The following Parliament having received the assent of the President on 26th November, 1978 and published in Extraordinary Gazette of India, Part II, Section I on 28th November, 1978, is hereby published for general information.

(Act No. 38 of 1978).
An ACT

To repeal certain enactments and to amend certain other enactments.

Be it enacted by Parliament in the Twenty-ninth Year of the Republic of India as follows:—

1. This Act may be called the Repealing and Amending Short title. Act, 1978.

2. The enactments specified in the First Schedule are Repeal of certain enactments.
   hereby repealed to the extent mentioned in the fourth column thereof.

3. The enactments specified in the Second Schedule are Amendment of certain enactments.
   hereby amended to the extent and in the manner mentioned in the fourth column thereof.

4. The repeal by this Act of any enactment shall not Savings.
   affect any other enactment in which the repealed enactment has been applied, incorporated or referred to;
   and this Act shall not affect the validity, invalidity, effect or conse- of anything already done or suffered, or any right, title, obligation already acquired, accrued or incurred or any remedy
   or proceeding in respect thereof, or any releasee or discharge of or from any debt, penalty, obligation, claim or demand,
   or any indemnity already granted, or the proof of any past act or thing :-

Explanation.—In this section and in section 4, 4 ‘enactment”
includes the Indian Union Police Force Regulation,
1358 Fasli.

Hyd.Rag.XXV
Of 1558F
nor shall this Act affect any principle or rule of law, or estab-
lished jurisdiction, form or course of pleading, practice or procedure,
or existing usage, custom, privilege, restriction, exemption, office or
appointment, notwithstanding that the same respectively may have
been in any manner affirmed or recognised or derived by, in or from
any enactment hereby repealed;

nor shall the repeal by this Act of any enactment revive or
restore any jurisdiction, office, custom, liability, right, title, privilege,
restriction, exemption, usage, practice, procedure or other matter or
thing not now existing or in force.
### THE FIRST SCHEDULE

(See section 2)

**Repeals**

<table>
<thead>
<tr>
<th>Year</th>
<th>No.</th>
<th>Short Title</th>
<th>Extent of repeal</th>
</tr>
</thead>
<tbody>
<tr>
<td>1971</td>
<td>7</td>
<td>The Imports and Exports (Control) (Amendment) Act ,1971</td>
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<tr>
<td>1971</td>
<td>21</td>
<td>The Gold(Control)Amendment Act, 1971,</td>
<td>Sections 2, 3 &amp; 6</td>
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<td>1971</td>
<td>33</td>
<td>The Indian Telegraph (Amendment) Act, 1971......</td>
<td>The whole.</td>
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<tr>
<td>1971</td>
<td>41</td>
<td>The Prevention of Food Adulteration (Amendment) Act, 1971...</td>
<td>Sections 2 and 3.</td>
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<td>1971</td>
<td>44</td>
<td>The Stamp and Excise Duties (Amendment) Act, 1971...</td>
<td>The whole.</td>
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<td>1971</td>
<td>45</td>
<td>The Industrial Disputes (Amendment) Act, 1971.....</td>
<td>The whole.</td>
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<td>1971</td>
<td>54</td>
<td>The Coal Bearing Areas (Acquisition and Development) Amendment and Validation Act, 1971...</td>
<td>Sections 2 to 7.</td>
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<tr>
<td>1971</td>
<td>66</td>
<td>The Essential Commodities (Amendment) Act, 1971.....</td>
<td>Sections 2, 3 &amp; 5.</td>
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<td>1971</td>
<td>67</td>
<td>The Indian Tariff (Amendment) Act, 1971.......</td>
<td>The whole.</td>
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<td>1971</td>
<td>72</td>
<td>The Industries (Development and Regulation) Amendment Act, 1971</td>
<td>Sections 2 to 10.</td>
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<td>The Supreme Court Judges (Conditions of Service) Amendment Act, 1971.......</td>
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<td>The High Court Judges (Conditions of Service) Amendment Act, 1971</td>
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<td>22</td>
<td>The Cantonments (Extension of Rent Control Laws) Amendment Act, 1972.......</td>
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<td>1972</td>
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<td>The Industrial Disputes (Amendment) Act, 1972.....</td>
<td>The whole.</td>
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<td>1972</td>
<td>34</td>
<td>The Aligarh Muslim University (Amendment) Act, 1972 . .</td>
<td>Sections 2 to 32.</td>
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<tr>
<td>Year</td>
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<td>41</td>
<td>The Income-tax (Amendment) Act, 1972. . . . . .</td>
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<td>and 6.</td>
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<td>The Dentists (Amendment) Act, 1972. . . . . .</td>
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<td>The Taxation Laws (Amendment) Act, 1972 . . . .</td>
<td>Sections 2 to 24</td>
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<td>The Rulers of Indian States (Abolition of Privileges) Act, 1972</td>
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<td>58</td>
<td>The Indian Copper Corporation (Acquisition of Undertaking Act, 1972. . . . .</td>
<td>Section 19.</td>
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<td>1972</td>
<td>60</td>
<td>The Khadi and other Handloom Industries Development (Additional Excise Duty</td>
<td>Section 2 and 3.</td>
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<td>on Cloth) Amendment Act, 1972 . . . . . . . .</td>
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<td>The Indian Railways (Amendment) Act, 1972 . . .</td>
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<td>The Industrial Development Bank of India (Amendment) Act, 1972</td>
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<td>The Central Excises and Salt (Amendment) Act, 1973……</td>
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<td>The Customs, Gold (Control) and Central Excises and Salt (Amendment) Act, 9973 . .</td>
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<td>The Employees’ Provident Funds and Family Pension Fund (Amendment) Act, 1973……</td>
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<td>The Reserve Bank of India (Amendment) Act, 1973.....</td>
<td>The whole.</td>
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<td>The Indian Railways (Amendment) Act, 1973 ......</td>
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<td>The Textiles Committee (Amendment) Act, 1973 ......</td>
<td>The whole.</td>
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<td></td>
<td>The Maternity Benefit (Amendment) Act, 1973.....</td>
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<td>The Indian Railways (Second Amendment) Act, 1973 ....</td>
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<td>The Payment of Bonus (Second Amendment) Act, 1973 ....</td>
<td>Section 2.</td>
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<td>5</td>
<td>The Presidential and Vice-Presidential Elections (Amendment) Act, 1974 ......</td>
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<td>1974</td>
<td>8</td>
<td>The North-Eastern Areas (Reorganisation) Amendment Act, 1974</td>
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<td>The Additional Duties of Excise (Goods of Special Importance) Amendment Act, 1974</td>
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<td>The Union Duties of Excise (Distribution) Amendment Act, 1974</td>
<td>The whole.</td>
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<td>1974</td>
<td>29</td>
<td>The Major Port Trusts (Amendment) Act, 1974.....</td>
<td>Section 2 to 39.</td>
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<td>1974</td>
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<td>The Industries (Development and Regulation) Amendment Act, 1974</td>
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<td>The Indian Iron and Steel Company (Taking Over of Management) Amendment Act, 1974 • • •</td>
<td>The whole.</td>
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<td>1974</td>
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<td>The Esso (Acquisition of Undertakings in India) Amendment Act, 1974 ..........</td>
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<td>The Companies (Amendment) Act, 1974......</td>
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<td>42</td>
<td>The Payment of Bonus (Amendment) Act, 1974.....</td>
<td>The whole.</td>
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<td>1974</td>
<td>46</td>
<td>The Delhi Sikh Gurdwaras (Amendment) Act, 1974 ...</td>
<td>The whole.</td>
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<tr>
<td>Year</td>
<td>No</td>
<td>Short Title</td>
<td>Extent of repeal</td>
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<td>The Indian Telegraph (Amendment) Act, 1974</td>
<td>Section 2.</td>
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<td>The Reserve Bank of India (Amendment) Act, 1974</td>
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<td>59</td>
<td>The Punjab Municipal (Chandigarh Amendment) Act, 1974</td>
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<td>1974</td>
<td>60</td>
<td>The Working Journalists (Conditions of Service) and Miscellaneous Provisions (Amendment) Act, 1974</td>
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<td>1975</td>
<td>1</td>
<td>The Indian Tariff (Amendment) Act, 1975</td>
<td>The whole.</td>
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<td>The Requisitioning and Acquisition of Immovable Property (Amendment) Act, 1975</td>
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<td>1975</td>
<td>3</td>
<td>The North-Eastern Areas (Reorganisation) Amendment Act, 1975</td>
<td>The whole.</td>
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<td>1975</td>
<td>19</td>
<td>The All-India Services Regulations (Indemnity) Act, 1975</td>
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<tr>
<td>1975</td>
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<td>The All-India Services (Amendment) Act, 1975</td>
<td>Section 3.</td>
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<td>1975</td>
<td>24</td>
<td>The Former Secretary of State Service Officers (Conditions of Service) Amendment Act, 1975</td>
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<tr>
<td>1975</td>
<td>31</td>
<td>The All-India Services (Amendment) Act, 1975</td>
<td>Section 2.</td>
</tr>
<tr>
<td>1975</td>
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<td>The Telegraph Wires (Unlawful Possession) Amendment Act, 1975</td>
<td>Sub-section (1) of section 2 and section 3 to 15.</td>
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<tr>
<td>Year</td>
<td>No.</td>
<td>Short Title</td>
<td>Extend of repei</td>
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</tr>
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<td>1975</td>
<td>46</td>
<td>The Provident Funds (Amendment) Act, 1975 ......</td>
<td>The whole.</td>
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<tr>
<td>1975</td>
<td>47</td>
<td>The Indian Coinage (Amendment) Act, 1975 ......</td>
<td>The whole.</td>
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<td>1975</td>
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<td>The National Cadet Corps (Amendment) Act, 1975 . . . . . . . . . . . . . . . .</td>
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<td>1975</td>
<td>52</td>
<td>The Public Financial Institutions Laws (Amendment) Act, 1975. .</td>
<td>Sections 2 to 20 and 22 to 51</td>
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*Hyderabad Regulation*

The Indian Union Police Force Regulation, 19C8 Faslsi (Hyderabad Regulation No. XXV of 1358F.) . The whole
<table>
<thead>
<tr>
<th>Year</th>
<th>No.</th>
<th>Short title</th>
<th>Amendment</th>
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| 1908 | 5   | The Code of Civil Procedure, 1908 | (1) In sub-section (2) of section 123,—  
(i) in clause (c), the word "and" occurring at the end shall be omitted;  
(ii) clause (d) shall be omitted. |
| 1951 | 43  | The Representation of the People Act, 1951, | (a) In sub-section (i) of section 11 A,—  
(i) the brackets and letter "(a)" occurring before the words "is convicted" shall be omitted;  
(ii) the word "or" occurring before the words "he shall" shall be omitted.  
In sub-section (3) of section 33, for the words, brackets, letter and figure "clause (f) of section 7 ", the word and figure "section 9" shall be substituted. |
<p>| 1956 | 74  | The Central Sales Tax Act, 1956. | In item (i) of clause (iv) of section 14, for the words &quot;ingot moulds bottom plates&quot;, the words &quot;ingot moulds, bottom plates&quot; shall be substituted. |</p>
<table>
<thead>
<tr>
<th>Year</th>
<th>No.</th>
<th>Short title</th>
<th>Amendment</th>
</tr>
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<tr>
<td>1973</td>
<td>26</td>
<td>The Coal Mines (Nationalisation) Act, 1973.</td>
<td>In clause (b) of sub-section (2) of section 22, for the word and figures &quot;section 15&quot;, the word and figures &quot;section 14&quot; shall be substituted.</td>
</tr>
<tr>
<td>1974</td>
<td>4</td>
<td>The Esso (Acquisition of Undertaking in India) Act, 1974.</td>
<td>In sub-section (4) of section 4, for the words &quot;against the concerned Government company&quot; the words &quot;by or against the concerned Government company&quot; shall be substituted.</td>
</tr>
<tr>
<td>1975</td>
<td>43</td>
<td>The Delhi Sales Tax Act, 1975</td>
<td>(i) In sub-section (3) of section 14, in the second proviso, for the words &quot;points of sale&quot;, the words &quot;point of sale&quot; shall be substituted.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>(i) In sub-section (4) of section 19, for the words &quot;the firm who changed constitution&quot;, the words &quot;the firm which changed the constitution&quot; shall be substituted.</td>
</tr>
<tr>
<td>1976</td>
<td>2</td>
<td>The Burmah Shell (Acquisition of Undertakings in India) Act, 1976</td>
<td>In sub-section (2) of section 15, after the words &quot;Secretary or other officer&quot;, the words &quot;of the company, such director manager, secretary or other officer&quot; shall be inserted.</td>
</tr>
</tbody>
</table>

R. V. S. PERI SASTRI,  
Secretary to the Government of India.

By Order  
B. R. PRADHAN,  
Secretary to the Government of Sikkim  
Law 4 Legislative Department,  
F. No. 11 (130) LL/1979.
In exercise of the powers conferred by Section 2 (G) of the Sikkim Agricultural Land Ceiling and Reform Act, 1977 (Act 14 of 1978), the State Government hereby authorise the Land Revenue Officers of the State to perform the functions of the Competent Authority under the aforesaid Act and there under within the district of their posting.

By Order.

(P. T. Wangdi, IAS)
Secretary
Land Revenue Department.
HOME DEPARTMENT

NOTIFICATION

No.7(I6)-Home/78

Dated Gangtok, the 13th March, 1979.

The Constitution (Amendment) Bill, 1977 (Amendment of article 51) by Shri Hari Vishnu Kamath, M.P., is published below for eliciting public opinion:—

1. (i) This Act may be called the Constitution (Amendment) Act, 1977
(ii) It shall come into force at once.

2. In article 51 of the Constitution, after clause (d), the following clause shall be inserted, namely:

"(e) collaborate with other nations for the early formation of a World Constitution Assembly to draft the Constitution for a World Federal Government.

STATEMENT OF OBJECTS AND REASONS

The time is opportune, may ripe, for all good men and governments of the World to get together earnest efforts for convening a World Constituent Assembly as a preparatory step towards the establishment of a Parliament of Man and Federation of the World. War cannot be abolished, nor can a warm living peace descend on earth, unless such a world order based on World Law is firmly founded.

Hence this Bill.

New Delhi,
The 15th June 1977. H.V. Kamath.

The above bill is republished, as the Lok Sabha has extended the time for eliciting opinion on the proposed bill. Any person or public body desiring to submit an opinion on the bill should write only to the undersigned by February 15, 1980 and not direct to the Lok Sabha Sectt.or any Ministry of the Government of India.

Tashi Tsering,
Deputy Secretary,
Home Department.

PRINTED AT THE SIKKIM GOVERNMENT PRESS
HOME DEPARTMENT (ELECTION)

NOTIFICATION NO 59/H.

Dated Gangtok, the 6th March, 1979,

Election Commission of India Notification No.56/79 as published in the Gazette of India, Extraordinary, Part II, Section 3(ii) dated 19.2.1979 is published for general information.

NOTIFICATION

Whereas the Election Commission is satisfied that as a result of its poll performance at the general election to the legislative Assembly of Arunachal Pradesh held in March, 1978, the People's Party of Arunachal in the Union territory of Arunachal Pradesh is entitled for recognition as a State Party in that Union territory in terms of paragraph 6 reach with paragraph 7 of the Election Symbols (Reservation and Allotment) Order, 1968.

And whereas the Election Commission has decided by a separate Order that the symbol 'Mithun' be restored symbol in relation to the Union territory of Arunachal Pradesh, and further it has reserved the symbol "Mithun" for the People's Party of Arunachal in Arunachal Pradesh;

Now, therefore, in pursuance of clause (b) of sub-paragraph (1) and sub-paragraph (2) of paragraph 17 of the Symbols (Reservation and Allotment) Order, 1968, the Election Commission hereby makes the following amendments to its notification No.56/78(i), dated the 25th January, 1978, published as S.O. 40(E) in the Gazette of India, Extraordinary, Part II, Section 3(ii), dated 25th January, 1978, as amended from time to time, namely—

(1) In table 2 of the said notification, after the entries relating to West Bengal, the following entries shall be inserted, namely—

“Arunachal Pradesh People's Party of Arunachal Mithun”

By Order,

Sd/- (V. NAGASUBRAMANIAN)
SECRETARY.

(D.K. Manavalan)
Chief Electoral Officer, Sikkim.

PRINTED AT THE SIKKIM GOVT. PRESS
HOME DEPARTMENT (ELECTION)

NOTIFICATION NO.60/H

Dated Gangtok, the 6th March, 1979.

Election Commission of India Notification No.56/79(1) as published in the Gazette of India, Extraordinary Part II, Section 3 (ii) dated 19.2.1979 is published for general information.

ELECTION COMMISSION OF INDIA
NIRVACHAN SADAN
NEW DELHI- 110-001.

NOTIFICATION

S.O.:— Whereas the Election Commission has recognised the people's Party of Arunachal as a State Party in the state Arunachal Pradesh vide its notification No.56/79, dated 19th February, 1979;

Now, therefore, in pursuance of clause (c) of sub-paragraph (1) and sub-paragraph (2) of para-graph 17 the Election Symbols (Reservation and Allotment) Order, 1968, the Election Commission hereby makes the following amendments to its notification 56/78(1), dated 25th January, 1978, published as S.O. 41(E) in the Gazette of India Extraordinary, Part II, section 3(ii), dated 25th January, 1978, as amended from time to time, namely.—

In the table appended to the said notification, the entry "21. People's Party of Arunachal....... Arunachal Pradesh", shall be deleted and the existing entries 22 to 41 shall be renumbered as 21 to 40 respectively.

By Order,

D.C. Manavalan)

Chief Electorel Officer, Sikkim.

Sd/- (V. NAGASUBRAMANIAN)

SECRETARY.

PRINTED AT THE SIKKIM GOVERNMENT PRESS
NO. 6    GANGTOK, TUESDAY, APRIL 17, 1979

GOVERNMENT OF SIKKIM
OFFICE OF THE COMPETENT AUTHORITY, EAST DISTRICT, GANGTOK
Notification No. 2
Dated 27th March 1979.

In pursuance of the provisions of sub-section (1) of Section 11 of the Sikkim Agricultural Land Ceiling Reforms Act, 1977 (Act 14 of 1978) I, Tashi Tobden, Competent Authority, East District notify the excess land of the person determined under Section 10 of the aforesaid Act as in the Schedule given below.

(Tashi Tobden, I.A.S)
Competent Authority,
East District, Gangtok.

SCHEDULE
(Details of land)

<table>
<thead>
<tr>
<th>Sl. No</th>
<th>Name of the person</th>
<th>District</th>
<th>Block</th>
<th>Plots</th>
<th>Area</th>
<th>Remarks</th>
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<td>I.</td>
<td>Sri Kunzang Nam- Assam 527 23.73 C.F III 14.38 Std Gyal</td>
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PRINTED AT THE SIKKIM GOVT. PRESS
GOVERNMENT OF SIKKIM  
OFFICE OF THE COMPETENT AUTHORITY, EAST DISTRICT, GANGTOK  
Notification No. 3  
Dated 5th April, 1979.  

In pursuance of the provisions of sub-section (1) of Section n of the Sikkim Agricultural Ceiling and Reforms Act, 1977, (Act 14 of 1978 ) I, Tashi Tobden, Competent Authority, East District, notify the excess land of the person determined under Section 10 of the aforesaid Act as in the Schedule below or annexed.

(Tashi Tobden, I.A.S )  
Competent Authority,  
East District, Gangtok,

**SCHEDULE**  
(Details of land)

<table>
<thead>
<tr>
<th>SL. NO.</th>
<th>Name of the Person</th>
<th>District</th>
<th>Block</th>
<th>Plot</th>
<th>Area</th>
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PRINTED AT THE SIKKIM GOVERNMENT PRESS
Sikkim

Government Gazette

Extraordinary
Published by Authority

No. 8 Gangtok Tuesday April 17, 1979

Land Revenue Departments

Government of Sikkim

Notification No. 2/LR.
Dated Gangtok, the 12th April, 1979.

In exercise of the powers conferred under Rule 26 made under Chapter V of the Sikkim Agricultural Land Ceiling and Reforms (amendment) Rules, 1979, the State Government hereby constitute Land Allotment Committees of the following four districts and further nominate seven prominent persons each districts to acts as chairman and members of the said committees:

**WEST DISTRICT**
1. Mr. Degay Bhutia Chairman
2. Mr. C.B. Katwal Vice-Chairman
3. District Collector Member Secretary
4. Mr. N.K. Subedi Member
5. Mr. Dharma Dutta Sharma Member
6. Mr. B.K. Pradhan Member
7. Mr. P.S. Subba Member
8. Mr. K.B. Basnett Member
9. Revenue Officer Member

**SOUTH DISTRICT**
1. Mr. B.N. Pradhan Chairman
2. Mr. R.B. Rai Vice-Chairman
3. District Collector Member Secretary
4. Mr. T.P. Kharel Member
5. Mr. Lodey Tshering Member
6. Mr. N.D. Sherpa Member
7. Mr. P.P. Gurung Member
8. Mr. B.B. Singh Member
9. Revenue Officer Member
NORTH DISTRIC

1. Smt. Sova Lepcha  Chairman
2. Smt. Ajay Bhutiani  Vice-Chairman
3. District Collector  Member Secretary
4. Smt. Durga Lama  Member
5. Mr. Tasha Tengay  Member
6. Mr. Ram Prasad Dhakal  Member
7. Mr. Damber Sundas  Member
8. Mr. D.B. Subba  Member
9. Revenue Officer  Member

EAST DISTRIC

1. Mr. K.S. Karki  Chairman
2. Mr. Shepchung Lepcha  Vice-Chairman
3. District Collector  Member Secretary
4. Mr. Hari Prasad Khatiwada  Member
5. Mr. Hari Bhakta Pradhan  Member
6. Mr. Dhana Pati Pandey  Member
7. Mr. J.B. Pradhan  Member
8. Sangay Dorjee  Member
9. Revenue Officer  Member

(P.T. Wangdi)

Secretary,
Land Revenue Department,
12.4.1975.

PRINTED AT SIKKIM GOVERNMENT PRESS
HOME DEPARTMENT (ELECTION)

NOTIFICATION NO. 61/H

Dated Gangtok, the 20th March, 1979

Election Commission of India Corrigendum No. 56/79(2), dated the 13th March, 1979 is published for general information.

