

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, 2452558, 2455357 Email address: divcomk@gmail.com)

Subject: - Application of S/Sh. Brij Nath Koul S/o Late Ram Chand Koul R/o Sanzipora Kuttari, Tehsil Qalamabad, District Kupwara A/P Migrant, H. No. 446, Lane No. 12, Hazuri Bagh, 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/M.Cell/Alienation/ (7337974)24/321 dated 31.10.2024.

ORDER NO: 166 DIVK OF 2024

DATED : 07 - 12 - 2024

Whereas, Deputy Commissioner, Kupwara vide letter No: DCK/M.Cell/Alienation/(7337974)24/321 dated 31.10.2024 has reported that the alienor(s) intend to alienate land measuring 02 kanals falling under Survey No. 650-min situated in estate Sanzipora Kutlari, Tehsil Qalamabad, 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 02 kanals falling under Survey No. 650-min situated in estate Sanzipora Kutlari, Tehsil Qalamabad, 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, 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/M.Cell/Alienation/ (7337974)24/321 dated 31.10.2024; and

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Whereas, to rule out the possibility of distress sale, the alienor(s) was heard on video call who authenticated the veracity of the documents executed by him 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 02 kanals falling under Survey No. 650-min situated in estate Sanzipora Kutlari, Tehsil Qalamabad, District Kupwara BY S/Sh. Brij Nath Koul S/o Late Ram Chand Koul R/o Sanzipora Kutlari, Tehsil Qalamabad, District Kupwara A/P Migrant, 446, Lane No. 12, Hazuri Bagh, Talab Tilloo, Jammu through attorney holder namely Abdul Rashid Pir S/o Abdul Aziz Pir R/o Sanzipora Kutlari, Nowgam, Tehsil Qalamabad, District Kupwara IN FAVOUR OF Mohammad Shafi

Peerzada S/o Abdul Aziz Peerzada R/o Sanzipora Kutlari, Tehsil Qalamabad, 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 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 prevailing at the time of execution/registering of Sale Deed applicable under **un-irrigated agriculture** category of land of estate **Sanzipora Kutlari, Tehsil Qalamabad, 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.

Com
21/12/24
DIVISIONAL COMMISSIONER,
KASHMIR

df Dated: 07-12-2024

No: Div.Com/MLA/(3391)/2024

Copy to the: -

1. Financial Commissioner (R), J&K Govt. Jammu/Srinagar.
 2. Relief Commissioner (Migrants), Jammu
 3. Deputy Commissioner, Kupwara
 4. Alienee namely Mohammad Shafi Peerzada S/o Abdul Aziz Peerzada R/o Sanzipora Kutlari, Tehsil Qalamabad, District Kupwara.
 5. Alienor namely S/Sh. Brij Nath Koul S/o Late Ram Chand Koul R/o Sanzipora Kutlari, Tehsil Qalamabad, District Kupwara A/P Migrant, 446, Lane No. 12, Hazuri Bagh, Talab Tilloo, Jammu
 6. Attorney Holder namely Abdul Rashid Pir S/o Abdul Aziz Pir R/o Sanzipora Kutlari, Nowgam, Tehsil Qalamabad, District Kupwara.
-FOR INFORMATION AND NECESSARY ACTION