

**GOVERNMENT OF INDIA
RURAL DEVELOPMENT
LOK SABHA**

UNSTARRED QUESTION NO:72

ANSWERED ON:05.12.2013

CONSENT OF GRAM SABHA FOR INDUSTRIAL PROJECTS

Shanavas Shri M. I.

Will the Minister of RURAL DEVELOPMENT be pleased to state:

- (a) whether the consent of gram sabha is required on industrial projects to be implemented in tribal areas;
- (b) if so, whether a legislation has been made to this effect and if not, whether such legislation has been proposed by the ministry;
- (c) if so, whether it would be applicable to tribal areas across the country;
- (d) if so, whether the representatives of the gram sabhas be included in the consultative process for drafting such bills; and
- (e) if so, the details thereof and if not, the reasons therefor ?

Answer

MINISTER OF STATE IN THE MINISTRY OF RURAL DEVELOPMENT (SHRI PRADEEP JAIN 'ADITYA')

(a) to (e) The Government has already enacted the Right to Fair Compensation and Transparency in Land Acquisition , Resettlement and Rehabilitation Act, 2013. Under Section 41 of the Act, special provisions have been made for Scheduled Areas. According to the Act, as far as possible, no acquisition of land shall be made in the Scheduled Areas. However, where such acquisition does take place, it shall be done only as a demonstrable last resort.

For acquisition or alienation of any land in the Scheduled Areas, the prior consent of the concerned Gram Sabha or the Panchayats or the Autonomous District Councils at the appropriate level in the Scheduled Area is required. In case of project involving land acquisition on behalf of a Requiring Body which involves involuntary displacement of the Scheduled Castes or Scheduled Tribes families, a Development Plan shall be prepared for them.