

GOVERNMENT OF INDIA  
MINISTRY OF TRIBAL AFFAIRS  
RAJYA SABHA  
**UNSTARRED QUESTION NO-2066**  
TO BE ANSWERED ON- 17.12.2025

**ILLEGAL TRANSFER OF TRIBAL LAND TO NON-TRIBAL PERSON**

2066. SHRI A. D. SINGH:

Will the Minister of TRIBAL AFFAIRS be pleased to state:

- (a) whether the Government is aware of incidents of illegal transfer of tribal land to non-tribal persons across various States;
- (b) If so, the details of such cases reported during the last three years, State-wise.
- (c) the actions taken by the Central and the State Governments to restore such lands to the rightful tribal owners and to punish the offenders; and
- (d) the preventive measures being implemented to ensure strict enforcement of protective laws such as the Fifth Schedule provisions and the Panchayats (Extension to Scheduled Areas) Act, 1996?

**ANSWER**

MINISTER OF STATE FOR TRIBAL AFFAIRS  
(SHRI DURGA DAS UIKEY)

**(a) & (b):** Land and its management fall under the exclusive legislative and administrative jurisdiction of States as provided under the Constitution of India (Seventh Schedule- List II (State List)- Entry No. (18). Further, the details of reported cases of incidents of illegal transfer of tribal land to non-tribal persons across various States is not maintained by the Ministry of Tribal Affairs in central government, this information lies with State Government.

**(c) & (d):** Fifth Schedule of the Constitution, provides for safeguards against displacement of tribal population because of land acquisitions etc. The Governor of the State which has Scheduled Areas is empowered to prohibit or restrict transfer of land by or among members of the Scheduled Tribes in such area and regulate the allotment of land to members of the Scheduled Tribes in such cases. All the States having Scheduled Areas therein have their Land Regulation Acts relating to restriction of land alienation and transfer of tribal lands to non-tribals which regulates money lending business in Scheduled Areas to protect and safeguard to the Scheduled Tribes (STs) in Scheduled Areas. The implementation of provisions of Fifth Schedule of the Constitution is the responsibility of the State Governments concerned having Scheduled Areas therein.

Further, Tribes Advisory Councils (TACs) have been established in each state with Scheduled Areas to advise the Governor on matters of tribal welfare and administration. The Governor makes rules for their effective functioning. The Governor of each state with Scheduled Areas reports annually to the President of India on the administration of these areas, allowing for Central government oversight and direction.

The Ministry of Tribal Affairs has been issuing directions/ advisories from time to time to State Governments to ensure the interest of the Scheduled Tribes is guarded properly in terms of Constitutional provisions and various laws meant to provide safeguards to the STs.

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