

reparation
2023
Property
rules

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: 01941-2487777, 2477775, 2452558, 2455357 Email address: divcomk@gmail.com)

Subject: - Application of (1) Shamboo Nath Bhat, (2) Kashi Nath Bhat, (3) Moti Lal Bhat all sons of Suraj Ram alias Srikant, (4) Prithvi Nath Bhat S/o Thokur Joo Bhat R/o Hazratbal Payeen, Anantnag A/P 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, Anantnag's letter No: DCA/MLA/21-22/(1330)/1776 dated 24.02.2022.

ORDER NO: 02 DIVK OF 2023

DATED : 06 - 01 - 2023

Whereas, Deputy Commissioner, Anantnag's letter No: DCA/MLA/21-22/(1330)/1776 dated 24.02.2022 has reported that the alienor(s) intend to alienate land measuring 05 marlas falling under Survey Nos. 2423-min (03 marlas) and 2425-min (02 marlas) situated in estate Qasba Baghat, Tehsil & Anantnag; and

Whereas, Deputy Commissioner, Anantnag 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 05 marlas falling under Survey Nos. 2423-min (03 marlas) and 2425-min (02 marlas) situated in estate Qasba Baghat, Tehsil & Anantnag 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, the Deputy Commissioner Anantnag 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. DCA/MLA/21-22/(1330)/1776 dated 24.02.2022.

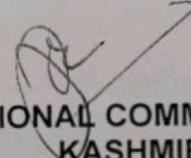
Now, therefore in Pursuance of the powers vested upon me under section 3 of the Jammu and Kashmir Migrant Immovable Property (Preservation, Protection and Restraint on Distress Sales) Act. 1997, sanction is hereby accorded to the alienation land measuring 05 marlas falling under Survey Nos. 2423-min (03 marlas) and 2425-min (02 marlas) situated in estate Qasba Baghat, Tehsil & Anantnag BY (1) Shamboo Nath Bhat, (2) Kashi Nath Bhat, (3) Moti Lal Bhat all sons of Suraj Ram alias Srikant, (4) Prithvi Nath Bhat S/o Thokur Joo Bhat R/o Hazratbal Payeen, Anantnag A/P Janipur, Jammu (in Person) IN FAVOUR OF Irfat Ali W/o Hakeem Mohammad Shafi R/o Sarnal, Anantnag, 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 not be less than Rs. 14,64,250/- (Rupees fourteen lacs sixty-four thousand two hundred and fifty only) @ Rs. 58.57 Lac Per kanal as approved by the Committee constituted under the J&K Preparation and revision of market value guideline rules 2011 for the Calendar year 2023.
- 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, Anantnag (Custodian of the Migrant Immovable Property) shall handover the possession of the property to the alienee(s) thereof through prescribed procedure.
- e) **EXPLANATION:** Notwithstanding with the provision contained under any law for the time being in force, in case any stamp duty has already been paid in any instrument executed between the same parties related to the same property regarding finalization of present alienation, in such circumstances in order to avoid the double payment of stamp duty, it may be considered for present alienation at the time of execution of sale deed, provided the said stamp duty is still unused or unutilized in any manner and the said instrument is still in force as not revoked yet.

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) THE VALIDITY OF THE PERMISSION SHALL CEASE TO EXIST ON THE END OF THE CURRENT CALENDER YEAR I.E. 31ST OF DECEMBER, 2023.


**DIVISIONAL COMMISSIONER,
KASHMIR**

No: Div.com/MLA/ (1401)/2023

Dated: 06 - 01 - 2023

Copy to the: -

1. Financial Commissioner (R), J&K Govt. Jammu/Srinagar.
2. Relief Commissioner (Migrants), Jammu
3. Deputy Commissioner, Anantnag
4. Alienee namely Irfat Ali W/o Hakeem Mohammad Shafi R/o Sarnal, Anantnag
5. Alienors namely S/Sh. (1) Shamboo Nath Bhat, (2) Kashi Nath Bhat, (3) Moti Lal Bhat all sons of Suraj Ram alias Srikant, (4) Prithvi Nath Bhat S/o Thokur Joo Bhat R/o Hazratbal Payeen, Anantnag A/P Janipur, Jammu
.....FOR INFORMATION AND NECESSARY ACTION.