



GOVERNMENT OF JAMMU & KASHMIR
Revenue Department
Civil Secretariat, J&K, Jammu/Srinagar

Subject: Procedure for Delegation of powers for delineation / demarcation of lands which have been recorded as Gair Mumkin Khad, Gair Mumkin Dariya, Gair Mumkin Nallah etc in Revenue records in order to segregate khads from khads which do not form water course.

Reference: i) Administrative Council Decision No. 17/1/2022 dated 29.01.2022
ii) Govt. Order No. 18-JK-(Rev) of 2022 dated 04.02.2022.
iii) Administrative Council Decision No. 98/06/2024 dated 25.07.2024

Government Order No. 102 JK (Rev) of 2024
Dated. 02.08.2024

In partial modification and amplification of Govt Order No. 18 of JK (Rev) of 2022 dated 04.02.2022 & in consequence to approval accorded vide Administrative Council Decision No. 98/06/2024 dated 25.07.2024, sanction is hereby accorded to:

I. Procedure to be followed by the UT level, Divisional level and District Level Committees for delineations of lands which have been recorded as Gair Mumkin Khad, Gair Mumkin Dariya, Gair Mumkin Nallah etc in Revenue records in order to segregate khads from khads which do not form water course as per the following norms:

A. Lands where ownership is recorded as State

1. The District Level Committee which is already empowered to delineate lands recorded as Gair Mumkin Khad / Gair Mumkin Darya / Gair Mumkin Nallah, etc. vide Government Order No. 18-JK-(Rev) of 2022 dated: 04.02.2022 shall continue to exercise its function to segregate khads from khads which do not form water course as per State Water Policy issued vide SRO 456 of 25th October, 2017 and after due concurrence of Chief Engineer, Irrigation and Flood Control Department, recommend changes to be incorporated in revenue records to the Deputy Commissioner who shall change the kind of soil recorded in revenue records as per powers delegated under Section 27 of the Jammu and Kashmir Land Revenue Act, 1996 SVT.

B. Lands where ownership is recorded as Private

1. The District Level Committee which is already empowered to delineate / demarcate lands recorded as Gair Mumkin Khad / Gair Mumkin Darya / Gair Mumkin Nallah, etc. vide Government Order No. 18-JK-(Rev) of 2022 dated: 04.02.2022 shall continue to exercise its function to segregate khads from khads which do not form water course as per State Water

Policy issued vide SRO 456 of 25th October, 2017 and after due concurrence of Chief Engineer, Irrigation and Flood Control Department, recommend changes to be incorporated in revenue records to the:

- a. Deputy Commissioner upto 200 kanals per khasra who shall change the kind of soil recorded as per powers delegated under Section 27 of the Jammu and Kashmir Land Revenue Act, 1996 SVT.
- b. Divisional Level Committee which shall recommend changes to be incorporated in revenue records to the Divisional Commissioner between 200 - 500 kanals per khasra who shall change the kind of soil recorded as per powers delegated under Section 27 of the Jammu and Kashmir Land Revenue Act, 1996 SVT.
- c. Divisional Level Committee which shall then recommend remaining cases of more than 500 kanals per khasra to the UT Level Committee which shall recommend changes to be incorporated in revenue records to the Government as per section 27 of J&K land Revenue Act.

[Explanation: For eg,

1. In case of lands where ownership is recorded as state, any khasra will be delineated by the District Level Committee and after due concurrence from Chief Engineer, Irrigation and Flood Control [Prescribed authority under Jammu and Kashmir State Water Resources (Regulation and Management) Act, 2010] forwarded to Deputy Commissioner for necessary change in revenue records, irrespective of the size of the Khasra
2. In case of lands where ownership is recorded as private, if a khasra is measuring 50 kanals, it shall be delineated by the District Level Committee and after due concurrence from Chief Engineer, Irrigation and Flood Control [Prescribed authority under Jammu and Kashmir State Water Resources (Regulation and Management) Act, 2010] forwarded to Deputy Commissioner for necessary change in revenue records.
3. In case of lands where ownership is recorded as private, if a khasra is measuring 350 kanals it shall be delineated by the District Level Committee and after due concurrence from Chief Engineer, Irrigation and Flood Control [Prescribed authority under Jammu and Kashmir State Water Resources (Regulation and Management) Act, 2010] forwarded to Divisional Level Committee which will then recommend it to the Divisional Commissioner concerned for necessary change in revenue records.
4. In case of lands where ownership is recorded as private, if a khasra is measuring 900 kanals it shall be delineated by the District Level Committee and after due concurrence from Chief Engineer, Irrigation and Flood Control [Prescribed authority under Jammu and Kashmir State Water Resources (Regulation and Management) Act, 2010] forwarded to Divisional Level Committee which will recommend it to the UT Level Committee which will then recommend it to the Government / Financial Commissioner (Revenue) for necessary change in revenue records, for all other cases.

