

ಕರ್ನಾಟಕ ವಿಧಾನ ಸಭೆ, ಸಂಶೋಧನಾ ಹಾಗೂ ಉಲ್ಲೇಖನಾ ಶಾಖೆ  
KARNATAKA LEGISLATIVE ASSEMBLY, RESEARCH AND REFERENCE BRANCH

ಪತ್ರಿಕಾ ತುಣುಕುಗಳು  
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(12)

ಇಲಾಖೆ / ವಿಷಯ : DEPARTMENT / SUBJECT: Court Matter

ಪತ್ರಿಕೆಯ ಹೆಸರು : NAME OF THE NEWS PAPER: The Hindu

ದಿನಾಂಕ : DATE: 29/11/20

## HC says SC/ST commission has no power to entertain pleas for restoration of land

'DC is appellate authority on the matter'

SPECIAL CORRESPONDENT  
BENGALURU

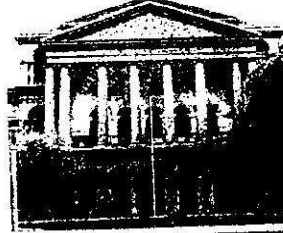
The High Court of Karnataka has held that the Karnataka State Scheduled Castes and Scheduled Tribes Commission has no power or jurisdiction in law to entertain a petition for restoration of lands granted in favour of people from SC and ST communities.

The Deputy Commissioner is the appellate authority to challenge the orders passed by the Assistant Commissioner on claims by SC/ST persons under the

provisions of the Karnataka Scheduled Castes and Scheduled Tribes (Prohibition of Transfer of Certain Lands) Act, 1978, and not the SC/ST commission, the court held.

Justice M. Nagaprasanna passed the order while deciding on a petition filed in 2013 after a chequered history of litigation between two individuals over land granted under the provisions of the 1978 Act.

Jayappa of Shivamogga district, after not getting a favourable order before the



FROM THE COURT

competent authorities under the provisions of the 1978 Act, had filed a petition before the commission challenging an order passed by the Assistant Commissioner in favour of one Ganganna, who then knocked on the doors of

the High Court in 2013 challenging the proceedings before the commission.

"A reading of the provisions of the 1978 Act would lead to an unmistakable interpretation that the functions entrusted to the commission are in the nature of investigation and examination of various safeguards provided to SC and ST communities. The provisions of this Act do not clothe the Commission with such powers as to entertain a petition filed by a grantee seeking restoration of land and to investigate the matter," the court observed.

DEATH