

**Introduction of Learning to Earning facilities**

2975. SHRI T. G. VENKATESH: Will the Minister of TRIBAL AFFAIRS be pleased to state:

(a) whether Government is working on introducing “Learning to Earning” scheme for the all round development to tribal areas:

(b) if so, the details thereof; and

(c) the details of facilities proposed to be provided under this scheme?

THE MINISTER OF STATE IN THE MINISTRY OF TRIBAL AFFAIRS (SHRIMATI RENUKA SINGH SARUTA): (a) and (b) No, Sir.

(c) Does not arise.

**Land transfers between non-tribals in tribals areas**

2976. DR. K. V. P. RAMACHANDRA RAO: Will the Minister of TRIBAL AFFAIRS be pleased to state:

(a) whether there is a demand to allow sale/transfer of patta lands owned by non-tribals in Scheduled Tribe Areas.

(b) if so, the details thereof; and

(c) whether it is a fact that some States are permitting the sale of land between non-tribals to non-tribals where as some States have completely either banned the sale of land or are allowing sale between non-tribal to tribal?

THE MINISTER OF STATE IN THE MINISTRY OF TRIBAL AFFAIRS (SHRIMATI RENUKA SINGH SARUTA): (a) to (c) In so far as land related issues are concerned, the Ministry of Rural Development, Department of Land Resources (DoLR), is the nodal Ministry at the Centre, which plays a monitoring role in the field of land reforms. Land and its management fall under the exclusive legislative and administrative jurisdiction of States as provided under the Constitution of India (Seventh-Schedule-List II) (State List)-Entry No. (18). Therefore, the details regarding land are not maintained by this Ministry. Constitutional and legal provisions for safeguarding the rights of tribals to Land are given in the Statement.

**Statement***Constitutional and Legislative measures to protect the land rights of tribal*

(i) Part X of the Constitution contains special provision relating to administration of Schedule Areas and tribal area. Sub-paragraph of Paragraph 5 of Part

B of Schedule-V, under Article 244 (1) of the Constitution provide that the Governor may make regulations for the peace and good government of any area in a State which is for the time-being a Scheduled Area. In particular, and without prejudice to the generality of the foregoing power, such regulations may:—

- (a) Prohibit or restrict the transfer of land by or among members of the Scheduled Tribes in such area.
- (b) Regulate the allotment of land to members of the Scheduled Tribes in such area.
- (c) Regulate the carrying on of business as money-lender by persons who lend money to members of the Scheduled Tribes in such area.

In making any such regulation, the Governor may repeal or amend any Act of Parliament or of the Legislature of the State or any existing law which is for the time-being applicable to the area in question.

- (ii) The Scheduled Tribes and Other Traditional Forest Dwellers/Recognition of Forest Rights) Act, 2006, in section 4 (5) states that save as otherwise 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.
- (iii) Government has enacted the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (RFCTLARR Act, 2013 in short). 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.
- (iv) Under Section 48 of the RFCTLARR Act, 2013, 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.

- (v) By way of safeguards against acquisition of land, 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.
- (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.

#### **Facilities in Tribal Households**

2977. DR. VIKAS MAHATME: Will the Minister of TRIBAL AFFAIRS be pleased to state:

- (a) the percentage of tribal households facing food scarcity in the country;
- (b) the percentage of tribal households with proper drainage systems, State-wise; and
- (c) the details of plans to combat food scarcity and lack of proper drainage systems in tribal households?

THE MINISTER OF STATE IN THE MINISTRY OF TRIBAL AFFAIRS (SHRIMATI RENUKA SINGH SARUTA): (a) Information on tribal households facing food scarcity is not available with the Ministry of Tribal Affairs. However, as per the estimates of erstwhile Planning Commission, 45.3% Scheduled Tribes (STs) in rural areas and 24.1% STs in urban areas were living below the poverty line in 2011-12.

(b) The percentage of tribal households having waste water outlet connected to closed drainage, State/UT-wise, as available from Census 2011, is given in Statement (*See below*).

(c) Public Distribution System (PDS) is being implemented under the provisions of National Food Security Act (NFSA), 2013 in all States/UTs and provided for coverage of upto 75 % of the rural population and upto 50% of the urban population at the all India level, who get foodgrains (*i.e.*, wheat, rice and coarse grains) at highly subsidized rates. It provides for food and nutritional security in human life cycle approach, by ensuring access to adequate quantity of quality food at affordable prices to peoples to live a life with dignity and matters connected therewith or incidental thereto. Under the Act, eligible families are categorized into Antyodaya Anna