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as a separate compilation.

PART III

Laws, Regulations and Rules passed thereunder.

GOVERNMENT OF JAMMU AND KASHMIR,
CIVIL SECRETARIAT—REVENUE DEPARTMENT,
JAMMU/SRINAGAR

Notification

Jammu, the 9th of December, 2022.

SO-668.—In exercise of the powers conferred by Section 4 read with Section 9 of the Jammu and Kashmir Land Grants Act, Svt. 1960 and all other enabling provisions in this behalf, the Government hereby makes the following rules ; namely :—

1. **Short title, extent and commencement.**—(1) These rules may be called the Jammu and Kashmir Land Grants Rules, 2022.

(2) They shall extend to the whole Union territory of Jammu and Kashmir.

(3) They shall come into force on the date of its publication in the official Gazette.

2. Definitions.—(1) In these rules, unless the context requires otherwise,—

- (a) **“Act”** means the Jammu and Kashmir Land Grants Act, 1960 ;
- (b) **“Agreement”** means a settlement and includes a supplementary or an additional agreement entered into for lease of land and registered under the Registration Act, 1908 ;
- (c) **“Agriculture and allied activities”** means activities that are connected with and subservient to agriculture such as agro forestry, dairy farming, animal husbandry, fisheries, floriculture, fruit nursery, fruit plant and rootstock, horticulture, poly house and green house cultivations, poultry and such other ancillary activities ; and as may be notified by the Government ;
- (d) **“Arrears of rent”** means rent which remains unpaid after the date on which it becomes due and payable ;
- (e) **“Assistant Collector Revenue”** means next supervisory Revenue authority of the Tehsildar and may include ADC and SDM as the case may be.
- (f) **“Chief Executive Officer”** means the Chief Executive Officer of the authority constituted under the Jammu and Kashmir Development Act, 1970 and rules framed thereunder ;
- (g) **“Deputy Commissioner”** means the Deputy Commissioner of the concerned district ;
- (h) **“Ex-serviceman”** means a former member of the armed forces of the Union and includes former member of Central Armed Police Force (not being a person who has ceased to be a member of the armed forces as a result of his being duly dismissed or discharged after a court martial or on account of bad character or as a result of desertion or who has been arrested) ;
- (i) **“Empowered Committee”** means a committee as may be constituted in terms of Rule 5 of these rules.
- (j) **“Form”** means a form appended to these rules ;
- (k) **“Forward Auction”** means the method of auction where bidders shall be required to successively quote the bid higher

than the floor price, subject to such conditions as may be specified in the bid document ;

- (l) **“Government”** means the Government of Union territory of Jammu and Kashmir ;
- (m) **“Land”** means land as defined under Section 3(b) of the Jammu and Kashmir Land Grants Act, 1960 ;
- (n) **“Lease”** means an agreement between the lessor and the lessee by which the lessor conveys use and occupation of his land to the lessee for a specific purpose for a specified period and on related terms and conditions as in lease deed for a consideration with conditions of use ;
- (o) **“Lessee”** means a person or a group of persons including Firm (Proprietorship and Partnership), Limited Liability Partnerships, Company, Farmer’s Society, Cooperative Society, Societies, Trust, NGO registered under relevant Act, Farmer Producers’ Organization (FPO), Self Help Group (SHG) or any other business entity as per applicable law of the land who may take land on lease and shall include the successor-in-interest of the lessee ;
- (p) **“Market Value”** means latest value of land as notified in terms of Jammu and Kashmir Preparation and Revision of Market Value Guideline Rules, 2011 ;
- (q) **“Notified Area”** means Notified Area of Gulmarg/Pahalgam as notified under the Notified Area (All Development Authorities set in Tourism Sector) Land Grants Rules, 2007 ;
- (r) **“Occupancy Price”** means the price payable for use of leased land and includes premium, annual ground rent or any other amount under these rules ;
- (s) **“Outgoing Lessee”** means the person whose land lease has expired by efflux of time ;
- (t) **“Planning Area”** means an area notified under the Master Plan, Zonal Plan or Regional Plan or any other developmental plan under the relevant provisions of law in force in the Union territory of Jammu and Kashmir ;
- (u) **“Prescribed”** means prescribed under these rules ;
- (v) **“Revenue Officer”** means the classes of Revenue Officers as defined under Jammu and Kashmir Land Revenue Act, Svt. 1996 ;

- (w) **“Tribunal”** means the Special Tribunal constituted under Section 4 of the Jammu and Kashmir Special Tribunal Act, 1988.

