

Government of Jammu and Kashmir
Civil Secretariat: Revenue Department
(www.jkrevenue.nic.in)

Subject:- Cancellation of Permanent Resident Certificates issued in favour of Mr. Suresh Kumar Rekhi, S/o Om Parkash Rekhi, Sparshika Rekhi & Ridham Rekhi both daughter & son of Suresh Rekhi, all R/o Gole Gujral, Tehsil & District Jammu.

Government Order No: Rev (PRC) 33 of 2015
Dated : 15 -05- 2015

Whereas, the Assistant Commissioner (Revenue) Jammu vide letter No. DCJ/PRC/C/912-13 dated 11.01.2014 recommended cancellation of PRCs issued by the Assistant Commissioner, (Revenue), Jammu vide his office No. 1023/PRC/2013-14 dated 05.11.2013 in favour of Mr. Suresh Kumar Rekhi, S/o Om Parkash Rekhi, Sparshika Rekhi & Ridham Rekhi both daughter & son of Suresh Rekhi, all R/o Gole Gujral, Tehsil & District Jammu, who had obtained the said Permanent Resident Certificates by unfair and fraudulent means by misrepresentation and concealment of material facts; and

Whereas, the communication dated 11.01.2014, received from Assistant Commissioner (Revenue) Jammu (competent authority) was forwarded to the Deputy Commissioner, Jammu for his comments/views. The Deputy Commissioner, Jammu vide his No.DCJ/ARA/2014-15/PRC/Cancellation/62-63 dated 13.12.2014 recommended the case to this department for cancellation of the Permanent Resident Certificates issued in favour of the aforesaid beneficiaries by stating that Mr. Suresh Kumar Rekhi was already having State Subject on the basis of which he had completed his Diploma from Jammu and Kashmir State Board of Technical Education, entered into the Jammu & Kashmir Government service, purchased and disposed of immovable property in the State and is still in possession of the immovable property in the shape of residential house at village Gole, Tehsil & District Jammu; and

Whereas, the Deputy Commissioner, Jammu has conducted a detailed enquiry in the matter and has inter-alia stated that Mr. Suresh Kumar Rekhi and others had obtained Permanent Resident Certificates by misrepresenting and suppressing the facts; and

Whereas, the Deputy Commissioner, Jammu has further stated that Vigilance Organization has already lodged FIR No. 19/2014-VOJ dated 17-06-2014 against Shri Suresh Kumar Rekhi for

fraudulently obtaining PRC. Either to save himself from the said investigation or for reason best known to Mr. Rekhi, the original PRC of 1973 has been misplaced or concealed. Mr. Rekhi then applied for fresh PRC by concealing two facts:-

- i) That he was already in possession of PRC issued in 1973.
- ii) That he is a permanent government servant and also possesses immovable property in his name in J&K; and

By his act of misrepresentation and concealment Mr. Rekhi has violated following provisions:-

- i) Section 7 of PRC (P) Act 1963 by knowingly making false representation.
- ii) Section 196 of Criminal Procedure Code by giving false affidavit.

Whereas, after conducting a detailed enquiry, the Deputy Commissioner, Jammu has recommended for cancellation of Permanent Resident Certificate issued in favour of Mr. Suresh Kumar Rekhi, S/o Om Parkash Rekhi, Sparshika Rekhi & Ridham Rekhi both daughter & son of Suresh Rekhi, all R/o Gole Gujral, Tehsil & District Jammu; and

Whereas, the matter has been examined in the Department in light of the existing rules and decided to refer the case to the Department of Law, Justice & Parliamentary Affairs for opinion as to whether the Permanent Resident Certificate at this stage can be cancelled as recommended by the Deputy Commissioner, Jammu or wait till completion of the enquiry by the Vigilance Organization. Accordingly, the Department of Law, Justice & Parliamentary Affairs vide U.O No. LD(Opn)2015/18-Rev; dated 18.03.2015 has opined as under:-

“Lodging of FIR and investigation by the Vigilance Organization relates to the allegations of Commission of crime by the concerned person by concealing facts or by misrepresentation. Investigation by Vigilance Organization does not debar the Government from canceling the second PRC obtained by the said person. The Deputy Commissioner concerned has conducted a detailed enquiry in this matter and recommended cancellation of the said certificate. No further enquiry is required to be conducted for cancellation of second PRC. The Deputy Commissioner has also heard the delinquent in person. Therefore, the Department can cancel his second PRC, notwithstanding pendency of investigation by Vigilance Organization.”