ELECTION COMMISSION OF INDIA
NIRVACHEN SADAN
ASHOK ROAD
NEW DELHI
Dated the 13th March, 1979

CORRIGENDUM

New Delhi, the 13th March, 1979.


[ No.56/79(2) ]

By Order,

Sd/- (D.K. Manavalan) Sd/- (V. Nagasubramanian)
Chief Electoral Officer, Sikkim. Secretary.

PRINTED AT THE SIKKIM GOVERNMENT PRESS
LAND REVENUE DEPARTMENT

NOTIFICATION UNDER 6 OF L. A. ACT 1894 (I of 1894).

Notification No. 1294 (685/L.R. (S)

Dated Gangtok, the 30th March, 1979.

Whereas the function of the Central Government under the Land Acquisition Act 1894 (I of 1894) in relation to the acquisition of land for the purposes of the Union have been entrusted to the to the State Govt, by Notification No. F 12018/12/76-LRP dated 10.1.1978 issued by the Government of India in the Ministry of Agriculture and Irrigation under clause (I) of Article 258 of the Constitution of India.

And whereas the Governor is satisfied that land is needed for a public purpose of the Union, namely for the Establishment of Satellite Communication earth Station in the block of Penlong Elakha Tadung District East, Gangtok it is hereby declared that piece of land comprising cadastral plots specified in the schedule of properties below measuring more or less 1.29 acres, bounded in:

North :   North Sikkim Road
South : - do –
East : Holding of Yuthok family
West : N.S. Road and approach to Takchi Palace.

is needed for the aforesaid public purpose at the public expenses within the afroesaid blocks.

This declaration is made under the provision of section 6 of the Land Acquisition Act 1894 (I of 1894) read with the said Notification to all whom it may concern.

A plan of the land may be inspected in the office of the District Collector, East District, Gangtok or Secretary, Land Revenue Department, Government of Sikkim. Gangtok.
SCHEDULE OF PROPERTIES

PENLONG BLOCK

Cadastral survey plot No. 30 Area 0.43 acres.
Cadastral survey plot No. 31 Area 0.86 acres.

Block : Penlong
Elakha : Tadung

Police Station : Gangtok, East Sikkim.

By Order of the Governor.

P. T. WANGDI, IAS
Secretary
Land Revenue Department,
Government of Sikkim
Gangtok

PRINTED AT THE SIKKIM GOVT. PRESS
GOVERNMENT OF SIKKIM
LOCAL SELF GOVERNMENT DEPARTMENT

Notification No. 5/LSG.

Dated Gangtok, the 20th April, 1979

In exercise of the powers conferred by sub-section (1) of section 3 read with sub-section (1) of section 4 of the Sikkim Housing and Development Board Ordinance, 1979, the State Government hereby constitutes with effect from April 20, 1979 the Sikkim Housing and Development Board which shall consist of the following:—

(I) The Minister-in-Charge of the Local Self Government and Housing Department. - Chairman
(2) Secretary, Finance Department. - Member
(3) Secretary, Local Self Government and Housing Department. - Member
(4) Secretary, Panchayat and Rural Works Department - Member
(5) Development Commissioner. - Member
(6) Chief Engineer, Sikkim Public Works Department. - Member
(7) Secretary, Sikkim Housing and Development Board. - Member

P K. PRADHAN,
Secretary,
Local Self Government Department.

PRINTED AT THE SIKKIM GOVT. PRESS
Notification No 3
Dated 10th, April, 1979.

In pursuance of the provisions of Sub-Section (I) of Section II of the Sikkim Agriculture Land Ceiling and Reforms Act, 1977, (Act 14 of 1978). I, S.W. Tenzing Competent Authority notify the excess land of the person determined under Section 10 of the aforesaid Act as in the Schedule annexed.

S. W. Tenzing,
Competent Authority,
South District, Namchi.
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(S.W.Tenzing)

Competent Authority, South District, Namchi.

PRINTED AT THE SIKKIM GOVERNMENT PRESS
No. 13     Gangtok, Monday, May 7, 1979

FINANCE DEPARTMENT

GOVERNMENT OF SIKKIM

Notification No.9C7/Fin.

Dated 30.4.1979


In exercise of the powers conferred by Article 309 of the Constitution of India, the Governor of Sikkim is pleased to make the following rules:—

1  
   (a) These rules may be called the Sikkim Finance and Accounts Service Rules, 1978.  
   (b) These rules shall come into force at once.

2  
   DEFINITION :In these rules, unless the context otherwise requires  
   (i) 'Appointed day' means the date specified under clause (1) of rule-3.  
   (ii) 'Service' means the service constituted under rule 3.  
   (iii) 'Service Officer' means a member of the Sikkim Finance and Accounts Service constituted under rules 3.  
   (iv) 'Employing authority' means the Department, Corporation, Company, under taking or other body in which the Service Officer is for the time being posted.  
   (v) 'Government' means the State Government of Sikkim.  
   (vi) 'Governor' means the Governor of Sikkim.

3. CONSTITUTION OF SERVICE : (1) With effect from Nineteenth October, 1978 there shall be constitution a service called the 'Sikkim Finance and Accounts Service'.

   (2) The said service shall consist of three grades viz. Junior, Senior and Selection Grades.
   (3) The Strength and composition of each of the grades specified in sub-clause (2) shall be as indicated Schedule I at its initial constitution and shall be determined by the Governor from time to time.
   (4) The scale of pay and special pay attached to the posts specified in schedule I shall be such as may be prescribed by the Governor from time to time. On the date of publication of these rules, the scale of pay admissible to the member of the service shall be as shown in Schedule II.
   (5) Governor may by an order hold any post in the Service in abeyance and create a higher or lower post in lieu thereof for such period or periods as may be specified in the said order.
4. APPOINTMENTS AND POSTINGS: (i) All appointments to the posts in the service shall be made by the Governor by one or other of the methods specified in rules 2 and 6 and save as provided in sub-rule (2) Any post in the service shall be filled otherwise than by a service officer.

(2) Any post in the service may be filled as a temporary measure by a person other than a service officer, if the Government is satisfied that
(a) the vacancy is not likely to last more than six months, or
(b) there is no suitable officer of the service available for filling the post.

(3) Notwithstanding anything contained in sub-rule (1) or sub-rule (2), Government shall have the fill up any post in the Service by obtaining officers on deputation from the Central or other state Government for any period of time.

(4) A service officer may, in public interest, be posted by Government to any post under the Government outside the service or under any other Government or under a Company association or body, whether incorporated or not, whether owned by Government or not, on such terms and conditions as may be specified by Government.

5. INITIAL CONSTITUTION OF THE SERVICE: All persons holding, on the appointed day, the posted included in the Service, otherwise than as a purely temporary arrangement or on contract, or on deputation Central or any other Governments, shall be deemed to have been absorbed in the Service on the appointed day

Provided that any such person, may within sixty days of the date of issue of this Notification exercise an option not to be so absorbed in the service and option once exercised thus shall be final.

Provided further that failure to exercise the option as aforesaid within the specified period shall be construed as the exercise of option in favour of absorption in the Service.

Provided further that any person as aforesaid holding any post in Service on deputation from Central or other Government may be absorbed in the Service at the discretion of Government, on the appointed day or on any subsequent date, after a specific option is exercised by him in favour of such absorption and after the consent for such absorption is obtained from his parent office or department.

6. METHOD OF RECRUITMENT TO THE SERVICE:

(1) Subject to the provisions of rule 5, recruitment to the Service in the Junior grade shall after the appointed day, be made by the following methods viz.,
(i) by direct recruitment of persons through a competitive examination to be held by the Sikkim Public Service Commission.
(ii) by direct recruitment of persons possessing professional qualifications.
(iii) by obtaining the service of any employee of the Central or other State Governments.
(iv) by promotion of any employee of the Government.
(v) by re-employment, after retirement, of any person, who in the opinion of the Government suitable for such re-employment.

(2)(i) Government shall ordinarily decide in April each year the number of vacancies in the service to be filled in that year by direct recruitment, and also the number to be filled by promotion or by an other method mentioned in sub-rule (1).

(ii) The number of vacancies to be filled by promotion in the Junior Scale of service in any one year shall not, unless Government are satisfied that there are not sufficient number of officers fit for promotion less than 50 per cent of the total number of vacancies to be filled in such year.

(3) Appointments to the Senior and Selection grades of the Service shall ordinarily be by promotion of persons in the Junior grade and the Senior grade respectively on the basis of merit-cum-seniority.

(4) Notwithstanding anything contained in these rules, Government may appoint directly to the Senior or Selection grade, any person to whom rule or rule 6 applies, and who in the opinion of the Government has considerable experience and has acquired special knowledge or skill in matters connected with finance account and audit.

7. QUALIFICATIONS FOR APPOINTMENT: (1) Without prejudice to the general qualification and restrictions as to age etc. prescribed or that may be prescribed for appointments to the posts and service under the Government of Sikkim, the following additional qualifications shall be required for the person recruited under rule 6:
(i) All direct recruits under Clause (ii) of sub-rule (i) of rule 6 shall be fellows or Associates of the
Instituted of Chartered Accountants or of Costs and Works Accountants or S.A.S. Accountants of IA & AD or
posses a first class degree of Master of Commerce of any of the Universities.

(ii) Any employee of the State Government promoted to the cadre under Clause(iv) of sub-rule (i) of rules 6 should have at least eight years experience as Senior Accountant in any of the departments or undertakings of Government and Government must be satisfied that as a result of such experience the employees has acquired sufficient knowledge or skill in the financial and accounting rules of Government.

(2) Government may by a special order and for reasons to be recorded waive all of the Foregoing qualification in any case.

8. CONSTITUTIONS OF SELECTION COMMITTEES : (i) Government may, by an order ,consti-
tute one or more selection committees for making recommendation for :

(i) grading persons mentioned in rule 5 for absorption in the various grades of the service and Under Sub- rules (4) of rules 6
(ii) making direct appointments under clause (i) of rule b or sub-rule (4) of rule 6
(iii) Promotion of persons mentioned in clause (iv) of sub-rule (i) of rule 6.
(iv) Promotion of persons in the Junior grade to the Senior grade or in the Senior grade to the Selection grade, as the case may be, under sub rules (3) of rules 6.

(2) The selection Committee shall consist of the following :-
(a) Chairman Sikkim Publice Service Commission or his nominee and till he is appointed, another
Person nominated by the Governor.
(b) Chief Secretary to the Government.
(c) Finance Secretary to the Government.
(d) Establishment Secretary to the Government.

The Governor shall forward a list of persons eligible for consideration together with the Character-
roll and service records of serving offices and shall also indicate the approximate number of vacancies to be
filled by selection. The number of persons to be included in the list of eligible persons shall not be less than
two time the number of vacancies.

It shall be open to the selection Committee to decide whether to call persons for interview or to
draw up a merit list on the basis of records alone.

The recommendations of the Committee as finally approved by the Commission, shall be forwarded
To Government along with all other papers sent to the selection Committee.

9. TRAINING, PROBATION AND CONFIRMATION :
(1) Every person appointed directly under clause (i) and (ii) or promoted under clause (iv) of sub-
Rule (1) of rule 6 shall be on probation for two years from the date of appointment and shall undergo such
training and be required to pass such departmental examination as may be prescribed by Government.

(2) No such person as aforesaid shall be confirmed in the cadre unless he or she has passed the said
examination and officer failing to pass the examination within the said period of two years, shall be liable to
discharge from service or reversion to his permanent post as the case may be.

Provided that Governor may extend the said period of probation by any period not exceeding
two year of its discretion in any particular case or cases and may also exempt, for reasons to be recorded,
any person or persons from passing the examination.

10. SENIORITY : (1) The persons deemed to have been appointed to the Service under rule 5 shall rank
as senior to all those who may be appointed under rule 6.

Provided that persons appointed to the senior grade, or selection grade directly, shall rank as
Seniors to those who are promoted or appointed to those grades subsequently.

(2) The seniority inter-se of the persons specified in rule 5 shall be determined by Government having
Regard to the length of continuous service in the relevant grade and in the case of persons having the same length
of service in whose case inter-se seniority had not been fixed earlier, the relative seniority will be determined
according to their age, the older person ranking senior to the younger.

(3) The inter-se seniority of direct recruits and promotees shall be in the order in which their names
appear in the merit/select list. As for seniority between promotees and direct recruits, persons promoted
in one year shall rank senior to persons recruited direct in that year.
(4) Notwithstanding anything contained in rule 5 and 6 the seniority of persons mentioned in the third Provision to rule 5 and, in Clause (ii) of sub-rule (1) of rule 6, who are absorbed in the Service shall be such as may be determined by Government in each case.

(5) The decision of the Government under sub-rule (2), (3) and (4) shall be final.

11. ADMINISTRATIVE CONTROL:

(1) The control over the Service including appointments, transfers and deputations shall vest with the Government in the Finance Department.

(2) No officer of the Service serving in or posted to an employing authority shall be entrusted, save with the concurrence of the Finance Department, with duties other than those relating to Finance Accounts or Audit of the department.

(3) The headquarters of an officer of the service shall not be changed by the employing authority, save with the concurrence of the Finance Department.

(4) An officer belonging to the service shall not be transferred from one department to another or from a department to any corporation, company, undertaking or body save with the concurrence of the Finance Department both for the transfer and for the terms and conditions proposed or stipulated for such transfer.

(5) Subject to the eligibility of the officer concerned, leave of any kind other than leave preparatory to retirement, not exceeding 60 days may be sanctioned to the officer by the employing authority concerned Provided no substitute from the service is required to be posted.

12. RESIDUARY MATTERS:

All other matters in relation to the service not specified or for which no Provision has been made in these Rules shall be regulated by rules and orders applicable to other officers of Government of equivalent status.

13. INTERPRETATION:

If any question arises as to the interpretation of these rules, the decision of Government thereon shall be final.
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<td>10. Forest</td>
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<td>11. Sikkim Nationalised Transport</td>
<td>CAO, OSD, (A/C), A.O.</td>
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<td>13. Police</td>
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<td>Accounts Officer</td>
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<td>16. P.W.D</td>
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<td>17. Industries</td>
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<td>18. Panchayat &amp; Rural works</td>
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<td>19. excise (Abkari)</td>
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<td>-</td>
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Total I 2 7 29 38

II. Deputation Reserves 20 per cent of 18 - - - 8
III. Leave Reserves 5 Percent of 38 - - - 2
IV. Training Reserved 15 per cent of 38 - - - 6
(6)

SCHEDULE - II

SCALE OF PAY OF THE SIKKIM FINANCE AND ACCOUNTS SERVICE

1. Junior Scale (Class II)       -      Rs 510-25-760-EB-30-1210 (Pre-revised)
                                  Rs 660-25-910-EB-30-1240-EB-40-1400 (Revised)
2. Senior Scale (Class I)       -      Rs 750-40-950-EB-50-1450 (Pre-revised)
                                  Rs 900-40-1180-EB-45-1450-EB-50-1800 (Revised)

Subject to availability of vacancies no officer horn the Junior Scale shall be promoted to the senior
Scale unless he has put in not less than 8 years of service in the Junior Scale.

Provided that a member of the service who has attained the administrative scale of Rs. 750-1450
Pre-revised) immediately before publication of these rules shall continue to draw pay in the Scale of Rs.900-40
1180-EB-45-1450-EB-50-1800 (Revised).

The number of posts in the Senior Scale shall not exceed 30 per cent of the posts enumerated of
Item 1 of Schedule I.

3. Selection grade (Class I)     —      1200-50-1450-EB-60-2050 (Pre-revised)

No officer shall be promoted from the Senior Scale to the Selection Grade unless he has put 7 year
of service in the Senior Scale and he is found suitable on the basis of merit-cum-seniority.

The number of posts in the Selection Grade shall not exceed 15 per cent of the posts enumerated
item 1 of Schedule I.

PRINTED AT THE SIKKIM GOVT. PRESS
HOME DEPARTMENT (ELECTION)

NOTIFICATION NO 62/H.


Election Commission of India Notification No. 429/SM/78(2), dated 2 April, 1979 is republished in the State Government Gazette for general information:

ELECTION COMMISSION OF INDIA
NIRVACHAN SADAN
ASHOKA ROAD, NEW DELHI

NOTIFICATION

No. 429/SM/78 (2) - In exercise of the powers conferred by Sub-Section (1) of Section 13C of the Representation of the people Act, 1950 (43 of 1950), the Election Commission, in consultation with the Government of Sikkim, hereby directs that the following further amendments shall be made to its notification No. 429/SM/75 (2), dated the 26th September, 1975, as amended, namely:

In column 2 of the Stable appended to the said notification, against each of the items 1- Yoksam, 2- Tashiding: 3- Geyzing, 4 - Dentam, 5 - Barmiok, 6 - Rinchenpong 7-Chakung, 8 - Soerong and 9 - Daramdin, the existing entry shall be numbered as item No. ‘(1)’ and following shall be added as item No. (2) :

‘(2)’ Shri C. L. Sharma, Revenue Officer, West District, Geyzing.’

2. The said addition of item No. (2) shall be deemed to have been made w.e.f. the 1st September, 1978 and shall be effective for the period between the 1st September, 1978 and the 20th February, 1979 (both days inclusive).

By order

(D.K. Manavalan) (V. NAGASUBRAMANIAN)
Chief Electoral Officer, Secretary
Sikkim

PRINTED AT THE SIKKIM GOVERNMENT PRESS
In the notification of the Government of Sikkim in the Home Department No. 1(45)/77/Accts; dated the 27th September, 1977, published in the Sikkim Government Gazette No. 110 dated the 6th October, 1977, in—

(i) Clause (ii) of rule 2 in line 3 for "Chief Minister the Ministers of State" read "the Chief Minister, the Ministers, the Ministers of State";
(ii) rules 3, in line 1 for "the Chief Minister, the Ministers of State" read "the Chief Minister, Ministers, the Ministers of State".

T. S. GYALTSHEN,
Chief Secretary,
Government of Sikkim.
HOME DEPARTMENT (ELECTION)

Notification No.6 3 /H

Dated, Gangtok, the 7th May, 1979

The following Notification No.56/79(3) dated 26th April, 1979 of the Election Commission of India is republished for general information.

NOTIFICATION

S.O. Whereas the Muslim League (Opposition), a reorganised State-Party in the State of Kerala, has applied to the mission for the change of its name to ‘All India Muslim-League’;

And whereas the Commission is satisfied that the change of name requested for should be accessed to;

Now therefore, in pursuance of clause (b) of subparagraph (1) and subparagraph (2) of paragraph 17 of the Election Symbols (Reservation and Allotment) Order, 1968, the Election Commission hereby makes the following amendments to its notification No.56/78, dated the 25th January, 1978, published as S.O.40(E) in the Gazette of India, Extraordinary, Part II Section 3 (ii), dated 26th January, 1978, namely –

In column 2 of table of the said notification, for the entry ‘4’ Muslim League (Opposition)’ against the State of Kerala, the entry ‘4’ All India Muslim League ‘ shall be Substituted.

( No. 56/79. (3) )

By order

S. R. SETHI,
DEPUTY CHIEF ELECTORAL OFFICER, SIKKIM.

(V. NAGASUBRAMANJAN)
SECRETARY.

PRINTED AT THE SIKKIM GOVT. PRESS
Government of India, Ministry of Education and Social Welfare, Department of Education, New Delhi, Notification No. F. 1-10/75-CO, dated the 27th April, 1979 is Republished for general information.

Consequent upon the extension of the Copyright Act, 1957 (14 of 1957) to the State of Sikkim vide notification made by the President of India on the 26th December, 1978, published in the Gazette of India-Extraordinary-Part Ji-Section 3-Sub-Section (ii) dated the 27th December, 1978, the Central Government hereby appoints the 27th day of April, 1979 as the date on which the said Copyright Act, 1957 (14 of 1957) and the Copyright Rules, 1958, made thereunder, shall come into force in the State of Sikkim.

Sd/-
( D.N. Misra ),
Joint Educational Adviser.

T.S. GYALTSHEN,
Chief Secretary,
Government of Sikkim
OFFICE OF THE SECRETARY
DEPARTMENT OF LABOUR
GOVT. OF SIKKIM

NOTIFICATION No. l/DL/77-78.
Dated Gangtok, the 21st March, 1979.

The Government of Sikkim has been pleased to order the following deletion and insertion in the Notification No. l/DL/77-78 dated 20th February, 1978 regarding 10 paid holidays in a year granted to all workers of Industrial units/Establishments and Such other labourers engaged on M/R. by the Government Department:

(1) Item No. 2 Martyr's Day — (4th April) be deleted and State Day . — (16th May) be inserted instead.

By Order

J. DORJEE,
Secretary,
Labour Department.

POINTED AT THE SIKKIM GOVT. PRESS
Amendment of Section 6.

3. For sub-section (4) of Section 6 of the Act, the following shall be and shall be deemed always to have been substituted, namely:

"Every Block Panchayat shall, unless dissolved or superseded earlier under Section 19 of the Act, continue for four years from the date of its constitution.

Provided that the said period may be extended by the Government, notification in the Official Gazette, for a period not exceeding one year.

Insertion of a new Section.

4. After Section 21 of the Act, the following Section shall be deemed always to have been added, namely:

"22. All acts done and actions taken including notifications issue appointments made, rules framed, expenses incurred and order passed shall be deemed to have validly done, taken, issued, made, framed incurred and passed duly and properly under the provisions of the Act as amended by this Ordinance".

Gangtok
Dated the 1st June, 1979.

B.B. Lal,
Governor of Sikkim

B. R. PRADHAN,
Secretary to the Government of Sikkim
F. No. 16 (85) LL/79.
GOVERNMENT OF SIKKIM
HOME DEPARTMENT

NOTIFICATION
No. 3/L.R. Dated Gangtok, the 8th May, 1979.

In exercise of the powers conferred by sub-section (1) of Section 14 of the Sikkim Agriculture Land Ceiling and Reforms Act, 1977 (Act 14 of 1978) the State Government hereby constitutes the State Land Tribunal for hearing Second appeal under section 14 of the aforesaid Act which shall consist of the District Judge of Sikkim with headquarters at Gangtok.

