

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.
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Subject: - Application of S/Shri Kaka Singh S/o Late Sh. Suram Singh R/o village Saidapora Payeen, Tehsil & District Shopian A/P Migrants at H No 30, Sector-03, JDA Colony, Rajinder Nagar, Bantalab, 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, Shopian's letter No: DCS/SQ/19-20/659 dated 09.07.2019, No. DCS/SQ/21-22/805 dated 29.07.2021, No. DCS/SQ/23-24/01-02 dated 01.04.2023 and No. DCS/SQ/23-24/2499-2500 dated 01.09.2023.

ORDER NO: 119 DIVK OF 2023

DATED : 28 - 11 - 2023

Whereas, Deputy Commissioner, Shopian's letter No: DCS/SQ/19-20/659 dated 09.07.2019, No. DCS/SQ/21-22/805 dated 29.07.2021, No. DCS/SQ/23-24/01-02 dated 01.04.2023 and No. DCS/SQ/23-24/2499-2500 dated 01.09.2023 has reported that the alienor(s) intend to alienate land measuring 03 kanals covered under Survey No. 1042/580/167-min situated in estate Saidpura Payeen, Tehsil & District Shopian; and

Whereas, Deputy Commissioner, Shopian 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 03 kanals covered under Survey No. 1042/580/167-min situated in estate Saidpura Payeen, Tehsil & District Shopian 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; and

Whereas, Deputy Commissioner, Shopian 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. DCS/SQ/19-20/659 dated 09.07.2019; 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 of land measuring 03 kanals covered under Survey No. 1042/580/167-min situated in

estate Saidpora Payeen, Tehsil & District Shopian BY of S/Sh. Kaka Singh S/o Late Sh. Suram Singh R/o village Saidapora Payeen, Tehsil & District Shopian A/P Migrants at H. No. 30, Sector-03, JDA Colony, Rajinder Nagar, Bantalab, Jammu IN FAVOUR OF Mst. Zareefa W/o Abdul Hamid Rather R/o Gahind, Tehsil Hermain, District Shopian, 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 under proposed alienation shall be calculated as per the stamp rate prevailing at the time of execution/ registering of Sale Deed applicable under **un-irrigated horticulture category** of land of **estate Saidpora Payeen, Tehsil & District Shopian** 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, Shopian (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.


28/11/23
DIVISIONAL COMMISSIONER,
KASHMIR

No: Div.Com/MLA/(3011)/2023

Dated: 28-11-2023

Copy to the: -

1. Financial Commissioner (Rev), J&K Govt., Jammu/Srinagar.
2. Relief Commissioner (Migrants), Jammu
3. Deputy Commissioner, Shopian
4. Alienee namely **Mst. Zareefa W/o Abdul Hamid Rather R/o Gahind, Tehsil Hermain, District Shopian.**
5. Alienor **S/Shri Kaka Singh S/o Late Sh. Suram Singh R/o village Saidapora Payeen, Tehsil & District Shopian A/P Migrants at H. No. 30, Sector-03, JDA Colony, Rajinder Nagar, Bantalab, Jammu**

.....FOR INFORMATION AND NECESSARY ACTION.