(2) Words and expressions used herein but not defined shall have the same meanings as assigned to them in the Act.

3. **Applicability of rules.**—These rules shall not apply to the following categories.—

- (i) Land which has been transferred to the Housing and Urban Development Department and its agencies or to any other department of the Government :

Provided that such a department or its agencies shall auction the leases of such land through their own policy or in case no such policy is framed, through forward auction till such policy is framed by the department.

- (ii) Subsisting/expired residential leases executed under the Jammu and Kashmir Land Grant Rules, 1960, for which a separate policy shall be notified by the Government.

However, these rules shall apply to land transferred to or under the possession of Tourism Development Authorities.

4. **Maintenance of record of land.**—(1) The Deputy Commissioner shall maintain record of land as defined under the Land Grants Act, 1960 in the concerned district with following specifications,—

- (a) Description of land,—

- (i) entry in the revenue record with Khasra No. ;
- (ii) area of the land ;
- (iii) dimensions of the land ;
- (iv) boundaries of the land ;
- (v) soil type ;
- (vi) land marks or any other description as may be deemed appropriate ;
- (vii) cultivable or non-cultivable ;
- (viii) encumbrances, if any ;
- (ix) objections of Local Authority, if any ;

- (x) details of building and trees, utilities/services standing on such land or any mineral/geological resources or valuables underneath it, if any, standing on the land and the market value thereof ;
 - (xi) location of the land within and outside the Municipal/Notified Area and the exact location thereof ;
or
 - (xii) Any other description as may be required.
- (b) Geo-coordinated map to the nearest accuracy.
- (c) An Online Register of the above list shall be maintained District and Tehsil-wise in **Form-I** and shall be updated every six months and uploaded on the Department's website.

5. **Grant of land on lease.**—The Government may for development of the Union territory of Jammu and Kashmir grant lease of land under the provisions of these rules.

Explanation :—For the purpose of development of Union territory of Jammu and Kashmir, the following shall, but not limited to, be the building purposes :—

- (i) Education ;
- (ii) Healthcare ;
- (iii) Agriculture and allied activities ;
- (iv) Tourism ;
- (v) Skill Development ;
- (vi) Development of Traditional Art, Craft, Culture and Languages ;
- (vii) Hydro-Electric Projects ;
- (viii) Development of Stadiums, Playgrounds, Gymnasiums or other recreational purposes ;
- (ix) Petrol Pumps, Gas Pipelines, LPG bottling Centers, Fuel Reservoir, Next Generation Clean fuel sources like CNG (Compressed Natural Gas)/CBG (Compressed Bio Gas)/LNG (Liquefied Natural Gas)/Hydrogen fuel/Low Carbon Fuel/any Other Clean Fuel Source with related activities/services/utilities/infrastructures as per established norms/Industry Best Practices ;

- (x) Self-employment or for housing purposes of Ex-servicemen, War Widows, Families of Deprivation Categories (as per latest socio-economic census), Specially-Abled Persons (Divyang), Families of Martyr (one who has sacrificed his life in the line of duty for the sake of nation), Migrant Workers/Building and Other Construction Workers ;
- (xi) Rehabilitation of sufferers of Natural disasters/calamities ;
- (xii) Specific infrastructure projects for the development of Infrastructure, Industries, Agriculture, Tourism and Employment Generation ;
- (xiii) Laying of water mains, pipes, underground cables, cause ways, underground bridges, cables, towers, poles, stay rods, stay rails for overhead cable and likewise ;
- (xiv) Any other purpose in the interest of the Union territory of Jammu and Kashmir to be determined by the Government.