By Order

T. S. GYALTSHEN,
Chief Secretary,
Government of Sikkim.
GOVERNMENT OF SIKKIM
HOME DEPARTMENT

NOTIFICATION

F. No. 6/Home/7S
Dated Gangtok, the 4th May, 1979.

The Government of India, Ministry of Health & Family Welfare, New Delhi, notification No. P. 15024/7/76-PH (F & N) PFA, dated the 26th March, 1979 is abolished for general information:

In pursuance of the notification of the Government of India in the Ministry Home Affairs No. S. O. 738 (E), dated 27th December, '78, the Central Government hereby appoints the first day of April, '79, as the date on which the Prevention of Food Adulteration Act 1954 (37 of 1954) shall come into force in the State of Sikkim.

Sd/-
(N. N. VOHRA)
Joint Secretary to the Government of India.

T. S. GYALTSHEN,
Chief Secretary,
Government of Sikkim.
In pursuance of the provisions of Sub-Section (I) of Section II of the Sikkim Agriculture Land Ceiling and Reforms Act, 1977, (Act 14 of 1978) L John Phurba Tsering Lepcha Competent Authority notify the excess land of the persons determined under Section 10 of the Act as in the Schedule annexed.

J. P. Tsreing
Competent Authority,
West District Gyalshing.
## SCHEDULE

(Details of land).

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<thead>
<tr>
<th>Sl. No.</th>
<th>Name of the persons</th>
<th>District</th>
<th>Block</th>
<th>Plot</th>
<th>Area</th>
<th>Remarks</th>
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GOVERNMENT OF SIKKIM
LOCAL SELF GOVERNMENT DEPARTMENT

No. 97(16) LSG/78-79/I/LSG.

Dated Gangtok, the 23rd February, 1979.

NOTICE

It is hereby notified for the information and guidance of the general public including all Government servants and other employees that allotment of sites for any purpose within the Gangtok Municipal limits and other Town/Bazar areas is done by the Local Self Government & Housing Department which is the only competent authority to make site allotments in these areas. In case where the land falls within an area which is under the charge of any other Government Department the allotment would still be made by the Local Self Government & Housing Department who will, however, obtain clearance the Department concerned before making the allotment. Similarly, in view of the proposed extension of most of the Bazars the other Government Department will obtain clearance this Department before they allot any site outside but adjoining any municipal/town, bazar areas.

So far as the Gangtok Municipal area is concerned every plan for a building has to be approved by the Gangtok Municipal Corporation and for constructing a building in any other Town/Bazar area the building plan has to be approved by this Department. Therefore, any person who accepts any allotment within these areas from any other authority except the Local Self Government & Housing Department, will run the risk of his building plan not being approved by the competent authority besides the allotment being set aside ultimately and the unauthorised construction, if any, being demolished.

By Order

P. K. PRADHAN,
Secretary,
Local Self Government & Housing Department.

PRINTED AT THE SIKKIM GOVERNMENT PRESS
GOVERNMENT OF SIKKIM
INCOME & SALES TAX DEPARTMENT

Notification No. 99-200/ST.
Dated 17th April, 1979.

1979 and No. 1252- F.T./IT-4/79-S.T. dated 30th March, 1979 are republished for
Information :-

NOTIFICATION

In exercise of the power conferred by section 26 of the Bengal Finance (Sales Tax)
Act 1941 (Ben. Act VI of 1941), the Governor is pleased hereby to make the following
Amendment in the Bengal Sales Tax Rules, 1941, as subsequently amended (hereinafter
referred to as the said rules):—

AMENDMENTS

In the said rules, in rule 3, —

(1) in clause (12),—
   (a) in sub-clause (b), for the figures and words "31st March, 1979", substitute the
       figures and words "30th June, 1979 or till the Central Sales Tax Act, 1956
       is enforced in Sikkim, whichever is earlier";
   (b) in sub-clause (c), for the figures and words "31st March, 1979", substitute the
       figures and words "30th June, 1979 or till the Central Sales Tax Act, 1956
       is enforced in Sikkim, whichever is earlier";

(2) in clause (13), in sub-clause (b), for the figures and words "31st March, 1979",
    substitute the figures and words "30th June, 1979 or till the Central Sales Tax
    Act, 1956 is enforced in Sikkim, whichever is earlier".

By Order of the Governor,

Sd/- T.N- Mookerji,
Dy. Secy, to the Govt- of
West Bengal.
WHEREAS the Governor is satisfied that it is necessary so to do in the public interest;

NOW, THEREFORE, in exercise or the power conferred by sub-section (5) of Section 8 of the Central Sales Tax Act, 1956 (74 of 1956), the Governor is pleased hereby to make the following amendment in this department notification No. 2787-F.T. dated the 13th June, 1975, published at page 1228 of Part I of Calcutta Gazette, Extraordinary dated the 13th June, 1975, as subsequently amended (hereinafter referred to as the said notification):

AMENDMENT

In the said notification, for the figures and words "31st March, 1979", substitutes the figures and words "30th June, 1979 or till the Central Sales Tax Act, 1956 is enforced in Sikkim, whichever is earlier".

By Order of the Governor,

Sd/- T.N. Mookerji,
Dy. Secy, to the Govt, of West Bengal

By Order.

Sd/- M.P. Pradhan
Secretary Finance
Income & Sales Tax Department

POINTED AT THF SIKKIM GOVT. PRESS
GOVERNMENT OF SIKKIM
HOME DEPARTMENT

NO. 3 (10) STCS/73-74./3747
Dated Gangtok, the 19th May, 1979.

NOTIFICATION

In exercise of the powers conferred by Clause 6 of the Proclamation dated the 30th March, 1972, the Government of Sikkim is pleased to nominate the following two officers as directors on the Board of the State Trading Corporation of Sikkim:—

1. Secretary, Panchayat & Rural Works,
2. Chief Engineer, Sikkim Public Works Department.

These officers will function as directors on the Board, in addition to the following four directors:—

2. Managing Director, State Trading Corporation of Sikkim.
3. Secretary, Power.
4. Shri K.C. Pradhan, Secretary, Tourism.

T. S. GYALTSHEN,

Chief Secretary,
Government of Sikkim.
In pursuance of the provisions of Sub-Section (I) of Section 11 of the Sikkim Agriculture Land Ceiling and Reforms Act, 1977, (Act 14 of 1978) T, S.W. Tenzing Competent Authority notify the excess land of the person determined under Section 10 of the aforesaid Act as in the Schedule annexed.

S. W. Tenzing,

Competent Authority,
South District, Namchi.
## SCHEDULE

(Details of Land)

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<th>SI NO</th>
<th>Name of the person</th>
<th>District</th>
<th>Block</th>
<th>Plot No</th>
<th>Area</th>
<th>Remarks</th>
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</tbody>
</table>

(S.W. Tenzing)
Competent Authority
South District,
Namchi

PRINTED AT THE SIKKIM GOVERNMENT PRESS
Whereas it is expedient to amend the Sikkim Panchayat Act, 1965, in the manner hereinafter appearing:

And whereas the Legislative Assembly of Sikkim is not in session and the Governor is satisfied that circumstances exist which render it necessary for him to take immediate action;

Now, therefore, in exercise of the powers conferred by article 213 of the Constitution, the Governor is pleased to make and promulgate the following Ordinance, namely:—-

1. This Ordinance may be called the Sikkim Panchayat (Amendment) Ordinance, 1979

2. (1) In the Sikkim Panchayat Act, 1955 (hereinafter referred to as “the Act”)

   (i) the expression "Chogyal of Sikkim” occurring in sub-section 3 and 4 of Section 1 of the Act shall be substituted by the word "Government";

   (ii) the word "Darbar" occurring in Section 14(c) of the Act shall be substituted by the word "Government";

   (iii) the expression "Chogyal of Sikkim” occurring in Section 20 of the Act shall be substituted by the expression "Constitution of India”.

   (2) The amendments shall be deemed to have taken effect from the date of the commencement of the Constitution (Thirty sixth Amendment) Act, 1975.
Amendment of Section 6.

3. For sub-section (4) of Section 6 of the Act, the following shall be and shall be deemed always to have been substituted, namely:

Every Block Panchayat shall, unless dissolved or superseded earlier under Section 19 of the Act, continue for four from the year from the date of its constitution.

Provided that the said period may be extended, by the Government, by notification in the Official Gazette, for a period not exceeding one year.

Insertion of a new Section

4. After Section 21 of the Act, the following Section shall be and shall be deemed always to have been added, namely:

“22. " All acts done and actions taken including notification issued, appointments made, rules framed, expenses Incurred and order passed shall be deemed to have validly done, taken, issued, made, framed, incurred and passed duly and properly under the provisions of the 'Act as amended by this Ordinance'.

Gangtok
Dated the 1st June, 1979

B.B. Lal
Governor of Sikkim

B.R. PRADHAN
Secretary to the Government of Sikkim

F. No. 16 (85) LL / 79

PRINTED AT THE SIKKIM GOVERNMENT PRESS
OFFICE OF THE SECRETARY LAND REVENUE
GOVERNMENT OF SIKKIM

(Notification under section 4 of land Acquisition Act 1894 I of 1894)

Notification No. 88(495/L.R. (S)
Dated Gangtok, the 8th May, 1979.

Whereas it appears to the Governor that land is likely to be needed for a public Purpose, not being a purpose of the Union, namely for establishment of a Degree College in the Block Sichey, East District it is hereby notified that a piece of land comprising cadastral plot Nos 459, 503, 458, 496A, 1058, 1087, 1086, 1086A, 494, 469, 493, 495, 467, 461, 474, 433, 497, 434, 435, 436, 455, 464, 471, 463, 472, 475, 475, 466, 485, 465, 487, 486, 488, 456, 489, 492, 470, 460, 1030, 168, 457, 1029, 1026, 473, 496 and 462, Measuring more or land 29.92 acres bounded the

East :- Jhora.
Wast :- Public cultivated land.
North :- Public cultivated (Separated by G.M.C Boundary)
South :- Public cultivated land is likely needed for the aforesaid public purpose at the public expense within the aforesaid block (Sichey).

The notification is made, under the provision section 4 of Act I of 1894 to all to Whom it may concern.

A plan of the land may be inspected in the Office of the District Collectorate, East, Gangtok or Land Record Officer, L.R. Deptt G.O.S. Gangtok. In exercise of power conferre by the aforesaid section, the Governor is pleased to authorize the Officers for the time being engaged in the undertaking, with their servants and workmen, to enter upon the survey the land and do all others acts required permitted by that Section.

Any persons interested in the above land who has any objection to the acquisition thereof, may within 30 (Thirty) days after the date on which public notice of the substance of the notification in giving in the locality files an objection in writing before the Collector of Gangtok.

P. T. WANGDI, IAS

Secretary,
Land Revenue Department,
Government of Sikkim
Gangtok

PRINTED AT THE SIKKIM GOVERNMENT PRESS
GOVERNMENT OF SIKKIM
HOME DEPARTMENT

NOTIFICATION NO. 7 (6) Home/79.
Dated Gangtok, the 30th May, 1979.

The following notification issued by the Government of India, Ministry of Home Affairs is republished for general information:—

NOTIFICATION
New Delhi, the 26th April, 1979.
S.O .299 (E) :- In exercise of the powers conferred by clause (n) of article 371 F of the Constitution, the President hereby extends to the State of Sikkim the enactments specified in the Schedule annexed hereto, subject to the modifications, if any specified in that Schedule and the following further modification, namely:—

(1) Any reference in the said enactments to a law not in force, or to a functional not in existence, the State of Sikkim shall be construed as a reference to the corresponding law in force or to the corresponding functionary in existence in that State:

Provide that if any question arises as to who such corresponding functionary is or if there is no such corresponding functionary, the Central Government shall decide as to who such functionary will be and the decision of the Central Government shall be final.

(2) Notwithstanding anything contained in the relevant provision, if any, of each such enactment for the commencement thereof the provisions of each such enactments shall come into force in the ate of Sikkim on such date as the Central Government may, by notification in the official Gazette, appoint:

Provided that different dates may be appointed for different provisions of any enactment and for different areas in the State of Sikkim and any reference in any such provision, to the commencement of the Act shall be construed as a reference to the coming into force of that provision in the area where it has been brought into force.

SCHEDULE

<table>
<thead>
<tr>
<th>Year</th>
<th>No</th>
<th>Short Title</th>
<th>Modifications</th>
</tr>
</thead>
<tbody>
<tr>
<td>1962</td>
<td>52</td>
<td>The customs Act, 1962</td>
<td>-</td>
</tr>
<tr>
<td>1974</td>
<td>52</td>
<td>The Conservation of foreign Exchange and Prevention of Smuggling Activities Act, 1974</td>
<td>-</td>
</tr>
</tbody>
</table>

Sd/- NEELAM SANJIVA REDDY, President
(F. No. 11013/1/79-Sikkim)
M.L. KAMPAANI, Addl, Secretary.

T.S. GYALTSHEN,
Chief Secretary,
Government of Sikkim

PRINTED AT THE SIKKIM GOVT. PRESS
HOME DEPARTMENT (ELECTION)

Notification No. 64/H.

Dated Gangtok, the 28th May, 1979.

Election Commission of India Notification No. 429/SKM/78(2), dated 14th May, 1979 is published in the State Government Gazette for general information.

ELECTION COMMISSION OF INDIA
NIRVACHAN SADAN
ASHOKA ROAD
NEW DELHI 110001.

NOTIFICATION
No. 429/SKM/78(2):— In exercise of the powers conferred by sub-section (1) of section 13C of the Representation of the People Act, 1950 (43 of 1950), the Election Commission, in consultation with the Government of Sikkim, hereby directs that the following further amendments shall be made to its notification No. 429/SKM/75(2), dated the 26th September, 1975, as amended, namely:—

In column 2 of the Table appended to the said notification against each of the items Nos. 17- Central Pendam- East Pendam, 18-Rhenock, 19-Regu, 20-Pathing, 21-Loosing Pachekhani, 22-Khamdong, 26-Rakdong-Tentek, 27-Martam, 28-Rumtek, 29-Assam-Lingjey, 30-Ranka and the existing entry shall be numbered as item No. '(1)' and the following shall be added as item No. (2):—

'(2) Deputy Collector and Deputy District Magistrate, East District, Gangtok'

2. The said addition of item No. (2) shall be deemed to have been made w.e.f the 1st April, 1979.

By Order.

Sd/- (S. R. SETHI)
Deputy Chief electoral Officer Sikkim.

Sd/- (V. NAGASUBRAMANIAN)
Secretary
Dated Gangtok, the 15th June, 1979.

ORDER

Under the powers vested in me under Article 164 (1) of the Constitution I, B. B. Lal, Governor of Sikkim, hereby remove Shri Ram Chandra Poudyal from the Office of Minister of the State Government, forthwith.

B.B. LAL
GOVERNOR OF SIKKIM.
HOME DEPARTMENT (ELECTION)

Notification No. 65/H.
Dated Gangtok, the 29th May, 1979.

Election Commission of India Notification No. 56/79(4) dated 23rd May, 1979 is published for general information.

ELECTION COMMISSION OF INDIA
NIRVACHAN SADAN
ASHOKA ROAD
NEW DELHI 110001.

NOTIFICATION

S.O. Whereas the Election Commission has reviewed the poll performance of unrecognised political parties registered under para 3 of the Election Symbols (Reservation and Allotment) Order, 1968, at the general elections to the House of the People held in 1977 and to the various Legislative assemblies held in 1977 and 1978;

And whereas the Commission is satisfied that the registration of such of those parties (1) whose poll performance at the said elections was very poor in the opinion of the Commission, (2) who did not participate at the said elections, and (3) who have since ceased to function and have therefore become defunct, should be cancelled;

And whereas adequate opportunity was afforded to those parties by sending show cause notices to them as to why the Commission should not order de-registration of the parties for the reason given in those notices;

And whereas the replies received in response to such show cause notices from the parties who chose to submit their replies have been duly considered;

And whereas some of the parties have not responded to the show cause notice inspite of a reminder notice to them;

And whereas after such cancellation of registration, the list of unrecognised registered parties has to be brought upto-date in pursuance of sub-paragraph (2) of paragraph 17 of the said Order;

Now, therefore, in pursuance of clause (c) of sub-paragraph (1) of paragraph 17 of the above cited order, and in supersession of its notification No. 56/78(1), dated 25th January, 1978 published as S.O. 41(E) in the Gazette of India, Extraordinary Part II, Section 3(ii), dated 25th January, 1978, the Commission hereby specifies in the Table below, the unrecognized political Parties registered with it and the State or State in which they are functioning :-
<table>
<thead>
<tr>
<th>Name of the un-recognised registered political parties</th>
<th>State/States in which it functions</th>
</tr>
</thead>
<tbody>
<tr>
<td>2. All India Labour Party</td>
<td>Punjab</td>
</tr>
<tr>
<td>5. Muslim Majlis</td>
<td>Uttar Pradesh</td>
</tr>
<tr>
<td>6. National Convention of Nagaland</td>
<td>Nagaland</td>
</tr>
<tr>
<td>11. Shiva Sena</td>
<td>Maharashtra</td>
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<tr>
<td>13. Sikkim Prajatantra Congress</td>
<td>Sikkim</td>
</tr>
<tr>
<td>14. Tripura State Congress for Democracy</td>
<td>Tripura</td>
</tr>
</tbody>
</table>

By Order.

Sd/- (S.R. SETHI) Deputy Chief Electoral Officer, Sikkim.  
Sd/- (V. NAGASUBRAMANIAN) Secretary
GOVERNMENT OF SIKKIM
HOME DEPARTMENT

F. NO. 7 (2) Home/79.
Dated Gangtok, the 30th April, 1979.

NOTIFICATION

The Prevention of Social Disabilities Bill, 1977 by Dr. Vasant Kumar Pandit, M.P., is republished below for eliciting public opinion:—

"Be it enacted by Parliament in the Twenty-eight Year of the Republic of India as follows:—

1. (1) This act may be called the prevention of Social Disabilities Act, 1977.

Definitions.

2. In this Act, unless the context otherwise requires:—

(a) “community” means a group of members who are connected together by birth, conversion or performance of religious rites or ceremonies or who belong to the same religion or religious creed and include a caste or sub-caste;

(b) “member” means, a person, whether male or female, who is a member of any community.

Imposition of Social disabilities

3. A member shall be deemed to have imposed social disability on a member of his community if he:—

(a) denies, prevents or obstructs or causes to deny, prevent or obstruct any member of his own community from having access to or from using any place of worship or prayers or any place intended to be used for performing any religious ceremony or rite, prevalent or practised in his community;

(b) prevents or obstructs or causes to prevent to obstruct any member of his community from having access to or from using any place used or intended to be used for a charitable, religious or public purpose and established, run, or maintained wholly or partly by his own community for and on behalf of the community and which is normally available for use to or by any member of his own community;

(c) prevents or obstructs or causes to prevent obstruct, any member of his community from enjoying any benefit under a charitable trust or wakf created for the benefit of his community;

(d) prevents or obstructs or causes to prevent or obstructs any member of his community from having access land to or using the facilities of any school, educational institution, medical institution, community hall, Club hall, cemetery, burial ground or any other place used by or intended to be used by, or for the benefit of, his community.
(e) prevents or obstructs or causes to prevent or obstruct any member of his community from observing any social or religious custom or usage or ceremony or from taking a part in social or religious function congregation, assembly, meeting or procession.

(f) prevents or obstructs or causes to prevent or obstruct any member of his community from establishing or maintaining such social, professional or business relations as he would ordinarily establish or maintain with other member of his community.

(g) incites, provokes, or encourages any member of his community directly or indirectly to sever social, religious, professional or business relation with any other member or members of his community.

(h) refuses or denies or causes to refuse or deny to any member of his community the right to perform such marriage, funeral or other religious ceremonies and rites as the members of his own community usually and ordinarily perform;

(i) prevents or obstruct or causes to prevent or obstruct any member of his community from entering, lodging in or otherwise using any Dharma shala, Saria or Musafarkhana which is ordinarily open to members of his community; or

(j) prevents or obstructs causes to prevent or obstruct any member of his community from entering or using any place of worship such as temple, mosques, church, gurudwara or any cemetery, crematorium or burial ground which is ordinarily open to members of his community.

4. (1) Whoever imposes any social disabilities on any member of his penalties community shall on conviction be punished with imprisonment of either description which may extend to six months or with fine, which may extend to one thousand rupees or with both.

(2) Whoever aids or abets in the commission of any offence punishable under this act or connives at the commission of any such offence or harbours any offender or destroys any evidence shall on conviction be punished with imprisonment of either description which may extend to six months or with fine, which may extend to one thousand rupees or with both.

5. Notwithstanding any thing contained in the code of Criminal Procedure 1973, every offence under this Act—

(a) shall be cognizable, and

(b) may, with the permission of the court be compundable.

6. (1) A Police Officer may—

(a) remove or cause to be removed any barricade or obstruction erected, placed or found in any place if such police officer has reasonable ground to believe that barricade or obstruction was so erected or place in order to be used for the purpose of commuting an offence under this Act, or

(b) open or cause to be opened any gate or door, if such police Officer has reasonable ground to believe that such gate or door was closed for the purpose of committing an offence under this Act.

(2) Whenever a police officer has reasonable ground to believe that any person is likely to commit an offence under this act, he may arrest such person without a warrant and deliver him into the custody of the Officer-in-charge of a police station who may either release the person arrested on his executing a bond with or without surety for his appearance in a Magistrate’s Court or take or cause to be taken person arrested before a Magistrate within twenty four hours after the arrest.
(3) When a person appears before a Magistrate in compliance with a bond executed by him under sub-section (2) or is brought before a Magistrate he may require such person to show cause why he should not be order to execute a bond with or without sureties for his good behaviour for such period not exceeding three years as the Magistrate may think fit. If after due inquiry, the Magistrate is satisfied that such person should Execute a bond with or without sureties, the Magistrate shall make an order Accordingly and the provisions of section 107 and sections 112 to 123 (both inclusive) of the code of Criminal Procedure 1973, shall apply to or in relation to all orders to furnish security made under this sub-section.

Any person or public body desiring to submit an opinion on the bill should write only to the undersigned by the 15th September, 1979 and not direct to the Lok Sabha Secretariat or any Ministry of the Government of India.

