

A Recommendations pertaining to cases of alienation of land with regard to SCs & STs

- i) A machinery needs to be set up to detect cases of alienation of lands and set the law in motion.
- ii) There is a need to simplify legal procedure and the laws relating to land alienation and cut proceedings in terms of both time and money and provide for full legal aid wherever possible.
- iii) The survey, settlement and updating of land records should be expedited and firm proof of ownership be placed in the lands of and STs as land holders.
- iv) The registration of transfers of land should be subject to clearance under the relevant act or regulations.
- v) Deterrent punishment needs to be meted out to those non-SCs & STs who continue to be in the possession of land of SCs & STs despite orders of eviction.
- vi) Under a proposed amendment, of the Kerala Scheduled Tribes (Restriction of Transfer of lands & Restoration of Alienated Lands) Act - 1975 settlers who acquired more than one hectare of land are being given an option to avoid eviction by paying an amount to be fixed by the government. The affected tribals are to be compensated by allotting proportionate alternative land and financial assistance. The Commission is strongly of the view that such an amendment will defeat the very purpose and objective for which the Act was promulgated. The tribals will lose their land, face dislocation and even greater hardships in the process. On the other hand action should be taken to restore the land to the STs and settlers should be given the equal area of land and the compensation.

B Recommendations pertaining to Excise Policy in tribal areas

- i) The existing guidelines should be strictly enforced.
- ii) In Scheduled Areas, entry of excise contractors should be completely banned.