6. **Empowered Committee.**—(1) There shall be an Empowered Committee consisting of the following :—

- | | |
|---|-----------|
| 1. Financial Commissioner, Revenue. | Chairman |
| 2. Divisional Commissioner, Jammu/Kashmir. | Member(s) |
| 3. Commissioner Survey and Land Records. | Member |
| 4. Representative of the Law Department not below the rank of Additional Secretary. | Member |
| 5. Representative of the Revenue Department not below the rank of Additional Secretary. | Member |
| 6. Representative of the I&C Department not below the rank of Additional Secretary. | Member |
| 7. Representative of the Rural Dev. Department not below the rank of Additional Secretary. | Member |
| 8. Representative of the Housing and Urban Development Department not below the rank of Additional Secretary. | Member |

- | | |
|--|--------|
| 9. Representative of the Tourism Department not below the rank of Additional Secretary. | Member |
| 10. Representative of the Tribal Affairs Department not below the rank of Additional Secretary. | Member |
| 11. Any other member as may be nominated by Government or co-opted by the Chairman or called as a special invitee. | Member |

(2) The Empowered Committee shall perform the following functions :—

- (i) identify and designate the land and the purpose for grant of lease ;
- (ii) recommend the period of grant of lease, which shall ordinarily be for 40 years ;
- (iii) monitor every lease agreement entered into and conditions thereof ;
- (iv) recommend to the Government for cancellation of any lease ; and
- (v) any other function as may be assigned to it by the Government.

7. **Auction.**—(1) The Empowered Committee shall recommend to the Government a list of land including its market value and the purpose for which land is to be granted on lease.

(2) On receipt of recommendations, the Government shall after examination of the recommendations return the same with its sanction or otherwise to the Committee through Financial Commissioner, Revenue. On receipt of sanction from the Government, Financial Commissioner, Revenue shall convey the same to Deputy Commissioner concerned for publication of a notice by him in Form-II for proposed auction through online mode. The notice shall :—

- (a) be displayed at prominent places, on the land to be auctioned and a copy thereof affixed in the offices of the District Collector, the Municipality, Town area or Notified Area, Panchayats as the case may be and on the official website of the Department, Financial Commissioner, Revenue,

Divisional Commissioner concerned, District concerned and the auction portal ; and

(b) be published in two daily newspapers of the Union territory having wide circulation in the area.

(3) On the date fixed, the auction shall be conducted by the Deputy Commissioner or any other officer authorized by the Government.

(4) The auction shall not be conducted earlier than the expiry of 07 days from the date of publication of the notice in the leading newspapers.

(5) The Deputy Commissioner may alter the time of auction, if necessary and issue fresh notice with reasons notifying the fresh timings and place and provide 15 days from the date of issuance of fresh notice for the conduct of auction proceedings with the approval of the Divisional Commissioner concerned.

(6) Any person legally competent shall be eligible for participation in the auction. However, a person/entity in default of Government Revenue accrued to the Government under J&K Land Grant Act, 1960 or convicted under Prevention of Money Laundering Act, 2002 shall not be eligible for participation in the auction.

(7) The Minimum Reserve Price for the auction shall be the Market Value of the land and the valuation of the structure and land improvement, if any, thereof as assessed under Rule 13 (xi) :

Provided that if no bid is received for any parcel of land, the land may be put to re-auction, and the reserve price of auction will be reduced by 15% of the Market Value of the last un-responsive auction amount :

Provided further, if no bid is received again, the matter shall be placed before Empowered Committee for its recommendations to the Government for reserve price to be fixed and thereon the decision of the Government on such recommendations shall be final.

8. **Conditions of Auction.**—The auction shall be conducted subject to the following conditions :—

(i) every intending bidder (any person legally competent under Section 11 of the Indian Contract Act, 1872) shall, before the auction, electronically deposit an amount equivalent to 10% of the reserve price fixed by the Government for the said piece of land/each piece of land as an Earnest Money Deposit (EMD) ;

- (ii) The intending bidder shall comply with the terms and conditions of the Auction Portal ;
- (iii) The lease shall be put to auction for each plot of land or quantum of land notified as a unit to be auctioned in **Form-II**;
- (iv) The earnest money deposited by unsuccessful bidder shall be returned to them as soon as the auction process is over ;
- (v) The notice of confirmation of auction in favour of the successful bidder shall be issued in **Form-III** by Deputy Commissioner concerned.

