Jammu and Kashmir Land Laws

Why in news?

The changes in land laws in Jammu and Kashmir were notified by the Centre.

What are the new laws about?

- It has allowed the purchase of land by those who are not permanent residents of the Union Territory (UT).
- Earlier, only permanent residents could purchase land in the erstwhile State, which was reorganised as two UTs, J&K and Ladakh, in 2019.

Why were the laws changed?

- One of the arguments against the now nullified special status of J&K was that the restrictions on land transfers hampered investments.
- J&K industrial policy had limited land holding of investors to designated enclaves.
- The changes in land laws were logical steps to follow the end of the special status.
- Some restrictions remain on the transfer of agricultural land for non-agricultural purposes, but this too can be cleared by the district collector.

Was there opposition?

- The government has said that the changes will encourage investment and advance peace and progress in J&K.
- The argument that these changes would help the people of the region might have been stronger if these were done in consultation with them.
- But in all three regions - Jammu, Kashmir and Ladakh - there is strong opposition to opening the land market to non-residents.
- Political parties in J&K too have opposed the changes.
- Free movement of people, and an integrated national market can advance development.
- But India’s governance structure accommodates fears and concerns of local populations in this context in a measured manner.
- There are several States which have provisions to regulate ownership and transfer of land under Article 371 of the Constitution.

Will there be similar laws for Ladakh UT?

- The Centre is expected to announce new land laws for the UT of Ladakh before October 30, 2020.
- It has promised to safeguard interests of the people regarding all issues related to language, demography, ethnicity, land and jobs.

What is the impact of the Centre's approach?

- The Centre's approach towards J&K has been marked by a lack of trust.
- This has accentuated the alienation of large sections of the population.
- Fears of deliberate demographic engineering have dominated politics in the Valley for long.
- After the reorganisation of the State and the loss of its special status in 2019, the people of Jammu and Ladakh turned nervous on this question.
- Desirable as it may be, there is no point forcing a particular path of development upon people.
- The situation is precarious also because of the heavy hand of the state on political and civil society activities in J&K.

What could be done?

- The unilateralism that has come to define New Delhi's dealings with J&K is achieving little.
- The measures aimed to promote investment shouldn't be pushed when the end result is political volatility.
- The Centre's policy towards J&K must be buttressed by a robust political process that,
    1. Enables people's participation and
    2. Ensures stability with growth and development.

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