

**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/Shri Bharat Bhushan Raina S/o Sh. Arjan Nath Raina R/o** village Abalwani, Tehsil Hermain, District Shopian **A/P Migrants, Flat No. 202/C-5** near Gaur Plaza, Shalimar Garden Extn-2, Shahibabad, Ghaziabad, U.P., presently H. No. 18, Block-B, Lane-02, Roop Nagar Enclave, 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, **Shopian's** letter No. DCS/SQ/23-24/3342 dated 06.12.2023 and No. DCS/SQ/23-24/4031-32 dated 06.02.2024.

**ORDER NO: 56 DIVK OF 2024**

**DATED : 01 - 05 - 2024**

Whereas, Deputy Commissioner, **Shopian** vide letter No. DCS/SQ/23-24/3342 dated 06.12.2023 and No. DCS/SQ/23-24/4031-32 dated 06.02.2024 has reported that the alienor(s) intend to alienate **land measuring 02 kanals 02 marlas** covered under **Survey Nos. 246** situated in **estate Abalwani, Tehsil Hermain, District Shopian**; and

Whereas, Deputy Commissioner, **Shopian** 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 **land measuring 02 kanals 02 marlas** covered under **Survey Nos. 246** situated in **estate Abalwani, Tehsil Hermain, District Shopian** 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, **Shopian** 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. DCS/SQ/23-24/3342 dated 06.12.2023**; and

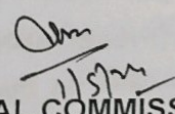
Whereas, to rule out the possibility of distress sale, the alienor(s) were heard on video call who authenticated the veracity of the documents executed by them and also intimated that the sale has not been made in distress/duress and consented to the grant of alienation permission in favour of the alienee(s).

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 02 kanals 02 marlas** covered under **Survey Nos. 246** situated in **estate Abalwani, Tehsil Hermain, District Shopian** BY **S/Shri Bharat Bhushan Raina S/o Sh. Arjan Nath Raina R/o village Abalwani, Tehsil Hermain, District**

Shopian A/P Migrants, Flat No. 202/C-5 near Gaur Plaza, Shalimar Garden Extn-2, Shahibabad, Ghaziabad, U.P., presently H. No. 18, Block-B, Lane-02, Roop Nagar Enclave, Jammu IN FAVOUR OF Afaq Ahmad Khan S/o Bashir Ahmad Khan R/o 038, Audora, Rampathri, Hawl, District Shopian, 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 **unirrigated horticulture category** of land of **estate Abalwani**, Tehsil Hermain District Shopian approved by the Committee constituted under the J&K Preparation and revision of market value guideline rules 2011. Besides, an amount of **Rs. 2,86,860/- (Rupees two lacs eighty-six thousand eight hundred and sixty)**, value of the walnut trees as assessed by the Chief Horticulture Officer, Shopian, shall added to the value of the property in question.
- 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, Shopian (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/(3313)/2024

Dated: 01 - 05 - 2024

Copy to the: -

1. Financial Commissioner (Rev), J&K Govt., Jammu/Srinagar.
2. Relief Commissioner (Migrants), Jammu
3. Deputy Commissioner, Shopian
4. Alienee namely Afaq Ahmad Khan S/o Bashir Ahmad Khan R/o 038, Audora, Rampathri, Hawl, District Shopian.
5. Alienor S/Shri Bharat Bhushan Raina S/o Sh. Arjan Nath Raina R/o village Abalwani, Tehsil Hermain, District Shopian A/P Migrants, Flat No. 202/C-5 near Gaur Plaza, Shalimar Garden Extn-2, Shahibabad, Ghaziabad, U.P., presently H. No. 18, Block-B, Lane-02, Roop Nagar Enclave, Jammu

.....FOR INFORMATION AND NECESSARY ACTION.