

Roshni Act 2001, Features, Controversy, Repeal

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The Roshni Act refers to the **Jammu and Kashmir State Land (Vesting of Ownership to Occupants) Act 2001**, enacted to regularise unauthorised occupation of state land. Introduced during the chief ministership of Farooq Abdullah, the law aimed to transfer ownership of encroached state land to occupants in return for a prescribed payment. The revenue generated was intended to finance hydropower projects in Jammu and Kashmir, giving the Act its popular name “Roshni”, meaning light. Over time, the Act became controversial due to large scale irregularities, limited revenue generation and allegations of misuse by influential persons.

Roshni Act Features

The Roshni Act contained several key features that defined its scope, implementation mechanism and financial objectives.

- **Regularisation of State Land:** The Act allowed unauthorised occupants of state land to gain legal ownership by paying a fee fixed by the government.
- **Cut off Dates:** Initially, encroachments prior to 1990 were eligible. This was extended to 2004 and later to 2007 through amendments.
- **Pricing Mechanism:** The premium for land was fixed administratively. Under later amendments, land was priced at 25% of the market rate.

- **Agricultural Land Provision:** Occupants of agricultural land were granted ownership free of cost, except for nominal documentation charges.
- **Revenue Objective:** The government aimed to generate ₹25,000 crore to fund hydropower projects, forming the basis for the Act's name.
- **Land Transfer Targets:** The government planned to transfer 20.46 lakh kanals of land but approved only 6.04 lakh kanals, with actual transfers limited to 3.48 lakh kanals.
- **Actual Revenue Generated:** Against the revised target of ₹317.55 crore, only ₹76.46 crore was realised, reflecting a major shortfall.

Roshni Act Controversy

The Roshni Act became one of the most controversial land legislations in Jammu and Kashmir due to widespread allegations of corruption and misuse.

- **CAG Findings (2014):** The **Comptroller and Auditor General** highlighted irregularities, arbitrary pricing and failure to achieve revenue targets.
- **Misuse by Influential Persons:** Politicians, bureaucrats, businessmen and their relatives were alleged to have benefited disproportionately.
- **Low Revenue Realisation:** Only ₹76.46 crore was collected against the projected ₹25,000 crore, defeating the core objective.
- **Vigilance Cases (2015):** FIRs were filed against officials and beneficiaries for illegal land transfers, though prosecutions did not materialise.
- **Gulmarg Land Scam:** Prime land under the Gulmarg Development Authority was allegedly transferred to ineligible private parties.
- **Demographic Concerns:** Certain groups alleged the Act was used to influence demographic patterns, particularly in the Jammu region.

Roshni Act Repeal

The repeal and judicial scrutiny of the Roshni Act marked a decisive shift in addressing alleged land irregularities.

- **Repeal in 2018:** The Act was repealed by **Governor** Satya Pal Malik, cancelling all pending allotments.
- **Investigation Orders:** Probes were initially ordered through the Anti Corruption Bureau and later transferred to the CBI.
- **High Court Judgment (October 2020):** The Jammu and Kashmir High Court declared the Act unconstitutional, illegal and unsustainable.
- **Nullification of All Allotments:** All land allotments made under the Act were held void ab initio.
- **Recovery of Land:** The administration announced plans to retrieve land within six months.
- **Disclosure of Beneficiaries:** Orders were issued to make public the names of ministers, legislators, officials and influential beneficiaries.
- **Political and Administrative Impact:** The issue gained national attention after prominent names were cited as beneficiaries in 2020.

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