

**Government of Jammu and Kashmir
Revenue Department,
Civil Secretariat, Jammu/Srinagar**

Subject: SO 373 dated 01.11.2021, Forms -reg.

Forms 'A' & 'B' annexed are hereby prescribed for the purpose of grant of permission by District Collector to an agriculturist to alienate the land to a non-agriculturist in accordance with the procedure notified vide SO 373 dated 01.11.2021 issued under endorsement No. Rev-S/03/2021 (21030) dated 01.11.2021.

By order of the Government of Jammu & Kashmir.

Sd/-

(Vijay Kumar Bidhuri) IAS

Commissioner/Secretary to the Government

Dated: 06.01.2022

No. Rev-Sett/3/2021 (21030)

Copy to the:

1. Financial Commissioner (Revenue), J&K.
2. Additional Secretary (JKL), MHA, New Delhi.
3. Principal Secretary to Hon'ble Lieutenant Governor, J&K.
4. Principal Secretary to the Government, General Administration Department.
5. Divisional Commissioner, Kashmir/Jammu.
6. Secretary to the Government, Department of Law, Justice & Parliamentary Affairs.
7. Commissioner, Survey & Land Records, J&K.
8. Custodian General, J&K.
9. Inspector General of Registration, J&K.
10. All Deputy Commissioners of UT of J&K.
11. Director, Information, J&K.
12. Director Archives, Archaeology and Museum, J&K.
13. All Regional Directors, Survey & Land Records, J&K.
14. Principal, Revenue Training Institute, Jammu/Srinagar.
15. General Manager, Government Press, Jammu/Srinagar.
16. Pvt. Secretary to Chief Secretary for kind information of the Chief Secretary.
17. Pvt. Secretary to Hon'ble Advisor (B) for kind information of the Hon'ble Advisor.
18. Pvt. Secretary to Commissioner/Secretary to the Government, Revenue Department.
19. Government Order file.
20. I/C Website.

Mu 29 - 06/01/2022
(Muzammil Hassan Choudhary)

Under Secretary to the Government

"FORM A"
APPLICATION FOR PERMISSION REQUIRED UNDER Sec 133 H of J&K Land
Revenue Act, (Samvat) 1996.
PART-I

To
The District Collector _____
District _____

Sir,

1. I/We intend to alienate agricultural land in terms of Sec 133 H:
Name of the applicant _____ Son/Daughter/Wife/ of _____ resident of
village _____ Tehsil _____ District _____.
2. Permanent address Village/Town _____ Tehsil _____ District _____
3. Present occupation and address _____
4. Land use _____
5. Particulars of the land applied for:
i) District. _____ ii) Tehsil. _____ iii) village _____

S.No	Khata No	Khewat No	Khasra No(s)	Quantum of land	Classification of land
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6. Particulars of the person(s) to whom land is intended to be transferred
Name _____ son/daughter/wife of _____ resident of village _____
Tehsil _____ District _____
7. Whether the applicant applied previously for such permission if so, give the following particulars:-
 - (a) Date of application, if known.
 - (b) Whether permission granted or refused (order No. Date and authority)
 - (c) Particulars of land permitted transferred previously:-
 - i) District. _____ ii) Tehsil. _____ iii) Name of village.
 - iv) Khata No., khewat No. and Khasra No(s) with area and classification.
8. Any other information which the applicant considers to be relevant.
9. Affidavits of the parties are attached declaring that the transaction is not in violation of statutory provision and conditions for transaction and the _____ person is qualified to take up such activity and transaction should not make transferor landless.

I/We solemnly affirm and declare:-

That whatever has been stated above is true to the best of my/our knowledge and belief and that nothing has been concealed or suppressed.

Signature of the Applicant(s)

Transferor

Transferee

Address

Dated:

Receipt

Receipt No. _____

Dated _____

Received the application form from Sh. _____ S/o
_____ R/o _____ for grant of permission to alienate agricultural
land under Khasra No.(s) _____ in village
_____ Tehsil _____.

Signature of the Receipt Clerk
of District Collector _____

(M)



"FORM-B"

Office of the District Collector _____

Subject: Grant of permission to an agriculturist to alienate the land to non agriculturist:

Order No. _____

Dated _____

Whereas, an application has been filed under Section 133 H of J&K Land Revenue Act Samvat 1996 by Sh. _____ for permission to alienate land measuring _____ kanal situated at village _____ Tehsil _____ District _____; and

Whereas, the necessary reports alongwith the revenue papers have been obtained from revenue field formation and after its examination the case has been considered; and

Now therefore, permission is hereby granted in favour of the applicant(s) to alienate agriculture land to non-agriculturist as per the particulars given below:-

S.No	District	Tehsil	Village	Khasra No.(s)	Quantum of Land		Classification of land	Name and particulars of transferor	Name and particulars of transferee	Purpose of transfer	Remarks
					Kanal	Marla					
1											

The permission for alienation of above land shall be subject to the following conditions:-

- I. The land shall be used only for the purpose for which the permission has been granted.
- II. The land shall be put to use for the purpose within a period of two year from the date of issuance of the permission order.
- III. The applicant shall abide by all the Act/Rules and Regulations applicable on such lands.
- IV. The transaction should not make the transferor landless.
- V. The land acquired by transferee cannot be transferred for any other purposes except for the purpose for which permission is granted, subject to any further authorization or permission granted by the competent authority.

