Kerala Land Reforms Act as amended by Act 35 of 1969

Some Obnoxious Features 2989

1. No person shall be entitled to own or hold or possess under a mortgage lands in the aggregate in excess of the ceiling and

2. All voluntary transfers effected after the date of publication of the Kerala Land Reforms Bill, 1963, in the Gazette(with a few exceptions) shall be invalid

Such a purchaser might be a person or family who might have invested their whole hard earned money in order to secure a homestead and might have no other land or house. He might have constructed a house on the land he purchased but all his rights are blown to the winds and he could receive a compensation which as conditions now stand will only be a ridiculous fraction of what he has paid for the purchase of the land or invested on its improvement or for construction of a house. In effect the innocent purchaser is thrown homeless without the possibility of purchasing any other property under the conditions that the Reforms Act will bring about.

The land surrendered has to vest in the Government. So also all rights, title and interests of land owners or intermediaries in respect of holdings held by cultivating tenants etc. This happens in every case there is a tenant holding property under a landlord. The result of all such and similar provisions in the Act is mainly to convert private landlordism to State landlordism with all the consequences thereof. No landlord can sell his rights to any other person.

The value of the rights vested is not to be paid fully to the landlords. Compensation is payable at different scales, at 100 % for lands of the value of ₨ 20,000/- and at diminishing per centage scale upto 55 per cent of the value in excess of ₨ 20,000/-. The landlords who have to surrender lands more and more valuable get lesser and lesser compensation, just because they had invested money and toiled to enrich the soil. This ma

The provisions regarding the fixation of the value of compensation and time within which the same is made payable is totally ruinous to the landlords who shall year after year be reduced to abject destitution. Compensation payable is fixed at 16 times and is payable in eight annual instalments, that is double the rent per each instalment. A Landlord who has been depending onthe rent for his livelihood would get in a year the amount of rent that he was getting plus an equal amount to compensate for his loss of his property. If he saves the excess he shall have at the end of eight years an amount equal to eight times the annual rent with which he has to compensate the loss of his property. Surely such amount would not earn for him the income that was getting from the property. The landlord perishes in slow degrees in the course of eight years.

The details of working out the provision of the Act are baffling. Lands in which there is no tenant already will be sold to the landless or to persons not owning more than one acre. The price payable by them is only 55 per cent of the actual value. Such price is payable by the Government either in cash or in engotiable bonds redeemable after the expiry of sixteen years. Can one call this payment of compensation or is it not better called confiscation.

Last but not the least, the present Act disturbs the administration of temples, churches, mosques, etc., which own their own lands. The amount collected by way of rent by these houses of religion are being spent on ceremony attached to particular religions. The Act forces such places of worship to close down.