

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 S/Sh. (1) Raj Kumar Raina (son) and (2) Smt. Nancy Devi D/o Sh. Late Dwarika Nath Raina R's/o Sallar, Tehsil Sallar, District Anantnag A/P Migrants at Jawahar Nagar, Tehsil & District Udhampur 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, Anantnag's letter No: DCA/MLA/(1287)/19-20/1091 dated 17.03.2020, No: DCA/MLA/(1164/15)/2021/346 dated 15.10.2020 and No: DCA/MLA/(1287)/23-24/130 dated 25.04.2023

ORDER NO: 05 DIVK OF 2024

DATED : 11 - 01 - 2024

Whereas, Deputy Commissioner, Anantnag's letter No: DCA/MLA/(1287)/19-20/1091 dated 17.03.2020, No: DCA/MLA/(1164/15)/2021/346 dated 15.10.2020 and No: DCA/MLA/(1287)/23-24/130 dated 25.04.2023 has reported that the alienor(s) intend to alienate land measuring 02 kanals covered under Survey No. 577 (01K-05M) and 309-min (15 marlas) situated in estate Sallar, Tehsil Sallar, District Anantnag; and

Whereas, Deputy Commissioner, Anantnag 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 02 kanals covered under Survey No. 577 (01K-05M) and 309-min (15 marlas) situated in estate Sallar, Tehsil Sallar, District Anantnag vide his above referred letter, 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, the Deputy Commissioner Anantnag 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 DCA/MLA/(1287)/19-20/1091 dated 17.03.2020; 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 land measuring 02 kanals covered under Survey No. 577 (01K-05M) and 309-min (15 marlas) situated in estate Sallar, Tehsil Sallar, District Anantnag BY S/Sh. (1) Raj Kumar Raina (son) and (2) Smt. Nancy Devi D/o Sh. Late Dwarika Nath Raina

R's/o Sallar, Tehsil Sallar, District Anantnag A/P Migrants at Jawahar
Tehsil & District Udhampur IN FAVOUR OF Ghulam Rasool Pandit S/o M.
Sultan Pandit R/o Sallar, Tehsil Sallar, District Anantnag, subject to the
conditions. -

- a) That the applicant(s) is/are rightful owners/occupants of the property proposed to be alienated and is free from 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 irrigated horticulture (01K-05M) and residential category (15 marlas) of land of estate Sallar, Tehsil Sallar, District Anantnag as approved by the Committee constituted under the J&K Preparation and revision of market value guideline rules 2011. Besides, an amount of Rs. 10,000/- (Rupees ten thousand, value of one and half walnut tree as assessed by Chief Horticulture Officer, Anantnag shall be 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, Anantnag (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/(1342)/2024

Dated: 11 - 01 - 2024

Copy to the: -

1. Financial Commissioner (R), J&K Govt. Jammu/Srinagar.
2. Relief Commissioner (Migrants), Jammu
3. Deputy Commissioner, Anantnag
4. Alienee namely Ghulam Rasool Pandit S/o Mohammad Sultan Pandit R/o Sallar, Tehsil Sallar, District Anantnag
5. Aliensors namely S/Sh. (1) Raj Kumar Raina (son) and (2) Smt. Nancy Devi D/o Sh. Late Dwarika Nath Raina R's/o Sallar, Tehsil Sallar, District Anantnag A/P Migrants at Jawahar Nagar, Tehsil & District Udhampur.
.....FOR INFORMATION AND NECESSARY ACTION.