A Farmer's Guide

to

Land Laws,

RTI,

Visual Documentation &

Environmental Impact in

Kashmir



This toolkit is a step-by-step guide created to empower farmers, pastoralists, and local residents in Jammu & Kashmir to document land acquisition, environmental degradation, and administrative inaction affecting their lives and livelihoods.

Combining rigorous field research with legal resources and community media techniques, the toolkit includes:

- **Landholding and Dispossession Data** comparing J&K with the national average
- **Environmental Impact Assessments** of road projects, township plans, and faulty infrastructure
- **Visual Evidence Collection Guide** (based on Exposing the Invisible) for mobile documentation of land damage, crop loss, and waterlogging
- **RTI Application Templates** to demand information from public authorities
- **Community Storytelling Tips** to collect testimonies while protecting vulnerable voices
- **Case Studies** of affected families from Pulwama, Budgam, Kulgam, and Shopian

With special focus on roads, railways, townships, forest rights, and climate change, this toolkit aims to strengthen participatory evidence-gathering and public advocacy—helping communities not only resist dispossession but also demand fair compensation, transparency, and justice.

Understanding the Land Acquisition Act (2013)

What Is the RFCTLARR Act, 2013?

The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. It is a **central legislation** that replaced the outdated **Land Acquisition Act of 1894**. It aims to:

- Ensure **fair compensation** for landowners
- Provide **rehabilitation and resettlement (R&R)** to affected families

- Promote **transparency and accountability** in land acquisition for public and private projects

Key Features You Should Know

Topic	Details
Scope	Applies to both **government and private acquisitions**
Consent	Requires consent from: - 70% of affected families (for PPP projects) - 80% (for private projects)
Social Impact Assessment (SIA)	Mandatory study to assess the impact on: - livelihoods - environment - local communities
Compensation	4x market value in rural areas 2x market value in urban areas
Rehabilitation	Affected families must receive - Housing - Employment or annuity - Financial assistance
Time Limit	If compensation is not paid within **2 years**, acquisition **lapses**
Appeals	You can appeal to **Land Acquisition, Rehabilitation and Resettlement Authority**

Step-by-Step: What Happens During Land Acquisition

1. **Notification issued** → Public notice and survey start
2. **Social Impact Assessment (SIA)** → Community consultations
3. **Expert Committee reviews SIA** → Recommends acquisition or not
4. **Declaration of intention** to acquire land
5. **Land valuation and compensation calculation**
6. **Award issued** → Payment of compensation
7. **Land possession** → Only after compensation & R&R are complete

What to Watch Out For

- **Old laws** (like J&K Land Acquisition Act, 1934) are sometimes used illegally to bypass RFCTLARR 2013

- If you were given **less than fair market value**, or not offered R&R, your rights may have been violated
- **Delay in compensation** beyond 2 years makes the acquisition invalid

Documents You Should Ask For

- Notification under Section 11 (preliminary notification)
- Social Impact Assessment report
- Land valuation details
- Compensation award letter
- Resettlement & Rehabilitation package details

Where to Seek Help

- **District Collector / Deputy Commissioner** – Primary authority
- **Land Acquisition Officer**
- **Legal Aid Cells / Lawyers**
- **NGOs working on land rights**
- **Land Acquisition & R&R Authority** – For appeals

Kashmir's Landholdings: A Statistical Snapshot

According to the **2015–16 Agriculture Census**, the **average operational landholding in Jammu and Kashmir was just 0.55 hectares** (approximately 1.36 acres or 11 kanals), significantly below the **national average of 1.15 hectares** (2.84 acres or roughly 23 kanals). In fact, in some districts like **Srinagar (0.31 ha), Kulgam (0.39 ha), and Anantnag (0.39 ha)**, average holdings are among the lowest in the country.

For context:

Region	Average Landholding Size (2015–16)
India	1.15 ha (2.84 acres)
Jammu & Kashmir	0.55 ha (1.36 acres)
Srinagar	0.31 ha (0.76 acres)
Kulgam	0.39 ha (0.96 acres)
Pulwama	0.48 ha (1.18 acres)
Budgam	0.43 ha (1.06 acres)

Consequences of Small Landholdings

These tiny holdings carry major implications:

1. **High Sensitivity to Acquisition:** For a Kashmiri farmer with 3 kanals (~0.15 hectares) of land, the loss of even 1 kanal to a road project or industrial development means a **33% income loss**. There is no buffer to absorb the shock.

