

**GOVERNMENT OF INDIA
RURAL DEVELOPMENT
LOK SABHA**

UNSTARRED QUESTION NO:3708
ANSWERED ON:13.02.2014
TRANSFER OF AGRICULTURAL LAND
Meghwal Shri Bharat Ram

Will the Minister of RURAL DEVELOPMENT be pleased to state:

- (a) whether the Supreme Court of India in its significant ruling has stated that agricultural land owned by the persons belonging to the Scheduled Caste or Scheduled Tribe cannot be transferred;
- (b) if so, the details thereof;
- (c) whether all the States including Rajasthan have taken follow up action as per the ruling of the Supreme Court;
- (d) if so, the details thereof including the names of States which have yet to comply with the said rules; and
- (e) whether some cases of noncompliance of the said ruling of the Supreme Court in the States including Rajasthan have come to the notice of Government and if so, the details thereof along with corrective measures taken by the Government in this regard?

Answer

MINISTER OF STATE FOR RURAL DEVELOPMENT
(SHRI LAL CHAND KATARIA)

(a) & (b): Hon`ble Supreme Court of India has passed a judgment in Civil Appeal No, 6743 of 2012; State of Rajasthan & Others Versus Aanjaney Organic Herbal Pvt. Ltd. dated 29.09.2012. The said judgment has been passed in connection with Section 42(b) of Rajasthan Tenancy Act, 1955 under which sale, gift or bequest by a member of a Scheduled Caste in favour of a person who is not a member of Scheduled Caste, or by a member of a Scheduled Tribe in favour of a person who is not a member of the Scheduled Tribe has been restricted.

(c), (d) & (e): Land and its management falls under the exclusive legislative and administrative jurisdiction of the States as provided in Entry No. 18 of List II (State List) of the Seventh Schedule to the Constitution. No database of follow up action regarding Supreme Court Judgment is being maintained at the Central Level.