9. **Payment Schedule of the Auction Amount.**—(1) The payment shall be made as per the following table :—

S. No.	Time Period	Amount to be paid	Remarks
1.	Within 07 days of the Issuance of Notice of Confirmation of Auction in Form-III which shall be communicated through electronic mode.	25% value of the auction amount.	If the successful bidder is the outgoing lessee <i>in respect of leases under J&K Land Grants Rules, 1960 (Repealed)</i> the cost of valuation of the structure and the land improvement shall be deemed to have been paid.
2.	Within 120 days of the issuance of Notice of Confirmation of Auction Form-III .	75% Value of the auction amount minus EMD.	

(2) In case the amount is not paid as per the payment schedule given above by the successful bidder the allotment shall automatically stands cancelled and the earnest money deposited and subsequent payment made, if any, by the successful bidder shall automatically stands forfeited to the Government, without any notice and against which the successful bidder shall have no claim and the defaulting bidder shall not be allowed to take part in any e-auction which may be conducted by the Government in future.

(3) In default of payment of the balance of the auction money within the period specified above, the deposit shall be forfeited to the Government, the auction shall be cancelled, and the land shall be re-auctioned and in case of any loss to Government, if any, occasioned by re-auction the same shall be recovered from the defaulter as arrears of land revenue.

10. **Execution of lease.**—(1) On full payment of the lease amount, a lease deed/agreement in triplicate shall be executed by such person with concerned Assistant Commissioner, Revenue/Assistant Commissioner, Nazool in this behalf in Form-IV. A copy of it shall be kept by the lessor and the other shall be delivered to the lessee. The deed shall in all cases be stamped under the Stamp Act by the lessee at his expense.

(2) A lease of land shall be accompanied by delivery of possession only, if all the conditions have been fulfilled by the lessee for securing the possession of the land granted.

(3) Each lease deed shall be an instrument to be registered under Registration Act, 1908.

(4) A register of leased land shall be maintained at Administrative Department/Divisional/District/Tehsil level in Form-V.

(5) The lease deed/agreement shall *inter alia* contain the following details, terms and conditions, namely :—

- (i) the name of the lessor and the lessee with the name of their father or spouse, whichever is applicable, and complete address with contact details and in case of Government Department the details of the officer authorized who signs the lease agreement on behalf of the Government/department ;
- (ii) the share of the lessor in the land, if applicable, with description mentioning the details of the land (Khasra No's) ;
- (iii) any defect in the nature of land, pending litigation, or default on the part of the lessor, of which he is aware and which affects or is likely to affect his rights in the land ;
- (iv) the rent, if any, and the due date by which it would be payable by the lessee to the lessor ;
- (v) in the event of the lessors being more than one, it shall be specified to whom the rent shall be paid :

Provided that the failure to incorporate the conditions as mentioned above would not invalidate the agreement but

would affect its evidentiary value in respect of the condition so omitted.

- (vi) the duration of the lease expressed in months or years including the starting and ending dates of the lease ;
- (vii) any other mutually agreed terms, consistent with the provisions of the Act.

(6) The parties may at any time by mutual consent terminate the lease in the manner prescribed.

(7) Clerical errors and arithmetical mistakes in agreement or errors arising therein from any accidental slip or omission may at any time be corrected with mutual consent of the parties.

(8) On termination or expiry of the lease the revenue record shall reflect the possession of the lessor.