The change in revenue records shall be subject to provisions of Jammu and Kashmir Land Revenue Act, 1996 SVT; Jammu and Kashmir Agrarian Reforms Act, 1976 and any other revenue laws in force. The correction in

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the kind of soil shall not be construed as change in land use. Further, nothing in this order or any such order issued under these norms shall be construed to debar any competent authority from taking legal action in case of any violation on the field relating to usage of land.

II. Broad guidelines for delineation/demarcation of khad lands to ensure uniformity in procedure, with scientific approach aimed at safe and scientifically robust delineation/demarcation of lands recorded as Gair Mumkin Khad, Gair Mumkin Dariya, Gair Mumkin Nallah etc. in Revenue records are mentioned below:

- A. There is no definition of Khads given in the Jammu & Kashmir State Water Resources (Regulation) Act, 2010 / State Water Policy issued vide SRO No. 456 OF 25th of October, 2017 (In dogri, Khad means seasonal rainy water nallah). It implies that "Water flowing Khads" are those where there is active flow of water or signature of water as verified by ground truthing / Satellite Imagery Data / Drone methodology / LiDAR methodology / Digital Terrain Model etc. (Standard Operating Procedure to be finalized by Divisional Level Committee in consultation with the Chief Engineer, I&FC [who is the prescribed authority under the Jammu and Kashmir State Water Resources (Regulation and Management) Act, 2010] and also a member of Divisional committee. This area with water signature should be treated as Prohibited Zone and also as part of water course as defined under section 3 of the Jammu and Kashmir State Water Resources (Regulation and Management), Act, 2010 and khad shall be recorded as water flowing khad.
- B. The area outside active water flow / course (prohibited zone) where there is no signature of water on the ground verified by ground truthing / Satellite Imagery Data / Drone methodology / LiDAR methodology / Digital Terrain Model etc shall be treated as "Non-Water Flowing Areas/Khads" and shall not fall within the purview of water course as provided under State Water Policy as issued vide SRO No. 456 of 25th of October, 2017 & kind of soil if recorded as Gair Mumkin Khad / Gair Mumkin Nallah / Gair Mumkin Darya etc. shall be changed as per ground report from the District Level Committee by the Deputy Commissioner / Divisional Commissioner/Financial Commissioner (Revenue), J&K/ Government as per powers delegated under Section 27 of the Jammu & Kashmir Land Revenue Act, 1996 SVT.
- C. Some portion of Non-Water Flowing Areas (as mentioned at Para B) adjacent to water flowing areas which are not part of the water course shall be treated as Regulated Zone / buffer zone "where there is probability of water flow in case of heavy rainfall / natural disaster etc. posing threat to life and property. Usage of regulated zone / buffer zone shall be decided by the Competent Authority as per applicable norms and rules and after an NOC has been furnished by the Chief Engineer, Irrigation and Flood Control [who is the prescribed authority under the Jammu and Kashmir State Water Resources (Regulation and Management) Act, 2010].
- D. For determining the width and area of regulated zone / buffer zone, scientific approach shall be used including the Digital Elevation Model/Digital Terrain Model and Hydrological / Hydraulic Modelling, etc. shall be as per the

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Standard Operating Procedure finalized by the Divisional Level Committee after consultation with Chief Engineer, Irrigation and Flood Control [who is the prescribed authority under the Jammu and Kashmir State Water Resources (Regulation and Management) Act, 2010] and also a member of Divisional Committee in consultation with domain experts in the field like Survey of India / National Institute of Hydrology / Indian Institute of Technology, etc.

[A Digital Elevation Model (DEM)/Digital Terrain Model (Digital Terrain Model)] is a 3D computer graphic representation of ground surface topography or terrain.

Hydrological Modelling: 'Hydrological model studies' refer to the mathematical model studies to simulate precipitation and run off from the drainage basin.

Hydraulic Modelling: 'Hydraulic model studies' refer to the study of movement of water, including the volume and rate of flow as it moves through a watershed, basin, channel, or man-made structure]

- E. **The Divisional level committee shall formulate a Standard Operating Procedure for delineation on the recommendation of the Chief Engineer, Irrigation and Flood Control department [who is the prescribed authority under Jammu and Kashmir State Water Resources (Regulation and Management) Act, 2010 and a member of the Divisional Level Committee in consultation with domain experts in the field like Survey of India / National Institute of Hydrology / Indian Institute of Technology, etc. ensuring that the Standard Operating Procedure is strictly in accordance with Jammu and Kashmir State Water Resources (Regulation and Management) Act, 2010 / State Water Policy issued vide SRO No. 456 of 25th of October, 2017 along with all applicable standard norms and guidelines. Commissioner, Survey and Land Records, J&K shall assist the Divisional Level Committee in the whole process.**

These broad guidelines are suggestive and the Divisional Level Committee will be at liberty to modify / adopt other measures in consultation with domain experts ensuring that the Standard Operating Procedure is strictly in accordance with Jammu and Kashmir State Water Resources (Regulation and Management) Act, 2010 / State Water Policy issued vide SRO No. 456 of 25th of October, 2017 alongwith all applicable standard norms and guidelines.

