

Directorate of Rural Development Kashmir


Subject: -Execution of works involving migrant property.

CIRCULAR

Various instances have been reported from Anantnag & Ganderbal Districts that various developmental works under different schemes are being executed by Block Development Officers which involve migrants property that fall within the ambit of Jammu and Kashmir Migrant Immovable Property (Preservation, Protection and Restraint on Distress Sales) Act, 1997.

Execution of works like construction of roads/ Khuls / Lanes / Drains etc. involving migrant property is illegal and violates the principle of protection and preservation of migrant property envisaged under Jammu and Kashmir Migrant Immovable Property (Preservation, Protection and Restraint on Distress Sales) Act, 1997.

Therefore, it is impressed upon all Project Officers Wage Employment (ACDs) and Block Development Officers of Kashmir Division to desist from incorporating such works in developmental plans and their subsequent execution unless there is a categorical consent from the owner of the property (including Migrant) and permission from Competent Authority is accorded. The concerned Panchayats be also intimated accordingly. Failure to adhere to these instructions shall invite penal action under law.


23.12.2020
Director
Rural Development Department
Kashmir

No:-DRDK/Estt/41604-003
Copy to the :-

Dated: 23.12.2020

1. Divisional Commissioner, Kashmir for favour of information.
2. Secretary to Government Department of Rural Development & Panchayati Raj J&K Jammu for favour of information.
3. All Deputy Commissioners (Kashmir Division) for favour of information.
4. Superintending Engineer, REW Kashmir for information.
5. All Project Officers Wage Employment (ACD) (Kashmir Division) for information and necessary action.
6. All Executive Engineers, REW (Kashmir Division) for information and necessary action.
7. All Block Development Officers, (Kashmir Division) for information and necessary action.