

DISPLACEMENT

1. State-induced land alienation leading to displacement negates the fundamental tenets of the Fifth Schedule of the Constitution and also questions the control and ownership of land and natural resources recognized in the Provisions of the Panchayat (Extension to the Scheduled Areas) Act, 1996, particularly clauses (i) and (m) of Section 4. Alienation of land also leads to alienation of the surrounding livelihood resources on which the tribals depend. While setting up various development projects (mining, industries, hydel, irrigation etc.), the concomitant impacts have hardly been taken into account or compensated. The idea that industrialization would lead to corresponding improvement in the economic life of the tribals has proved almost mythical. In reality, the tribals have been marginalized from the resources which they enjoyed and the rights which they exercised. A conspicuous fallacy in our development paradigms in tribal areas has been that all projects in tribal areas have been considered as serving "public purpose", so much so that even private mining has been brought within the purview of public purpose. In the context of all this, do you not think that land should be taken on lease from ST families, instead of being acquired? Further, should Land Acquisition Act not be amended in consonance with the provisions of the PESA Act, 1996 so that the rights of the tribal people are protected?	The PESA Act 1996 is not applicable to the tribal areas of this UT as the tribal areas have not been notified as Scheduled areas under the constitution. However under the provisions of the A & N Islands (Protection of Aboriginal Tribes) Regulation 1956 no person other than the tribals can acquire right over the land in tribal areas except with prior sanction of the Chief Commissioner (Now the Lt. Governor). No tribals have been displaced as a result of setting up various development projects like manning industries etc., Whenever any land owned by the tribal is required for public purpose like educational institutions, health institution etc., it is acquired through negotiation on payment of adequate compensation.
2. The Mid-Term Appraisal of the Ninth Five Year Plan document (2000) of the Planning Commission cites 50 million people as having been displaced since 1950 on account of various development projects, of them more than 40 per cent being tribals. This means that about 20 million or 2 crores of scheduled tribe people i.e. roughly about 25 per cent of the total	No displacement of the tribals has accrued as no big projects like mining, industries, Hydel, irrigation etc. have been implemented in the tribal areas of this UT. So the question of rehabilitation of displaced tribal families does not arise.