11. Rates of premium and ground rent for the lease.— (1) The premium and ground rent per annum for lease shall be charged from the lessee in the following manner namely :—

- (i) Premium shall be equivalent to the price arrived at after the completion of the auction proceedings under Rule 7 ;
- (ii) Ground rent equivalent to 2.5% of the premium (auction amount excluding valuation of the structure and land improvement, if any) shall be payable annually in advance at the beginning of the year and for the non-payment of the same, simple interest at the rate of 12% of the unpaid amount per annum shall also be charged for the period of default ;

Explanation :— Mere deposition/recovery of the premium and ground rent shall not confer any right of occupancy unless the lease is granted by the Government under these rules :

Provided that the premium and ground rent of the lease granted under the Jammu and Kashmir Land Grants Act, 1960 and rules framed thereunder for the period (from the date of expiry till the date of notification of these rules) shall be amount due as per the Jammu and Kashmir Land Grants Rules, 1960 (repealed) and the amount shall be deposited within 90 days failing which it shall be recovered as arrears of the land revenue under the Jammu and Kashmir Land Revenue Act, 1996 :

Provided further that with the notification of these rules all the outgoing lessees (except in the case of subsisting/expired

Leases for Residential purposes) shall immediately handover the possession of the land taken on lease to the Government, failing which the outgoing lessee shall be evicted as per the provisions of Public Premises (Eviction of Unauthorized Occupant) Act, 1988. The outgoing lessees shall, however, be paid for any improvement carried out or structure constructed thereon at the value assessed as provided under Sub-Rule (xi) of Rule 13 provided that the lessee has not violated any of the conditions of the lease :

Provided further that the outgoing lessees for the leases granted under these rules shall not be entitled to or paid for any improvement on the land including structure, and after expiry of the lease period the land along with structure will vest in the Government free from all encumbrances.

Explanation :—It will be inferred that the outgoing lessee was fully aware and had recovered the cost spent on land improvement including structures during currency of the lease period.

12. Determination of Lease.—(1) All leases (except the subsisting/expired residential leases), including lease granted under the Jammu and Kashmir Land Grants Rules, 1960, Notified Area (All Development Authorities set in Tourism Sector) Land Grants Rules, 2007 and leases expired or determined prior to the coming into force of these rules or issued under these rules shall not be renewed and shall stand determined.

(2) Such leases shall again be put to auction as per the provisions of these rules and the Deputy Commissioner concerned shall be the authority for issuing the notice of auction as per Form-II.

13. Conditions for grant of land on lease.—A lease under these rules shall be granted on the following conditions :—

- (i) the lessee shall use the land solely and exclusively for the purposes specified in the lease deed and shall not be appropriated for any purposes other than for which it was granted ;
- (ii) the lessee shall not in any way transfer the land or buildings thereon or create any encumbrance or sublet the same without the previous sanction of the Government, except for simple mortgage of the lease-hold rights of the leased land for the

period of lease to secure loans from the banks/financial institutions to put the leased land to the use for which lease is granted. However, the banks/financial institutions shall ensure that loan is liquidated at least six months before the expiry of the period of the lease and the land shall revert to Govt. free from all encumbrances after the expiry of the lease.

- (iii) the lessee shall pay timely all rates, taxes and other charges payable in respect of the land and the buildings erected thereon ;
- (iv) the lessee shall within two years of the execution of the lease deed erect a building on the land leased to him according to a plan and elevation approved by the Competent Authority, if construction of building is part of lease deed ;
- (v) all dues payable by the lessee under the Act or rules shall be recoverable as arrears of land revenue ;
- (vi) in case of the death of the lessee, his lawful heirs and successors in interest may be entitled to succeed to his interest in the leased premises, if the lease is still valid ;
- (vii) land on lease is also subject to law regulating the use of land ;
- (viii) the land vested with the Government which is encroached shall not be leased to the encroacher. However, the encroached land may be leased out to any eligible person or institution or legal entity etc. after evicting the encroacher ;
- (ix) for contravention of any of the conditions the lease shall stand determined and the land shall be resumed by the Government free from all encumbrances with immediate effect and without payment of any compensation ;
- (x) the Tehsildar concerned shall be responsible for monitoring the conditions of grant and its contraventions, if any, and shall report the same to the Assistant Commissioner, Revenue/ Assistant Commissioner, Nazool concerned, who shall conduct a summary enquiry after giving proper opportunity to the lessee and report such contravention/violation of lease, through supervisory authorities as per Land Revenue Act, 1996 Svt. to the Government for its decision ;
- (xi) the Government reserves the right to retrieve the land if the same is required for any public purpose after payment of compensation calculated on pro rata the premium paid by the

lessee for the balance lease period rounded to the nearest quarter. The lessee shall be liable to be paid for any improvement carried out or structure constructed thereon at the value as per the assessment made by the Executive Engineer, who shall notify in writing the assessment made by him to the parties :

