

**GOVERNMENT OF INDIA
RURAL DEVELOPMENT
LOK SABHA**

UNSTARRED QUESTION NO:2179

ANSWERED ON:06.12.2012

TRANSFER OF LAND

Bairwa Shri Khiladi Lal;Meghwal Shri Bharat Ram

Will the Minister of RURAL DEVELOPMENT be pleased to state:

- (a) whether there is a provision that agriculture land held by persons belonging to scheduled castes may be transferred only to the persons of the scheduled castes;
- (b) if so, the details thereof along with the name of the States where the said provision is under operation;
- (c) whether the land use of agriculture land owned by persons belonging to scheduled castes may be converted into non-agriculture purposes;
- (d) if so, whether after change of land use the land owned by scheduled castes may be given to persons/companies/institutions of other castes; and
- (e) if so, the details thereof?

Answer

MINISTER OF STATE FOR RURAL DEVELOPMENT (SHRI LALCHAND KATARIA)

(a) to (b): Land and its management is a State subject which falls within the exclusive legislative and administrative jurisdiction of the States as provided under Entry No. 18 of List II (State List) of the Seventh Schedule to the constitution. Various States have their own laws/Regulations/Rules to prevent alienation of land belonging to Scheduled Casts/Scheduled Tribes. e.g. The Karnataka Scheduled Castes and Scheduled Tribes (Prohibition of Transfer of Certain Lands) Act, 1978 ('the PTCL Act' for short) prohibits transfer of land assigned to SCs and STs by government. Some States have such provisions in their Land Revenue Code. Further, the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 has deterrent provisions to stop alienation and restore possession of land. Central assistance is provided to strengthen the enforcement machinery for implementation of this Act. Also a Committee under the Chairmanship of Minister for Social Justice & Empowerment reviews the implementations of this Act by States/UTs.

(c) to (e): Change of land use? is governed by State specific Acts/Regulations/Rules etc. Further, the States use the provisions of the Land Acquisition Act, 1894 to acquire land from various land owners and give it to Requiring Bodies for different projects.