



**Government of Jammu & Kashmir
Civil Secretariat: Revenue Department**

Subject:- Issuance and cancellation of Permanent Resident Certificates.

CIRCULAR

Whereas, the Revenue Department is in receipt of cases from the Deputy Commissioners as well as some persons seeking cancellation of Permanent Resident Certificates on the ground that a person is not actual/present resident of a particular village and has obtained Permanent Resident Certificate from that village by deceit/misrepresentation or and impersonation; and

Whereas, the issue regarding cancellation of Permanent Resident Certificates in these cases has been seen arised due to engagement/selection of some village level posts i.e. ReTs in Education Department, Anganwadi Worker and Helper in Social Welfare Department, Gramsavak in the Rural Development Department etc. ; and

Whereas, the issue has been examined in terms of the part IIIrd of the Jammu and Kashmir Constitution which relates to the permanent residents and provide as under:-

6. Permanent residents

(1) Every person who is or is deemed to be a citizen of India under the provisions of the Constitution of

India shall be a permanent resident of the State, if on the fourteenth day of May, 1954-----

(a) he was a State Subject of Class I or of Class II; or

(b) having lawfully acquired immovable property in the State he has been ordinarily resident in the State for not less than ten years prior to that date.

(2) Any person who, before the fourteenth day of May, 1954, was a State Subject of Class I or Class II and who having migrated after the first day of March, 1947, to the territory now included in Pakistan, returns to the State or for permanent return issued by or under the authority of any law made by the State Legislature shall on such return be a permanent resident of the State.

(3) In this section, the expression "State Subject of Class I or of Class II" shall have the same meaning as in State Notification No. I-L/84 dated the Twentieth April, 1927, read with State Notification No. 13/L dated the Twenty-seventh June, 1932.

7. Construction of references to State Subjects in existing laws

Unless the context otherwise requires, all references in any existing law to hereditary State Subjects or to State Subject of Class I or of Class II or of Class III shall be construed as references to permanent residents of the State.

8. Legislature to define permanent residents

Nothing in the foregoing provisions of this part shall derogate from the power of the State Legislature to make any law defining the classes of persons who are, or shall be, permanent residents of the State.

9. Special provision for Bills relating to permanent residents

A Bill making provision for any of the following matters, namely---

(a) defining or altering the definition of the classes of persons who are, or shall be, permanent residents of the State;

(b) conferring on permanent residents any special rights or privileges;