Tashi Tsering,
Deputy Secretary,
Home Department.
LAND REVENUE DEPARTMENT

Notification No. 203 (530)/L.R.(S)

Dated Gangtok, the 4th June, 1979.

ERRATUM

Erratum to Notification No. L.A. (1)383 L.R. (S) dated 28/6/1978 issued under section 6 of the Land Acquisition Act. 1894 (1 of 1894) published at page 1 to 3 of the Sikkim Government Gazette "Extraordinary" No. 91 dated 3/7/78 is respect of the acquisition of 1,235.33 acres of waste land in Bhusuk, Paham, Namong and Naitam blocks Elakha Pam- Singtam East District of Sikkim State for a public purpose, namely for a purpose of the union-Key Location Plan.

Read the figures in line No. 8 of page 1 as 1,237.00 acres instead of "1,235.33 acres".

In page 2 BHUSUK BLOCK

Cadastral Survey plot Nos. in full—

Read in 1st. line as plot no. "168 A" in lieu of plot no. "160 A".
Read in 5th. line as a single plot no. "59/202" in lieu of two plot nos. 59 202".
Delete plot no. "106" in 5th- line after plot no. "106/191".
Delete plot no. "101" in third line.
Delete plot no. "71/201" in last line after plot no. "142".
Delete plot no. "104/205" in 6th. line after plot no. "143".
Delete plot no. 145/189 in 6th. line after plot no. "51".
Delete plot nos. "52 A and 54 A".

In page 2 PAAM BLOCK

(a) Cadastral Survey plot nos. in full—

Read plot no. "14 A" in 10th. line in lieu of plot no. "14".
Read plot no. "141/341 A" in 13th. line in lieu of two plot nos. "141 A,341 A"
Read plot no. "283" after plot no. "280" in 11th. line in lieu of "286".
Read plot no. "163, 166" in 9th- line in lieu of "263, 266".
Read plot no. "224" in 7th. line in lieu of "324".
Read plot no. "146 A in 8th. line in lieu of "246 A".
Read plot no. "173" after plot no. "156" in 4th , line in lieu of "113"
Read plot no. "152/325" in 12 th line in lieu "152/320"
Read plot no. "162" in 15th. line in lieu of "162/220".
Delete plot no. "221" in 13th line.
Delete plot no. "276" in 2nd line.
Delete plot nos. "9", "43 A", "44", "274" after plot nos. "44 A", "43 A " "309" respectively in 10th line.
Insert the plot nos. "18,301,176".
Cadastral Survey plot nos. in part (excluding Home stead Area)—
Read plot no. "295" in 2nd. line in lieu of "1295".
Read plot no. "276/346" in 2nd. line in lieu of two plots "276, 346".
Read plot no. "281/323" in 2nd line in lieu of two plots "286, 323".
Insert plot no. "221".

in pages 2 and 3 Namong Block

Cadastral Survey plot Nos. in full—

Read plot no. "606" in 1st. line in lieu of "696".
Read plot no. "289/B" in 4th. line in lieu of "989/B".
Read plot no. "209/A" in 4th. line in lieu of "109/A".
Read plot no. "291/A" in 8th. line in lieu of "291/AA".
Read plot no. "283/A" after plot no. "202" in 8th. line in lieu of "283".
Read plot no. "81/605" in 9th. line in lieu of "81/695".
Read plot no. "90" in 9th. line in lieu of "98".
Read plot no. "452/A" after plot no. "468" in 9th. line in lieu of "452".
Read plot no. "120, 130" in 11th. line in lieu of "128, 139" respectively.
Read plot no. "160/A" after plot no. "596" in 15th. line in lieu of "198".
Read plot no. "403/601" in 15th. line in lieu of "408/601".
Read plot nos. "127", "373" in 18th. line in lieu of "172", "273" respectively.
Read plot nos. "390/A", "390/B" in 22nd line in lieu of "380", "39/B".
Delete plot no. "262" after plot no. "229" in 8th- line.
Delete plot no. "364" in 24th- line.
Delete plot nos. "92/621", "423/626" after plot nos. "244" in last line.
Insert plot nos. "404/A", "457".

In page 3 NAITAM BLOCK

Cadastral Survey plot Nos. in full-

Read plot no. "190 A" in 4th line in lieu of "109 A".
Read plot no. "158 B" in 5th line in lieu of "185 B".
Read plot no. "142 A" in 8th line in lieu of "124 A".
Delete plot no. "53" after plot no. "47" in 6th line.
Insert plot nos. "15 A", "44 A".

By Order of the Governor

(PT. WANGDI) IAS
SECRETARY,
LAND REVENUE DEPARTMENT

PRINTED AT THE SIKKIM GOVERNMENT PRESS
LAND REVENUE DEPARTMENT

Notification No. 204 (530)/L.R.(S)

Dated Gangtok, the 4th June, 1979.

ERRATUM


In page 2 BHUSUK BLOCK

Cadastral Survey Plot no. in full—
Read plot no. "106/190" in lieu of plot no. "190" in 1st line.

In page 2 PAHAM BLOCK

Cadastral Survey plot nos- (in parts—Home Stead Area)-
Read plot no. "281/323" in lieu of "286/323" in 2nd line.

In page 2 NAMONG BLOCK

Cadastral Survey plot nos. (in full)— elete plot no. "54" in 1st line.
Cadastral Survey plot nos. (in parts-Home Stead Area)—
Delete plot no. "485" in 2nd line.

By Order of the Governor

(P.T. WANGDI0 IAS,
SECRETARY,
LAND REVENUE DEPARTMENT

PRINTED AT THE SIKKIM GOVERNMENT PRESS
The Election Commission of India Notification No. 56/79(5) dated 1 June, 1979 published for the general information.

ELECTION COMMISSION OF INDIA
NIRVACHAN SADAN
ASHOKA ROAD
NEW DELHI

NOTIFICATION

Whereas the Sikkim Scheduled Castes League had been recognised as a political party in the State of Sikkim in February, 1974, and the symbol ‘Chepcha’ had been reserved for it vide Notification No. 9/EC/74, dated the 16th February, 1974, issued by the then Election Commissioner of Sikkim;

And Whereas the Commission is satisfied that the Sikkim Scheduled Castes League, should continue to enjoy the status of a recognised State Party on ad hoc basis with the reserved symbol ‘Chepeha’ till the position is reviewed with regard to the poll performance of the party at the ensuing general election in the State of Sikkim;

Now, therefore, in pursuance of clause (b) of sub-paragraph (1) and sub-paragraph (2) of paragraph 17 and paragraph 18 of the Election Symbols (Reservation and Allotment) Order, 1968, the Election Commission hereby makes the following amendments to its Notification No. 56/78, dated the 25th January, 1978, published as S. O. 40 (E) in the Gazette of India, Extraordinary, Part II, Section 3 (ii), dated 25th January, 1978, as amended time to time, namely —

(1) In table 2 of the said notification after the entries relating to Punjab, the following entries shall be inserted, namely :

“Sikkim Sikkim Scheduled Castes League Chepcha”

[ No. 56/79(5) ]

By Order,

Sd/- (S. R. SETHI) Sd/- (V. NAGASUBRAMANIAN)
Deputy Chief Electoral Officer, Sikkim Secretary.
WHEREAS the State Government have-long felt the need for organising social and economic betterment of Scheduled Castes.

AND WHEREAS it is increasingly felt necessary to associate public men with the formulation schemes for the welfare and socio-economic development of the Scheduled Castes.

NOW THEREFORE, the State Government hereby constitutes the Scheduled Castes Welfare Board consisting of the following:—

1. Chairman: Shri Kusudas M.L.A.
2. Members: Shri Sabibir Darnal, Namchi
   Shri Chabilal Sarki, Ranipool
   Shri Dilliram Bagdas, Rongli.
3. Member Tiber Secretary, an officer nominated by the Government of Sikkim.

In addition, the Chairman may invite not more than one person to attend any meeting of the Board and the person, so invited, shall also be treated as temporary member of the Board.

The Board shall ordinarily meet once every quarter but the Chairman may, if he considers necessary, call for a meeting earlier in consultation with the Minister-in-Charge of Scheduled Caste & Scheduled Tribes Welfare. The members of the Board, excluding the Chairman and member-Secretary, shall be paid actual bus fare and Rs. 50/- for each meeting attended by them.

The Board shall prepare schemes for the welfare of Scheduled Castes for the consideration of the Government and the Member Secretary of the Board shall be responsible for spending the grants placed at its disposal in such manner as the Government may direct.

The life of the Board shall be one year, in the first instance, but it may be extended from time to time.

By Order.

T. S. GYALTSHEN,
Chief Secretary,
Government of Sikkim.
LAND REVENUE DEPARTMENT
GOVERNMENT OF SIKKIM
GANGTOK.

No. LA (4)905 (6)/L.R. (S)                                                                                  Dated 7.11.78.

Whereas the function of the Central Government under the Land Acquisition Act, 1894 (1 of 1894), in relation to the acquisition of land for the purposes of the Union have been entrusted to the State Government by notification No. F 12018/12/76-LRD dated 10.1.1978 issued by the Government of India in the Ministry agriculture and Irrigation under Clause (1) of Article 28 of the constitution of India;

And whereas it appears to the Governor that land is likely to be needed for a public purpose being a purpose of the Union, namely for the establishment of Army in the Block of Dalapchen Elakha Rongli District East, it is hereby notified that a piece of land comprising cadastral survey plots noted under the Schedule of properties below and measuring more or less 0.75 acres, bounded on the,

NORTH - Road
SOUTH - D.F. of Selt
EASR - Jhora
WAST - do

Is likely to be needed for the aforesaid public purpose at the public expense within the aforesaid block of

This notification is made, under the provision of Section 4 of the Land Acquisition Act, 1894 read with the said notification, to all whom it may concern.

A plan of land may be inspected in the office of the District Collector, East District, Gangtok or Land Record Officer, Land Revenue Department, Government of Sikkim, Gangtok.

In exercise of the powers conferred by the said notification, the Governor is pleased to authorise the officers for the time being engaged in the undertaking, with their servants and workman, to enter the land and all other acts required or permitted by that Section.

Any person interested in the above land, who has any objection to the acquisition thereof, may within thirty days after the date on which public notice of the substance of this notification is given in the location, file an objection in writing before the Collector of East, District at Gangtok.

SCHEDULE OF PROPERTIES.

Cadastral Survey Plot Nos. 159-158 in part.

BY ORDER OF THE GOVERNOR.

P. T. WANGDI, IAS
SECRETARY,
LAND REVENUE DEPARTMENT
GOVERNMENT OF SIKKIM, GANGTOK

PRINTED AT THE SIKKIM GOVERNMENT PRESS
Whereas the function of the Central Government under the Land Acquisition Act, 1894, (1 of 1894), in relation to the acquisition of land for the purposes of the Union have been entrusted to the State Government by notification No. F 12018/12/76-LRD dated 10.1.1978 issued by the Government of India in the agriculture and Irrigation under Clause (1) of Article 285 of the constitution of India;

And whereas it appears to the Governor that land is likely to be needed for a public purpose being a purpose of the Union, namely for the establishment of Army in the Block of Renock Aritar Elakha Renock District East it is hereby notified that a piece of land compromising cadastral survey plots note under the Schedule of properties below and measuring more or less 4.00 acres, bounded on the,

- NORTH - Forest line
- SOUTH - D.F. Daley lapcha
- EAST - Sonam Dadul Kazi
- WEST - D.F. of Daley lapcha

Is likely to be needed for the aforesaid public purpose at the public expense within the aforesaid block of

This notification is made, under the provision of Section 4 of the Land Acquisition Act, 1894 read with the said notification, to all whom it may concern.

A plan of land may be inspected in the office of the District Collector, East District, Gangtok or Land Record Officer, Land Revenue Department, Government of Sikkim, Gangtok.

In exercise of the powers conferred by the said notification, the Governor is pleased to Authorize the officers for the time being engaged in the undertaking, with their servants and workman, to enter upon and survey the land and all other acts required or permitted by that Section.

Any person interested in the above land, who has any objection to the acquisition thereof, may within thirty days after the date on which public notice of the substance of this notification is given in the locality, file an objection in writing before the Collector of East, District at Gangtok.

SCHEDULE OF PROPERTIES.

Cadastral Survey Plot No. 21,21 A.21B1439 and 176 in part.

BY ORDER OF THE GOVERNOR.

P. T. WANGDI, IAS
SECRETARY,
LAND REVENUE DEPARTMENT,
GOVERNMENT OF SIKKIM, GANGTOK.
Whereas the function of the Central Government under the Land Acquisition Act, 1894, (1 of 1894), in relation to the acquisition of land for the purposes of the Union have been entrusted to the State Government by notification No. F 12018/12/76-LRD dated 10.1.1978 issued by the Government of India in the purpose of Agriculture and Irrigation under Clause (1) of Article 258 of the constitution of India;

And whereas it appears to the Governor that land is likely to be needed for a public purpose being a purpose of the Union, namely for the establishment of Army in the Block of Dalapchen Elakha Rongli District East it is hereby notified that a piece of land compromising cadastral survey plots noted under the Schedule of properties below and measuring more or less 10.5 acres, bounded on the,

NORTH - Laximi Narayan, Man Bahadur, Padamlall
SOUTH - D.F. of Marbir, Padambir,
EAST - Laxmi Narayan Gurung.
WAST - Kholcha

Is likely to be needed for the aforesaid public purpose at the public expense within the aforesaid block of

This notification is made, under the provision of Section 4 of the Land Acquisition Act, 1894 Read with the said notification, to all whom it may concern.

A plan of land may be inspected in the office of the District Collector, East District Gangtok or Land Record Officer, Land Revenue Department, Government of Sikkim, Gangtok.

In exercise of the powers conferred by the said notification, the Governor is pleased to Authorises the officers for the time being engaged in the undertaking, with their servants and workman, to enter upon and survey the land and all other acts required or permitted by that Section.

Any person interested in the above land, who has any objection to the acquisition thereof, may within thirty days after the date on which public notice of the substance of this notification is given in the locality, file an objection in writing before the Collector of East, District at Gangtok.

SCHEDULE OF PROPERTIES.

Cadastral Survey Plot No. in full 129, 132, 134, 133, 128;
" " " " in part 123, 150, 148, 157, 159.

BY ORDER OF THE GOVERNOR.

P. T. WANGDI, IAS
SECRETARY,
LAND REVENUE DEPARTMENT,
GOVERNMENT OF SIKKIM, GANGTOK.
LAND REVENUE DEPARTMENT
GOVERNMENT OF SIKKIM
GANGTOK.

Notification No. LA (4) 908 (i)/L.R. (S) Dated 7.11.78.

Whereas the function of the Central Government under the Land Acquisition Act, 1894. (1 of 1894), in the acquisition of land for the purposes of the Union have been entrusted to the State Government by notification No. F 12018/12/76-LRD dated 10.1.1978 issued by the Government of India in the Ministry of Agriculture and Irrigation under Clause (1) of Article 258 of the constitution of India.

And whereas it appears to the Governor that land is likely to be needed for a public purpose being a namely for the establishment of Army in the Block of Rongli Elakha Renock Distict East it is hereby notified that a piece of land compromising cadastral survey plots Noted under the Schedule of properties below and measuring more or less £.£3 acres, bounded on the,

NORTH – Govt.land.
SOUTH - Mule Trach.
EAST  – Dak Banglow Compound,
WAST - Sawa Khola.

Is likely to be needed for the aforesaid public purpose at the public expense within the aforesaid block of

This notification is made under the provision of Section 4 of the Land Acquisition Act, 1894 read with the said notification, to all whom it may concern.

A plan of land may be inspected in the office of the District Collector, East District Gangtok or land Record Officer, Land Revenue Department, Government of Sikkim, Gangtok.

In exercise of the powers conferred by the said notification, the Governor is pleased to authorise the officers for the being engaged in the undertaking, with the servants and workman, to enter upon and survey the land all other acts required or permitted by that Section.

Any person interested in the above land, who has any objection to the acquisition thereof, may file an objection in writing before the Collector of East, District at Gangtok.

SCHEDULE OF PROPERTIES.

Cadastral Survey plot in full 261.4, 262

BY ORDER OF THE GOVERNOR

P. T. WANDI, IAS
SECRETARY,
LAND REVENUE DEPARTMENT,
GOVERNMENT OF SIKKIM, GANGTOK.
No. 41         Gangtok, Wednesday, June 27, 1979

LAND REVENUE DEPARTMENT
GOVERNMENT OF SIKKIM
GANGTOK

Notification No. LA (4) 909 (3)/L.R. (S) Dated 7.11.78

Whereas the function of the Central Government under the Land Acquisition Act, 1894 (1 of 1894), in relation to the acquisition of land for the purpose of the Union have been entrusted to the State Government by notification No. F 12018/12/76-76-LRD dated 10.1.1978 issue by the Government of India in the Ministry of Agriculture and Irrigation under Clause (1) of Article 258 of the constitution of India;

And whereas it appears to the Governor that land is likely to be needed for a public purpose being a purpose of the Union, namely for the establishment of Army in the Block of Renongla Elakha Tadong District East it is hereby notified that a piece of land compromising cadastral Survey plots noted under the Schedule of properties below and measuring more or less 49.60 acres, bounded on the,

NORTH – N.S.H. Road          N.N.S.H. Road
SOUTH – N.S.H. Road P.T.Yuthok camp, S.Gyalyum Camp and
EAST – Resrved forest, Bejan Bari E.N.S.H Road
WEST – N.N.S.H.Road          W.Taktse Palace camp

Is likely to be needed for the aforesaid public purpose at the public expense within the aforesaid block of

This notification is made under the provision of Section 4 of the Land Acquisition Act, 1894 read with the said notification, to all whom it may concern.

A plan of land may be inspected in the office of the District Collector, East District Gangtok or land Record Officer, Land Revenue Department, Government of Sikkim, Gangtok.

In exercise of the powers conferred by the said notification, the Governor is pleased to authorise the officers for the being engaged in the undertaking, with the servants and workman, to enter upon and survey the land all other acts required or permitted by that Section.

Any person interested in the above land, who has any objection to the acquisition thereof, may within thirty for the date on which public notice of the substance of this notification is given in the locality, file an objection in writing before the Collector of East, District at Gangtok.

SCHEDULE OF PROPERTIES.

Cadastral Survey Plot No. 37,36,39,40,30, part of Portion.

BY ORDER OF THE GOVERNOR.

P. T. WANDI, IAS
SECRETARY,
LAND REVENUE DEPARTMENT,
GOVERNMENT OF SIKKIM, GANGTOK.

PRINTED AT THE SIKKIM GOVERNMENT PRESS
No. 42                  Gangtok, Wednesday, June 27, 1979

LAND REVENUE DEPARTMENT
GOVERNMENT OF SIKKIM
GANGTOK.

Notificatin No. LA (4) 910 (4)/L.R. (S) Dated 7.11.78

Whereas the function of the Central Government under the Land Acquisition Act, 1894 (1 of 1894), in relation to the acquisition of land for the purpose of the Union have been entrusted to the State Government by notification No. F 12018/12/76-76-LRD dated 10.1.1978 issue by the Government of India in the Ministry of Agriculture and Irrigation under Clause (1) of Article 258 of the constitution of India;

And whereas it appears to the Governor that land is likely to be needed for a public purpose being a purpose of the Union, namely for the establishment of Army in the Block of Dalapchan Elakha Tadong District East it is hereby notified that a piece of land compromising cadastral Survey plots noted under the Schedule of properties below and measuring more or less 8.25 acres, bounded on the,

NORTH – Mule Track
SOUTH – Hamo Bahadur Rai
EAST – Road
WEST – D.F. Kabirman Gurung

Is likely to be needed for the aforesaid public purpose at the public expense within the aforesaid block of

This notification is made under the provision of Section 4 of the Land Acquisition Act, 1894 read with the said notification, to all whom it may concern.

A plan of land may be inspected in the office of the District Collector, East District Gangtok or land Record Officer, Land Revenue Department, Government of Sikkim, Gangtok.

In exercise of the powers conferred by the said notification, the Governor is pleased to authorise the officers for the being engaged in the undertaking, with the servants and workman, to enter upon and survey the land all other acts required or permitted by that Section.

Any person interested in the above land, who has any objection to the acquisition thereof, may within thirty days for the date on which public notice of the substance of this notification is given in the locality, file an objection in writing before the Collector of East, District at Gangtok.

SCHEDULE OF PROPERTIES.


BY ORDER OF THE GOVERNOR.

P. T. WANGDI, IAS
SECRETARY,
LAND REVENUE DEPARTMENT
GOVERNMENT OF SIKKIM, GANGTOK

PRINTED AT THE SIKKIM GOVERNMENT PRESS
Notification No. LA (4) 911 (2)/L.R.(S) Dated 7.11.78

Whereas the function of the Central Government under the Land Acquisition Act, 1894 (1 of 1894), in relation to the acquisition of land for the purpose of the Union have been entrusted to the State Government by notification No. F 12018/12/76-76-LRD dated 10.1.1978 issue by the Government of India in the Ministry of Agriculture and Irrigation under Clause (1) of Article 258 of the constitution of India;

And whereas it appears to the Governor that land is likely to be needed for a public purpose being a purpose of the Union, namely for the establishment of Army in the Block of Dalapchan Elakha Tadong District East it is hereby notified that a piece of land compromising cadastral Survey plots noted under the Schedule of properties below and measuring more or less 7.75 acres, bounded on the,

NORTH – D.F. of Ashardhoj
SOUTH – D.F. self D.F Dal Bdr.
EAST – Sawa Khola
WAST – P.F. of Kabirman Gurung

Is likely to be needed for the aforesaid public purpose at the public expense within the aforesaid block of

This notification is made under the provision of Section 4 of the Land Acquisition Act, 1894 read with the said notification, to all whom it may concern.

A plan of land may be inspected in the office of the District Collector, East District Gangtok or land Record Officer, Land Revenue Department, Government of Sikkim, Gangtok.

In exercise of the powers conferred by the said notification, the Governor is pleased to authorise the officers for the being engaged in the undertaking, with the servants and workman, to enter upon and survey the land all other acts required or permitted by that Section.

Any person interested in the above land, who has any objection to the acquisition thereof, may file an objection in writing before the Collector of East, District at Gangtok.