2. **Disruption of Self-Sufficiency:** In Kashmir, families often rely on small plots for **seasonal food production** and **horticulture (e.g., apple or walnut trees)**. Acquiring this land for highways, railways, or university campuses removes their primary source of livelihood.

3. **Compensation Mismatch:** The average market rate of agricultural land in central Kashmir (as of 2023–24) is between ₹1.5 to ₹2 crore per kanal. However, in many cases—particularly those covered under the now-defunct **J&K Land Acquisition Act, 1934**—compensation was limited to **₹35–40 lakh per kanal**, without rehabilitation or livelihood restoration.

Landholding Comparison: All-India vs Jammu & Kashmir

Year	Region	Avg Holding (ha)	% of National Avg	Area in Kanals
2010–11	**India (avg.)**	**1.15 ha**	**100%**	22.7 kanals
2010–11	**J&K**	0.62 ha	**53.9%**	12.25 kanals
2015–16	**J&K**	0.55 ha	**47.8%**	10.87 kanals
Est. 2020s	**J&K (decline)**	0.45 ha	**39.1%**	9 kanals

Insights:

- In **2010–11**, the average landholding in J&K was **46.1% smaller** than the national average.
- By **2015–16**, it fell to just **47.8% of the national average**, showing further fragmentation.
- The most recent estimates suggest it may now be **less than 40%** of the national average.
- This means that an average **J&K farmer owns less than half the land** of a typical Indian farmer.

Why This Matters:

- Smaller landholdings = **greater vulnerability** to land acquisition.
- Even a loss of **1 kanal** (1/8th of an acre) can mean losing **~10% of total land.**
- Compensation based on size overlooks **the functional value** of these lands for sustenance farming and horticulture.

Observation: Compensation and Land Acquisition Irregularities in the Srinagar Ring Road Project

The land acquired for the Srinagar Ring Road and Semi Ring Road projects in Jammu & Kashmir was predominantly done under the **Jammu and Kashmir Land Acquisition Act, 1934**—an outdated colonial-era legislation—despite the applicability of the central **Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (RFCTLARR) Act, 2013** after August 5, 2019.

Despite strong opposition and protest by the affected farming communities, compensation was calculated under the old law, denying them the **benefits of fair market rates, rehabilitation, and resettlement entitlements** guaranteed under the 2013 Act.

Notably:

- **Farmers were offered as low as ₹38 lakhs per kanal**, whereas the **prevailing market rate exceeds ₹2 crores per kanal**, especially in peri-urban regions like Budgam.
- Though **compensation notices were issued in 2017**, many **final awards were passed after the mandatory two-year limit**, as stipulated under Section 11A of the Land Acquisition Act, rendering such acquisitions **legally lapsed**(Greater Kashmir, 2021).
- The **J&K High Court** acknowledged procedural lapses and ordered **a 20% increase in compensation**, yet the **core demand for applying the 2013 Act** remained unaddressed (Kashmir Life, 2022).
- **Several petitions from Budgam-based farmers** have now reached the **Supreme Court**, seeking enforcement of the **RFCTLARR Act,**

2013, as the acquisition was finalized post-2019, when central laws became applicable in J&K (ET Legal World, 2023).

- **Farmers were coerced into giving up their land after local administration on district level threatened them of consequences in the aftermath of abrogation of special laws in 2019. Use of police threats, lack of legal avenues and**

These developments highlight:

