

UNION TERRITORY OF JAMMU AND KASHMIR  
**OFFICE OF THE DIVISIONAL COMMISSIONER, KASHMIR**

Prescribed Authority under Section (3) of J&K Migrant Immovable Property (Preservation, Protection and Restraint on Distress Sales) Act, 1997.  
(Phone/ Fax: (0194)-2487777, 2477778, 2452558, 2455357 Email address: divcomk@gmail.com)

**Subject: -** Application of S/Shri Mohan Lal S/o Kashi Nath R/o Tikker, Kupwara A/P H. No. 439, Lane No. 11, Hazoori Bagh, Bohri, Talab Tilloo, Jammu for permission to alienate migrant immovable property in accordance with the provisions of J&K Migrant Immovable Property (Preservation, Protection & Restraint on Distress Sales), Act, 1997.

**Reference:-** Deputy Commissioner, Kupwara's letter No: DCK/SQ/ Alienation/21/864 dated 18.08.2021, No. DCK/SQ/Alienation/22/2602 dated 08.03.2022 and No. DCK/M.Cell/Alienation/23/52-53 dated 29.08.2023.

**ORDER NO: 126 DIVK OF 2023**

**DATED : 05 - 12 - 2023**

Whereas, Deputy Commissioner, Kupwara's letter No: DCK/SQ/ Alienation/21/864 dated 18.08.2021, No. DCK/SQ/Alienation/22/2602 dated 08.03.2022 and No. DCK/M.Cell/Alienation/23/52-53 dated 29.08.2023 has reported that the alienor(s) intend to alienate land measuring 04 kanals 14 marlas falling under Survey No. 1161/127 in situated of estate Tikker, Tehsil & District Kupwara; and

Whereas, Deputy Commissioner, Kupwara after due enquiry from the field functionaries in terms of prescribed procedure laid down under law/rules/guidelines in vogue has verified title, / and possession of the land measuring 04 kanals 14 marlas falling under Survey No. 1161/127 in situated of estate Tikker, Tehsil & District Kupwara vide his above referred letters, has recommended the case for grant of permission for alienation under the provisions of J&K Migrant Immovable Property (Preservation, Protection & Restraint on Distress Sales), Act, 1997;

Whereas, the Deputy Commissioner Kupwara in terms of rule 3(b) of J&K Migrant Immovable Property (Preservation, Protection & Restraint on Distress Sales), Rules, 1997 has also issued "No Objection Certificate" under endorsement No. DCK/SQ/ Alienation/21/864 dated 18.08.2021; and

Whereas, to rule out the possibility of distress sale, the alienor(s) /were heard on video call who authenticated the veracity of the documents executed by them and also intimated that the sale has not been made in distress/duress and consented to the grant of alienation permission in favour of the alienee(s).

Now, therefore in Pursuance of the powers vested upon me under section 3 of the Jammu and Kashmir Migrant Immovable Property (Preservation, Protection and Restraint on Distress Sales) Act. 1997, sanction is hereby accorded to the alienation land measuring 04 kanals 14 marlas falling under Survey No. 1161/127 in situated of estate Tikker, Tehsil & District Kupwara BY Shri Mohan Lal S/o Kashi Nath R/o Tikker, Kupwara A/P H. No. 439, Lane No. 11, Hazoori Bagh, Bohri, Talab Tilloo,

Jammu IN FAVOUR OF Zahoor Ahmad Sheikh S/o Mohammad Jamal Sheikh  
Kawarie Laderwan, Tehsil Trehgam, District Kupwara, subject to the following  
conditions: -

- a) That the applicant(s) are rightful owners/occupants of the property proposed to be alienated and is free from all encumbrances and the title of the proposed allonor(s) is certified by the Tehsildar concerned under his seal and signatures.
- b) That the value of the property (land) under proposed alienation shall be calculated as per the stamp rate prevailing at the time of execution/ registering of Sale Deed applicable under Irrigated agriculture category of land of estate Tikker, Tehsil & District Kupwara as approved by the Committee constituted under the J&K Preparation and revision of market value guideline rules 2011.
- c) That any permission under this Act i.e., J&K Migrant Immovable Property (Preservation, Protection & Restraint on Distress Sales), Act, 1997 and rules made there under, shall not be construed as permission for conversion or change of land use which may otherwise be prohibited by any Act / Rules there under for the time being in force.
- d) That after completion of all registration formalities, the District Magistrate, Kupwara (Custodian of the Migrant Immovable Property) handover the possession thereof through prescribed procedure.

**DISCLAIMER: 1)** THE INSTANT PERMISSION SHALL NOT BE TREATED AS A SUBSTITUTE FOR TITLE DOCUMENTS/SHARE OF THE APPLICANT/DISPUTE FREE NATURE OF THE PROPERTY/LAND USE PERMISSION ETC.

  
DIVISIONAL COMMISSIONER,  
KASHMIR

No: Div.Com/MLA/(3163)/2023

Dated: 05-12-2023

Copy to the: -

1. Financial Commissioner (R), J&K Govt. Jammu/Srinagar.
2. Relief Commissioner (Migrants), Jammu
3. Deputy Commissioner, Kupwara
4. Alienee namely Zahoor Ahmad Sheikh S/o Mohammad Jamal Sheikh R/o Kawarie Laderwan, Tehsil Trehgam, District Kupwara.
5. Alienor namely Shri Mohan Lal S/o Kashi Nath R/o Tikker, Kupwara A/P H. No. 439, Lane No. 11, Hazoori Bagh, Bohri, Talab Tiloo, Jammu

.....FOR INFORMATION AND NECESSARY ACTION.