

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, 2477775, 2462658, 2455357 Email address: divcomk@gmail.com)

Subject: - Application of S/Sh. (1) Pushkar Nath and (2) Badri Nath S's/o Aftab Ram R's/o Chichiloor, Tehsil Kawarhama, District Baramulla A/P Migrants, (1) H. No. 229, Lane No. 5, Indira Vihar, Old Janipur, Jammu and (2) H. No. 232, Lane No. 5, Indira Vihar, Old Janipur, 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, Baramulla's letter No: DCB/SQ/Alie/(01)/1266 dated 18.08.2020, No. DCB/SQ/Alie/527 dated 29.05.2021, No. DCB/SQ/Alie/8461 dated 04.12.2021 and No. DCB/SQ/5972-73 dated 29.03.2023.

ORDER NO: 101 DIVK OF 2023

DATED : 22 - 09 - 2023

Whereas, Deputy Commissioner, Baramulla's letter No: DCB/SQ/Alie/(01)/1266 dated 18.08.2020, No. DCB/SQ/Alie/527 dated 29.05.2021, No. DCB/SQ/Alie/8461 dated 04.12.2021 and No. DCB/SQ/5972-73 dated 29.03.2023 has reported that the alienor(s) intend to alienate land measuring 01 kanal 08.5 marlas covered under Survey Nos. 1102-min of estate Chichiloor, Tehsil Kawarhama, District Baramulla; and

Whereas, Deputy Commissioner, Baramulla 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 land measuring 01 kanal 08.5 marlas covered under Survey Nos. 1102-min of estate Chichiloor, Tehsil Kawarhama, District Baramulla vide his above referred letter, 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; and

Whereas, the Deputy Commissioner, Baramulla 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. DCB/SQ/Alie/(01)/1266 dated 18.08.2020; and

Whereas, to rule out the possibility of distress sale, the alienor(s) were heard on video call who preferred that an official be send to them for expressing their consent. Accordingly, a communication was sent to them which they have replied to vide e-mail dated 28.08.2023 and 30.03.2023 thereby conveyed their no objection for grant of alienation permission to the land in question 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 of land measuring 01 kanal 08.5 marlas covered under Survey Nos. 1102-min of estate Chichiloor, Tehsil Kawarhama, District Baramulla BY S/Sh. (1) Pushkar Nath (01K-01M) and (2) Badri Nath (07.5 marlas) S's/o Aftab Ram R's/o Chichiloor, Tehsil Kawarhama, District Baramulla A/P Migrants, (1) H. No. 229, Lane No. 5, Indira Vihar,

Old Janipur, Jammu and (2) H. No. 232, Lane No. 5, Indira Vihar, Old Janipur, Jammu
IN FAVOUR OF (1) Manzoor Ahmad Ganai S/o Mohammad Sultan Ganai and (2)
Shaheena Bano W/o Ali Mohammad Ganai R's/o Dildarpora, Chichilora, Tehsil
Kawarhama, District Baramulla, subject to the following conditions: -

- a) That the applicant(s) is/are rightful owners/occupants of the property proposed to be alienated and is free from all encumbrances and the title of the proposed alienor(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 for the **calendar year 2023** of estate Chichilora, Tehsil Kawarhama, District Baramulla 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 thereunder, shall not be construed as permission for conversion or change of land use which may otherwise be prohibited by any Act/Rules made thereunder for the time being in force.
- d) That after completion of all registration formalities, the District Magistrate, Baramulla (Custodian of the Migrant Immovable Property) shall handover the possession of the property to the alienee(s) 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.
- 2) AS THE MARKET VALUE OF IMMOVABLE PROPERTY IS FIXED ANNUALLY ON CALENDAR YEAR BASIS, THE VALIDITY OF THE PERMISSION SHALL CEASE TO EXIST AT THE END OF THE CURRENT CALENDAR YEAR I.E. 31ST OF DECEMBER, 2023.


DIVISIONAL COMMISSIONER,
KASHMIR

No: Div.Com/MLA/(3121)/2023

Dated: 22 - 09 - 2023

Copy to the: -

1. Financial Commissioner (R), J&K Govt. Jammu/Srinagar.
2. Relief Commissioner (Migrants), Jammu
3. Deputy Commissioner, Baramulla
4. Alienees namely (1) Manzoor Ahmad Ganai S/o Mohammad Sultan Ganai and (2) Shaheena Bano W/o Ali Mohammad Ganai R's/o Dildarpora, Chichilora, Tehsil Kawarhama, District Baramulla
5. Alienors namely S/Sh. (1) Pushkar Nath and (2) Badri Nath S's/o Aftab Ram R's/o Chichilora, Tehsil Kawarhama, District Baramulla A/P Migrants, (1) H. No. 229, Lane No. 5, Indira Vihar, Old Janipur, Jammu and (2) H. No. 232, Lane No. 5, Indira Vihar, Old Janipur, Jammu

.....FOR INFORMATION AND NECESSARY ACTION.