

# REAL ESTATE: THE HINDU EDITORIAL ON CHANGES TO J&K LAND LAWS

Relevant for: Indian Polity | Topic: Indian Constitution - Features & Significant Provisions related to The Preamble, Union & its Territories and The Citizenship

The changes in land laws in Jammu and Kashmir notified by the Centre on October 26 [allow the purchase of land by those who are not permanent residents of the Union Territory](#), for the first time. Only permanent residents could purchase land in the erstwhile State, which was [reorganised as two UTs, J&K and Ladakh](#), in August 2019. 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. The government has said 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. The irony is that 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](#). The Centre is expected to announce new land laws for the UT of Ladakh before October 30, and it has promised to "safeguard interests of the people" regarding "all issues related to language, demography, ethnicity, land and jobs". The Centre's approach towards J&K has been marked by a lack of trust, which 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 also 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. The unilateralism that has come to define New Delhi's dealings with J&K is achieving little. There is no wisdom in pushing through measures aimed to promote investment when the end result is political volatility. The Centre's policy towards J&K must be buttressed by a robust political process that enables people's participation and ensures stability with growth and development.

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