

**GOVERNMENT OF INDIA  
TRIBAL AFFAIRS  
LOK SABHA**

UNSTARRED QUESTION NO:4616  
ANSWERED ON:22.12.2014  
RIGHTS OF TRIBALS  
Patil Shri Sanjay(Kaka) Ramchandra

**Will the Minister of TRIBAL AFFAIRS be pleased to state:**

- (a) whether adequate relief and rehabilitation measures were adopted for the displaced tribals in various parts of the country including Manipur due to building of hydroelectric dams and other development projects and similarly Santhal Adivasis in Jharkhand where mining activities were taken up;
- (b) if so, whether mobilisation by tribals to defend their rights against State authorities was dealt with severely through threats and intimidations, arbitrary arrest or even criminalisation by their protests and if so, the reaction of the Government thereto; and
- (c) the effective measures taken by the Government through legislation or otherwise for acceptance of collective rights of tribals?

**Answer**

MINISTER OF STATE IN THE MINISTRY OF TRIBAL AFFAIRS (SHRI MANSUKHBHAI DHANJIBHAI VASAVA)

(a) & (b): Every developmental project undertaken by the Central or the State Governments is accompanied by a Rehabilitation & Resettlement (R&R) plan under the Rehabilitation and Resettlement Policy declared by the appropriate Government. People affected by land acquisition for the purpose of mining or hydro-electric projects are provided rehabilitation and resettlement package in accordance with the Rehabilitation & Resettlement Policy of the States or land acquiring agencies concerned. The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (RFCTLARR Act) has made the rehabilitation and resettlement a part of the land acquisition process itself. If some person is aggrieved by the award of compensation, legal remedies are available to him. However, if he takes recourse to such means like agitation, any kind of threat and intimidation cannot be resorted to by the state authorities.

(c): Government has enacted several laws which have specific provisions with regard to displacement, rehabilitation and resettlement of tribal people. The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006 ensures that no member of Scheduled Tribe shall be evicted or removed from forest land in his occupation till the recognition and verification of his forest right is complete. Under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013, land acquisition in the Scheduled Areas takes place only as a last resort. Rehabilitation and resettlement have been made a part of the Act to ensure that no displacement takes place without adequate rehabilitation and resettlement. The collective rights of tribals are protected through the process of social impact assessment, which is also covered under RFCTLARR Act.