Provided that any party aggrieved by the assessment made by such Executive Engineer may appeal to the Chief Engineer within a period of 02 months from the date of the service of notice of the assessment. The decision of the Chief Engineer and subject only to such decision, the decision of the Executive Engineer shall be final and conclusive. However, for further dispute redressal, an appeal to the decision of Chief Engineer can be filed before the Tribunal within a period 30 days of the decision of the Chief Engineer ;

- (xii) the lessee shall utilize the land leased to him/her for the purpose for which it is leased within a period of two years, to be counted from the day on which the lease deed of land is registered ;
- (xiii) the Government may extend the period under clause (xii) of this rule further by a year, for the reasons to be recorded in writing. However, the lessee shall have to apply to the Government through the office of Deputy Commissioner for such extension at least three months before the expiry of initial period of two years. The Deputy Commissioner shall forward the case with recommendations through the office of Divisional Commissioner to Financial Commissioner, Revenue, who shall submit the case with recommendations to the Government for a decision, which shall be taken before the expiry of lease period.
- (xiv) if the land leased is not used by the lessee at anytime for the purpose for which it has been leased out, the lease shall determine and the Government has a right to re-enter the demised premises and the amount, if any, paid to the Government shall stand forfeited and no person shall be entitled to any compensation for any improvement made and for any building or structures constructed thereon ;
- (xv) the lease obtained on the basis of false information or representation shall be deemed to be cancelled *ab initio* and

the lease amount (premium and ground rent) shall be forfeited and the lessee shall not be entitled to any compensation for any improvement made and for any building or structure constructed thereon.

14. **Management and administration.**—(1) Except as otherwise provided in this section, the Assistant Commissioner, Revenue/Assistant Commissioner, Nazool concerned shall, subject to the superintendence, directions and control of supervisory authorities as per Land Revenue Act, 1996 Svt. be responsible for appropriate management of the land to which the Act and these rules are applicable.

(2) Subject to the directions of the supervisory authority under the Jammu and Kashmir Land Revenue Act, 1996, the Assistant Commissioner, Revenue/Assistant Commissioner, Nazool concerned shall exercise the following powers in the District in which he is appointed in respect of the cases under and arising out of the said Act and these rules, namely :—

- (a) inspection of the land leased under these rules in order to ascertain whether the conditions of the lease are being duly observed ;
- (b) maintenance and bringing up-to-date of the record of the land leased under the rules ;
- (c) preparation, maintenance and bringing up-to-date of maps and demand and other registers in respect of the occupancy price statics and files ; and
- (d) making inquiries in respect of cases under the said Act or the rules made thereunder.

15. **Power to relax.**—The Government shall have the power to relax any of the provisions of these rules if it considers expedient to give land on lease under extraordinary circumstances and for the purposes it deems appropriate.

16. **Overriding effect.**—Notwithstanding anything contained in these rules, the Government reserves the right to grant land on lease to the Union territory/Central Government Departments or any of its Agencies, Statutory Board, or Corporation(s) or such other Government entities as may be prescribed by it without adopting the mode of auction as provided under these rules. The premium and terms of such lease shall be determined by the Government itself.

17. **Repeal and savings.**—(1) The Jammu and Kashmir Land Grants Rules, 1960 and the Notified Area (All Development Authorities set in Tourism Sector) Land Grants Rules, 2007 ; are hereby repealed.

(2) Notwithstanding such repeal, any order issued or action taken under the provisions of the rules so repealed shall be deemed to have been, issued or taken under the corresponding provisions of these rules.

By order of the Government of Jammu and Kashmir.

(Sd.).....

Commissioner/Secretary to Government,
Revenue Department.