SCHEDULE OF PROPERTIES.

Cadestral Survey Plot No. 109,283,284,279,285,1271,277,287 in full.

BY ORDER OF THE GOVERNOR

P. T. WANGDI, IAS
SECRETARY,
LAND REVENUE DEPARTMENT
GOVERNMENT OF SIKKIM, GANGTOK

PRINTED AT THE SIKKIM GOVERNMENT PRESS
Whereas the function of the Central Government under the Land Acquisition Act, 1894 (1 of 1894), in relation to the acquisition of land for the purpose of the Union have been entrusted to the State Government by notification No. F 12018/12/76-76-LRD dated 10.1.1978 issue by the Government of India in the Ministry of Agriculture and Irrigation under Clause (1) of Article 258 of the constitution of India;

And whereas it appears to the Governor that land is likely to be needed for a public purpose being a purpose of the Union, namely for the establishment of Army in the Block of Pnongal Elakha Tadong District East it is hereby notified that a piece of land compromising cadastral Survey plots noted under the Schedule of properties below and measuring more or less 6.01 acres, bounded on the,

NORTH – Takse Palace compound
SOUTH – Put land
EAST – N.S.H Road
WEST – Takse Palace compound.

Is likely to be needed for the aforesaid public purpose at the public expense within the aforesaid block of

This notification is made under the provision of Section 4 of the Land Acquisition Act, 1894 read with the said notification, to all whom it may concern.

A plan of land may be inspected in the office of the District Collector, East District Gangtok or land Record Officer, Land Revenue Department, Government of Sikkim, Gangtok.

In exercise of the powers conferred by the said notification, the Governor is pleased to authorise the officers for the being engaged in the undertaking, with the servants and workman, to enter upon and survey the land all other acts required or permitted by that Section.

Any person interested in the above land, who has any objection to the acquisition thereof, may Within thirty days for the date on which public notice of the substance of this notification is given in the locality, file an objection in writing before the Collector of East, District at Gangtok.

SCHEDULE OF PROPERTIES.

Cadestral Survey Plot No. 39,39A,36,390,part of portion.

BY ORDER OF THE GOVERNOR

P. T. WANGDL, IAS
SECRETARY.
LAND REVENUE DEPARTMENT
GOVERNMENT OF SIKKIM, GANGTOK

PRINTED AT THE SIKKIM GOVERNMENT PRESS
LAW AND LEGISLATIVE DEPARTMENT

NOTIFICATION

No. 14/LL/78
Dated Gangtok, the 2nd June, 1978.

The following Act of the Sikkim Legislative Assembly having received the assent of the President on the 21st day of March, 1978 is hereby published for general information.

SIKKIM ACT NO. 14 OF 1978

THE SIKKIM AGRICULTURAL LAND CELLING AND REFORMS ACT, 1977

(As amended by Sikkim Act No. 21 of 1978 which received the assent of the President on October 28, 1978 and published in Sikkim Extraordinary Gazette of November 23, 1978)

An

Act
to provide for the imposition or a ceiling on agriculture lands, for the vesting of such lands in excess of the ceiling limit and for matters connected therewith, with a view to preventing the concentration of agricultural lands in the State of Sikkim in the hands of a few persons to the common detriment and with a view to bringing about equitable distribution of agricultural lands in the State of Sikkim to subserve the common good.

WHEREAS all bustiwallas in respect of agricultural lands in Sikkim hold such lands directly under the State and there is no intermediate or interposing or intervening interest or agency between the State and such bustiwallas.

And

WHEREAS it is expedient to provide for the imposition of a ceiling on agricultural lands held by the busti wallas, and other persons in the State of Sikkim, for the vesting of such land in excess of the ceiling limit and for matters connected therewith, with a view to preventing the concentration of agricultural lands in the hands of few persons to the common detriment and with a view to bringing about an equitable distribution of the agricultural lands in the State of Sikkim to subserve the common good.

It is herein enacted in the Twenty-eighth Year of the Republic of India by the Legislature of Sikkim as follows:—

CHAPTER I

PRELIMINARY

1. (1) This Act may be called the Sikkim Agricultural Land Ceiling and Reforms Act, 1977.
(2) It extends to the whole of Sikkim.
(3) It shall come into force on such date as the State Government may by notification, appoint.

2. In this Act, unless the context otherwise requires,—
(a) "adhiadar" means a person who cultivates the land of a bustiwalla on condition of delivering to or receiving from the bustiwalla a share of the produce of such land.
(b) 'agricultural year' means the Fasli year being the period of twelve calendar months commencing on and from the first day of February of one English year and ending with the thirty-first day of January of the next English Year immediately following;
(c) 'agricultural year' means land which is ordinarily used or which is capable of being used for purposes of agriculture or horticulture and includes such land, notwithstanding that it may be lying fallow for the time being but does not include any land used as homestead.
(d) 'bustiwalla' means a person who holds agricultural lands directly under the State and holds it ordinarily for the purpose of cultivating it by himself or by members of his family or by servants or labourers or by adhiadars or by kutiardars or by other cultivators.

Explanation: 'Cultivator' means a person who cultivates the land of another on condition of payment of any consideration in case or in kind or in both or on condition of delivering or receiving a share or any fixed quantity of the produce and includes a person who cultivates the land of another person on any terms and condition except as a paid servant or hired labourer.

(e) 'ceiling limit' means the ceiling limit as determined in accordance with the provisions of Section 6:
(f) 'charitable purpose' includes relief of the poor, medical relief or the advancement of education or any other object of general public utility:
(g) 'competent authority' means any person or authority authorized by the State Government by notification to perform the function of the competent authority under this Act for such area as may be specified in the notification and different persons or authorities may be authorized to perform different function:
(h) 'date of vesting' means the date mentioned in the notification under sub-section (i) of section 11;

(i) 1 [ "Family" in relation to a person means himself or herself and his wife or husband as the case may be (other than judicially separated wife or husband), minor sons and unmarried daughters.]

(ii) References to wife, son or daughter shall, in relation to a person who is a woman, be construed as references to the husband, son or daughter, respectively, of such woman.

(j) 'homestead' means a dwelling house together with any court-yard, compound, out-house, place of worship, family grave yard, library, office, guest house, tanks, wells, privies, latrines, drains and boundary walls, annexed to or appertaining to such dwelling house.

(k) 'non-agricultural land' means land other than agricultural land or other than land comprised in a forest;

(l) 'notification' means a notification published in the Official Gazette;

(m) 'notified area' means a district or part of a district or in an other area in respect of which a notification has been duly published under Section 5;

(n) "Person" shall include a monastery or other religious, educational, charitable or other institution, co-operative society, corporation, local authority, company registered under any law for the time being in force and all other concerns, institutions or authorities holding agricultural lands before the notified date.

(o) 'prescribed' means prescribed by rules made under this Act;

(p) 'religious purpose' means a purpose connected with religious worship, teaching or service or any performance of religious rites;

(q) 'kutiadar' means a person who cultivates a land of a bustiwalla on condition of delivering a fixed quantity of produce of the land or any other fixed amount to the bustiwalla.

Act override other Laws:

13. (1) The provisions of this Act shall have effect notwithstanding anything to the contrary contained in any other law or any contract or any usage or custom;

(2) for the removal of doubts it is hereby declared that all bustiwallas and all persons holding agricultural lands hold such lands directly under the State and that vthere is no intermediate or interposing or intervening agency or interest between the State and the bustiwalla or other persons holding agricultural lands and that all such bustiwallas and other persons are liable to pay revenue to the Government of the State of Sikkim for such lands held by them.

Determination of Bustiwalla.

4. If any question arises as to whether any person is a bustiwalla or not, such question shall be determined by the competent authority in such manner as may be prescribed.

1. Substitution by Section 2 of Sikkim Agriculture land ceiling and Reforms (Amendment) Act No. 21 of 19787
5. (i) The State Government may * by notification declare that with effect from the date mentioned in the notification (hereinafter in this Act referred to as the notified date) no person shall be entitled to hold any agricultural land in excess of the ceiling limit in the State of Sikkim and all lands in excess of the ceiling limit shall vest in the State in accordance with and under the provision of this Act and the rules and notifications made thereunder.

2 [Explanation I - The State Government may notify different dates for different areas of the State.

Explanation II - Land held by a bustiwalla as owner along with land cultivated by him in the capacity of an Adhiadar or a Kutiadar shall for the purposes of this Act, be deemed to be held by him.]

(3) 4

6. (1) The ceiling shall be –

5 [(a) in the case of person having no family or a family consisting of not more than five members, twelve and a half standard acres, and

(b) in the case of a person having a family consisting of more than five members, twelve and a half standard acres increased by two standard acres for each member in excess of five, so however, that the ceiling area shall not exceed twenty and a half standard acres.

Explanation - (i) For the purpose of this sub-section, all lands held by a person individually or jointly With other members of his family shall be deemed to be held by him.

(ii) Where any holding is held by him, jointly with any person or persons other than a member of his family, the share of each person in the joint-holding shall be deemed to be held by

(2) Every adult son of a person shall be treated as a separate unit and his share in his fathers holding or in ancestral holding shall be aggregated along with other land, if any, held by him for the purposes of determining his ceiling limit.

Explanation I - No person who has not completed the age of eighteen years on the date of the notification referred to in sub-section i of Section or on the future acquisition of land under Section i 6 shall be deemed to be an adult.

Explanation II - The expression "adult son" includes an adult son who is dead and has left surviving behind him his widow, minor sons or daughters (other than married daughters) who either do not own any land or hold land less than twelve and standard acres.

(3) Notwithstanding anything in the preceding sub-sections, a monastery or other religious institution shall be entitled to hold -

(a) sixty standard acres, if it is listed in Group A of Schedule I, and

(b) twenty-five standard acres, if it is listed in Group B of Schedule I.

(4) The provisions of this Act shall not apply to -

(a) Land used for growing tea to the extent notified by the State Government;

(b) land owned by the State Government or the Union Government or an undertaking or company owned by the State or the Union Government or by a local authority;

(c) land held by a co-operative society including a co-operative Bank, the State Bank of India, a subsidiary of the State Bank of India as defined in the State Bank of India (Subsidiary Banks) Act, 1959, a corresponding new bank as defined in the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970, the Agricultural Refinance Corporation and the Agricultural Finance Corporation

The words "from time to time" is deleted by sub-section (1) of Section 3 of the Sikkim Agriculture Land ceiling and Reforming (Amendment) Act No. 21 of 1978.

2. Added by sub-section (1) of Section 3 of the Sikkim Agriculture Land Ceiling and Reforms (Amendment) Act, No. 21 of 1978.

3&4. Delete by sub-section (2) of Section 3 of the Sikkim Agriculture Land Ceiling and Reforms (Amendment Act No. 21 of 1978.

5. Substituted by Section 4 of the Sikkim Agriculture Land Ceiling and Reforms (Amendment) Act No. 21 of 1978.
Provided that in the case of a co-operative society, no member shall be allowed to hold a share of the land which, together with his other land, exceeds the Ceiling application to him under sub-section (i); and

(d) land held for industrial purposes to the extent notified by the State Government in each case and for the period the Land continues to be used for such purposes.

Explanation - I Use of the land for a purpose other than that notified by the State Government shall be deemed to be cessation of use for industrial purposes unless such different use is approved by the State Government.

Explanation II – Use of land for cultivation of crops to be used for industrial purposes shall not amount to for industrial purpose.

(5) The “standard acre” for different areas for the State shall be determined in the manner provided in Schedule II.

7. No person holding agricultural land in excess of the ceiling limit immediately before the notified date shall transfer any such land or part thereof by way of sale, mortgage, gift, lease or other wise 1 [ or cause any alteration in the use of such land ] until he has furnished a statement under Section 8 and a notification regarding the excess land held by him has been published under sub-section (1) of Section 11; and any such transfer 2 [ or change in the use of land ] in contravention of this provision shall be deemed to be null and void.

8. (1) Every person holding agricultural land in excess of the ceiling limit on the notified date shall within such period as may be prescribed file a statement before the competent authority having jurisdiction specifying the location, extent or such other particulars as may be prescribed of all agricultural lands held by him and also specify the lands within the ceiling limit which he intends to retain.

(2) If the competent authority is of opinion that any person holds on the notified date agricultural lands in excess of the ceiling limit, then notwithstanding anything contained in sub-section (1), it may serve a notice upon such person requiring him to file, within such period as may be specified in the notice, the statement referred to in sub-section (1).

(3) The competent authority may, if it is satisfied that it is necessary so to do, extend the date for filing the statement under this section by such further period or periods as it may think fit.

(4) The statement under this Section shall be filed by such person and in such manner as may be prescribed.

(1) 3 [on the basis of the statement filed by a person under sub-section (1) of Section 8 and in cases, where a person fails to file a statement inspite of service of a notice under sub-section (2) of the said section, the Competent Authority may, after such inquire as he may consider necessary either by any himself or by any person subordinate to him, cause to be prepared a draft statement in respect of that person.

(2) Every such draft statement prepared under sub-section (1), shall contain the following particulars, namely:—

(i) the name and address of the person,

(ii) the particulars of all agricultural lands held by such person;

(iii) the particulars of agriculture land which such person intends to retain within the ceiling limit;

(iv) such other particular as may be preserved.

(3) That draft statement shall be served in such manner as may as prescribed on the person concerned together with a notice stating that any objection to the draft statement shall be preferred within thirty days from the service thereof.

(4) The competent authority shall duly consider any objection received within the period specified in the notice referred to in sub-section (3) or within such further period or periods as may be extended by the competent authority for any good or sufficient reason, from the person on person on whom a copy of the draft statement has been served under that sub- section and the competent authority shall, after giving the objection a reasonable opportunity of being heard, pass such orders as it deems fit.

1&1Inserted by section 5 of the Sikkim Agriculture Land Ceiling and Reforms (Amendment ) Act No. 21 of 1978.

The Competent Authority shall, for the purpose of this Chapter, have the powers of a Civil Court under the law for the time being in force relating to Civil Procedure in respect of the following matters, namely:—

(a) proof of facts by affidavits;
(b) enforcing attendance of any person; and his examination on oath;
(c) production of documents; and
(d) issue of commission.

Final statement. 10

After the disposal of the objection, if any, received under sub-section (4) of Section 9, or after the disposal of any appeal, if preferred under Section 13[or section 14,] the competent authority shall make the necessary alterations in the draft statements in accordance with the orders passed on the objection as aforesaid or in accordance with the orders, if any, passed under Section 3[or Section 14,] as the case may be, and shall determine the land held by the person concerned in excess of the ceiling limit and also the land which such person shall be allowed to retain within the ceiling limit and shall prepare a final statement on the basis of the draft statements as so altered and cause a copy of the final statement as so prepared to be served in the manner referred to in sub-section (3) of Section 9 on the person concerned.

Vesting of lands in excess of ceiling limit. 11

(i) As soon as may be after the service of the final statement under Section 10 on the person concerned the competent authority may, by notification declare that all lands determined as in excess of the ceiling limit under Section 10 shall with effect from such date as may be specified in the declaration, be deemed to have been vested in the State and upon the publication of such declaration all such lands shall vest absolutely in the State free from all encumbrances with effect from the date so specified.

(2) 4 [The encumbrances, if any, on the excess land vested in the State in pursuance of sub-section (1) shall attach to the amount payable under sub-section (i) of Section 12.]

(3) Where any excess land is vested in the State under sub-section (1), the competent authority, may, by notice in writing, order any person who may be in possession of such land to surrender or deliver possession thereof to the State Government or to any officer duly authorised by the competent authority in this behalf, within thirty days of the service of the notice.

(4) If any person refuses or fails to comply with an order made under sub-section (3), the competent authority may take possession of the excess land or cause it to be given to the State Government or to any person authorised by the State Government in this behalf and may for that purpose use such force as may be necessary.

Payment of amount for 12 excess lands. 12

(1) Where any excess land vests or is deemed to have been vested under sub-section (1) of Section 11 the State Government shall pay to the person or persons holding such land immediately before the date of vesting an amount determined by, the competent authority according to the following principles:—

6 [ (i) for the first twenty standard acres, an amount being two hundred times the land revenue payable for such land;

1. Inserted by section 7 of the Sikkim Agriculture Land Ceiling and Reforms (Amendment )Act No. 21 of 1978
2 & 3. Inserted by section 8 of the Sikkim Agriculture Land Ceiling and Reforms (Amendment )Act No. 21 of 1978
4. Substituted by sub-section (1) of Section 9 of the Sikkim Agriculture Land Ceiling and Reforms(Amendment ) Act No. 21 of 1978.
5. Add by sub-section (2) of Section 9 of the Sikkim Agriculture Land Ceiling and Reforms(Amendment ) Act No. 21 of 1978
6. Substituted by section 10 of the Sikkim Agriculture Land Ceiling and Reforms(Amendment ) Act No. 21 of 1978
(ii) for the next thirty standard acres, an amount being one hundred times the land revenue payable for such land;

(iii) for the next fifty standard acres, an amount being fifty times the land revenue payable for such land; and

(iv) for the remaining land, an amount being twenty-five times the land revenue payable for such land.

(2) Before determining the amount to be paid as aforesaid, every person interested shall be given an opportunity to state his case as to the amount to be paid to him.

(3) Notwithstanding anything contained in the foregoing provisions, if the State Government is of opinion that as a result of imposition of ceiling limit on the lands held by a monastery or other religious institution and vesting of the excess lands as a result thereof it has become difficult for such monastery or religious institution to carry on proper management and administration, the State Government, may in accordance with such rules as may be prescribed, pay to such monastery or religious institution, such annual sum not exceeding the average of the amounts received by such monastery or religious institution from such excess lands during the preceding three years immediately before the date of vesting.

(1) If any person is aggrieved by an order of the competent authority under Section 4 or sub-section (4) of Section 9 or Section 12, he may within thirty days from the date of the order prefer an appeal to the Tribunal to be constituted by the State Government.

(2) Such Tribunal shall consist of a sole member who shall be not below the rank of a Deputy Secretary to the State Government.

(3) The Tribunal may entertain an appeal after the expiry of the said period of thirty days if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

(4) In deciding appeals, the Tribunal shall exercise all the powers which a Civil Court has and shall follow as far as possible, the same procedure which a Civil Court follows in deciding appeals against decrees of an original court under the law relating to Civil Procedure.

(1) If any person is aggrieved by any decision of the Tribunal constituted under Section 13, he may within sixty days from the date of the decision prefer an appeal to the State Land Tribunal to be constituted by the State Government.

(2) Such Tribunal shall consist of a member who shall not be below the rank of a District Judge or an Additional District Judge.

(3) The State Land Tribunal may entertain an appeal after the expiry of the said period of thirty days if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

(4) In deciding appeals under this Section, the State Land Tribunal shall exercise all the powers and shall follow the same procedure to be followed by the Tribunal under sub-section (4) of Section 13 and may vary, alter, modify or set aside the order of such Tribunal or pass such other orders as it may deem fit.

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1. Substituted by section 11 of the Sikkim Agriculture Land Ceiling and Reforms (Amendment) Act No. 21 of 1978 for the words “Thirty” days.
(5) Save as otherwise provided no Court or Tribunal except the Supreme Court exercising jurisdiction under Article 136 of the Constitution of India, shall have any jurisdiction with respect to all or any of the matters falling within the jurisdiction of the Tribunal or the State Land Tribunal.

**Mode of Payment of amount.**

The State Government shall within a period of ten months from the date of the order of the competent authority determining the amount to be paid under Section 12, or in a case where an appeal has been preferred against such order under Section 13, or under Section 14, within a period of ten months from the date of the final appellate order, pay the amount determined under Section 12 or under Section 13 or under Section 14, as the case may be. to the persons or person entitled thereto in ten equal instalments and such amounts shall carry interest at the rate of five percent per annum from the date of the order under Section 12 until final payment.

1. (Provided that where the amount payable to a person does not exceed the sum of rupee one thousand, the entire amount shall be paid in a lump sum.) –

**Ceiling limit of future acquisition of land**

(1) If on or after the commencement of this Act or on or after the notified date or on or after the date of vesting under Section II, any person acquires by transfer, inheritance, or otherwise any agriculture land the extent of which together with the extent of the agriculture land held by him exceeds in aggregate the ceiling limit, then he shall within three months of the date of such acquisition, file a statement before the competent authority having jurisdiction specifying the extent, location and such other particulars as may be prescribed of all the agricultural lands held by him and also specifying the agricultural lands within the ceiling limits which he intends to retain.

(2) The provisions of Section 8 to 15 (both inclusive) shall, so far as may be, apply to the statement filed under this section and to the land held by such person in excess of the ceiling limit.

**Bar of Jurisdiction**

(1) Save as otherwise provided in this Act, no Civil Court shall have jurisdiction to decide or deal with any question or to determine any matter which is by or under this Act or any rules made thereunder required to be decided or dealt with or to be determined by the competent authority or any other authority and no orders passed or proceedings commenced under the provisions of this Chapter shall be called in question in any Civil Court.

**Cultivation by cultivation**

(1) Where any land vested in the State under Section 11 is being cultivated by a cultivator, the right of cultivation of such cultivate in relation to any such vested land which including any other land held or cultivated by him is in excess of three standard acres shall on and from the date of vesting stand terminated.

(2) Every cultivator shall in relation to the land which he is authorized by sub-section (i) to retain under his cultivation become on an from any the date of vesting a bustiwalla in respect of such land.

(3) If such cultivator is also a bustiwalla in respect of any other land immediately before the date of vesting in excess of three standard acres he Shall not be entitled to retain under his cultivation any land under sub-section (1) and his right of cultivation in respect of all excess lands as referred to ill sub-section (1) shall stand terminated.

1. Add by section 12 of the Sikkim Agriculture Land and Reforms (Amendment) Act No. 21 of 1978.
The State Government shall be party to all proceedings under the provisions of this Chapter.

Whoever contravenes an order passed under "this chapter" or obstructs any person from taking possession of any land under Section 11 or fails to furnish the statement required under Section 16 or makes or submits a statement or furnishes any information which is false or which he has reasons to believe to be false, shall be punishable with fine which may extend to one thousand rupees.

All arrears of land revenue and other Government dues in respect of any holding or holdings, part or parts whereof has or have been acquired under this Chapter may, without prejudice to any other mode of recovery, be recovered by deducting the outstanding amount from the amount payable under Section 12.