- **Systematic denial of legal rights** to landholders post-abrogation.
- **Failure of the administration** to transition to modern land acquisition practices.
- **Increased vulnerability of farmers**, many of whom surrendered land reluctantly, fearing reprisal or further marginalization.
- **331.90 hectares** (approx. **6,638 kanals**) of land were acquired by the central and UT governments between **August 2019 and April 2023** for roads, railways, military, and institutional projects (Source: *JK Revenue Dept*).
- In **December 2023**, the government transferred **600+ acres (approx. 48,000 kanals)** of fertile orchard land in Pulwama for the **new National Institute of Technology (NIT) campus**, affecting hundreds of families who depended on **high-density apple and almond plantations** for survival (Source: *AFP, Kashmir Observer*).
- Under the old **J&K Land Acquisition Act, 1934**, landowners were offered as little as **₹38 lakh per kanal**, while **market rates in Budgam and Pulwama ranged from ₹1.5–2 crore per kanal**. This discrepancy prompted multiple farmer petitions to the **Supreme Court** seeking relief under the **RFCTLARR Act, 2013**, which mandates up to **4 times market value compensation** and **mandatory rehabilitation packages** (Source: *ETLegalWorld, The Leaflet*).
- In **Dirhama village**, land was seized for a **new train station** to serve the Amarnath Yatra route. Elderly farmers like **Mohammad Ramzan (78)** reported being displaced from family-owned land with **no resettlement plan or alternative income source** (Source: *AFP, Al Jazeera*).

- A **May 2024 NGT complaint** filed by **Bashir Ahmad Bhat of Wathora, Budgam**, documented:
    - **~3 acres of flooded orchards**
    - **Loss of hundreds of apple trees**
    - **Road embankment blocking drainage**
    - **Dust and vehicular pollution from the Semi Ring Road project**A follow-up case filed in **May 2025 by Ghulam Nabi Bhat** detailed similar damage to **6.5 kanals of orchard**, which remained submerged for **over 40 days**, destroying nearly **500 trees** (Source: *Kashmir News Service*, *Kashmir Life*).

Socio-Political Implications:

- Scholars like **Meera Ashar Osuri** (Macquarie University) term this process a **"land grab in plain sight"**, describing it as an attempt to **'Hinduise' Kashmir's land and demographic fabric** (Source: *AFP*, 2024).
- Local leaders such as **Waheed-ur-Rehman Para** (PDP) and **Omar Abdullah** (NC) have called this policy a **reversal of historic land reforms** that gave ownership to peasants post-1947. "If we lose our land, what do we truly possess?" Abdullah asked at a 2024 rally.
- Land acquisition is further compounded by **military seizures**. Over **11,000 acres** of land are under security force control in Kashmir, and more areas are now being declared "strategic" under amendments to the **J&K Development Act, 1970** (Source: *Kashmir Times*, *The Wire*).

Road projects in fragile Himalayan regions often fail due to unplanned elevation and lack of engineered culverts, disrupting hydrological systems and harming agriculture. A multidisciplinary study from Nepal's Phewa watershed illustrates this effect vividly: roads built without slope-sensitive design led to frequent shallow landslides, increased surface runoff, erosion, and declines in adjacent crop productivity. These findings highlight how rural road infrastructure—if not carefully integrated with natural drainage—can damage both ecology and livelihood.

Highway Growth, Waterlogging & Yield Loss in Kashmir

Wathora–Budgam Case (Srinagar Ring Road):

In May 2024, the National Green Tribunal (NGT) issued a notice to NHAI after Bashir Ahmed Bhat submitted evidence that the Srinagar Ring Road's earthfill blocked natural drainage channels, flooding about three acres of his orchard. Multiple villages, including Khanda Suthsoo, Gudsathoo, Pampore, and Narbal, reported crop damage and dust pollution .

In May 2025, Ghulam Nabi Bhat specifically reported that 6.5 kanals—approximately 0.8 acres—of his high-density apple orchard were submerged for more than a month due to blocked culverts for a flyover bridge. Around 500 apple plants were destroyed. His petition led to an NGT notice, citing environmental negligence and demanding remediation for orchard owners.

An earlier April 2024 report echoed these impacts across Budgam's Chadoora area, where similar waterlogging issues harmed apple, mustard, and oats crops—attributed to poorly implemented Detailed Project Reports (DPRs) and absent drainage systems .

From Local Damage to Global Patterns

The Kashmir examples align with broader Himalayan and global studies showing that **elevated roads without engineered slopes and drainage cause chronic waterlogging**. Soil compaction reduces infiltration, forcing water onto surrounding fields. Over time, this lowers soil fertility and crop yields significantly. The destruction of apple trees in Budgam mirrors similar long-term agricultural losses reported in Nepal.

