

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 Smt. (1) Phoola Ji Mantoo (W/o Maharaj Krishen Mantoo) and (2) Teja Mattoo (W/o Shuban Krishen Mattoo) D's/o Late Zinda Lal Doomb R's/o Baghi Sunder Bala, Chattabal, Srinagar A/P Migrants, H. No. 126, Lane No. 4, Anand Nagar, Bohri, 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, Pulwama's letter No. DCP-SQ/Mig/18-19/308 dated 26.11.2018, No. DCP-SQ/18-19/Mig/342 dated 09.01.2019, No. DCP-SQ/19-20/288 dated 18.06.2019, No. DCP-SQ/19-20/Mig/107 dated 12.09.2019, No. DCP-SQ/20-21/204 dated 12.10.2020 and No. DCP-SQ/23-24/Mig/364 dated 28.12.2023.

**ORDER NO: 53 - DIVK OF 2024**

**DATED : 25 - 04 - 2024**

Whereas, Deputy Commissioner, Pulwama's letter No. DCP-SQ/Mig/18-19/308 dated 26.11.2018, No. DCP-SQ/18-19/Mig/342 dated 09.01.2019, No. DCP-SQ/19-20/288 dated 18.06.2019, No. DCP-SQ/19-20/Mig/107 dated 12.09.2019, No. DCP-SQ/20-21/204 dated 12.10.2020 and No. DCP-SQ/23-24/Mig/364 dated 28.12.2023 has reported that the alienor(s) intend to alienate land measuring 03 kanals falling under Survey No. 156-min (01K-02M) and 153-min (01K-18M) situated in estate Tantraypora, Tehsil Shahoora/Litter, District Pulwama; and

Whereas, Deputy Commissioner, Pulwama 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. 156-min (01K-02M) and 153-min (01K-18M) situated in estate Tantraypora, Tehsil Shahoora/Litter, District Pulwama 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, Pulwama 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. DCP-SQ/Mig/18-19/308 dated 26.11.2018; 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 falling under Survey No. 156-min (01K-02M) and 157-min (01K-18M) situated in estate Tantraypora, Tehsil Shahoora/Litter, District Pulwama BY Smt. (1) Phoola Ji Mantoo (W/o Maharaj Krishen Mantoo) and (2) Teja Mattoo (W/o Shuban Krishen Mattoo) D's/o Late Zinda Lal Doomb R's/o Baghi Sunder Bala, Chattabal, Srinagar A/P Migrants, H. No. 126, Lane No. 4, Anand Nagar, Bohri, Jammu IN FAVOUR OF Ghulam Hassan Dar S/o Khazir Mohammad Dar R/o Petipora, Tehsil Shahoora/Litter, District Pulwama, 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 irrigated agriculture category of land of estate Tantraypora, Tehsil Shahoora/Litter, District Pulwama as approved by the Committee constituted under the J&K Preparation and revision of market value guideline rules 2011.
- c) That the alienee shall ensure right of pathway (08 feet in width) passing through Survey Nos. 159, 160-min, 154-min and 153-min to the left-over land of the alienors measuring 02 kanals falling under Survey No. 153.
- d) 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.
- e) That after completion of all registration formalities, the District Magistrate, Pulwama (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

*Alm*  
25/1/24  
DIVISIONAL COMMISSIONER,  
J&K KASHMIR  
Dated: 25 - 04 - 2024

No: Div.Com/MLA/(2954)/2024

Copy to the: -

1. Financial Commissioner (Rev), J&K Govt., Jammu/Srinagar.
  2. Relief Commissioner (Migrants), Jammu
  3. Deputy Commissioner, Pulwama
  4. Alienee namely Ghulam Hassan Dar S/o Khazir Mohammad Dar R/o Petipora, Tehsil Shahoora/Litter, District Pulwama.
  5. Alienors namely Smt. (1) Phoola Ji Mantoo (W/o Maharaj Krishen Mantoo) and (2) Teja Mattoo (W/o Shuban Krishen Mattoo) D's/o Late Zinda Lal Doomb R's/o Baghi Sunder Bala, Chattabal, Srinagar A/P Migrants, H. No. 126, Lane No. 4, Anand Nagar, Bohri, Jammu
- ..... FOR INFORMATION AND NECESSARY ACTION