Where on account of an arithmetical error a person has been paid any amount in excess of what he is entitled to under Section 12, the State Government shall be competent to recover the excess amount as an arrear of land revenue.

Provided that no order for recovery of any such amount shall be made without giving the person an opportunity of being heard by the Competent Authority.

2, 3, Add by section 13 of the Sikkim Agriculture Land and
4 & 5 Re-forms (Amendment) Act No. 21 of 1978.
CHAPTER III
PREPARATION OF RECORD - OF - RIGHTS.

Preparation of Record-of-right.

1. The State Government may, for the purpose of carrying out the purpose of this Act, make an order directing that a record - of - rights be prepared in respect of all agricultural lands in the State of Sikkim or for such area as may be specified in the notification.

2. The State Government may by order declare that the record - of - rights, if any already in the process of preparation or already made or prepared immediately before the commencement of this Act shall be deemed to be the record - of - rights prepared and published under this section and may, if necessity, order such record of right to be revised.

3. The preparation of record-of-rights under sub-section (1) or the revision of record-of-rights under sub-section (2) shall be made by such officer appointed by the State Government referred to be the Revenue Officer in this Act, in accordance with such rules as may be prescribed and shall contain such particulars as may be prescribed.

Draft and final Publication of the Record-of-right.

1. When a record-of-rights has been revised or prepared the Revenue officer shall publish a draft of the record so revised or prepared in the prescribed manner and for the prescribed period and shall receive and consider any objection which may be made during such period to any entry therein or to any omission therefrom.

2. When all such objections has been considered and disposed of according to such rule as may be prescribed in this behalf, the revenue Officer shall finally prepare the record and cause such record to be finally published in the prescribed manner and make a certificate stating the fact of such final publication and the date thereof and shall date and subscribe the same under his name and official designation.

3. Separate publication of different parts of draft or final records may be made under sub-section (1) or sub-section (2) for different local areas.

4. An Officers specially empowered by the State Government may, on application within one year or of his own motion within such period as may be prescribed from the date of final publication of the records of rights under sub-section (2), revise an entry in the record finally published under the provisions of sub-section (2) after giving the persons interested an opportunity of being heard and after recording reasons therefor.

5. Any person aggrieved by an order passed under sub-section (4) may, within such period as may be prescribed, appeal in the prescribed manner to the Tribunal constituted under Section 13.

6. The certificate of final publication referred to in sub-section (2), or in the absence of such certificate, a certificate signed by the Revenue Officer of the area were the lands to which the record-of-rights relates is wholly or partly situate, stating that a record-of-rights has been finally published on a specified date, shall be conclusive proof of such publication and of the date thereof.

7. The State Government may, by notification, declare with regard to any area specified in the notification that the record-of-rights for such area has been finally published and such notification shall be conclusive proof of such publication.

8. In any suit or other proceeding in which a record-of-rights prepared and finally published under this Chapter, or a duly certified copy of the record or an extract therefrom, is produced, such record-of-rights shall be presumed to have been finally published.

9. Every entry in the record-of-rights finally published under sub-section (2) including an entry revised under sub-section (4) subject to any
Modification by an order on appeal under sub-section (5), or corrected under Section 21 shall be presumed to be correct.

Bar of jurisdiction

22. (1) When an order has been made under Section 19 directing revision or preparation of a record-of-rights, no civil Court Shall entertain any suit or application for the determination of the revenue or the incident of any land or the status of any person in relation to any land to which the record-of-rights relates, and if any suit or application in which any of the aforesaid matters is in issue, is pending before a Civil Court on the date of such order, it shall be stayed and it shall, on the expiry of the period prescribed for an appeal under sub-section (5) of Section 20 or when such an appeal has been filed under that sub-section, on the disposal of such appeal, abate so far as it relate to any of the aforesaid matters.

Explanation: 'In this Section 'suit' includes an appeal.

(2) No Civil Court shall entertain any suit or application concerning any land if it relates to any alteration of any entry in the record-of-rights filially published, revised, corrected or modified under any of the provision of this Chapter.

1. Section 21 is omitted by section 14 of the Sikkim Agricultural Land Ceiling Land Reforms (Amendment) Act No. 21 of 1978.
(1) Subject to the provisions of this Act and the rules made thereunder the settlement of lands which vest in the State under Section 11 shall, be made, on such terms and conditions and in such manner as may be prescribed, with persons who reside near the locality where the land is situated and who intend to bring the land under personal cultivation and who owns no land or less than three standard acres of land, preference being given to those among such persons who form themselves into a co-operative farming society.

Provided that settlement of any such lands may be made with other persons where such settlement is in the opinion of the State Government necessary for the public purpose connected with agriculture or otherwise on such terms and conditions as the State Government may think fit.

Subject to the provisions of sub-section (1), all lands vested in the State under this Act, shall be disposed of or otherwise dealt with to subserve the common good on such terms and conditions as the State Government may deem fit.

(3) Notwithstanding anything contained in sub-section (1) and (2) where the State Government is satisfied that it is necessary to retain or reserve any such land vested under this Act for the purpose of the State Government or any other public purpose, it shall be competent for the State Government to retain or reserve such land for the same.
CHAPTER V

MANAGEMENT OF LANDS VESTED IN THE STATE

All lands and all interests therein vested in the State under this Act shall, unless the State Government otherwise directs by any general or special order and subject to such rules as may be prescribed by the State Government in this behalf, be managed by the Collector of the district in which the lands are situated.

Provided the State Government may entrust the management of such lands in any area to such authority as may be prescribed and such authority shall, thereupon, manage the lands subject to the control of the State Government and in accordance with such rules as may be prescribed.
CHAPTER VI

PROVISIONS AS TO REVENUE

(1) Every person shall be liable to pay revenue to the State Government for the lands allowed to be retained by him within the ceiling limit.

(2) Revenue shall be the first charge on the lands.

A person shall pay as revenue for the lands allowed to be retained by him such amount as may be determined by the Revenue Officer in the prescribed manner having regard to the amount payable by him as khazana for such lands immediately before the notified date;

Where, immediately before the notified date, no khazana was payable in respect of the lands allowed to be retained by such person or where khazana for such lands was payable wholly in kind or partly in kind and partly in cash, he shall pay as revenue such amount as may be determined by the Revenue Officer in the prescribed manner having regard to the prevailing average rate of cash khazana for land of similar description and with similar advantages in the vicinity.

Until any revenue is determined under sub-section (1) or sub-section (2) every person shall continue to pay as revenue to the State Government for the lands allowed to be retained by him within the ceiling limit such proportionate amount as would have been paid by him as khazana for such lands immediately before the notified date.

Any person aggrieved by an order determining the amount of revenue under sub-section (1) or sub-section (2), may, within thirty days from the date of such order, appeal to the Tribunal constituted under section 13 and such appeal shall be disposed of in the manner provided in Section 13.
CHAPTER VII

RESTRICTIONS ON ALIENATION OF LANDS BY SCHEDULED TRIBES.

(1) The provisions of this Chapter shall come into force on such date as the State Government may, by notification, appoint.

(2) The provisions of this Chapter shall have effect notwithstanding anything to the contrary contained elsewhere in this Act.

Save as otherwise provided in this Chapter, any transfer by a person belonging to a Scheduled Tribe in respect of any land allowed to be retained by him under this Act or portion thereof shall be Void.

Explanation:— (1) The expression "Scheduled Tribes" in this Chapter shall mean such Tribes or Tribal communities as are deemed to be Scheduled Tribes in relation to the State of Sikkim under Article 342 of the Constitution of India.

(2) "Land" for this Chapter shall mean lands allowed to be retained or any portion of such land by member of a Scheduled Tribe under this Act.

(1) A person belonging to a Scheduled Tribe may transfer his land or part thereof by transfer to another member of Scheduled Tribes or to the Government or to a Corporation owned or controlled by, the Government or to a Scheduled or nationalised bank or to a registered co-operative society.

(2) A person belonging to Scheduled Tribe may, with the permission in writing of the Revenue Officer, transfer his land to a person not belonging to any Scheduled Tribe.

(3) The Revenue Officer shall not grant permission referred to in sub-section (2) unless he is satisfied that no transferee belonging to Scheduled Tribe is willing to pay the fair and reasonable consideration for the transfer of the land and that the proposed transfer is intended to be made for one or more of the following purposes, namely:—

(a) to meet the expenses for the maintenance, education, marriage or medical treatment of such person or any member of his family, or

(b) to make payment of any amount payable to the Government or other local authorities, or

(c) for the purpose of making gift of the land to any institution established exclusively, for religious or charitable purpose.

(d) for the purpose of establishing or running any industry or

(e) for such other purpose as may be prescribed .

No document of transfer made in contravention of the provisions of this Chapter shall be registered by any authority or in any way recognised as valid in any Court exercising civil, criminal or revenue jurisdiction or by any other authority.

(1) If a transfer of any land by a person belonging to a Scheduled Tribes is made in contravention of the provisions of this Chapter, or if the permission for the transfer under sub-section (2) of section 29 is found, after an inquiry in the prescribed manner, to have been obtained by misrepresentation or fraud, the Revenue Officer may, of his own motion or on an application made in that behalf and after giving the transferee an opportunity of being heard, by an order in writing, annul the transfer where necessary and shall order ejectment of the transferee from such land, unless such transferee has been in continuous possession for twelve years under the transfer made in contravention of this chapter.

(3) When the Revenue Officer has passed any order of ejectment under Sub-section (1); he shall also order restoration of the transferred Land to the transferor or his successors-in-interest.
(3) If an order of ejectment under sub-section (1) or an order of restoration under sub-section (2) is not complied with within thirty days of the passing of such order or within such further period as may be extended by the Revenue Officer for good and sufficient reason, the Collection of the district in which such land is situated shall on a requisition to that effect from the Revenue Officer, effect such ejectment and restoration and for that purpose use such force as may be necessary.

Restriction on the Sale in ejectment of Decree or order

No decree or order shall be passed by any court for the sale of the land of person belonging Scheduled Tribe, except for relation of any Government dues or other public demands.

[Provided that no such sale take place in favour of any person not belonging to a Scheduled Tribe except with the permission of the Collector of the district who shall not grant such permission unless he is satisfied that no member of the Scheduled Tribe is willing to be the land at the minimum amount equivalent to the market price for such land.]

Appeal.

Any person aggrieved by an order of the Revenue Officer under Section 31 may, within thirty days from the date of such order, appeal to the Tribunal constituted under Section 13 and such appeal shall be disposed of in the manner provided in Section 13.

Bar to suits and Other proceedings.

Save as otherwise provided, no suit or other proceeding shall lie in any court Tribunal or before any other authority, to challenge, vary or to set aside any order passed under this chapter by the Revenue Officer or the Tribunal.

Certain laws to Cease to have effect.

On and front, the commencement of the provisions of this chapter, the visions contained in the Revenue Order No. 1, dated, the 17th May, 1917 and all other laws relating to matters governed by this Chapter shall cease to have any force and effect.

1. Added by section 15 of the Sikkim Agriculture land Ceiling and Reforms (Amendment) Act No.21 of 1978.
CHAPTER VIII

MISCELLENEOUS

Poser to makr rules 36. (1) The State Government may, by notification, make rules for the purpose of carrying the provisions of this Act.

(2) In particular and without prejudice of the generality of the provisions, such rules may provide for all or any of the following matters, namely:

(a) the manner of determination under Section 4;
(b) 1[* * * *]
(c) 2[* * * *]
(d) the period within which the Statement may be filed under sub-section (1) of Section 8 and the particulars which are to be specified in such statement and the person by whom and the manner in which such statement is to be filed;

(c) the particulars to be mentioned in the draft statement under sub-section (2) of section 9;

(f) the manner of serving the draft statement under sub-section (2) of Section 9;

(g) determination and manner of payment of an annual sum under sub-section (3) of Section 12;

(h) the particular to be mentioned in the statement referred to in sub-section (1) of Section 16;

(i) the preparation and revision of record-of-rights under Section 19;

(j) publication of the draft and final record-of-rights under Section 20, the period of such publication, the period within which an application is to be made under sub-section (4) of Section 2d, and the period within which an appeal is to be preferred under sub-section (c) of Section 20;

(k) the principle and manner of distribution of lands under Section 23;

(l) management by the Collector or other authority of the vested lands under Section (24) and the authority under the proviso to Section 24;

(m) the manner of determination of revenue under sub-section (1) and sub-section (2) of Section 26;

(n) the purposes under clause (e) of sub-section (3) of section 29;

(o) the manner of enquiry under Section 31.

Protection for acts done in good faith. No suit or prosecution or other legal proceedings shall lie against any person or the State Government for anything done or purported to have been done in good faith in pursuance of this Act or any rule framed or order passed under this Act.

Power to remove difficulties. If any difficulty arises in giving effect to the provisions of this Act or the rules made thereunder, the State Government, by order, do anything not inconsistent with such provisions which appears to be necessary or expedient for the purpose of removing the difficulty.

Sikkim Regulation of transfer and Use of Land Act, 1975, not to apply. On and from the date of vesting under Section 11 of this Act, the provisions of the Sikkim Regulation of Transfer and Use of Lands Act, 1975, shall cease to have effect in respect of all lands to which provisions of this Act shall apply.

1&2 Omitted by section 16 of the Sikkim Agriculture Land Ceiling and Reforms (Amendment) Act No. 21 of 1978.

3. Inserted by section 17 of the Sikkim Agriculture Land Ceiling and Reforms (Amendment) Act No. 21 of 1978.

GROUP A'
1. Pemayangtse Gompa
2. Phodong Gompa
3. Phensang Gompa
4. Raloria Gompa
5. Rumtek Gompa
6. Tashiding Ngadak Gompa

GROUP B
1. Melli Gompa
2. Sangnak Choiling Gompa
3. Khachecd Palri Gomp
4. Dubdi Gompa
5. Sinon Gompa
6. Tashiding Guru Lhakang
7. Dolling Gompa
8. Rinchenpung Gompa
9. Lhuntse Gompa
10. Namchi Ngadak Gomp
11. Simik Gompn
12. Yangang Gompa
13. Tumin Gompa
14. Kartok Gompa
15. Linkcy Gompa
16. Pabyok Gompa
17. Enche Gompa
18. Labrang Gompa
19. Lingdok Chankar Gompa
20. Kineon Gompa
21. Hee Gyathang Gompa
22. Lingthem Gompa
23. Tolung Gompa
24. Sharchok Bayphuk
25. Labrang Wangditse
26. Chunthang Gompa
27. Chakung Gompa
28. Chawang Ani Gompa
29. Bakcham Gompa (Lhakang)
30. Hungri Gompa
31. Ship Kunzang Choling Gompa
32. Rhenock Gompa
33. Santam Gompa
34. Singchi Ngadak Gompa
35. Likney Phagyal Gompa
36. Samdong Gompa
37. Barmiok Gompa
38. Lachen Gompa
39. Lachung Gompa
40. Lachen Mani Lhakang
41. Lachung Thangmochoi
42. Lachung Mani Lhakang
43. Dotsuk Gompa
44. Lachen Thangii
45. Gying Gompa
46. Chaney Gompa
47. Tendang Tsamkang
48. Tumlang Mani Lhakang
49. Tingbung Gompa
50. Sumen Gompa
51. Sang Gompa
52. Parbing Gompa
53. Thakuabari, Gangtok Town

1. Substitution by section 19 of the Sikkim Agriculture land Reforms (Amendment) Act,21 of 1978 for the words “SCHEDULE”
54. Zingling Mandir, Song
55. Durga Mandir, Rumtek
56. Mahadev Shivalaya Mandir, Parkha
57. Mahadev Mandir, Samdong
58. Shivalaya Mandir, Tintek
59. Shivalaya Mandir, Chhuachen
60. Thakurbari, Rangpo Bazar
61. Thakurbari, Singtam Bazar
62. Radha Krishna Mandir, Rhenock Bazar
63. Mahadev Mandir, Rhenock Bazar
64. Shivalaya Mandir, Aritar Khamdong
65. Shivalaya Mandir, Chhota Singtam
66. Shivalaya Mandir, Dikling Pachekhani
67. Shidheshwar Manhadev Mandir Namchebong
68. Mandir, Tarpin
69. Thakurbari, Rongji Bazar
70. Onkareshwar Mandir, Aho
71. Kali Mandir Rangpo
72. Krishna Mandir, Duga
73. Thakurbari, Pakyong Bazar
74. Krishna Mandir, Niya Bram
75. Chemchey Mandir, Namchi
76. Thakurbari, Namchi Bazar
77. Thakurbari, Melli Bazar
78. Mahadev Than, Legshep
79. Shri Pashupati Nath Mandir, Dhambudanra
80. Mandir, Timburbung
81. Icha Purna Dasi Ram Dham, Samdong
82. Thakurbari, Soreyong
83. Mandir, Gelling
84. Mandir Sadhungaon, Chakung
85. Durga Bhawani Mandir, Kaluk
86. Paranami Mandir, Tharpu
87. Bhaawati Saraswrti Mandir, Dentam
88. Mandir, Hee Gaon
89. Durga Mandir Burmiok
90. Devi Mandir, Sancharey
91. Thakurbari, Nayabazar
92. Durga Bhawani Devi Mandir, Upper Burmiok
93. Devi Mandir Tadong
94. Durga Mandir, Dentam
95. Shiva Mandir, Martam
96. Bhagawari Mandir, Kewzirag
97. Rameshwar Mandir, Sadam
98. Rameshwar Mandir, Sumbuk
99. Bhagawati Mandir, Sumbuk
100. Shivalaya, Dhargaon
101. Shivalaya, Lingmo
102. Shankar Bhagawan Shivalaya, Majhitar
103. Gangtok Presbyterian Church
104. Namchi Presbyterian Church
105. Chakung Rumbuk Church
106. Wak Presbyterian Church
107. Phambong Presbyterian Church
108. Rhenock Presbyterian Church
109. Mangan Penticostal Church
110. Mosque at Gangtok
I. All agricultural lands shall, on the basis of productivity of the soil and access to make be classified into Circles. Until a new classification is made, the classification made in Notification No.615/LR dated the 7th June, 1957, shall be operative in respect of the area referred to therein. For other areas, the classification determined in the course of settlement operations shall be accept.

2. Each circle shall, on the basis of altitude and type of crops, grown, be further divide into classes and sub-classes. The classes and sub-classes recorded in the record of - rights for the time being in force shall be accepted for the purpose of ascertaining the class or sub-class to which a land belongs.

3. After ascertaining the appropriate Circle, class and sub-class in the manner aforesaid, the area comprised in the holding shall be converted into standard acres according to the following table of conversion:—

<table>
<thead>
<tr>
<th>CIRCLE</th>
<th>CLASS</th>
<th>AREA EQUIVALENT TO A STANDAR ACRE</th>
</tr>
</thead>
<tbody>
<tr>
<td>A.</td>
<td>I Paddy/Cardamom</td>
<td>1.00 acre</td>
</tr>
<tr>
<td></td>
<td>II –do-</td>
<td>1.25 acre</td>
</tr>
<tr>
<td></td>
<td>III –do-</td>
<td>1.50 –do-</td>
</tr>
<tr>
<td></td>
<td>I Dry</td>
<td>2.00 acre</td>
</tr>
<tr>
<td></td>
<td>II – do-</td>
<td>2.50 –do-</td>
</tr>
<tr>
<td></td>
<td>III –do-</td>
<td>3.00 –do-</td>
</tr>
<tr>
<td></td>
<td>III Banjo</td>
<td>3.00 –do-</td>
</tr>
<tr>
<td>B.</td>
<td>I Paddy/ Cardamom</td>
<td>1.10 acre</td>
</tr>
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<td></td>
<td>II –do-</td>
<td>1.37 –do-</td>
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<td>III –do-</td>
<td>1.65 –do-</td>
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<td></td>
<td>I Dry</td>
<td>2.20 –do-</td>
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<td></td>
<td>II Dry</td>
<td>2.75 –do-</td>
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<td></td>
<td>III –do-</td>
<td>3.30 –do-</td>
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<td></td>
<td>Banjo</td>
<td>3.30 –do-</td>
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<tr>
<td>C.</td>
<td>I Paddy/ Cardamom</td>
<td>1.30 acre</td>
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<td>II –do-</td>
<td>1.50 –do-</td>
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<td></td>
<td>III –do-</td>
<td>2.00 –do-</td>
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<td></td>
<td>I Dry</td>
<td>2.60 –do-</td>
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<tr>
<td></td>
<td>II –do-</td>
<td>3.00 –do-</td>
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<tr>
<td></td>
<td>III –do-</td>
<td>4.00 –do-</td>
</tr>
<tr>
<td></td>
<td>Banjo</td>
<td>4.00 –do-</td>
</tr>
</tbody>
</table>

By Order of the Governor,

B. R. PRADHAN,

Secretary to the Government of Law and Legislative Depart F 16 (16) LL/78.

1. Inserted by section 20 of the Sikkim Agricultural Land Ceiling and Reform (Amendment) Act No. 21 of 1978.
GOVERNMENT OF SIKKIM

OFFICE OF THE COMPETENT AUTHORITY, SOUTH DISTRICT, NAMCHI.

CORRIGENDUM TO GAZETTE NOTIFICATION NO: 217
DATED: GANGTOK 20TH MARCH 1979-

Kindly read as 'MAMRING' block in the blank space in page 2 of above Notification under block column against Plot No- 45, 46, 47,48, 67, 62, 70, 71, 72, 74, & 75.

Sd/-
Competent Authority,
South District, Namchi.

PRINTED AT THE SIKKIM GOVT PRESS
Whereas it appears to the Governor that land is likely to be needed for a Public purpose, namely for the purpose of the road linking Arithang (Syalgaon) village Gangtok, East District it is hereby notified that a piece of land measuring 22 chains with 20 ft. likely to be needed for the aforesaid public purpose at the public expense within the Area mentioned under the Schedule of properties below.

This Notification is made under the provision of Section 4 of the Land Acquisition Act, 1894 (1 of 1894) to all to whom it may concern.

A plan of the land being affected thereof may be inspected in the office of the District Collector, East District, Gangtok or Secretary, Local Self Government Department, Government of Sikkim, Gangtok.