Crop Yields, Economic Losses, & Pollution

Reports from Budgam, Pulwama, Srinagar, Bandipora, Shopian note that orchards are not only waterlogged but also covered in dust from continuous roadworks—compounding agricultural damage and reducing photosynthesis. In Khanda Suthsoo and Wathoora, farmers have documented poor fruit quality and low yields tied directly to construction-induced dust and flooding.

Global research (e.g., Environmental Pollution Journal, 2019) similarly finds that dust from highway construction reduces fruit yields up to 50%, further highlighting the ecological and economic toll on farming communities.

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Soil and Ecosystem Disruption: Karewa Terrace Degradation

The construction in Budgam involved large-scale clay excavation from the geological formation known as "Karewas"—porous soils crucial for agriculture. NGT also issued notices citing **illegal clay mining**, further degrading the landscape and causing ecological imbalances in an area already vulnerable to runoff and erosion.

Without soil restoration, compaction and erosion threaten the long-term viability of farmland and the natural carbon-sequestering properties of these soils.

Research suggests:

Glacier Melting and Retreat

- **Kolahoi Glacier**: Shrunk by ~23% since 1962; retreating at **16–73 m/year**.
- **Western Himalayas (J&K + Ladakh)**: Lost **25% of glacier mass**; projected loss of **up to 48% by 2100**(moderate emission scenario).
- Glacial melt feeds **Jhelum, Lidder, and Sindh** rivers—vital for irrigation and drinking water.

Road Projects & Water Disruption

- Elevated roads (like **Srinagar Ring Road**) are blocking natural water flows, causing **orchard flooding** and **stagnant water pools** in places like **Wathora and Chadoora**.
- Improper slope engineering and lack of culverts are damaging **apple, mustard, and oat crops**.
- **NGT notices** issued in 2024–25 over drainage failures in Budgam villages.

Amarnath Yatra & Fragile Ecosystems

- Carries **14,000+ pilgrims/day**, far exceeding safe ecological carrying capacity (~4,300/day).
- Leads to **deforestation**, **glacial degradation**, and **contaminated streams** near Baltal and Pahalgam.
- Warming micro-climates around the yatra routes have **accelerated**

glacier melt and **snowline retreat.**

Waste & Water Pollution

- In Pahalgam, **tourists generate 74%** of the town's total municipal waste.
- **Plastic, sewage, and non-biodegradable waste** chokes rivers and pollutes glacial streams.
- **Contaminated water** now affects livestock and poses health risks in downstream villages.

Dam Projects & River Flow Disruption

- **Salal Dam** has lost **97% of its storage** due to siltation caused by deforestation and upstream construction.
- **Run-of-the-river dams** like Kishanganga alter flow patterns, damaging aquatic biodiversity.
- Growing **glacial lakes** in **Chenab Basin** raise GLOF (Glacial Lake Outburst Flood) risks.

Water Security & Livelihood Threat

- Glacier loss leads to **shorter river flow periods**, impacting **irrigation cycles** and **crop planning**.
- Pollution and infrastructure activity reduce **fruit quality** (apple, walnut) due to dust and chemical leachates.
- Shrinking water access jeopardizes **traditional livelihoods**—from farming to pastoral grazing.

Visual Evidence Toolkit for Farmers

Documenting Land Acquisitions for Railways, Highways & Infrastructure Projects

This easy-to-use manual helps farmers gather photo and video evidence using a mobile phone or camera.

1. **Set Your Purpose**

- Why you're documenting: Track changes, show damage, prove encroachment.
- What you'll do with it: Share with media, government, legal or

community groups.

2. Prepare Information

Before filming, gather:

- Your name, village, plot number, and date/geotag.
- Any official notices or land maps (take clear photos).

3. What to Film

a. Reference Shots

- Film yourself on the land, identifying your name, location, and date.

b. Landscape Overview

- Capture wide shots of the plot and surroundings.

c. Encroachment Evidence

- Focus on fencing, stakes, bulldozers, markings.

d. Boundaries & Verbal Statements

- Record conversations where officials or neighbors confirm land details.

e. Personal Stories

- Short videos from farmers on how this affects them.

