



Bill to Legalize Property Rights on State Land in J&K

Why in News?

A **Private Member Bill** titled “**The Jammu and Kashmir (Regularisation and Recognition of Property Rights of Residents in Public Land) Bill, 2025**” has been introduced in the **J&K Legislative Assembly**.

Key Points

- **Objective of the Bill:**
 - The bill aims to **prevent forced evictions** of **long-term residents**.
 - It seeks to provide **security of tenure**, aligning with **Article 21 (Right to Life and Shelter)** of the Constitution.
 - The bill is a **one-time relief measure** for long-time occupants.
 - It ensures **legal recognition of homes** and allows better urban planning.
 - The bill seeks to protect **fundamental rights under Article 21** (Right to Shelter).
- **Provisions:**
 - The bill **confers ownership and property rights** on residents living in houses built on **state-owned land, common land, Kahcharai land, or Shamilat lands** for over **20 years**.
 - It proposes **registration of these properties** to allow access to financial services like bank loans.
- **Background & Context:**
 - This **Private Member Bill** counters the **2020 eviction drive**, which retrieved **15 lakh kanals (70,000-75,000 hectares)** of land from alleged illegal occupants.

What is the Private Members' Bill?

- **About:**
 - Private Members' Bills are proposed by **Member of Parliaments (MPs)** who are not Ministers (i.e., not part of the government), allowing them to introduce laws or amendments on issues important to their constituencies.
- **Procedure:**
 - **Drafting and Notice:** MPs draft and submit bills with at least **one month's notice**.
 - **Introduction:** Bills are introduced in **Parliament**, followed by initial discussions.
 - **Debate:** If selected, bills are debated, typically in limited Friday afternoon sessions.
 - **Decision:** Bills may be withdrawn or proceed to a vote.

Right to Shelter (Article 21) and Important Constitutional Provisions

- The **Right to Shelter** in India is recognised as a **fundamental right** under the broader ambit of the **Right to Life** guaranteed by **Article 21** of the **Indian Constitution**.
 - This right ensures that every citizen has access to adequate **housing**, which is considered essential for living a life with dignity.
 - It implies **not just a roof over one's head** but also includes **adequate privacy, space, security, lighting, ventilation, basic infrastructure, and proximity to**

workplaces and social amenities.

- Forced evictions without **proper rehabilitation** and due process **violate the Right to Shelter.**

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