- III. The Divisional Level Committee and District Level Committee may get the delineation / survey carried out through Government Agencies / Institutions which are domain experts like Survey of India / Indian Institute of Technology/National Institute of Hydrology or any other Government Agency / Institutions (This is in reference to the decision taken by the Divisional level Committee in their meeting held on 15.04.2024) ensuring that it is in accordance with Jammu and Kashmir State Water Resources (Regulation and Management) Act, 2010 / State Water Policy issued vide SRO No. 456 of 25th of October, 2017 alongwith all applicable standard norms and guidelines**



- IV. The Divisional Commissioner shall be the competent authority to enter into Memorandum of Understanding with chosen expert Government agencies like Survey of India / Indian Institute of Technology / National Institute of Hydrology or any other Government Agency / Institutions to carry the delineation exercise ensuring that it is in accordance with Jammu and Kashmir State Water Resources (Regulation and Management) Act, 2010 / State Water Policy issued vide SRO No. 456 of 25th of October, 2017 alongwith all applicable standard norms and guidelines
- V. All the cases where the delineations have been completed by the District Level Committee and the file is under process at various levels shall be taken up as per the procedure prescribed at S. No. I of this order ensuring that it is strictly in accordance with Jammu and Kashmir State Water Resources (Regulation and Management) Act, 2010 / State Water Policy issued vide SRO No. 456 of 25th of October, 2017 alongwith all applicable standard norms and guidelines

By order of the Government of Jammu and Kashmir.

Sd/-

(Kr. Rajeev Ranjan) IAS
Secretary to the Government

Dated: 02.08.2024

No. REV-Sett/95/2024(7518221)

Copy to the:

1. Financial Commissioner (Revenue), J&K.
2. Additional Chief Secretary, Jal Shakti Department with the request to direct the concerned officials that any subsequent development in delineated areas are in accordance with the operative guidelines / prescribed norms of Jal Shakti Department.
3. Additional Chief Secretary, Forest, Ecology and Environment Department with the request to direct the concerned officials that any subsequent development in delineated areas are in accordance with the operative guidelines / prescribed norms of Forest, Ecology and Environment Department.
4. Principal Secretary to the Government, Agriculture Production Department.
5. Principal Secretary to the Government, Finance Department.
6. Commissioner/ Secretary to Govt. General Administration Department.
7. Principal Secretary to the Hon'ble Lieutenant Governor, UT of J&K.
8. Joint Secretary (J&K), Ministry of Home Affairs, Government of India, New Delhi.
9. Commissioner Secretary to the Government, Housing and Urban Development Department with the request to direct the concerned officials to ensure that any subsequent development in delineated areas are in accordance with operative Master Plan / prescribed norms
10. Divisional Commissioner, Kashmir
11. Commissioner Secretary to the Government, Industries and Commerce Department with the request to direct the concerned officials that any subsequent development in delineated areas are in accordance with the operative guidelines / prescribed norms of Industries and Commerce Department
12. Secretary to the Government, Department of Rural Development and Panchayati Raj with the request to direct the concerned officials that any subsequent development in delineated areas are in accordance with the operative guidelines / prescribed norms of Department of Rural Development and Panchayati Raj
13. Secretary to the Government, Public Works (Roads & Buildings), Department with the request to direct the concerned officials that any subsequent development in delineated

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areas are in accordance with the operative guidelines / prescribed norms of Public Works (Roads & Buildings), Department

14. Divisional Commissioner, Jammu for immediate compliance
15. Commissioner Secretary to the Government, Department of Law, Justice and Parliamentary Affairs
16. Deputy Commissioners (All).
17. Commissioner Survey and Land Records J&K for compliance
18. Custodian General, J&K.
19. Director, Archives Archaeology and Museum, J&K, Jammu.
20. Director, Information, J&K.
21. Pvt. Secretary to Chief Secretary
22. Pvt. Secretary to Hon'ble Advisor (B) for kind information of the Hon'ble Advisor
23. Pvt. Secretary to Secretary to the Government, Revenue Department
24. Government order file
25. I/C Website


(Surjeet Singh) 21/8/2024

Under Secretary to the Government

