasteland and Bhoodan land to the eligible rural poor by preparation of action plans, and to complete the task by undertaking special drives. They have also been requested for taking effective steps for detecting insecure or informal tenants, so as to bring them on record; implementation of the legislative provisions for preventing alienation of tribal lands and restoration of such alienated land; modernization of the land records system, and for taking up consolidation of holdings.

Issues related to land reforms have been considered at the highest level. In order to get comprehensive recommendations and to evolve a comprehensive policy on the matter, the following high level bodies have been formed by this Department:

(i) A "Committee on State Agrarian Relations and the Unfinished Task in Land Reforms" under the Chairmanship of Minister of Rural Development.

(ii) A "National Council for Land Reforms" under the Chairmanship of the Prime Minister.

The composition, terms of reference, etc. of the Committee and the Council were notified in the Official Gazette on 9th January, 2008. The entire gamut of land reforms is being looked into by the Committee. Once the Report of the Committee is finalized, its recommendations will be placed before the 'National Council for Land Reforms'.