**Land reforms in Gilgit-Baltistan**

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Tuesday, Apr 11, 2023

This article is divided into two parts. The first part aims to introduce the key features of the proposed Gilgit-Baltistan Land Reforms Act 2023. The second part presents a summary of concerns raised by various stakeholders, including the proposed alternative and recommendations set forth by various forums.

The government of Gilgit-Baltistan claims that the proposed Land Reforms Act 2023 aims to introduce a legal and policy framework to govern land ownership issues in the region. The bill claims that it has been enacted to reduce poverty, open new economic opportunities through improved agricultural productivity, ensure food security, and self-sufficiency in Gilgit-Baltistan. It states that the government intends to uplift social and economic development by extending access to resources, especially establishing equitable rights in the usable lands.

However, the proposed land reform bill in Gilgit-Baltistan has been met with serious apprehension from the local populace. Various stakeholders, including political parties, civil society organizations, and the legal fraternity, have expressed dissatisfaction with the bill’s components, characterizing it as a set of draconian laws aimed at expropriating the ancestral land of the people of this disputed region of the Jammu and Kashmir conflict. In the next article, l will delve deeper into the reasons for this discontent. However, before that, it is essential to provide an overview of the principal provisions of the proposed bill that have caused widespread outrage in Gilgit-Baltistan.

The bill defines important terms such as “un-settled districts” to describe the districts of Gilgit-Baltistan for which records of rights as defined under the Land Revenue Act, 1967, have not been prepared. Likewise, “government land” refers to land which has been allotted to, acquired, or purchased or leased by the provincial or federal government or which is in possession of any provincial or federal department, or which has been entered in the revenue record of the settled district as government land. Only compensated lands by the federal or provincial government should be declared ‘government land’.

‘Partible land’ includes: a) barren or undeveloped land which is not owned or occupied by any person(s), or apportioned by the government; or b) partially occupied, apportioned, or developed land which lacks legal or customary legitimacy for its occupation, apportionment, or development; or c) culturable (cultivatable) waste land and other naturally occurring usable land which is not in the legitimate ownership of any person(s), which, if developed, does not induce any natural calamity or cause ecological, geological or natural disorder.

Or d) pasture declared as common grazing land in the revenue record or any part thereof, which has been identified as partible land by the Gilgit-Baltistan Land Apportionment Board on the recommendation of the District Land Apportionment Board under this act; and e) erstwhile Khalisa Sarkar Land as recorded in the revenue records except the land which is in the legal/rightful possession of any person or institution or department (federal or provincial) recorded or reserved in their name.

The second part of the proposed bill provides the structure and institutional arrangements to execute the bill once it is approved by the Gilgit-Baltistan Legislative Assembly (GBLA). The institutional arrangement is a set of committees to ensure the implementation of the bill. For instance, the Gilgit-Baltistan Land Apportionment Board (GBLAB) is constituted by the government to issue policy guidelines for the apportionment of partible lands among the Haqdaran-e-Arazee of the respective haqdar mouza/ village. The board has the authority to issue directives and guidelines for the types of land to be apportioned and retained. It also has the responsibility to remove any difficulties in the formulation or implementation of the apportionment plan for any one or more partible lands. The GBLAB is composed of the chief minister, members of the provincial assembly, and various secretaries and officers of relevant departments.

There is also a District Land Apportionment Board (DAB) for every district that prepares a draft apportionment plan of partible lands under the policy guidelines issued by the GBLAB. The DAB is composed of the deputy commissioner/collector, members of the provincial assembly, and various officers and officials of relevant departments. The boards are responsible for ensuring the fair and equitable apportionment of land in their respective regions.

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Overall, the proposed Gilgit-Baltistan Land Reforms Act 2023 has some fundamental flaws and needs various amendments and changes before it should go for approval in the legislative assembly. The bill appears to lack consideration for customary laws and the UN resolutions on the Kashmir dispute, which could potentially lead to serious social, economic, and political repercussions for the local population.

The bill’s definition of “partible land” is broad and ambiguous, which could lead to disputes and conflicts over ownership and usage rights. The lack of clear and concise definitions for terms like “barren or undeveloped land” and “culturable waste land” could also be problematic in practice. Moreover, the criteria for identifying and apportioning partible lands lack transparency and do not account for the traditional and customary rights of the local communities. This could lead to the expropriation of ancestral land and displacement of the local populace.

The institutional arrangements proposed in the bill appear to lack inclusivity and democratic representation. The composition of the Gilgit-Baltistan Land Apportionment Board and the District Land Apportionment Board is dominated by the government, and there is no provision for the participation of local communities, civil society organizations, or traditional institutions. This could lead to a lack of accountability and transparency in decision-making and implementation.

The bill’s primary focus on economic development and productivity fails to account for the cultural, ecological, and social dimensions of land ownership and usage. The proposed Land Reforms Act appears to prioritize economic gains over the rights and well-being of the local population and the environment.

The proposed Gilgit-Baltistan Land Reforms Act 2023 has been brought to the forefront for legislative assembly approval. However, upon meticulous review, it has been determined that substantial amendments and changes are required for its ratification.

To this end, various stakeholders have weighed in with a multitude of suggestions and recommendations to ameliorate the efficacy and comprehensiveness of the Act. These valuable insights and proposals will be comprehensively deliberated upon and expounded upon in the forthcoming article.

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