4. Technical Tips

- Hold phone horizontally
- Use morning/evening light
- Name files clearly (e.g. Trenz_Field3_July10.mp4)

5. Backup & Catalog

Create a table and keep track of what you've documented:

Date	Location	What Filmed	Purpose

6. Share Responsibly

- Use trusted networks (e.g. Kashmir Unheard)
- Include written info when sharing
- Protect identity when needed

7. Protect Evidence & Privacy

- Blur faces or sensitive data if necessary
- Save backups on phone or cloud
- Avoid posting everything publicly

✓ Summary Checklist

- [ ] Selfie with name, date, land info
- [ ] Wide shots of land
- [ ] Markings or equipment filmed
- [ ] Verbal confirmations or boundaries
- [ ] Farmers' testimonials
- [ ] Labeled and backed up videos
- [ ] Shared securely with credible orgs

Toolkit for Farmers

Documenting Land Acquisition through Visual Evidence

(For Railways, Highways, and Infrastructure Projects in Jammu & Kashmir)

Purpose of This Toolkit

This toolkit helps farmers and communities in **Jammu & Kashmir** document land acquisition for infrastructure projects using **visual evidence** (photos, videos, sketches, and maps). It supports:

- **Legal claims** (RTI, court cases).
- **Media/advocacy** (sharing with NGOs, journalists).
- **Preserving records** of land before, during, and after acquisition.

Inspired by the Exposing the Invisible: Visual Evidence Toolkit.

What Is Visual Evidence?

Visual proof showing:

- **What** is happening (e.g., bulldozers, crop destruction).
- **Where** (land boundaries, markings).
- **When** (date/time stamps).
- **Who** is affected (testimonies, community impact).

How to Use This Toolkit

1. **Use your phone/camera** or pen/paper.
2. **Capture clear visuals** in daylight.
3. **Record details**: Date, time, location, captions.
4. **Organize evidence** digitally (Google Drive) or physically (folders).

Section 1: Pre-Acquisition Evidence

(Before any official notice or survey)

Goal: Document your land's baseline condition.

What to Collect:

- **Photos**: Crops, orchards, structures (wide + close-ups).
- **Maps**: Hand-drawn layouts with boundaries (see example below).
- **Notices**: Photograph any official compensation letters.

Land Layout Sketch



Labels:

- *"My Farm – Owner: [Name]"*
- *"Date: [DD/MM/YYYY]"*
- *Arrows for directions (North/South).*

Tip: Draw as if explaining to a stranger—include crops, animals, water sources, and structures.

Section 2: Marking & Demarcation

(When officials start surveying)

What to Collect:

- **Photos**: Demarcation poles, gypsum powder lines, flags.
- **Videos**: Surveyors/drones working (film from a safe distance).
- **Audio**: Record conversations (if safe).

Demarcation Signs

A. Gypsum Powder Line:

Caption: "Gypsum line marked on 15/06/2025."

B. Demarcation Pole:



Caption: "Pole placed 10ft from Chinar tree on 16/06/2025."

Tip: Note the **date/time** and exact location of markings.

Section 3: During Acquisition

(When construction begins)

What to Document:

- **Machinery**: Bulldozers, trucks on your land.
- **Damage**: Crop/tree cutting, demolished structures.
- **Community**: Protests or gatherings.

Bulldozer Entering Field



Caption: "Bulldozer entered rice field on 20/06/2025, 10:30 AM."

Safety: Film from a distance; back up files immediately.

Section 4: After Acquisition

(Post-takeover of land)

What to Collect:

- **Barren land**: Photos of cracked soil, waterlogging.
- **Lost structures**: Remains of homes, wells.
- **Testimonies**: Video/audio of affected farmers.

Before/After Panorama



Caption: "Farm (left) vs. acquired land (right) for railway, 01/07/2025."

Section 5: Organizing Evidence

Folder Structure:

1. **Photos**: YYYYMMDD_Description.jpg (e.g., 20250615_Orchard.jpg).
2. **Videos**: Short clips with captions.
3. **Sketches/Maps**: Scan or photograph hand-drawn copies.
4. **Testimonies**: Written notes or audio recordings.

Backup Tips:

- **Digital**: Google Drive, USB.
- **Physical**: Print for legal/RTI submissions.