Now, therefore, in exercise of the powers conferred by Section 6 of the Jammu & Kashmir Grant of Permanent Resident Certificate (Procedure) Act, 1963 and Rules 8 & 9 thereunder, read with the opinion tendered by the Department of Law, Justice & Parliamentary Affairs, sanction is hereby accorded to the cancellation of the Permanent Resident Certificates of Mr. Suresh Kumar Rekhi, S/o Om Parkash Rekhi, Sparshika Rekhi & Ridham Rekhi both daughter & son of Suresh Rekhi, all R/o Gole Gujral, Tehsil & District Jammu, issued by the Assistant Commissioner (Revenue), Jammu, vide his office file No. 1023/PRC/2013-14 dated 05.11.2013, ab-initio.

It is further ordered that all the benefits procured on the basis of the said Permanent Resident Certificates shall stand forfeited.

By order of the Government of Jammu & Kashmir.

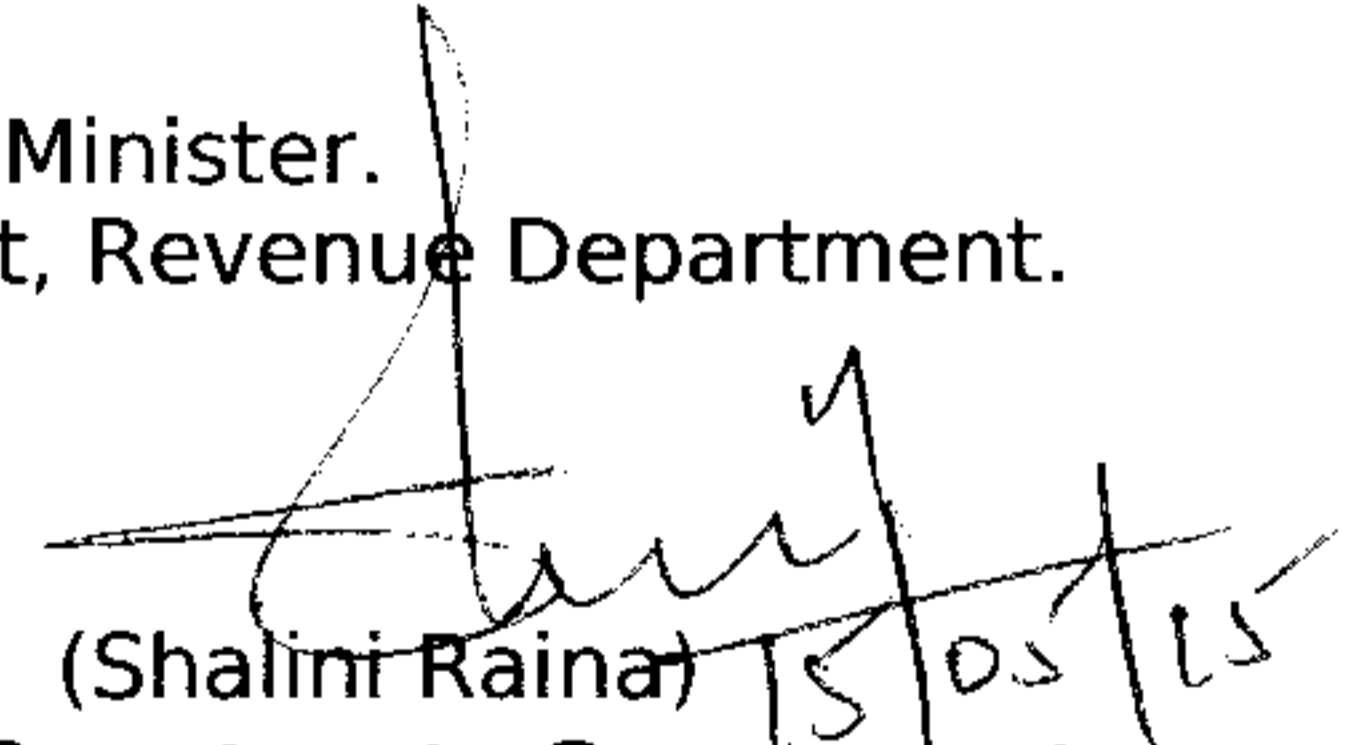
Sd/-
(Muhammad Afzal Bhat) IAS
Secretary to Government
Revenue Department

No:-Rev/PRC/13/2014

Dated:- 15 -05-2015

Copy to the:-

1. Financial Commissioner (Revenue) J&K, Srinagar.
2. Divisional Commissioner, Jammu.
3. Commissioner/Secretary to Government, General Administration Department.
4. Deputy Commissioner, Jammu.
5. Special Assistant to Hon'ble Revenue Minister.
6. Pvt. Secy. to Secretary to Government, Revenue Department.
7. Office Order record/file.


(Shalini Raina) 15/05/15
Under Secretary to Government
Revenue Department