LAND GRANTS RULES (JAMMU AND KASHMIR)
(DETAIL AND DESCRIPTION OF GOVERNMENT LAND)

FORM-I

S. No.	District	Tehsil	Niabat	Patwar Halqa	Name of Revenue Village with Census Code
1.	Khata No. / Khewat No./Khasra No.				
2.	Area				
3.	Geo-tagged map of the land				
4.	Whether land is in municipal limit or outside				
5.	Type and kind of soil				
6.	Encumbrance detail				
7.	Whether land is reserved for any Government Department or any purpose notified by the Government				
8.	Whether land has earlier been given on lease or not (if yes details thereof)				
9.	Whether land is encroached or not (if yes, details of action taken)				
10.	Whether the local authority has any objection to the lease of the land				
11.	Details of buildings and trees, if any, standing on the land and the market value thereof				
12.	Any other matter which deserves special mention.				

Checked and verified :

Signature of the Tehsildar

Name _____

Date _____

LAND GRANTS RULES (JAMMU AND KASHMIR)
(NOTICE OF AUCTION)

FORM-II

Notice of Auction

Notice No. : _____

Dated: ____/____/____

Vide Government sanction order No. _____ dated _____ the land measuring _____ K/Ha bearing Khasra No. _____ situated at Revenue Village _____ Patwar Halqa _____ Niabat _____ Tehsil _____ with its extent and boundaries is proposed to be granted for lease for a period of _____ years for the purpose of _____ for the purpose of determining the premium in respect of the land for which the base rate is Rs. _____.

In exercise of the powers conferred under Rule 8 of the Jammu and Kashmir Land Grant Rules, 2022, I _____ Deputy Commissioner of the District _____ hereby notify that the said land is put to auction at Place _____ on dated _____ at time _____ with following conditions :—

- (i) The bidder shall submit an undertaking to the effect that he shall abide with the terms and conditions and outcome of the auction prior to participation in the auction.
- (ii) Every intending bidder shall deposit 10% of the base rate fixed by the Government as an earnest money before the auction.
- (iii) The person offering the highest bid shall immediately pay at the close of the auction 50% of the balance amount of the bid within 30 days from the date of issuance of notice of confirmation.
- (iv) The auction shall be subject to confirmation by the Government.
- (v) Any other condition to be specified _____.

Signature of the Deputy Commissioner

With seal

LAND GRANTS RULES (JAMMU AND KASHMIR)
(NOTICE OF CONFIRMATION OF AUCTION)

FORM-III

Notice of Confirmation of Auction

Notice No. : _____

Dated: _____ / ____ / ____

The land measuring _____ K/Ha bearing Khasra No. _____ situated at Revenue Village _____ Patwar Halqa _____ Niabat _____ Tehsil _____ with its extent and boundaries which was put to auction for grant of lease for a period of _____ years for the purpose of _____ with annual costs proposed to be levied in respect of the land at the rate of Rs. _____ annually, pursuant to Government Sanction Order No. _____ Dated _____ vide this Office Notice No. _____ Dated _____.

With successful conclusion of the auction proceedings and M/s _____ has emerged as successful bidder. Accordingly M/s _____ are directed to pay as per the payment schedule notified under Rule 9 (1) of Jammu and Kashmir Land Grants Rules, 2022, failing which the deposit shall be forfeited, auction cancelled and the land put to re-auction.

Signature of the Deputy Commissioner

With seal

**LAND GRANTS RULES (JAMMU AND KASHMIR)
(LEASE DEED)**

FORM-IV

This is to certify that subject to the provisions of the Jammu and Kashmir Land Grants Act, Svt. 1960 as substituted vide SO-3808 (E) dated 26-10-2020 called the Union Territory of Jammu and Kashmir Reorganization (Adaption of State Laws) Fifth Order, 2020 and the Rules made thereunder and subject to the conditions hereinafter specified, this lease agreement is made on this _____ day of _____ 20____ at _____ between Lessor _____ and Lessee _____ for the land of _____ K/Ha bearing Khasra No. _____ situated at Revenue Village _____ Patwar Halqa _____ Niabat _____ Tehsil _____ District _____ for a period of _____ years commencing on day of _____ of year _____ with _____ per cent increase annually.