Sharing & Advocacy

Use evidence for:

- **RTI requests** (Right to Information).
- **Media**: Share with local journalists.
- **NGOs**: Contact groups like *Kashmir Unheard*.
- **Court cases**: Support legal claims.

Remember: Your visuals are proof—keep them **safe, dated, and organized**.

Final Notes

- Stay safe; avoid confrontations.
- Label everything clearly.
- Collaborate with neighbors for stronger evidence.

Together, we can protect our land and rights.

RTI Filing Guide for Farmers

Empowering Rural Communities through Transparency

Jammu & Kashmir – RTI Online Portal Edition

Website: https://rtionline.jk.gov.in

Step 1: Visit the RTI Online Portal

Use your smartphone or computer to open:

https://rtionline.jk.gov.in

Step 2: Register or Log In

New User?

- Click **Register**
- Fill:
    - Name
    - Mobile number (OTP will be sent)
    - Email address
    - Create a password
- Verify OTP and log in.

Already Registered?

- Click **Login**
- Enter your mobile/email and password
- Enter OTP sent to your phone

Step 3: File a New RTI Application

Click **"File New RTI Application"** and fill the following:

a. PIO Department

- Choose appropriate department (e.g. Revenue, Forest, Agriculture)

b. Subject Line

- E.g. "Request for Land Acquisition Details – Pulwama District"

c. Description of Information Requested

Use a bullet/numbered format. Example:

1. How much land was acquired in the village Newa of Pulwama district (2020–2025)?
2. What categories of land were acquired? (Kahcharayi, State, Forest, Milkiyat)
3. Details of compensation paid to landowners

4. Copies of NOCs issued for infrastructure projects

d. Upload Supporting Docs (Optional)

Click **Submit**.

Step 4: Note Your Application Number

After submitting, you'll see an application number like:

RTI-JK-2025-00123

Write it down or take a screenshot.

Step 5: Pay the Application Fee

- RTI fee is usually **Rs. 10**
- Pay using UPI, debit/credit card, or net banking
- Save the receipt or transaction reference
- Applicants belonging to BPL category are exempt from any fees

Step 6: Track Your RTI Application

Click **Track My RTI** on the dashboard.

You can view your status:

- Acknowledged
- Pending
- Transferred
- Disposed

Step 7: Download the Reply

Once the application is **disposed**, a PDF reply will be available. Click on the file to download and save it.

Step 8: What If You Don't Get a Reply?

If you don't receive a response in **30 days**:

1. Send a **reminder** via the portal or email
2. File a **First Appeal** on the same portal under Section 19 of the RTI Act

RTI Filing Tips for Farmers

- Ask clear, specific questions
- Number your questions
- Save screenshots and receipts
- Keep your application number safe
- Share what you learn with others in your village

Sample RTI Application

To:

The Public Information Officer

General Administration Department

Government of Jammu & Kashmir

Civil Secretariat, J&K

Subject: Request for Information Regarding Land Transfers and Infrastructure Projects (2018–March 2025)

Respected Sir/Madam,

I am writing to seek information under the Right to Information Act, 2005 regarding land transfers and infrastructural developments across the Union Territory of Jammu and Kashmir from 2018 to March 2025.

1. Land Transferred for Infrastructural Projects (2018–March 2025):

Please provide district-wise and year-wise details of land transferred for infrastructure projects (highways, railways, colleges, hospitals, colonies etc.) in the following format:

- **Category of Land:**
  - State Land (kanals/hectares/acres)
  - Kahcharayi Land
  - Forest Land
  - Milkiyat (Private) Land – include acquisition details

2. **Compensation Paid to Farmers and Landowners:**
   - Total amount of compensation disbursed (district-wise and project-wise)
   - Number of beneficiaries
   - Mode of compensation (cash, land-for-land, rehabilitation, etc.)

3. **NOCs and Approvals:** Please provide copies of No Objection Certificates and approvals issued by relevant departments for these projects.

4. **List of Major Infrastructure Projects Since 2019:**
   - Project name
   - Location
   - Executing agency
   - Department
   - Status (completed/ongoing/proposed)
   - Nature of land used

I request that the above information be provided in soft or hard copy format as per availability. Kindly respond within the time period stipulated under the RTI Act.

Thank you for your cooperation.

Yours sincerely,