In exercise of the powers conferred by the aforesaid section the Governor is pleased to authorise the officers for the time being engaged in the undertaking, with their servants and workmen, to enter upon and survey the land and do all other acts required or permitted by that section.

Any person interested in the above land who has any objection to the acquisition thereof, may, 15 days time after the date of which public notice of the substance of this notification is given in the locality, files an objection in writing before the District Collector, East District, Gangtok.

And, whereas there is an urgency to acquire the land the Governor is further pleased to direct under section 17(4) that the provision of section 5-A of the act shall not apply.

DESCRIPTION OF THE PROPERTIES.

All arable and waste land involving on 20' wide strip of land i.e. 10'on either side from the Central Line of the alignment of the Road from the 31/A N.H. Way (Starting from the junction of National Highway and Lai Bazar Road) linking to Syalgaon as shown in the plan described in para 3 of above notification and comprising more or less 1.01 Acres.

By Order of the Governor

P.T. WANGDI IAS,
SECRETARY,
LAND REVENUE DEPARTMENT
GOVERNMENT OF SIKKIM.
GOVERNMENT OF SIKKIM,
LOCAL SELF GOVERNMENT & HOUSING DEPARTMENT
GANGTOK

NOTIFICATION NO. 8/21(23)/L.S.G.H.D.

Dated Gangtok, the 28th June, 1979.

The Government of Sikkim has been pleased to decide that the benefit of revised pay scales prescribed for the State Government employees as per Sikkim Government Services (Revised Pay) Rules, 1978 should also be allowed to the employees of corresponding ranks of the Gangtok Municipal Corporation from the date of commencement of the said rules viz 1st April, 1977.

2. Provisions of rule 30 of the said rules relating to fixation of pay in the revised pay scales shall apply mutatis mutandis to all pay fixation cases of Gangtok Municipal Corporation employees.

3. It has further been decided that pending promulgation of rules under section 12 of the Gangtok Municipal Corporation Act, 1975 the service conditions of the Corporation employees except in relation to pensions, gratuities and provident funds shall be regulated under the Sikkim Government Service Rules, 1974 as amended from time to time as well as other standing orders issued by the Government from time to time in relation to the recruitment conducts and service conditions of Government employees.

This issues in consultation with the Establishment and Finance Department.

(P. K. PRADHAN)
Secretary,
Local Self Government & Housing Department.

PRINTED AT THE SIKKIM GOVERNMENT PRESS
LEGISLATIVE DEPARTMENT

NOTIFICATION NO. 25/ LL/RC/78

Dated Gangtok, the 23rd March, 1979.

The following Act of Parliament having received the assent of the President on 12th December, 1978, and published in the Gazette of India, Extraordinary, Part II, Section 1, is hereby republished for general information.

THE PRIZE CHITS AND MONEY CIRCULATION SCHEMES
(BANNING) Act 1978

An Act
To ban the promotion or conduct of prize chits and money circulation schemes and for matters connected therewith or incidental thereto.

Be it enacted by Parliament in the Twenty-ninth Year of the Republic of India as follows:—

1. (1) This Act may be called the Prize Chits and Money Circulation Schemes (Banning) Act, 1978.

(2) It extends to the whole of India except the State of Jammu and Kashmir.

2. In this Act, unless the context otherwise requires,—

(a) “conventional chit” means transaction whether called chit, chit fund, kari or by any other name by or under which a person responsible for the conduct of the chit enters into an agreement with a specified number of persons that every one of them shall subscribe a certain sum of money (or certain quantity of grain instead) by way of periodical instalments for a definite period and that each such subscriber shall, in his turn as determined by lot or by auction or by tender or in such other manner as may be provided for in the chit agreement, be entitled to a prize amount.

Explanation :- in this clause “prize amount” shall mean the amount, by whatever name called, arrived at by deducting from out of the total amount paid or payable at each instalment by all the subscribe,
(i) the commission charged as service charges as a promoter or a foreman or an agent; and
(ii) any sum which a subscriber agrees to forego, from out of the total subscriptions of each instalment, in consideration of the balance being paid to him;

(b) "money" includes a cheque, postal order, demand draft, telegraphic transfer or money order;

(c) "money circulation scheme" means any scheme, by whatever name called, for the making of quick or easy money, or for the receipt of any money or valuable thing as the consideration for a promise to pay money, on any event or contingency relative or applicable to the enrolment of members into the scheme, whether or not such money or thing is derived from the entrance money of the members of such scheme or periodical subscriptions;

(d) "prescribed" means prescribed by rules made under this Act;

(e) "prize chit" includes any transaction or arrangement by whatever name called under which a person collects whether as a promoter, foreman, agent or in any other capacity, monies in one lump sum or in instalments by way of contributions or subscriptions or by sale of units, certificates or other instruments or in any other manner or as membership fees or admission fees or service charges to or in respect of any savings, mutual benefit, thrift, or any other scheme or arrangement by whatever name called, and utilises the monies so collected or any part thereof or the income accruing from investment or other use of such monies for all or any of the following purposes, namely:—

(i) giving or awarding periodically or otherwise to a specified number of subscribers as determined by lot, draw or in any other manner, prizes or gifts in cash or in kind, whether or not the recipient of the prize or gift is under a liability to make any further payment in respect of such scheme or arrangement;

(ii) refunding to the subscribers or such of them as have not won any prize or gift, the whole or part of the subscriptions, contributions or other monies collected, with or without any bonus, premium, interest or other advantage by whatever name called, on the termination of the scheme or arrangement, or on or after the expiry of the period stipulated therein, but does not include a conventional chit;

(f) "Reserve Bank" means the Reserve Bank of India constituted under the Reserve Bank of India Act, 1934.

3. No person shall promote or conduct any prize chit or money circulation scheme, or enrol as a member to any such chit or scheme, or participate in it otherwise, or receive or remit any money in pursuance of such chit or scheme.

4. Whoever contravenes the provisions of section 3 shall be punishable with imprisonment for a term which may extend to three years, or with fine which may extend to five thousand rupees, or with both:

Provided that in the absence of special and adequate reasons to the contrary to be mentioned in the judgment of the court, the imprisonment shall not be less than one year and the fine shall not be less than one thousand rupees.
5. Whoever, with a view to the promotion or conduct of any prize chit or money circulation schemes in contravention of the provision of this Act or in connection with any chit or scheme promoted or conducted as aforesaid,—;

(a) prints or published any ticket, coupon or other document for use in the prize chit or money circulation scheme; or

(b) sells or distribution or offers or advertises for sale or distribution, or has in his possession for the purpose of sale or distribution any ticket, coupon or other document for use in the prize chit or money circulation scheme;

(c) prints, published or distributes, or has in his possession for the purpose of publication or distribution—

(i) any advertisement of the prize chit or money circulation scheme; or

(ii) any list, whether complete or not, of members in the prize chit or money circulation scheme; or

(iii) any such matter descriptive of, or otherwise relating to the prize chit or money circulation scheme, as is calculated to act as an inducement to persons to participate in that prize chit or money circulation scheme or any other prize chit or money circulation schemes; or

(d) bring, or invites any person to send, for the purpose of sale or distribution, any ticket, coupon or other document for use in a prize chit or money circulation scheme or any advertisement of such prize chit or money circulation scheme; or

(e) uses any premises, or causes or knowingly permits any premises to be used, for purposes connected with the promotion or conduct of the prize chit or money circulation scheme; or

(f) causes or procures or attempts to procure any person to do any of the above mentioned acts, shall be punishable with imprisonment for a term which may extend to two years, or with fine which extend to three thousand rupees, or with both:

Provided that in the absence of Special and adequate reason to the contrary to be mentioned in the judgment of the court, the imprisonment shall not be less than one year and the fine shall not be less than one thousand rupees.

6. (1) Where an offence under this Act has been committed by a company, every person who, at the time the offence was committed was in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment provided in this Act, if the proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), Where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to, any neglect on the part of, any manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.
Explanation:—For the purposes of this section—

(a) "company" means any body corporate and includes a firm or other association of individuals; and

(b) "director" in relation to a firm, means a partner in the firm.

7. (1) It shall be lawful for any police officer not below the rank of an officer in charge of a police station,—

(a) to enter, if necessary by force, whether by day or night with such assistance as he considers necessary, any premises which he has reason to suspect, are being used for purposes connected with the promotion or conduct of any prize chit or money circulation scheme in contravention of the provisions of this Act;

(b) to search the said premises and the persons whom he may find therein;

(c) to take into custody and produce before any Judicial Magistrate all such persons as are concerned or against whom a complaint has been made or credible information has been received or a reasonable suspicion exists of their having been concerned with the use of the said premises for purposes connected with, or with the promotion or conduct of, any such prize chit or money circulation scheme as aforesaid;

(d) to seize all things found in the said premises which are intended to be used, or reasonably suspected to have been used, in connection with any such prize chit or money circulation scheme as aforesaid.

(2). Any officer authorised by the State Government in this behalf may—

(a) at all reasonable times, enter into and search any premises which he has reason to suspect, are being used for the purposes connected with, or conduct of, any prize chit or money circulation scheme in contravention of the provisions of this Act;

(b) examine any person having the control of or employed in connection with, any such prize chit or money circulation scheme;

(c) order the production of any documents, books or records in the possession or power of any person having the control of, or employed in connection with, any such chit or money circulation scheme; and

(d) inspect and seize any register, books of accounts, documents or any other literature found in the said premises,

(3) All searches under this section shall be made in accordance with the provisions of the Code of Criminal Procedure, 1973.

2 of 1974.

8. Where any newspaper or other publication contains any material connected with any prize chit or money circulation scheme promoted or conducted in contravention of the provisions of this Act any advertisement in relation thereto, the State Government may, by notification in the Official Gazette, declare every copy of the newspaper and every copy of the publication containing such material or the advertisement to be forfeited to the State Government.

9. No court inferior to that of a Chief Metropolitan Magistrate, or as the case may be, Chief Judicial Magistrate, shall try any offence publishable under this Act.
10. All offences punishable under this Act shall be cognizable.

12. Nothing contained in this Act shall apply to any prize chit or money circulation scheme promoted by—

(a) a State Government or any officer or authority on its behalf; or

(b) a company wholly owned by a State Government which does not carry on any business other than the conducting of a prize chit or money circulation scheme whether it is in the nature of a conventional chit or otherwise; or

(c) a banking company as defined in clause (c) of section 5 of the Banking Regulation Act, 1949, or a banking institution notified by the Central Government under section 3 of the State Bank of India Act, 1955 or a subsidiary bank constituted under section 3 of the State Bank of India (Subsidiary Banks) Act, 1959, or a corresponding new bank constituted under section 3 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970, of a Regional Rural Bank established under section 3 of the Regional Rural Banks Act, 1976, or a co-operative bank as defined in clause (bii) of section 2 of the Reserve Bank of India Act, 1934; or

(d) any charitable or educational institution notified in this behalf by the State Government, in consultation with the Reserve Bank.

Transitional Provisions.

12. (1) Notwithstanding anything contained in this Act, a person conducting a prize chit or money circulation scheme at the commencement of this Act may continue to conduct such chit or scheme for such period as may be necessary for the winding up of the business relating to such chit or scheme, so however that such period shall not in any case extend beyond a period of two years from such commencement:

Provided that the said person shall furnish to the State Government or to such officer as may be authorised by it in this behalf and to such office of the Reserve Bank as may be prescribed in such form and within such period as may be prescribed, full information regarding the chit or scheme along with a winding up plan prepared in accordance with the provisions of any rules that may be made by the State Government in this behalf under this Act:

Provided further that if the State Government is satisfied, on an application made by the person conducting the prize chit or money circulation scheme, that the chit or scheme cannot be wound up within the period fixed in the winding up plan furnished to the State Government under the foregoing proviso, it may, in consultation with the Reserve Bank, permit such person to continue to conduct the business relating to the said chit or scheme for such further period as may be considered necessary having regard to the circumstances of the case and the interest of the the members of the said chit or scheme.

(2) The State Government may, in consultation with the Reserve Bank, approve the winding up plan furnished under sub-section (1) with or without modifications or reject the same and may grant or refuse to grant permission to continue to conduct that chit or scheme:

Provided that no such winding up plan shall be modified or rejected without giving an opportunity of being heard to the person who conducts such prize chit or money circulation scheme.
(3) If any person fails to furnish full information regarding the said chit or scheme along with its winding up plan in the form and within the period prescribed, he shall forfeit his right to continue the business relating to the said chit or scheme on the expiry of such period.

(4) Notwithstanding anything to the contrary contained in any agreement or arrangement entered into between any person conducting any such chit or scheme and the subscriber, the person conducting the chit or scheme shall, within such period as may be prescribed, refund the monies or the subscriptions collected till the date of default referred to in sub-section (3).

(5) If any person fails to comply with the provisions of sub-section (4), he shall be punishable with imprisonment for a term which may extend to two years, or with fine which may extend to three thousand rupees, or with both:

Provided that in the absence of special and adequate reasons to the contrary to be mentioned in the judgment of the court, the imprisonment shall not be less than one year and the fine shall not be less than one thousand rupees.

13. (1) The State Government may, by notification in the Official Gazette and in consultation with the Reserve Bank, make rules for the purpose of carrying out the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for—

(a) the office of the Reserve Bank to whom full information regarding any prize chit or money circulation scheme may be furnished under the first proviso to sub-section (1) of section 12, and the form in which and the period within which such information may be furnished;

(b) the particulars relating to the winding up plan of the business relating to prize chits or money circulation schemes.


(2) Notwithstanding the repeal of any Act referred to in sub-section (1), anything done or any action taken under the provisions of any such Act shall, in so far as such thing or action is not inconsistent with the provisions of this Act, be deemed to have been done or taken under the provisions of this Act as if the said provisions were in force when such thing was done or such action was taken and shall continue in force accordingly until superseded by anything done or any action taken under this Act.

By Order of the Governor

B.R. Pradhan,

Secretary to the Govt. of Sikkim
Law & Legislative Department.
F II (126) LL/79

PRINTED AT THE SIKKIM GOVERNMENT PRESS.
The following Act of Parliament having received the assent of President on 30th April '79 and published in a Gazette of India, Extraordinary, Part II, Section I is hereby republished for general information.

THE CONSTITUTION (FORTY-FOURTH AMENDMENT) ACT, 1978

An ACT further to amend the Constitution of India.

Be it enacted by Parliament in the Twenty-ninth Year of the Republic of India as follows:—

1. (1) This Act may be called the Constitution (Forty-Fourth Amendment) Act, 1978.  
   Short title and commencement.

   (2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint and different dates may be appointed for different provisions of this Act.

2. In article 19 of the Constitution:
   Amendment
   (a) in clause (1):—

      (i) in sub-clause (e) the word " and " shall be inserted at the end;

      (ii) sub-clause (j) shall be omitted;

   (b) in clause (c), for the words, brackets and letters "sub-clauses (d), (c) and (f) the words, brackets and letters "sub-clauses (d) and (e)" shall be substituted.

3. In article 22 of the Constitution:—
   Amendment
   (a) for clause (4), the following clause shall be substituted, namely:

   '(4) No law providing for preventive detention shall authorise the detention of a person for a longer period than two months unless an Advisory Board constituted in accordance with the recommendations of the Chief Justice of the appropriate High Court has reported before the expiration of the said period of two months that there is in its opinion sufficient cause for such detention.'
Provided that an Advisory Board shall consist of a Chairman and not less than two other members, and the Chairman shall be a serving Judge of the appropriate High Court and the other members shall be serving or retired Judges of any High Court:

Provided further that nothing in this clause shall authorize the detention of any person beyond the maximum period prescribed by any law made by Parliament under sub-clause (a) of clause (7).

Explanation.—In this clause, “appropriate High Court” means,—

(i) in the case of the detention of a person pursuant to an order of detention made by the Government of India or an officer or authority subordinate to that Government, the High Court for the Union territory of Delhi;

(ii) in the case of the detention of a person in "pursuance of an order of detention made by the Government of any State (other than a Union territory), the High Court for that State; and

(iii) in the case of the detention of a person in pursuance of an order of detention made by the administrator of a Union territory or an officer of authority subordinate to such administrator, such High Court as may be specified by or under any law made by Parliament in this behalf;

(b) in clause (7).—

(i) Sub-clause (a) shall be omitted;
(ii) Sub-clause (b) shall be re-lettered as sub-clause (a); and
(iii) Sub-clause (c) shall be re-lettered as sub-clause (b) and in the sub-clause as so re-lettered, for the words, brackets, letter and figure "sub-clause (a) of clause (4)' the word, brackets and figure "clause (4)" shall be substituted.

4. In article 30 of the Constitution, after clause (1), the following shall be inserted, namely:—

"(iA) In making any law providing for the compulsory acquisition of any property of an educational institution established and administered by a minority, referred to in clause (1), the State shall ensure that the amount fixed by or determined under such law for the acquisition of such property is such as would not restrict or abrogate the right guaranteed under that clause".

5. The sub-heading “Right to Property” occurring after article 30 of the Constitution shall be omitted.

6. Article 31 of the Constitution shall be omitted.

7. In article 31A of the Constitution, in clause (1), for the words and figures "article 14, article 19 or article 31", the words and figures "article 14 or article 19" shall be substituted.

8. In article 31A of the Constitution, for the words and figures "article 14, article 19 or article 31", the words and figures "article 14 or article 19" shall be substituted.

9. Article 38 of the Constitution shall be renumbered as clause (1) thereof and after the clause as so renumbered, the following clause shall be inserted, namely:—

"(2) The State shall, in particular, strive to minimise the inequalities in income, and endeavour to eliminate inequalities in status facilities and opportunities, not only amongst individuals but also amongst groups of people residing in different areas or engaged in different vocations,"
10. For article 71 of the Constitution, the following article shall be substituted, namely:—

"71. (1) All doubts and disputes arising out of or in connection with the election of a President or Vice-President shall be inquired into and decided by the Supreme Court whose decision shall be final. (2) If the election of a person as President or Vice-President is declared void by the Supreme Court, acts done by him in the exercise and performance of the powers and duties of the office of President or Vice-President, as the case may be, on or before the date of the decision of the Supreme Court shall not be invalidated by reason of that declaration. (3) Subject to the provisions of this Constitution, Parliament may by law regulate any matter relating to or connected with the election of a President or Vice-President. (4) The election of a person as President or Vice-President shall not be called in question on the ground of the existence of any vacancy for whatever reason among the members of the electoral college electing him".

11. In article 74 of the Constitution, in clause (1), the following proviso shall be inserted at the end, namely:—

Provided that the President may require the Council of Ministers to reconsider such advice, either generally or otherwise, and the President shall act in accordance with the advice tendered after such reconsideration".

12. In article 77 of the Constitution, clause (4) shall be omitted.

13. (1) In article 83 of the Constitution, in Clause (2), for the words "six years" in both the places where they occur, the words "five years" shall be substituted. (2) The amendments made by sub-section (1) to clause (2) of article 83 shall apply also to the House of the People in existence on the date of coming into force of this section without prejudice to the power of Parliament with respect to the extension of the duration of that House under the proviso to that clause.

14. For article 103 of the Constitution, the following article shall be substituted, namely:—

"103. (1) If any question arises as to whether a member of either House of Parliament has become subject to any of the disqualifications mentioned in Clause (1) of article 102, the question shall be referred for the decision of the President and his decision shall be final. (2) Before giving any decision on any such question, the resident shall obtain the opinion of the Election Commission and shall act according to such opinion".

15. In article 10c of the Constitution, in clause (3), for the words shall be those of the House of Commons of the Parliament of the United Kingdom, and of its members and committees, at the commencement of is Constitution", the words, figures and brackets "shall be those of that House and of its members and committees immediately before the coming Into force of section 15 of the Constitution (Forty – fourth Amendment ) Act,1978" shall be substituted.

16. In article 123 of the Constitution, clause (4) shall be Omitted.
Amendment of article 132

17. In article 132 of the Constitution,—

(a) in clause (1), for the words "if the High Court certifies", the words, figures and letter "if the High Court certifies under article 134A" shall be substituted;

(b) clause (2) shall be omitted;

(c) in clause (3), the words "or such leave is, granted and the words "and with the leave of the Supreme Court, on any other ground shall be omitted.

Amendment of article 133

18. In article 133 of the Constitution, in clause (1), for the words "if the High Court certifies—", the words, figures and letter "if the High Court certifies under article 134A—" shall be substitute.

Amendment of article 133.

19. In article 134 of the Constitution, in sub-clause (c) of clause (1), for the word "certifies", the words, figures and letter "certifies under article 134A" shall be substituted.

Insertion of new article 134 A.

20. After article 134 of the Constitution, the following article shall be inserted, namely:—

"134A. Every High Court, passing or making a judgment, decree, final order, or sentence, referred to in clause (1) of article 132 or clause (1) of article 154,—

(a) may, if it deems fit so to do, on its own motion; and

(b) shall, if an oral application is made, by or on behalf of the party aggrieved, immediately after the passing or making of such judgment, decree, final order or sentence, determine, as soon as may be after such passing or making, the question whether a certificate of the nature referred to in clause (1) of article 132, or clause (1) of article 133 or, as the case may be sub-clause (c) of clause (1) of article 134, may be given in respect of that case".

Amendment of article 139 A.

21. In article 139A of the Constitution, for clause (1), the following clause shall be substituted, namely;—

"(1) Where cases involving the same or substantially the same questions of law are pending before the Supreme Court and one or more High Courts or before two or more High Courts and the Supreme Court is satisfied on its own motion or on an application made by the Attorney-General of India or by a party to any such case that, such questions are substantial questions of general importance, the Supreme Court may withdrawn the case or cases pending before the High Court or the High Court and dispose of all the cases itself:

Provided that the Supreme Court may after determining the said questions of law return any case so withdrawn together with a copy of its judgment on such questions to the High Court from which the case has been withdrawn, and the High Court shall on receipt thereof, proceed to dispose of the case in conformity with such judgment".

Amendment of article 150.

22. In article 150 of the Constitution, for the words, "after consultation with". The words ‘on the advice of “ shall be substituted

Amendment of Article 166

23. In article 166 of the Constitution, clause (4) shall be omitted.
24. (1) In Article 172 of the Constitution, in clause (1) for the words "six years" in both the places where they occur, the words "five years" shall be substituted.

