

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) -2407777, 2477779, 2402000, 2400307 Email address: divcomk@gmail.com)

Subject: - Application of S/Shri (1) Anil Kumar Bhat S/o Smt. Late Tulsī and Prithvi Nath Bhat, (2) Smt. Ratna W/o J. L. Bhat, (3) Smt. Khem Lata alias Khema Kumari Wali W/o Dr. M. L. Bhat and (4) Smt. Sharika W/o Bansī Lal Koul all D's/o Late Sat Lal Gosani/Wali R's/o Chawalgam, District Kulgam A/P Bohri, 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, Kulgam's letter No: DCK/M/113 dated 09.12.2016, No. DCK/M/2023-24/50 dated 14.07.2023, No. DCK/M/2023-24/25 dated 16.05.2023.

ORDER NO: 104 DIVK OF 2023

DATED : 09 - 10 - 2023

Whereas, Deputy Commissioner, Kulgam's letter No: No: DCK/M/113 dated 09.12.2016, No. DCK/M/2023-24/50 dated 14.07.2023, No. DCK/M/2023-24/25 dated 16.05.2023 has reported that the alienor(s) intend to alienate land measuring 12 marlas under Survey Nos. 316-min (09 marlas) and 320-min (03 marlas) situated in estate Chawalgam, Tehsil & District Kulgam; and

Whereas, Deputy Commissioner, Kulgam 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 12 marlas under Survey Nos. 316-min (09 marlas) and 320-min (03 marlas) situated in estate Chawalgam, Tehsil & District Kulgam 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, Kulgam 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. DCK/M/113 dated 09.12.2016, No. DCK/M/2023-24/50 dated 14.07.2023, No. DCK/M/2023-24/25 dated 16.05.2023; 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 12 marlas under Survey Nos. 316-min (09

marlas) and 320-min (03 marlas) situated in estate Chawalgam, Tehsil & District Kulgam BY (1) Anil Kumar Bhat S/o Smt. Late Tulsai and Prithvi Nath Bhat, (2) Smt. Ratna W/o J.L. Bhat, (3) Smt. Khem Lata alias Khema Kumari Wall W/o Dr. M. L. Bhat and (4) Smt. Sharika W/o Bansi Lal Koul all D's/o Late Sat Lal Gosani/Wali R's/o Chowalgam, District Kulgam A/P Bohri, Talab Tiloo, Jammu IN FAVOUR OF Hilal Ahmad Naik S/o Abdul Khaliq Naik R/o Hanad, Chawalgam, Tehsil & District Kulgam, 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 applicable for the calendar year 2023 of estate Chawalgam, Tehsil & District Kulgam 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, Kulgam (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. 31ST OF DECEMBER, 2023.

Om
21/12
DIVISIONAL COMMISSIONER,
KASHMIR

No: DivCom/MLA/(1274)/2023

Dated: 09 - 10 - 2023

Copy to the: -

1. Financial Commissioner (Rev), J&K Govt., Jammu/Srinagar.
2. Relief Commissioner (Migrants), Jammu
3. Deputy Commissioner, Kulgam
4. Alienee namely Hilal Ahmad Naik S/o Abdul Khaliq Naik R/o Hanad, Chawalgam, Tehsil & District Kulgam.
5. Alienors namely (1) Anil Kumar Bhat S/o Smt. Late Tulsai and Prithvi Nath Bhat, (2) Smt. Ratna W/o J.L. Bhat, (3) Smt. Khem Lata alias Khema Kumari Wall W/o Dr. M. L. Bhat and (4) Smt. Sharika W/o Bansi Lal Koul all D's/o Late Sat Lal Gosani/Wali R's/o Chowalgam, District Kulgam A/P Bohri, Talab Tiloo, Jammu

.....FOR INFORMATION AND NECESSARY ACTION.