The conditions agreed to are as follows :—

- (i) The lessee shall not alienate the land.
- (ii) If the land is granted for agricultural purposes :—
 - (a) The land shall not be appropriated for any purpose other than that for which it was granted.
 - (b) For contravention of any of the above conditions the grant shall be liable to be cancelled and resumed to Government free from all encumbrances with immediate effect and without payment of any compensation.
 - (c) The jurisdictional Tehsildar shall be responsible for monitoring the conditions of grant and contraventions, if any thereof and shall report the same to Assistant Commissioner, Revenue/Assistant Commissioner, Nazool within 05 days of the observance of the same.
 - (d) The Assistant Commissioner, Revenue/Assistant Commissioner, Nazool shall immediately put the lessee to notice and submit the case with recommendations to the Government for decision through supervisory authorities as notified under Land Revenue Act, 1996 Svt. within 07 days of receipt of the report from Tehsildar.
 - (e) No land with more than 50 reserved trees in a hectare shall be leased out without seeking NOC from the Forest/ Social Forestry/Floriculture/Horticulture Department.

- (iii) The land shall be used for the purpose granted.
- (iv) The lessee shall grant all rights of way, water, air, light and privy and other easements appertaining to the said premises/land.
- (v) Agree by mutual consent to terminate the lease.
- (vi) The agreement between the parties shall be deemed to be terminated if due to *force majeure* it becomes incapable of being enforced.
- (vii) That the clerical errors and arithmetical mistakes in agreement or errors arising therein from any accidental slip or omission may at any time be corrected with mutual consent.
- (viii) The lease agreement shall be reviewed after every 05 (five) years by the Empowered Committee constituted by the Government and the Committee shall submit the recommendations/observations thereof to the Government for appropriate necessary action.
- (ix) The lessee shall not erect any structure upon the said land without the permission of the Competent Authority.
- (x) The lessee shall permit the Tehsildar/Assistant Commissioner (R/N)/District Collector or any other govt. officer authorized by Government at all reasonable times to enter upon and inspect any part of land or structure raised thereof.
- (xi) For any violation of the lease conditions, the lessee shall abide by the decision of the Government.
- (xii) In the event of lease being terminated on the basis of violation of terms and conditions of lease, the lessee shall not be entitled to claim any compensation on account of the termination of the lease.
- (xiii) The lessee shall at the expiration of the said term quit and deliver peaceful possession of the land granted on lease to the jurisdictional Tehsildar in the same condition in which he took it but subject to natural wear and tear due to use and lapse of time, unless the lease is renewed for a further term upon such conditions as the Government may deem fit.
- (xiv) Failure to comply with any of the conditions of the lease or with Jammu and Kashmir Land Revenue Act, 1976 or Jammu and Kashmir Land Grant Act, 1960 or of the Rules

thereunder, shall render this lease liable to cancellation and the jurisdictional Tehsildar/Assistant Commissioner (R/N)/ District Collector or any officer authorized by the Government may thereupon resume the said land and summarily evict the lessee without notice or payment of any compensation.

Signature of the Lessor
Name _____
Date _____

Signature of the Lessee
Name _____
Date _____

In presence of

Witnesses

1. Signature
 Name _____
 Date _____

2. Signature of the lessor
 Name _____
 Date _____

LAND GRANTS RULES (JAMMU AND KASHMIR)
(LEASE REGISTER)

FORM-V

Particulars with details
Application No. of the Lease _____ Date of Receipt : _____
Auction Notice No. _____ Date of Auction _____
Notice of confirmation of Auction No. _____
Dated _____
Details of the Lessor _____
Details of lease amount paid vide _____ Dated _____
amount Rs. _____ for the period from _____ to _____
Details of the land granted on lease :
Khasra No. _____ Quantum of Land _____
Patwar Halqa _____ Niabat _____
Tehsil _____
Purpose of lease _____
Details of the lessee _____
Name _____ Address _____
Contact Details _____
Authorized person (if any) _____ details _____
Details of entry in the revenue record _____
Details of registration of the lease instrument as per Registration Act, 1908 _____.
Lease effective from (date) _____ to _____.
Any other information _____

Signature of the officer/official entering the details in the Register

Designation _____

Date _____