Signature of the prescribed authority

District Collector _____

Dated: _____

File No. _____

Copy to the:-

1. Financial Commissioner, Revenue/Ex-officio Chairman Board of Revenue.
2. Divisional Commissioner, _____
3. Assistant Commissioner (Revenue)/Sub Divisional Magistrate _____
4. Tehsildar _____ for affecting necessary entry into the revenue records.

Government of Jammu and Kashmir
Revenue Department
Civil Secretariat, Jammu.

Notification

Jammu, the 1st November, 2021

S.O. 373.-In exercise of the powers conferred by sub-clause (i) of clause (a) of the Explanation appended to clause (a) of sub-section (1) and sub-section (9) of section 133-H of the Jammu and Kashmir Land Revenue Act, Samvat, 1996, the Government hereby notifies the following dates mentioned in column (2) for coming into force of the provisions mentioned in column (1) in table below as under:-

Provision	Date of enforcement
Section 133-H	From the date of issuance of this notification.
Clause (a) (i) of the Explanation appended to sub-section (1) (a) of section 133-H	Any person who cultivates the land personally on the date of issuance of this notification shall be an 'agriculturist' for the purposes of said provision.

Further, in exercise of the powers conferred by Proviso First to sub-section (1) of section 133-H of the Act, the Government hereby authorizes District Collector concerned as an officer, who may grant permission in terms of said proviso for the purposes and subject to quantum as provided hereinafter:-

Purpose	Quantum
Agriculture and allied activities	Upto 20 kanal
Horticulture/Orchards	Upto 80 kanal

Further, the District Collector concerned shall grant such permission subject to the conditions as prescribed in Annexure appended to this notification.

This notification shall come into force with immediate effect.

By Order of the Lieutenant Governor.

Sd/-

(Shaleen Kabra)IAS

Principal Secretary to the Government


No. Rev-S/03/2021(21030)

Dated:01.11.2021

Copy to the:

1. Financial Commissioner, Revenue, J&K.
2. Additional Secretary (JKL), MHA, New Delhi.

3. Principal Secretary to Hon'ble Lieutenant Governor, J&K.
4. Commissioner/Secretary to the Government, General Administration Department.
5. Divisional Commissioner, Kashmir/Jammu.
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10. All Deputy Commissioners of UT of J&K.
11. Director, Information, J&K.
12. Director Achieves Archaeology and Museum, J&K.
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20. I/C Website.


01/11/2021
(Dharam Paul)



Under Secretary to the Government

Annexure to the S.O. 373 of 2021 dated: 01.11.2021.

(a) Conditions for grant of permission shall be:-

- (i) The land shall be used only for the purpose for which the permission has been granted.
- (ii) The land shall be put to use for the purpose within a period of two years from the date of issuance of this permission order, provided that the District Collector may, for reasons to be recorded in writing, extend the said period by another year. Further extension of one year may be granted by the Divisional Commissioner, for exceptional reasons, to be recorded in writing. The government shall be kept informed of any extensions in currency in regular monthly reports and all such extensions will be subject to further orders/restrictions by the government.
- (iii) The applicant shall abide by all the Acts/Rules and Regulations applicable on such lands.
- (iv) The transaction should not make the transferor landless.
- (v) The land acquired by transferee cannot be put to use/transferred for any other purposes except for the purpose for which permission is granted, subject to any further authorization or permission granted by the competent authority.

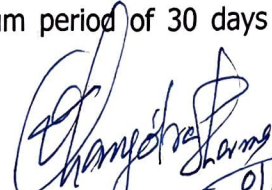
(b) The procedure shall be as under:


- (i) The parties to the transaction, i.e. the agriculturist who intend to alienate land and the non-agriculturist who intends to purchase the same, shall jointly apply to the District Collector, on a prescribed proforma. This will include, among other things, details of the land in question as per the agriculturist, details of other land held by the agriculturist, separate affidavit by both the parties that the transaction is not in violation of the statutory provisions and conditions for transaction, affidavit by the non-agriculturist that the person is qualified to take up such activity. The decision to forward the application or reject the same will be taken within 7 days of filing of an application complete in all respects.
- (ii) The District Collector shall forward the application to the Tehsildar concerned who, shall submit report, after due diligence and verification, alongwith relevant revenue papers (i.e jamabandi, Khasra Girdawari, Tatima) and his recommendations to the District Collector. In case the Tehsildar finds that the proposed transaction is in conformity with the law, he shall also issue a 'Fard' for alienation of land and while recording other condition therein also indicate that the registration of the document shall be subject to the permission granted

by the District Collector. The Sub-Divisional Magistrate (SDM)/Assistant Commissioner, Revenue (ACR) shall record his observations while submitting to the District Collector. The Tehsildar shall submit his report within 07 days and the Sub-divisional level officer within 07 days thereafter.

(iii) The District Collector shall consider and decide the application after examining the matter. The District Collector shall record reasons in writing for either decision, i.e. the approval as well as the rejection, in the prescribed format, within 07 days of receipt of recommendations of the subordinate Revenue Officers.

(iv) The entire process shall be completed within a maximum period of 30 days from the date of filing of application.


(Dharam Paul) 01/11/2021

 **Under Secretary to the Government**