



GOVERNMENT OF JAMMU AND KASHMIR  
OFFICE OF THE DISTRICT MAGISTRATE, SAMBA

Nandini Hills, Samba

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Subject: Check on development of illegal colonies and conversion of Agricultural land-regarding

Circular No: 01-DCS/PS of 2025

Dated: 04.01.2025

Whereas, there have been reports of development of illegal colonies and conversion of agricultural land for other purposes, in the district, without following due procedure of law; and

Whereas, vide circular issued under endorsement no. 502/Circulars-Orders/Gen/23/512 dated 13.06.2023, the Divisional Commissioner, Jammu has directed as under:-

*"It has been observed that illegal colonies and unabated conversion of agricultural land is being carried out without following the due procedure/permission from the competent authorities. Most of these colonies are being developed in haphazard manner and without any provision of requisite utilities such as, road connectivity, green spaces, parking facilities, School/Medical facilities, electricity, tap water supply, sewerage, sanitation, drainage, solid waste management etc.*

*Moreover, these colonies are being developed in violation of Master/Zonal Plans/UBBL 2021 framed by various developmental authorities established under J&K Development Act, 1970. Some of the requirements are listed as under:*

- 1. Permission for Change of Land Use (CLU) as per guidelines issued vide notification No. 01-JK (BoR) of 2022 dated 14.01.2022 in terms of Section 133A read with sub-Section (2) of the Section 5 of Land Revenue Act Svt. 1996.*
- 2. Approval from Jammu Development Authority as per Section 13 of the J&K Development Act, 1970, Jammu Municipal Corporation, concerned Municipal Councils/Committees and respective developmental authorities established in region.*
- 3. Compliance to the Jammu Master Plan 2032, notified vide SRO 90 of 2017 dated 03.03.2017 within its jurisdictional area and Control Building Operations Act 1988, J&K Land Revenue Act 1996 (as amended vide SO 3808(E) dated 26.10.2020);*
- 4. Permission from Jammu Metropolitan Regional Development Authority (JMRDA) constituted vide Jammu and Kashmir Metropolitan Region Development Authorities, Act 2018 within its jurisdiction notified vide SRO-456 dated 17.07.2019 wherein instructions have been issued for*

*that no kanals, or which shall have a significant impact on the urban environment, traffic and mobility in their surroundings, shall be undertaken by any authority or person within these regions without the prior permission of the respective Metropolitan Region Development Authority.*

- Before transferring any land to any authority, entity or a person for any activity within these regions, the competent authority shall ensure that the indenting department has included their in the prior written permission from the respective MRDA.*
- No permission for construction or any other developmental activity, or for commencement of work on any project of the nature and description given at (i) above, shall be granted by any authority, including any municipal or local authority, or project implementing agency, without the prior written permission of the respective MRDA, as stipulated above.*

*Also, various instances have been reported where field functionaries of Revenue Department have changed the kind of soil in the revenue record without following due procedure as under Section 133-BB of J&K Land Revenue Act Svt. 1996.*

*Keeping in view of the above, it is enjoined upon all the Revenue Officers/Field Functionaries/Heads of various Development Authorities established under the J&K Development Act 1970(JDA, JMRDA, JMC, Tourism Development Authorities etc.) to keep regular check and remain vigilant regarding the development of such illegal colonies and conversion of agricultural land in violation of the above stated provisions/procedures and not allow any colony without permission/NOC from competent authority. Any such violation shall be immediately proceeded against under an intimation to this office".*

Whereas, vide this office letter No. DCS/PS/2024-25/938-43 dated 09.10.2024, instructions of Real Estate Regulatory Authority (JKRERA), Civil Secretariat, J&K on the subject have been circulated amongst Revenue & Registering authorities in the district, for appropriate action, the contents whereof, are reproduced as under:-

*"As your good self is aware that the Jammu and Kashmir Real Estate Regulatory Authority (JKRERA) has started its functioning in the UT and as per Section 3 of the Jammu and Kashmir Real Estate (Regulation and Development) Act, 2016,*

*"(1) No promoter shall advertise, market, book, sell or offer for sale, or invite persons to purchase in any manner any plot, apartment or building, as the case may be, in any real estate project or part of it in any planning area, without registering the real estate project with the Real Estate Regulatory Authority established under this Act:*

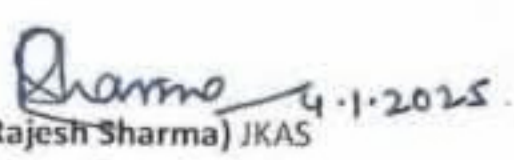
*(2) Notwithstanding anything contained in sub-section (1), no registration of the real estate project shall be required-*

*(a) where the area of land proposed to be developed does not exceed five hundred square meters or the number of apartments proposed to be developed does not exceed eight inclusive of all phases."*

*However, it has come to the notice of the Authority that numerous Real Estate Project/colonies are being developed in the UT in contravention of Jammu and Kashmir Real Estate (Regulation and Development) Act, 2016.*

*In this context, I am directed to request you not to register any documents regarding sale/ purchase of any Real Estate Project (Building consisting of apartments or development of land into plots or apartments for the purposes of selling all or some of them) that is required to be registered with JKRERA as per Real Estate (Regulation and Development) Act, 2016."*

Now, therefore, it is enjoined upon all Revenue Authorities/Officers/Field Functionaries/ Officers dealing with Registration, to ensure that the above instructions are implemented strictly in the District. Further, the authorities shall take all necessary steps to ensure that no illegal colony is allowed to come up and also that agricultural land is not allowed to be converted/utilized for any other purposes, without the permission of competent authority, as per law.

  
(Rajesh Sharma) JKAS  
Deputy Commissioner  
Samba

No: DCS/PS/2024-25/1856-72

Copy to the:-

1. Divisional Commissioner, Jammu for information.
2. Registrar, District Samba for information and n/action.
3. Additional Deputy Commissioner, Samba for information and similar n/action.
4. Assistant Commissioner (Rev) Samba/ SDM Vijaypur/Ghagwal for information and similar n/action.
5. Sub Registrar, Samba/Vijaypur/Ghagwal for information and similar n/action.
6. Tehsildars (All) for strict compliance of the instructions.
7. District Information Officer, Samba for wide publicity of this circular through electronic media.

Date: 04/01/2025