

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: 01941-240777, 247775, 2452558, 2455357 Email address: dtvcsmk@gmail.com)

Subject:- Application of Sh. Ram Chand Koul S/o Late Madav Koul R/o Bonagam, Tehsil Kawarhama, District Baramulla A/P Migrant, Neel Sheel Colony near Tiny Tots School, Dhok Paloura, 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, Baramulla's letter Nos: DCB/SQ/Alie/397 dated 17.05.2012, DCB/SQ/Alie/1883 dated 29.11.2012, DCB/SQ/Alie/1260 dated 12.08.2015, DCB/SQ/Alie/7244 dated 02.01.2018, DCB/SQ/Alie/3237 dated 11.10.2018, DCB/SQ/Alie/5273 dated 09.02.2019, DCB/SQ/Alie/4256 dated 03.01.2020 and No. DCB/SQ/Alie/3662 dated 29.10.2020.

ORDER NO: 84 DIVK OF 2024
DATED : 11 - 07 - 2024

Whereas, Deputy Commissioner, Baramulla vide letter Nos: DCB/SQ/Alie/397 dated 17.05.2012, DCB/SQ/Alie/1883 dated 29.11.2012, DCB/SQ/Alie/1260 dated 12.08.2015, DCB/SQ/Alie/7244 dated 02.01.2018, DCB/SQ/Alie/3237 dated 11.10.2018, DCB/SQ/Alie/5273 dated 09.02.2019, DCB/SQ/Alie/4256 dated 03.01.2020 and No. DCB/SQ/Alie/3662 dated 29.10.2020 has reported that the alienor(s) intend to alienate land measuring 01 kanal 17 marlas covered under Survey No. 458 (09M), 465 (12M) {Proprietary land}, 472 (10M) and 473 (06M) {Abadi Deh} of estate Bonagam, Tehsil Kawarhama, District Baramulla; and

Whereas, Deputy Commissioner, Baramulla 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 01 kanal 17 marlas covered under Survey No. 458 (09M), 465 (12M) {Proprietary land}, 472 (10M) and 473 (06M) {Abadi Deh} of estate Bonagam, Tehsil Kawarhama, District Baramulla vide his above referred letter and 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, Baramulla 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/Alie/397 dated 17.05.2012 and DCB/SQ/Alie/1260 dated 12.08.2015; and

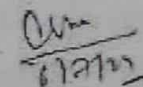
Whereas, to rule out the possibility of distress sale, the spouse of the alienor was heard on video call who authenticated the veracity of the documents executed by the alienor and also intimated that the sale has not been made in distress/duress and consented to the grant of alienation permission in 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 01 kanal 01 maria covered under Survey Nos. 458 (09M) and 465 (12M) and

alienation of possessory rights for land measuring 16 marlas covered under Survey Nos. 472 (10M) and No. 473 (06M) of estate Bonagam, Tehsil Kawarhama, District Baramulla BY Sh. Ram Chand Koul S/o Late Madav Koul R/o Bonagam, Tehsil Kawarhama, District Baramulla A/P Migrant, Neel Sheel Colony near Tiny Tots School, Dhok Paloura, Jammu through attorney holder namely Akhter Rasool Parray S/o Late Assadullah Parray R/o Bonagam, Tehsil Kawarhama, District Baramulla IN FAVOUR OF Mst. Ulfat Jan W/o Akhter Rasool Parray R/o Bonagam, Tehsil Kawarhama, District Baramulla, 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 (01K-01M) and residential (16M) categories of land of estate Bonagam, Tehsil Kawarhama, District Baramulla 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, Baramulla (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/(2222)/2024

Dated: 11 - 07 - 2024

Copy to the: -

1. Financial Commissioner (R), J&K Govt. Jammu/Srinagar.
2. Relief Commissioner (Migrants), Jammu
3. Deputy Commissioner, Baramulla
4. Alienee namely Mst. Ulfat Jan W/o Akhter Rasool Parray R/o Bonagam, Tehsil Kawarhama, District Baramulla
5. Alienor namely Sh. Ram Chand Koul S/o Late Madav Koul R/o Bonagam, Tehsil Kawarhama, District Baramulla A/P Migrant, Neel Sheel Colony near Tiny Tots School, Dhok Paloura, Jammu
6. Attorney Holder namely Akhter Rasool Parray S/o Late Assadullah Parray R/o Bonagam, Tehsil Kawarhama, District Baramulla

..... FOR INFORMATION AND NECESSARY ACTION.