

LMA ISLANDS (PROTECTION OF SCHEDULED TRIBES) REGULATION, 1964

THE GAZETTE OF INDIA (Extra Ordinary) (PART II — Section 1) New Delhi, Thursday, September 19, 1964
 MINISTRY OF LAW (Legislative Department) New Delhi, the 10th September, 1964/Bhadra 19, 1886
 (Saka) THE LACCADIVE, MINICOY AND AMINDIVI ISLANDS (PROTECTION OF SCHEDULED TRIBES) REGULATION, 1964 (No.9 of 1964) Promulgated by the President in the Fifteenth Year of the Republic of India A Regulation to provide for the protection of the interests of the Scheduled Tribes of the Laccadive, Minicoy and Amindivi Islands In exercise of the powers conferred by article 240 of the Constitution, the President is pleased to promulgate the following Regulation made by him:- 1. Short title, extent and commencement: (1) This Regulation may be called the Laccadive, Minicoy and Amindivi Islands (Protection of Scheduled Tribes) Regulation, 1964 (2) It extends to the whole of the Union Territory of Laccadive Minicoy and Amindivi Islands. (3) It shall come into force at once. 2. In this Regulation, unless the context otherwise requires- (a) "Administrator" means the Administrator of the Union Territory of Laccadive, Minicoy and Amindivi Islands: (b) "Scheduled Tribes" means the Scheduled Tribes of the Laccadive, Minicoy and Amindivi Islands as specified in the Constitution (Scheduled Tribes) (Union Territories) Order 1951

3. Transfer and attachment of land: (1) No member of the Scheduled Tribes shall, except with the previous sanction of the Administrator, transfer by way of sale, mortgage, lease, exchange, gift or otherwise, any land to any person other than any such member.(2) No land held or occupied by a member of the Scheduled Tribes shall be liable to attachment or sale in execution of any decree or order of a civil or revenue court. (3) Any transfer, attachment or sale of any land made in contravention of this section shall be void

4. Acquisition of interest in land, etc.No person other than a member of the Scheduled Tribes shall, except with the previous sanction of the Administrator, acquire any interest in any land situated in the Union Territory of Laccadive, Minicoy and Amindivi Islands or in any product of, or crop raised on, such land

5. Penalty: Whoever, in contravention of the provisions of section 4, acquires any interest in, or any product of, or crop raised on, any land, shall be punishable with imprisonment which may extend to one year, or with fine which may extend to one thousand rupees, or with both; and the interest so acquired shall be disposed of in such manner as the Administrator may, after taking into consideration the circumstances of the case, direct

6. Administrator to record reasons for granting sanction: Where the Administrator grants sanction for transfer of any land under sub-section (1) of section 3 or for acquisition of any interest in any land or in any product of, or crop raised on, such land, under section 4, the Administrator shall record his reasons for such grant

7. Power to make rules: The Administrator may, by notification in the Official Gazette, make rules to carry out the purposes of this Regulation

8. Regulation to over-ride other laws: The provisions of this Regulation and of any rule made thereunder shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in any instrument having effect by virtue of any such law, or in any usage or agreement, or in any decree or order of any court or other authority.S. RADHAKRISHNAN PRESIDENT R.C.S. SARKAR SECY. TO THE GOVT. OF INDIA "iVüC)R'G THE GAZETTE OF INDIA EXTRA ORDINARY PART I-section 1 crt' MINISTRY OF LAW AND JUSTICE (Legislative Department) New Delhi, the 23rd January, 1973/Magha 3, 1894 THE LACCADIVE, MINICOY AND ADMINDIVI ISLANDS (PROTECTION OF SCHEDULED TRIBES) AMENDMENT REGULATION, 1973 (No.1 of 1973) Promulgated by the President in the Twenty-third Year of the Republic of India A Regulation to amend the Laccadive, Minicoy and Amindivi Islands (Protection of Scheduled Tribes) Regulation, 1964. In exercise of the powers conferred by article 240 of the Constitution, the President is pleased to promulgate the following Regulation made by him:- 1. Short title and commencement: (1)This Regulation may be called the Laccadive, Minicoy and Amindivi Islands (Protection of Scheduled Tribes) Amendment Regulation, 1973. (2) It shall come into force at once

2. Amendment of section 2. In section 2 of the Laccadive, Minicoy and Amindivi Islands (Protection of Scheduled Tribes) Regulation, 1964 (hereinafter referred to as the principal Regulation), clause (b) shall be re-lettered as clause (d) and before clause (d) as so re-lettered, the following clauses shall be inserted, namely:- '(b)"bank" means a banking company as defined in the Banking Regulation Act, 1949, the State Bank of India constituted under the State Bank of India Act, 1955, a subsidiary bank as defined in the State Bank of India (Subsidiary Banks) Act, 1959, or a corresponding new bank constituted under section 3 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 and includes any other financial institution which the Administrator may, by notification in the Official Gazette, declare to be a bank for the purposes of this Regulation: (c) "co-operative society" means a society registered, or deemed to be registered, under any law relating to co-operative societies for the time being in force in the Union Territory of the Laccadive, Minicoy and Amindivi Islands;'

3. Amendment of section 3. In section 3 of the principal Regulation,- (a) In sub-section (1), for the words "any land to any person other than any such member", the following shall be substituted, namely:- 'any land: Provided that no such sanction shall be necessary in the case of any transfer of land to the Government, a bank, a co-operative society or any member of the Scheduled Tribes'; (b) to sub-section (2), the following proviso shall be added, namely:- "Provided that nothing in this sub-section shall apply to attachment or sale in execution of any such decree or order in relation to a debt owing to the government, a bank, a co-operative society or any member of the Scheduled Tribes",

4. Amendment of section 4: In section 4 of the principal Regulation,- (a) the words "other than a member of the Scheduled Tribes" shall be omitted: (b) the following proviso shall be added at the end, namely:- "Provided that no such sanction shall be necessary in the case of acquisition of any such interest by the government, a bank, a co-operative society or any member of the Scheduled Tribes"

5. After section 4 of the principal Regulation, the following section shall be inserted, namely:- Special provision for sale in execution of certain cases: "4A. (1) Every sale of land in execution of a decree or order referred to in the proviso to sub-section (2) of section 3 shall be by public auction. (2) No person other than a member of the Scheduled Tribes shall be entitled to bid at such public auction. (3) The civil or revenue court executing such decree or order shall determine a reserve price for the land in accordance with such rules as may be made by the Administrator in this behalf. (4) The land shall be sold to the highest bidder only if the price offered by him therefore not less than the reserve price. (5) If at the public auction no offer of price equal to, or more than, the reserve price is made, the land shall be purchased by the Government at the reserve price.

6. Section 7 of the principal Regulation shall be re-numbered as sub-section (1) thereof, and after sub-section (1) as so re-numbered, the following sub-section shall be inserted, namely:- "(2) In particular and without prejudice to the generality of the foregoing provisions, such rules may provide for the matters to be taken into account, and the procedure to be followed by a civil or revenue court, in determining the reserve price".

V.V. GIRI President