

**GOVERNMENT OF INDIA
MINES
LOK SABHA**

STARRED QUESTION NO:259
ANSWERED ON:30.03.2012
R R POLICY FOR MINING PROJECTS
Alagiri Shri S. ;Vasava Shri Mansukhbhai D.

Will the Minister of MINES be pleased to state:

- (a) the salient features of the Resettlement and Rehabilitation (R&R) Policy under implementation for displaced persons including tribals due to acquisition of land for mining projects;
- (b) whether instances of irregularities, corruption, mismanagement and violation of these provisions by mining companies have been reported;
- (c) if so, the details of the irregularities and other cases detected/noticed during each of the last three years and the current year, State-wise; and
- (d) the action taken/proposed to be taken by the Government thereon?

Answer

MINISTER OF THE STATE (INDEPENDENT CHARGE) IN THE MINISTRY OF MINES (SHRI DINSHA PATEL)

(a) to (d): A statement is laid on the Table of the House.

STATEMENT REFERRED TO IN THE REPLY TO THE LOK SABHA STARRED QUESTION NO. 259 FOR ANSWER ON 30TH MARCH, 2012

(a): The National Rehabilitation and Resettlement Policy, 2007 has been formulated with an objective to address concerns on involuntary displacement through a quantification of the costs and benefits that will accrue to society at large, and of the desirability and justifiability of each project, after assessment of the adverse economic, environmental, social and cultural impact on affected families, assessed in participatory and transparent manner. The policy has been notified in the Official Gazette and has become operative with effect from the 31st October, 2007. Based on this policy State Governments have framed their own Rehabilitation and Resettlement Policies for implementing Resettlement and Rehabilitation measures.

(b) & (c): Instances of irregularities, corruption, mismanagement and violation of these provisions by mining companies are not maintained centrally.

(d): Does not arise in view of above.

SUPPLEMENTARIES FOR REPLY TO STARRED QUESTION NO. 259 TO BE ANSWERED IN THE LOK SABHA ON THE 30.3.2012 REGARDING R&R POLICY FOR MINING PROJECTS ASKED BY SHRI MANSUKHBHAID. VASAVA, SHRI S. ALAGIRI

1. What are the features of National Resettlement and Rehabilitation Policy, 2007?

Answer:

Project affected person includes agricultural, non-agricultural, laborer, landless persons, rural artisans, small trader, self employed person affected by land acquisition.

Preference to at least one person per nuclear family in employment

750 days minimum agricultural wages as cash compensation

Alternative land to the extent of actual land loss subject to maximum of 1 hectare irrigated land and 2 hectare unirrigated land

Development of skills for displaced persons

Alternative house site for loss of house upto a maximum of 25 sq mters in rural area and 150 sq meters in urban area

25 days minimum agricultural wages per month for one year to each family

One time financial assistance of Rs25000 for construction of shed

Tribal families to get one time financial assistance of 500 days minimum agricultural wages for loss of customary rights

2. What are the features of Rehabilitation and resettlement policies of State Governments of Orissa, A.P and Jharkhand?

Answer:

Orissa

Identity cards issued to each displaced family

Land acquisition through direct negotiations and if that fails then through State Government

All R& R matters for project overseen by a Committee constituted in the Government

For mining projects, following to be provided:

Employment to one member of family

Skill development

One time cash payment for families that do not want employment ranging from Rs 1.11lakh to Rs5.52 lakhs.

Issue convertible preference shares upto a maximum of 50% of one time cash assistance

House building assistance upto Rs150000 per family

Maintenance allowance of Rs2300 per month per family for one year

Transport allowance of Rs2300 per family

25% higher compensation in case of settlement outside the district

Rehabilitation grant to be indexed to WPI

Andhra Pradesh

Administrator and Commissioner for Resettlement and Rehabilitation in charge of R&R

Identification of displaced persons and land by Administrator

Administrator to acquire all the lands and project proponent to pay for this acquisition and R&R benefits

Benefits include:

Allotment of alternate house site

Grant for construction of house upto Rs50000 per family

Allotment of Government land to persons who have become marginal farmers, but then no compensation shall be payable for land acquired

Transportation allowance of Rs3000

One time compensation of 750 days minimum agricultural wages if person becomes land less, in case of landed person becomes a small farmer then 500 days minimum agricultural wages

One time subsistence allowance of 240 days minimum agricultural wages

Vulnerable person to be paid Rs500 pension per month for life

Jharkhand

Administrator for Rehabilitation and Resettlement supervises R&R

Every project required to carry out Social Impact Assessment (SIA)

Common public hearing for EIA and SIA

No physical displacement till completion of resettlement work

- # Photo identity cards issued to all displaced persons
- # Project proponent to deposit cash component with the Administrator
- # Benefits include:
 - # Alternate house site
 - # Two bedroom pucca house or financial assistance of Rs3 lakhs
 - # 1/10th of land lost to be allotted
 - # One time assistance of Rs35000 for cattle shed
 - # One time assistance of Rs15000 for shifting family
 - # One time assistance of Rs 50000 for shops
 - # Employment of one person per family
 - # Skill development training
 - # In case of persons who do not want compensation, annuity of not less than Rs1000 per month per acre of land lost
 - # In case of commercial projects, 1% of annual net profits of the project to be distributed every year to affected family
 - # Monthly subsistence allowance of 25 days minimum agricultural wages per month per year
 - # Where more than 100 tribal families are displaced, a Tribal Development Plan to be prepared
 - # 25% higher compensation in case resettlement outside the district
 - # Common facilities and amenities in resettlement area
 - # Periphery development within the 15 km radius of the project
 - # Tribunal for grievance redressal