

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR**

WP(C) 1311/2026 CM(3518/2026) CM(3846/2026)

GHULAM MOHAMMAD DAR

...Appellant(s)/Petitioner(s)

Through: Mr. Mudasir Bin Hassan, Advocate
Vs.

**UNION TERRITORY OF J AND K AND
OTHERS**

...Respondent(s)

Through:

CORAM:

HON'BLE MS. JUSTICE MOKSHA KHAJURIA KAZMI, JUDGE.

ORDER

06.07.2026

1. By this petition, petitioner herein is seeking direction upon respondents to consider and grant permission for conversion/use of the land measuring 1 Kanal and 3 ½ Marlas, falling under Survey No. 2150, situated at Estate Konibal Tehsil Pampore and District Pulwama for construction of a residential house in accordance with the provisions of the Jammu and Kashmir Saffron Act, 2007 and the rules framed thereunder.

FACTUAL MATRIX:

2. Petitioner herein is an owner of land measuring 1 Kanal and 3 ½ Marlas, falling under Survey No. 2150, situated at Estate Konibal Tehsil Pampore and District Pulwama. The land is recorded and classified as Saffroni as depicted in the revenue record. The classification of the said land is neither used for growing saffron lullis nor had ever been rejuvenated under the National Saffron Mission (NSM). The residential house already exists adjacent to the subject land and the surrounding area has also witnessed substantial residential development.
3. Petitioner herein filed an application before the Minister of Agriculture Production, Jammu and Kashmir, who is designated as the competent authority in this regard, seeking permission to raise residential construction over the land of the petitioner. Since there is a prohibition on the conversion of saffron land and the saffron land could not be put to non-agricultural use by anyone otherwise than by following the due process of law.
4. On 07.10.2025, report was submitted with respect to the application preferred by the petitioner, dated 12.02.2025, by Agriculture Extension Officer Pampore to Sub-divisional Agriculture Officer, Tral, wherein, he has

quoted that the site in question is located on the prime location of potential saffron growing areas which comes under the notified area as per SRO 314. Sub-section 1 of Section 3 of Saffron Act, 2007 reads as under:

“Notification of Saffron Belts--- (1) “The Government may, by notification in the 3 [Official Gazette], notify the Saffron Belts in Districts of Pulwama and Doda and potential saffron growing belts in other districts of the State”.

(2) The subsection 2 of Section 3 of Saffron Act 2007 further states that “On issuance of the notification under Sun-section (1), no land within the area so notified shall be used for any purpose other than growing of saffron lullis:

Provided that an area not exceeding two Kanals of land may be used for construction of residential house by owner with the previous permission of the 1[Deputy Commissioner of the concerned District in consultation with Director Agriculture]”

5. Vide communication dated 20.05.2026, Director Agriculture, Kashmir, communicated to The Chief Agriculture Officer, Pulwama, thereby directing him to report authenticated revenue extracts, site photographs, geo-referenced location details and specific recommendations to his office with respect to the application of the petitioner.
6. Learned counsel for the petitioner states that the petitioner would feel satisfied if the instant petition is disposed of with a direction to Respondent No. 2 and 3 to consider the application of the petitioner dated 12.02.2025, within a reasonable period of time.
7. Be that as it may, instant petition is disposed of, with a direction to respondent Nos. 2 and 3 to consider and decide the application of the petitioner for grant of permission for conversion/use of the land measuring 1 Kanal and 3 ½ Marlas falling under Survey No. 2150 situated at Estate Konibal Tehsil Pampore and District Pulwama for construction of a residential house strictly in accordance with the provisions of the Jammu and Kashmir Saffron Act, 2007 and the rules framed thereunder within a period of two months from the date of furnishing copy of the writ petition along with this order to respondents 2 and 3.
8. Disposed of.

**(MOKSHA KHAJURIA KAZMI)
JUDGE**

SRINAGAR:
06.07.2026
“Misba”