

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, 2455351 Email address: dlvcmk@gmail.com)

**Subject: -** Application of S/Sh. (1) Piaray Lal Bhat, (2) Chand Ji Bhat S's/o Late Janki Nath Bhat and (3) Ashan Ji Bhat S/o Late Kashi Nath Bhat R's/o Badipora, Tehsil Chadoora, District Budgam A/P H. No. 11, Lane No. 4, Bhawani Nagar, Talab Tiloo, 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, Budgam's letter No's: DCB/SQ/19/2869/F=89 dated 30.12.2019 and DCB/SQ/2023-24/F=89/199 dated 12.04.2023.

**ORDER NO: 50 DIVK OF 2023**

**DATED : 16 - 05 - 2023**

Whereas, Deputy Commissioner, Budgam's letter No's: DCB/SQ/19/2869/F=89 dated 30.12.2019 and DCB/SQ/2023-24/F=89/199 dated 12.04.2023 has reported that the alienor(s) intend to alienate land measuring 03 kanals falling under Survey No. 1365-min situated at estate Badipora, 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 03 kanals falling under Survey No. 1365-min situated at estate Badipora, 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/19/2869/F=89 dated 30.12.2019; and

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/transfer of lease hold rights of land measuring 03 kanals falling under Survey No. 1365-min situated at estate Badipora, Tehsil Chadoora, District Budgam BY S/Sh. (1) Piaray Lal Bhat, (2) Chand Ji Bhat S's/o Late Janki Nath Bhat and (3) Ashan Ji Bhat S/o Late Kashi Nath Bhat R's/o Badipora, Tehsil Chadoora, District Budgam A/P H. No. 11, Lane No. 4, Bhawani Nagar, Talab Tiloo, Jammu IN FAVOUR OF (1) Mushtaq Ahmad Rather, (2) Mohammad Rafiq Rather, (3) Mohammad Muzaffar Rather S's/o Mohammad Akram Rather and (4) Fateh Mohammad Rather S/o Abdul Gani Rather R's/o Badipora, Tehsil Chadoora, District Budgam, subject to the following conditions: -

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- 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 **Badipora, 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.**
- 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. 31<sup>ST</sup> OF DECEMBER, 2023.**

  
16/1/23  
**DIVISIONAL COMMISSIONER,  
KASHMIR**

No: DivCom/MLA/(3047)/2023  
Copy to the: -

Dated: 16 - 05 - 2023

1. Financial Commissioner (Rev), J&K Govt., Jammu/Srinagar.
  2. Relief Commissioner (Migrants), Jammu
  3. Deputy Commissioner, Budgam
  4. Alienees namely (1) Mushtaq Ahmad Rather, (2) Mohammad Rafiq Rather, (3) Mohammad Muzaffar Rather S's/o Mohammad Akram Rather and (4) Fateh Mohammad Rather S/o Abdul Gani Rather R's/o Badipora, Tehsil Chadoora, District Budgam.
  5. Alienors namely S/Sh. (1) Piaray Lal Bhat, (2) Chand Ji Bhat S's/o Late Janki Nath Bhat and (3) Ashan Ji Bhat S/o Late Kashi Nath Bhat R's/o Badipora, Tehsil Chadoora, District Budgam A/P H. No. 11, Lane No. 4, Bhawani Nagar, Talab Tilloo, Jammu
- .....FOR INFORMATION AND NECESSARY ACTION.