

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. Nenna Ji Khar, (2) Gopi Krishan, (3) Ashok Kumar Khar (sons) and (4) Smt. Chuni Devi W/o Late Sh. Brij Nath Khar R's/o Peth Kanihama, Tehsil Magam District Budgam A/P Migrants, Bakshi Nagar, Shopping Centre, 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: DCB/SQ/2007/F=796/888 dated 06.03.2007, DCB/SQ/07/F=796/924 dated 25.07.2007, DCB/SQ/Val/201/013 dated 03.01.2013, DCB/SQ/13/Val/909 dated 02.12.2013, DCB/SQ/Val/018/F=69/1350 dated 18.01.2019, DCB/SQ/19/Val/2810 dated 17.12.2019, DCB/SQ/2020-21/9057 dated 02.01.2021, DCB/SQ/2023-24/F=69/5208 dated 05.02.2024 and No. DCB-SQ/2024-25/F=69/87 dated 24.04.2024.

**ORDER NO: 83 DIVK OF 2024**

**DATED : 10 - 07 - 2024**

Whereas, Deputy Commissioner, Budgam's letter No: DCB/SQ/2007/F=796/888 dated 06.03.2007, DCB/SQ/07/F=796/924 dated 25.07.2007, DCB/SQ/Val/201/013 dated 03.01.2013, DCB/SQ/13/Val/909 dated 02.12.2013, DCB/SQ/Val/018/F=69/1350 dated 18.01.2019, DCB/SQ/19/Val/2810 dated 17.12.2019, DCB/SQ/2020-21/9057 dated 02.01.2021, DCB/SQ/2023-24/F=69/5208 dated 05.02.2024 and No. DCB-SQ/2024-25/F=69/87 dated 24.04.2024 has reported that the alienor(s) intend to alienate land measuring 04 kanals 136 Sfts falling under Survey No. 185-min situated in estate Peth Kanihama, Tehsil Magam, 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 04 kanals 136 Sfts falling under Survey No. 185-min situated in estate Peth Kanihama, Tehsil Magam, 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/2007/F=796/888 dated 06.03.2007, DCB/SQ/07/F=796/924 dated 25.07.2007, DCB/SQ/Val/201/013 dated 03.01.2013, DCB/SQ/13/Val/909 dated 02.12.2013, DCB/SQ/Val/018/F=69/1350 dated 18.01.2019, DCB/SQ/19/Val/2810 dated 17.12.2019, DCB/SQ/2020-21/9057 dated 02.01.2021, DCB/SQ/2023-24/F=69/5208 dated 05.02.2024 and No. DCB-SQ/2024-25/F=69/87 dated 24.04.2024; and

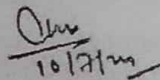
Whereas, to rule out the possibility of distress sale, the alienor(s) was/were heard on video call who authenticated the veracity of the documents executed by

him/her/ 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 04 kanals 136 Sfts falling under Survey No. 185-min situated in estate Peth Kanihama, Tehsil Magam, District Budgam BY S/Sh. Nenna Ji Khar, (2) Gopi Krishan, (3) Ashok Kumar Khar (sons) and (4) Smt. Chuni Devi W/o Late Sh. Brij Nath Khar R's/o Peth Kanihama, Tehsil Magam District Budgam A/P Migrants, Bakshi Nagar, Shopping Centre, Jammu through attorney holder namely Abdul Rouf Bhat S/o Ghulam Rasool Bhat R/o Peth Kanihama, Tehsil Magam, District Budgam IN FAVOUR OF Mst. Sajdah W/o Ghulam Rasool Bhat R/o Peth Kanihama, Tehsil Magam, District Budgam, 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 (land) under proposed alienation shall be calculated as per the stamp rate prevailing at the time of execution/ registering of Sale Deed applicable under agriculture category of land of estate Peth Kanihama, Tehsil Magam, 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.

  
DIVISIONAL COMMISSIONER,  
KASHMIR

Dated: 10 - 07 - 2024

No: Div.Com/MLA/(493)/2024  
Copy to the: -

1. Financial Commissioner (Rev), J&K Govt., Jammu/Srinagar.
2. Relief Commissioner (Migrants), Jammu
3. Deputy Commissioner, Budgam
4. Alienee namely Mst. Sajdah W/o Ghulam Rasool Bhat R/o Peth Kanihama, Tehsil Magam, District Budgam
5. Alienors namely S/Sh. Nenna Ji Khar, (2) Gopi Krishan, (3) Ashok Kumar Khar (sons) and (4) Smt. Chuni Devi W/o Late Sh. Brij Nath Khar R's/o Peth Kanihama, Tehsil Magam District Budgam A/P Migrants, Bakshi Nagar, Shopping Centre, Jammu
6. Attorney Holder namely Abdul Rouf Bhat S/o Ghulam Rasool Bhat R/o Peth Kanihama, Tehsil Magam, District Budgam.

.....FOR INFORMATION AND NECESSARY ACTION.