

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:2823
ANSWERED ON:27.08.2013
LAND COMPENSATION
Ray Shri Bishnu Pada

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether the Government has set up a Standing Committee of Island Development Authority during the NDA regime to provide compensation in the form of alternate land to those who lost land in part or full due to bank erosion and/or gravel deposition in the Andaman and Nicobar Islands;
- (b) if so, the details thereof and the action taken by the Union Government and Union Territory Administration thereon; and
- (c) the time by which compensation and land likely to be provided to those who have lost their land?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MULLAPPALLY RAMACHANDRAN)

(a): No, Madam.

(b): As intimated by Andaman & Nicobar Administration the matter was placed 8th Meeting of Standing Committee of IDA held on 17th Oct, 2001, it was decided that Andaman & Nicobar Administration would undertake a survey to find out land lost due to ingress of saline water bank erosion etc. and number of farmers affected thereof along with availability of land except community land that could be allotted to the affected the people. Land requirement to provide homestead land to the extended family of pre and post 42 settlers were to be identified. In view of the decision of the Standing Committee, the following issues were required to be addressed on priority:-

Settlement and pr-78 encroachers in additional 9 pockets.

Settlement of post-78 encroachers and homestead land allotment to extended family settlers.

Requirement of land for compensating shortage of allotment to settlers.

Land for alternate allotment in lieu of land lost due to soil erosion/gravel deposition.

The Andaman and Nicobar Administration has prepared a Rehabilitation Package for the Post-78 forest encroachers who were to be evicted as per the direction of the Hon'ble Supreme Court's Order in W.P (C) No. 202 dated 07.05.2002. The Rehabilitation Package included allotment of 1.00 ha of land and cash incentive to the evictee of forest encroachments. The Rehabilitation Package was challenged in the Hon'ble Supreme Court in SLP No. 18030 of 2003 by the Local Born's Association. The Hon'ble Supreme Court stayed the Rehabilitation Package.

The Andaman & Nicobar Administration prepared another settlement plan for relocation of Post-78 forest encroachers. The settlement plan was sent to the Ministry of Home Affairs on 12.6.2007. The settlement plan was prepared for settling the Post-78 forest encroachers were by way of regularizing Post-78 revenue encroachers to the extent of 340 sq. mtrs. Of land in rural area and 200 sp. mtrs of land in urban area. After regularizing the land of revenue encroachers, the excess land under the revenue encroacher's occupation was to be taken back and the post-78 forest encroachers were to be allotted on the vacated excess land.

The settlement plan was approved by the Ministry on 26.6.2009, subject to certifying that there is no stay order from any court on the subject or the proposed settlement plan is not barred by any court order/directive.

The Administration worked out the land requirement for various development and security purposes including housing. The total and requirement is 11280.23 hectare which can only be met out of the revenue land (Deemed Forest) available with the Andaman & Nicobar Administration which was originally earmarked for taking up future development activities.

The major land requirements include land for:-

i. Defence -2111.17 Hects.

ii. Housing -2500 Hect.

iii. Port Blair Master Plan -2294 Hects.

iv. Tourism -656 Hects.

v. Civil Aviation -591 Hects.

vi. International Container

Transshipment Terminal -525 Hects.

The availability of revenue land that could be allotted is only meager and therefore the use of deemed forest is inevitable for further allotments. After having surveyed 16275.5 hectares of deemed forest within revenue land, the A&N Administration filed an Interlocutory Application (IA) 2784 of 2010 seeking permission of the Hon'ble Supreme Court for use of 16275.5 hecets of deemed forest activities is not permitted & the use of deemed forest land for non-without the approval of the Apex Court.

The I.A bearing 2784 of 2010 is yet to be disposed by the Hon'ble Supreme Court and therefore the proposal for allotment of land is still pending.

(c): The matter is subjudice.