

**GOVERNMENT OF INDIA  
TRIBAL AFFAIRS  
LOK SABHA**

UNSTARRED QUESTION NO:1111  
ANSWERED ON:02.03.2015  
INDUSTRIAL PROJECTS IN TRIBAL AREAS  
Shanavas Shri M. I.

**Will the Minister of TRIBAL AFFAIRS 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 any legislation has been made/proposed to be made to this effect and if so, the details thereof;
- (c) whether the said legislation would be applicable to tribal areas across the country;
- (d) whether the representative of the gram sabha would also be included in the consultative process for drafting the bill; and
- (e) if so, the details in this regard?

**Answer**

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

(a) to (c): Section 41(3) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation & Resettlement Act, 2013 provides:

In case of 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 Scheduled Areas under the Fifth Schedule to the Constitution, as the case may be, shall be obtained, in all cases of land acquisition in such areas, including acquisition in case of urgency, before issue of a notification under this Act, or any other Central Act or a State Act for the time being in force;

Provided that the consent of the Panchayats or the Autonomous Districts Councils shall be obtained in cases where the Gram Sabha does not exist or has not been constituted.

(d) & (e): The above mentioned Legislation has already been enacted and therefore, consultative process does not arise at this stage.