

GOVERNMENT OF INDIA
MINISTRY OF TRIBAL AFFAIRS
LOK SABHA
UNSTARRED QUESTION No. 183
TO BE ANSWERED ON 29.11.2021

DISPLACEMENT OF TRIBALS

183. SHRI KALYAN BANERJEE:

Will the Minister of TRIBAL AFFAIRS be pleased to state:

- (a) whether it is a fact that over 20,000 families, mostly Adivasis/tribals, face the threat of displacement, as a result of commercial licenses given for coal mining in the States of Chhattisgarh, Jharkhand and Odisha;
- (b) if so, the detail of action taken by Government thereto; and
- (c) the post-covid action and vaccination process taken for almost 14 million tribes of the country therefor?

ANSWER

MINISTER OF STATE FOR TRIBAL AFFAIRS
(SHRI BISHWESWAR TUDU)

(a) to (b): Ministry of Coal (MoC) has informed that no information regarding number of families facing threat of displacement as a result of commercial license given for coal mining is available. MoC has further informed that till date a total of 29 coal mines have been allocated for commercial/sale of coal purpose in the State of Chhattisgarh, Jharkhand and Odisha by Ministry of Coal since 2015. Land acquisition, rehabilitation and resettlement are done by the State Governments.

To address the issue of displacement of tribals, Constitutional and legal provisions for safeguarding the rights of tribals to land, which are already in place, are as under:-

- i. The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, in section 4 (5) states that save as other wise provided, no member of a forest dwelling Scheduled Tribes or Other Traditional Forest Dweller shall be evicted or removed from the Forest Land under his occupation till the recognition and verification procedure is complete.
- ii. Government has enacted the RFCTLARR Act, 2013. The purpose of the said Act is to ensure, in consultation with institutions of local self-government and Gram Sabhas established under the Constitution, a humane, participative, informed and transparent process for land acquisition with the least disturbance to the owners of the land and the other affected families and provide just and fair compensation to the affected families whose land has been acquired or proposed to be acquired.
- iii. Under Section 48 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (RFCTLARR Act, 2013 in short), a National Level

Monitoring Committee for Rehabilitation and Resettlement has been constituted in the DoLR vide DoLR's Order No. 26011/04/2007-LRD dated 2nd March, 2015 for the purpose of reviewing and monitoring the implementation of rehabilitation and resettlement schemes and plans related to land acquisition under the RFCTLARR, 2013 and National Rehabilitation and Resettlement Policy, 2007.

- iv. By way of safeguards against displacement special provisions have been made for Scheduled Castes and Scheduled Tribes under Sections 41 and 42 of the RFCTLARR Act, 2013 which protect their interests. The RFCTLARR Act, 2013 also lays down procedure and manner of rehabilitation and resettlement.
- v. The First Schedule of the RFCTLARR Act provide for compensation for land owners. The Second Schedule provide for element of rehabilitation and resettlement for all the affected families (both land owners and the families whose livelihood is primarily dependent on land acquired) in addition to those provided in the first Schedule. Similarly, the Third Schedule provide for infrastructural amenities for a reasonably habitable and planned settlement in the resettlement area.
- vi. The Panchayats (Extension to Scheduled Areas) Act, 1996, also provides that the Gram Sabha or the Panchayats at the appropriate level shall be consulted before making the acquisition of land in the Scheduled Areas or development projects and before resettling or rehabilitating persons affected by such projects in the Scheduled Areas; the actual planning and implementation of the projects in the Scheduled Areas shall be coordinated at the State Level.
- vii. Constitutional provisions under Schedule – V also provide for safeguards against displacement of tribal population because of land acquisitions etc. The Governor of the State which has scheduled Areas is empowered to prohibit or restrict transfer of land from tribals and regulate the allotment of land to members of the Scheduled Tribes in such cases.

(c) Ministry of Health & Family Welfare (MoH&FW) has informed that Comprehensive Guidelines for Management of Post-Covid Sequelae (<https://www.mohfw.gov.in/pdf/NationalComprehensiveGuidelinesforManagementofPostCovidSequela.pdf>) was issued by MoHFW on 21st October 2021 after expert consultations to guide doctors on post-COVID-19 complications and their management. MoH&FW has also informed that regarding vaccination process, the National COVID-19 Vaccination Program is going on across the country since 16th January, 2021 where all adult citizens irrespective of their income status are entitled to free vaccination at Government Covid Vaccination Centres (CVCs).

MoH&FW has further informed that all efforts have been made to ensure vaccination of beneficiaries, including tribal communities, some of which include registration through Common Service Centres, walk-in registration at COVID-19 vaccination centre. Near to Home Covid Vaccination Centres (NHCVC) for elderly & people with disabilities and Har Ghar Dastak vaccination campaign to identify and vaccinate missed beneficiaries for 1st dose and due beneficiaries for 2nd dose.
