

LAND ALIENATION LAW

The Dhebar Commission (1961) recorded that 90 per cent of the Scheduled Tribes population in India was engaged in agriculture. The two pre-dominant occupations of the tribal population are: agriculture and forestry. For the majority, forestry is supplementary, the dependence on farming being primary. During the colonial era, the conflict between the British power and tribals revolved around these two areas. Even the colonial rulers felt that legal and administrative measures were required to protect tribals from undue loss of their land, the chief anxiety in the 19th century being to prevent their rack-renting by the intermediaries. In course of time, the situation underwent qualitative change in the sense that the magnitude of operation declined on the score of rent, but the influx of the trader, middleman and businessman into tribal areas led to exploitation of tribals by the intruding plains-men. The subsistence economy practised by the tribes people compelled them to borrow money from the plainmen in times of distress and their economic condition did not allow them to repay the loan. The creditors annexed their land in lieu of the debts that they advanced. In some cases, the indebted tribal and his family had to undergo servitude for the creditor, as bonded labourers. It would appear that bonded labour has not disappeared from the country even to-day.	The Protection of Aboriginal Tribes (Regulation) 1956, A&N Islands is applicable in the district which restricts entry of any non tribal, without a Tribal Pass or Landing Permit, which is given for some specified period. Lands in the Tribal Area neither can be sold nor can be purchased. However for developmental activities like construction of School, Polytechnic centre, well, Godowns etc., land is acquired from the tribals with their consent on payment of adequate composition. There is no bonded labour in this UT.
2. Broadly speaking, during the earlier decades, transfer of tribal lands to non-tribals had taken, principally, the form of private land transfer. Some transfers of tribal land occurred in favour of private sector, as in the case of Jamshedpur Steel Plant. Subsequently, and more especially after independence, as the State stepped into its welfare role, it commenced acquiring land for establishing various development projects in the fields of	-do-