

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, 2477776, 2492668, 2495367 Email address: divcomk@gmail.com)

Subject: - Application of Smt. Shanta Kumari alias Sarla D/o Tara Chand Bhat R/o Repora Namthal, Tehsil Chadoora, District Budgam A/P Migrants, A-102 Rutu Pearl Flats, Yemali, Vadoora, Gujarat 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, Budgam's letter No: DCB-SQ/2021-22/LA/F=122/472 dated 25.05.2022, No. DCB-SQ/2022-23/LA/F=122/6541 dated 16.02.2023 and No. DCB-SQ/2023-24/LA/F=122/3044 dated 25.09.2023.

ORDER NO: 16 DIVK OF 2024

DATED : 07 - 02 - 2024

Whereas, Deputy Commissioner, Budgam's letter No: DCB-SQ/2021-22/LA/F=122/472 dated 25.05.2022, No. DCB-SQ/2022-23/LA/F=122/6541 dated 16.02.2023 and No. DCB-SQ/2023-24/LA/F=122/3044 dated 25.09.2023 has reported that the alienor(s) intend to alienate land measuring 08 marlas falling under Survey No. 234/1-min situated in estate Repora Namthal, Tehsil Chadoora, District Budgam; and

Whereas, Deputy Commissioner, Budgam 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 08 marlas falling under Survey No. 234/1-min situated in estate Repora Namthal, Tehsil Chadoora, District Budgam; 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, Budgam 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/2021-22/LA/F=122/472 dated 25.05.2022, No. DCB-SQ/2022-23/LA/F=122/6541 dated 16.02.2023 and No. DCB-SQ/2023-24/LA/F=122/3044 dated 25.09.2023; and

Whereas, to rule out the possibility of distress sale, the alienor(s) was/were heard on video call who authenticated the veracity of the documents executed by him/her/ 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 08 marlas falling under Survey No. 234/1-min situated in estate Repora Namthal, Tehsil Chadoora, District Budgam BY Smt. Shanta Kumari alias Sarla D/o Tara Chand Bhat R/o Repora Namthal, Tehsil Chadoora, District

Budgam A/P Migrants, A-102 Rutu Pearl Flats, Yemali, Vadoora, Gujarat IN FAVOUR OF (1) Razia Hassan D/o Ghulam Hassan Mir R/o Gudsathoo, Tehsil & District Budgam, (2) Rabia Hassan W/o Kaiser Sidiq Wani and (3) Gazala Wani W/o Mudasir Sidiq Wani R's/o Repora Namthal, Tehsil Chadoora, District Budgam (in equal shares), 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 prevailing at the time of execution/ registering of Sale Deed applicable under residential category of land of estate Repora Namthal, Tehsil Chadoora, District Budgam 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, Budgam (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.


DIVISIONAL COMMISSIONER,
KASHMIR

No: Div.Com/MLA/(3214)/2024
Copy to the: -

Dated: 07 - 02 - 2024

1. Financial Commissioner (Rev), J&K Govt., Jammu/Srinagar.
2. Relief Commissioner (Migrants), Jammu
3. Deputy Commissioner, Budgam
4. Alienees namely (1) Razia Hassan D/o Ghulam Hassan Mir R/o Gudsathoo, Tehsil & District Budgam, (2) Rabia Hassan W/o Kaiser Sidiq Wani and (3) Gazala Wani W/o Mudasir Sidiq Wani R's/o Repora Namthal, Tehsil Chadoora, District Budgam
5. Alienor namely Smt. Shanta Kumari alias Sarla D/o Tara Chand Bhat R/o Repora Namthal, Tehsil Chadoora, District Budgam A/P Migrants, A-102 Rutu Pearl Flats, Yemali, Vadoora, Gujarat.

.....FOR INFORMATION AND NECESSARY ACTION.