(2) The amendment made by sub-section (1) to clause (1) of article 172—

(a) shall not apply to any existing State Legislative Assembly the period of existence whereof as computed from the appointed for its first meeting to the date of coming into force of this section (both dates inclusive) is more than four years and eight months but every such Assembly shall, unless sooner dissolved, stand dissolved on the expiry of—

(i) a period of four months from the date of coming into force of this section; or

(ii) a period of six years from the date appointed for its first meeting, whichever period expires earlier;

(b) shall apply to every other existing State Legislative Assembly without prejudice to the power of Parliament with respect to the extension of duration of such Assembly under the proviso to the said clause (1).

Explanation 1.—In its application to the Legislative Assembly of the State of Sikkim referred to in clause (b) of article 371F of the Constitution, this sub-section shall have effect as it—

(i) the date appointed for the first meeting of that Assembly were the 26th day of April, 1975; and

(ii) the references in clause (a) of this sub-section to "four years and eight months" and "six years" were references to "three years and eight months" and "five years" respectively.

Explanation ii.—In this sub-section, "existing State Legislative Assembly" means the Legislative Assembly of a State in existence on the date of coming into force of this section.

25. For article 192 of the Constitution, the following article shall be substituted, namely:—

“192. (1) If any question arises as to whether a member of a House of the Legislature of a State has become subject to any of the disqualifications mentioned in clause (1) of article 191, the question shall be referred for the decision of the Governor and his decision shall be final.

(2) Before giving any decision on any such question, Governor shall obtain the opinion of the Election Commission and shall act according to such opinion”.

26. In article 194 of the Constitution, in clause (3), for the words "shall be those of the House of Commons of the Parliament of the United Kingdom, and of its members and committees, at the commencement of this Constitution", the words, figures and brackets "shall be those of that House and of its members and committees immediately before the coming into force of section 26 of the Constitution (forty-fourth Amendment) Act, 1978" shall be substitution.

27. In article 213 of the Constitution, clause (4) shall be omitted.
Amendment of article 217.

28. In article 217 of the Constitution, in clause (2),—

(a) in sub-section (b), the word or occurring at the end shall be omitted.

(b) sub-section (c) shall be omitted;

(c) in the Expanation, clause (a) shall be re-lettered as clause as (aa) and before clause (aa) as so re-lettered, the following clause shall be inserted, namely:—

(a) in computing the period during which in person has held judicial office in the territory of India, there shall be included any period, after he has held any judicial office, during which the person has been an advocate of a High Court or has held the office of a member of a tribunal or any post, under the Union or a State, requiring special knowledge of law.''

Amendment of article 225 of the Constitution, the following proviso shall be inserted at the end, namely:-

Provided that any restriction to which the exercise of original jurisdiction by any, of the High Courts with respect to any matter concerning the revenue or concerning any act ordered or done in the collection thereof was subject immediately before the commencement of this Constitution shall no longer apply to the exercise of such jurisdiction.''

Amendment of article 226.

29. In article 226 of the Constitution,—

(a) in clause (1) for the portion beginning with the words "writs in the nature of habeas corpus, mandamus, prohibition, quo warranto and certiorari, or any of them" and ending with, the words "such illegality has resulted in substantial failure of justice,..., the following shall be substituted, namely:—

“writs in the nature of habeas corpus, mandamus, prohibition, quo warranto and certiorari, or any of them, for the enforcement of any of the rights conferred by Part III and for any other purpose.”

(b) for clauses (3), (4), (5) and (6), the following clause shall be substituted, namely:—

“(3) Where any party against whom an interim order, whether by way of injunction or stay or in the other manner, is made on, or in any proceedings relating to, a petition under clause (1), without—

(a) furnishing to such party copies of such petition and all documents in support of the plea for such interim order: and

(b) giving such party an opportunity of being heard, makes an application to the High Court for the vacation of such order and furnishes a copy of such application to the party in whose favour such order has been made or the counsel of such party, the High Court shall dispose of the application within a period of two weeks from the date on which it is received or from the date on which the copy of such application is so furnished, Whichever is later, or where the High Court, is closed on the last day of that period, before the expiry of the next day afterwards on which the High Court is open; and if the application is not so disposed of, the interim order shall, on the expiry of that period, or the case may be, the expiry of the said next day, stand vacated’
31. In article 227 of the Constitution,—

(a) for clause (1), the following clause shall be substituted, namely:—

"(1) Every High Court shall have superintendence over all courts and tribunals throughout those territories in relation to which it exercises jurisdiction."

(b) clause (5) shall be omitted.

32. In article 239B of the Constitution, clause (4) shall be omitted.

33. Article 257A of the Constitution shall be omitted.

34. In Part XII of the Constitution, after Chapter III, the following Chapter shall be inserted, namely:—

"CHAPTER IV.—RIGHT TO PROPERTY

300A. No person shall be deprived of his property save by authority of law".

35. In article 329 of the Constitution, in the opening portion, the words, figures and letter ’but subject to the provisions of article 329A’ shall be omitted.

36. Article 329A of the Constitution shall be omitted.

37. In article 352 of the Constitution,—

(a) in clause (1),—

(i) for the words “internal disturbance”, the words ”armed rebellion” shall be substituted;

(ii) the following Explanation, shall be inserted at the end, namely:—

"Explanation.—A Proclamation of Emergency declaring that the security of India or any part of the territory thereof is threatened by war or by external aggression or by armed rebellion may be made before the actual occurrence of war or of any such aggression or rebellion, if the President is satisfied that there is imminent danger thereof”;

(b) for clauses (2), (2A) and (3), the following clauses shall be substituted, namely:—

"(2) A Proclamation issued under clause (1) may be varied or revoked by a subsequent Proclamation.

(3) The President shall not issue a Proclamation under clause (1) or a Proclamation varying such Proclamation unless the decision of the Union Cabinet (that is to say, the Council consisting of the Prime Minister and other Minister of Cabinet rank appointed under article 75) that such a Proclamation may be issued has been communicated to him in writing."
(4) Every Proclamation issued under this article shall be laid before each House of Parliament and shall, except where it is a Proclamation revoking a previous Proclamation, cease to operate at the expiration of one month unless before the expiration of that period it has been approved by resolutions of both Houses of Parliament:

Provided that if any such Proclamation (not being a Proclamation revoking a previous Proclamation) is issued at a time when the House of the People has been dissolved, or the dissolution of the House of the People takes place during the period of one month referred to in this clause, and if a resolution approving the Proclamation has been passed by the Council of States, but no resolution with respect to such Proclamation has been passed by the House of the People before the expiration of that period, the Proclamation shall cease to operate at the expiration of thirty days from the date on which the House of the People first sits after its reconstitution, unless before the expiration of the said periods of thirty days a resolution approving the Proclamation has been also passed by the House of the People.

(5) A Proclamation so approved shall, unless revoked, cease to operate on the expiration of a period of six months from the date of the passing of the second of the resolutions approving the Proclamation under clause (4):

Provided that if and so often as a resolution approving the continuance in force of such a Proclamation is passed by both Houses of Parliament the Proclamation shall, unless revoked, continue in force for a further period of six months from the date on which it would otherwise have ceased to operate under this clause:

Provided further that if the dissolution of the House of the People takes place during any such period of six months and a resolution approving the continuance in force of such Proclamation has been passed by the Council of States but no resolution with respect to the continuance in force of such Proclamation has been passed by the House of the People during the said period, the Proclamation shall cease to operate at the expiration of thirty days from the date on which the House of the People first sits after its reconstitution unless before the expiration of the said period of thirty days, a resolution approving the continuance in force of the Proclamation has been also passed by the House of the People.

(6) For the purposes of clauses (4) and (5), a resolution may be passed by either House of Parliament only by a majority of the total membership of that House and by a majority of not less than two-thirds of the members of that House present and voting.

(7) Notwithstanding anything contained in the foregoing clauses, the President shall revoke a Proclamation issued under clauses, (1) or a Proclamation varying such Proclamation if the House of the People passes a resolution disapproving, or as the case may be, disapproving the continuance in force of, such Proclamation.

(8) Where a notice in writing signed by not less than one-tenth of the total number of members of the House of the People has been given, of their intention to move a resolution for disapproving or as the case may be, for disapproving the continuance in force of, a Proclamation issued under clause (1) or a Proclamation varying such Proclamation:—

(a) to the Speaker, if the House is in session, or
(b) to the President, if the House is not in session,
A special sitting of the House shall be held within fourteen days from the date on which such notice is received by the Speaker, or as the case may be, by the President for the purpose of considering such resolution;

(c) clause (4) shall be renumbered as clause (9) and in the clause as so renumbered for the words “internal disturbance” in both the places where they occur, the words “armed rebellion” shall be substituted;
(d) clause (c) shall be omitted.

38. In article 356 of the Constitution,—

(a) in clause (4),—

(i) for the words, brackets and figure "one year from the date of the passing of the second of the resolutions approving the Proclamation under clause (3)", the words "six months from the date of issue of the Proclamation" shall be substituted;

(ii) in the first proviso, for the words "one year", the words "six months" shall be substituted;

(iii) in the second proviso, for the words "one year", the words "six months" shall be substituted;

(b) for clause (c), the following clause shall be substituted, namely:

"(5) Notwithstanding anything contained in clause (4), a resolution with respect to the continuance in force of a Proclamation approved under clause (3) for any period beyond the expiration of one year from the date of issue of such Proclamation shall not be passed by either House of Parliament unless—

(a) a Proclamation of Emergency is in operation, in the whole of India or, as the case may be in the whole or any part of the State, at the time of the passing, of such resolution and

(b) the Election Commission certifies that the continuance in force of the Proclamation approved under clause (3) during the period specified in such resolution is necessary on account of difficulties in holding general elections to the Legislative Assembly of the State concerned".

39. Article 358 of the Constitution shall be renumbered as clause (1) of that article, and—

(a) in clause (1) as so renumbered,—

(i) in the opening portion, for the words "While a Proclamation of Emergency is in operation", the words "While a Proclamation of Emergency declaring that the security of India or any part of the territory thereof is threatened by war or by external aggression is in operation" shall be substituted;

(ii) in the proviso, for the words "where a Proclamation of Emergency " the words "where such Proclamation of Emergency " shall be substituted;

(b) after clause (1) as so renumbered, the following clause shall be inserted, namely:—

"(2) Nothing in clause (1) shall apply—

(a) to any law which does not contain a recital to the effect that such law is in relation to the Proclamation of Emergency in operation when it is made; or

(b) to any executive action taken otherwise than under a law containing such a recital".

40. In article 359 of the Constitution,—

(a) in clauses (1) and (1A), for the words and figures "the rights conferred by Part III the words, figures and brackets "the rights conferred by Part III (except articles 20 and 21)" shall be substituted;

(b) after clause (1A) the following clause shall be inserted, namely:

"(1B) Nothing in clause (1A) shall apply—

(a) to any law which does not contain a recital to the effect that such law is in relation to the Proclamation of Emergency in operation when it is made; or

(b) to any executive action taken otherwise than Under a law containing such a recital".
Amendment of article

41. In article 360 of the Constitution,—

(a) for clause (2), the following clause shall be substituted, namely:—

"(2) A Proclamation issued under clause (1)—

(a) may be revoked or varied by a subsequent Proclamation;

(b) shall be laid before each House of Parliament;

(c) shall cease to operate at the expiration of two months, unless before the expiration of that period it has been approved by resolutions of both Houses of Parliament:

Provided that if any such Proclamation is issued at a time when the House of the People has been dissolved or the dissolution of the House of the People takes place during the period of two months referred to in sub-clause (c), and if a resolution approving the Proclamation has been passed by the Council of States, but no resolution with respect to such Proclamation has been passed by the House of the People before the expiration of that period, the Proclamation shall cease to operate it the expiration of thirty days from the date On which the House of the people first sits after its reconstitution, unless before the expiration of the said period of thirty days a resolution approving the Proclamation has been also passed by the House of the People":

(b) Clause (c) shall be omitted.

Insertion of new article

361 A. Protection of publication of proceedings of Parliament and state Legislatures.

42. After article 361 of the Constitution, the following article shall be inserted, namely:—

361 A. (1) No person shall be liable to any proceedings, civil or criminal, in any court in respect of the publication in a newspaper of a substantially true report of any proceedings of either House of Parliament or the Legislative Assembly, or as the case may be, either House of the Legislature, of a State, unless the publication is proved to have been made with malice:

Provided that nothing in this clause shall apply to the publication of any report of the proceedings of a secret sitting of either House of Parliament or the Legislative Assembly, or, as the case may be, either House of the Legislature of a State.

(2) Clause (1 ) shall apply in relation to reports or matters broadcast by means of wireless telegraphy as part of any programme or service provided by means of a broadcasting station as it applies in relation to reports or matters published in a newspaper.

Explanation.— In this article, "newspaper" includes a news agency report containing material for publication in a newspaper'.

Amendment of article

371 F

43. In article 371F of the Constitution in clause (c), for the words "six years", the words "five years" shall be substituted, and for the words "five years" in both the places where they occur, the words "four years" shall be substituted.

Amendment of the Ninth Schedule

44. In the Ninth Schedule to the Constitution, entries 87, 92 and 1 30 shall be omitted.

Amendment of the constitution (Forty-second Amendment) Act, 1976

45 In the Constitution (Forty- second Amendment) Act, 1976, section 18, 19, 21, 31, 32, 35, 58 and 59 shall be omitted.

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GOVERNMENT OF SIKKIM
HOME DEPARTMENT

NOTIFICATION

No. 41 (18) Home/76.
Dated Gangtok, the 3rd July, 1979.

The Government of Sikkim is pleased to appoint the following officers as Members of the Tea Board of Sikkim, in addition to the existing members:

(1) Finance Secretary.
(2) Divisional Commissioner.

T. S. GYALTSHEN,
Chief Secretary,
Government of Sikkim.
GOVERNMENT OF SIKKIM
HOME DEPARTMENT

NOTIFICATION

No. 18 (1) Home/78.

Dated Gangtok, the 29th June, 1979.

NOTIFICATION

The Government of India, Ministry of Home Affairs, Office of the Registrar General, India, New Delhi Notification No. S.O. 1377 dated the 11th April, 1979 is republished for general information:—

S.O. 1377- In exercise of the powers conferred by Section 3 of the Census Act, 1948 (37 of 1948), the Central Government hereby declare that a census of the population of India shall be taken during the year 1981.

The reference date for the census shall be sunrise on 1st March, 1981.

F. No9/ll/79-CD (GEN)

Sd/-
P PADMANABHA,
Registrar General, India

T. S. GYALTSHEN,
Chief Secretary,
Government of Sikkim

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GOVERNMENT OF SIKKIM
HOME DEPARTMENT

F. No. 6(6) Home/78.

Dated Gangtok, the 7th July, 1979.

NOTIFICATION

The Government of India, Ministry of Law, Justice & Company Affairs, Department Justice, New Delhi Notification No.63/1/79-Jus, dated the 29 June, 1979 is published for general information:—

In exercise of the powers conferred by article 223 of the Constitution, the President if pleased to appoint Shri Justice Anandamoy Bhattacharjee, a Judge of the Sikkim High Court to perform the duties of the Chief Justice of that High Court with effect from the 3rd June, 1979 during the absence of Shri Justice Man Mohan Singh Gujral appointed as Commission of Inquire to inquire into the incidents which took place at Janpath on 1st May, 1979.

Sd/- (L.D.Hindi)
Deputy Secretary to the Govt, of India,

T. S. GYALTSHEN,
Chief Secretary,
Government of Sikkim.
GOVERNMENT OF SIKKIM

HOME (ELECTION) DEPARTMENT

NOTIFICATION NO. 76 H/79.


The following notifications Nos. 480/79(2)-I and 480/79(2)-II dated 6th July, 1979/Asadha 15,1901 (S) of the Election Commission of India, New Delhi are republished for general information.

NOTIFICATION

No. 480/79(2)-I—In pursuance of sub-section (1) of section 3 of the Presidential and Vice-President Elections Act, 1952 (31 of 1952), the Election Commission, in consultation with the Central Government, hereby appoints the Secretary General to the Rajya Sabha, Parliament House, New Delhi, to lie the Returning Officer for the Vice-Presidential election.

NOTIFICATION

No. 480/79(2)-II—In pursuance of sub-section (1) of section 3 of the Presidential and Vice-President Elections Act, 1952 (31 of 1952), the Election Commission hereby appoints Shri Sudarshan Agarwal, Additional Secretary, Rajya Sabha Secretariat, Parliament House, New Delhi, to be Assistant Returning Officer for the Vice-Presidential election.

By order.

(S. R. SETHI) Sd/-
Dupt Chief Electoral Officer
Sikkim Gangtok.

(V. NAGASUBRAMANIAN)
Secretary to the Election Commission of India.
GOVERNMENT OF SIKKIM

HOME DEPARTMENT

Notification No- 5 (2) Home/79.

Dated Gangtok, the 16th July, 1979.

The orders contained in this Department Notification No. 1278 (Home)/79 dated the 5th July, 1979, conferring powers of first class magistrate on some officers, are hereby cancelle

By Order,

Tashi Tsering,

Deputy Secretary,
Home Department.

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GOVERNMENT OF SIKKIM

HOME (ELECTION) DEPARTMENT

Notification No- 68/Home/79.

Gangtok, the 23rd July, 1979.

The following notification No. 480/79 dated 23rd July, 1979 of the Election Commission of India, New Delhi, is republished for general information:

NOTIFICATION

No. 480/79 :- WHEREAS the term of office of Shri B.D. Jatti, Vice-President of India, is due to expire on 30th August, 1979;

AND WHEREAS under sub-section (3) of section 4 of the Presidential and Vice-Presidential Elections Act, 1952 (31 of 1952), the Election Commission is required to appoint the date for the election to fill the office of the Vice-President of India so that it will be completed in time to enable the Vice-President thereby elected to enter upon his office on the 31st day of August, 1979;

Now THEREFORE in pursuance of sub-section (1) of section 4 of the said Act, the Election Commission hereby appoints in respect of the said election—

(a) 6 August, 1979 (Monday), as the last date for making nominations;
(b) 7 August, 1979 (Tuesday), as the date for the scrutiny of nominations;
(c) 19 August, 1979 (Thursday), as the last date for the withdrawal of candidatures; and
(d) 27 August, 1979 (Monday), as the date on which a poll, shall, if necessary, be taken.

By Order,

(S. R. SETHI)                                                   (V. NAGASUBRAMANIAN)
Dupty Chief Electoral Officer                                      Secretary to the Election Commission of India.
Sikkim
GOVERNMENT OF SIKKIM

HOME (ELECTION) DEPARTMENT

NOTIFICATION NO- 69 H/79.


The following notification No. 480/79(3) dated 23rd July, 1979 of the Election Commission of India, New Delhi, is republished for general information:

NOTIFICATION

No. 480/79(3):— In pursuance of rule 8 of the Presidential and Vice-Presidential Elections Rules, 1974, the Election Commission hereby—

(a) fixes Room No. 63, First Floor, Parliament House in New Delhi as the place of polling for the Vice-Presidential election to be held in accordance with its notification No. 480/79 dated 23 July, 1979; and

(b) specifies the hours from 10 am. to 4 p.m. both inclusive to be the hours during which the poll will be taken at the said place of polling.

By order

S.R. SETHI, Sd/-
DEPUTY CHIEF ELECTORAL OFFICER, SIKKIM.

V. NAGASUBRAMANIAN
SECRETARY,
TO THE ELECTION COMMISSION OF INDIA

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GOVERNMENT OF SIKKIM

HOME (ELECTION) DEPARTMENT

Notification No. 70/Home/79

Gangtok, the 23rd July, 1979.

The following notice of the Returning Officer for the Vice-Presidential Election and Secretary General, Rajya Sabha is republished for general information.

FORM—I

[SEE 3 OF THE PRESIDENTIAL AND VICE-PRESIDENTIAL ELECTIONS RULES, 1974]

RAJYA SABHA SECRETARIAT
PUBLIC NOTICE
OF
ELECTION TO THE OFFICE OF VICE-PRESIDENT OF INDIA

WHEREAS a notification under sub-section (1) of section 4 of the Presidential and Vice-President Elections Act, 1952, for the holding of an election to fill the office of Vice-President of India has been issued by the Election Commission, I, S. S. Bhalerao, the Returning officer for such election, do hereby give notice that—

(i) nationation papers may be delivered by a candidate or any one of his proposers or seconders to the undersigned at his office in Room No. 29, Ground Floor, Parliament House, New Delhi, or if he is unavoidably absent, to Shri Sudarshan Agarwal, Assistant Returning Officer and Additional Secretary, Rajya Sabha Secretariat, at the said office between 11 A.M. and 3 P.M. on any day (other than a public holiday) not later than Monday the 6th August, 1979.

(ii) each nomination shall deposite or cause to be deposited a sum of rupees two relating To the candidate in the electoral roll for the Parliamentary constituency in which the Candidate is registered as an elector;

(iii) every candidate shall deposite or cause to be deposited a sum of rupees two thousand Five hundred only. This amount may be deposited in case with the Returning Officer at the time of presentation of the nomination paper or deposited earlier in the Reserve Bank of India or in a Government Treasury and in the latter case a receipt showing that the said deposit of the sum has been so made is required to be enclosed with the nomination paper;
(iv) forms of nomination papers may be obtained from the above said office at the time aforesaid;

(v) the nomination papers, other than those rejected under sub-section (4) of section 5B the Act, will be taken up for scrutiny at the said office in Room No. 29, Ground Floor, Parliament House, New Delhi, on Tuesday, the 7th August, 1979 at 11 A.M.;

(vi) the notice of withdrawal of candidatures may be delivered by a candidate, or any one of his proposers or seconders, who has been authorised in this behalf in writing by the candidate, to the undersigned at the place specified in paragraph (i) above before three o'clock in the afternoon of Thursday, the 9th August, 1979;

(vii) in the event of the election being contested, the poll will be taken on Monday, the 27th August, 1979, between hours of 10 A.M. to 4 p.m. both inclusive, in Room No. 63 First Floor, parliament House, New Delhi.

New Delhi, Dated the 23rd July, 1979. Sd/-

(S.S. BHALERO)

Returning Officer for Vice-Presidential Election and Secretary-General, Rajya Sabha.

S. R. Sethi
Deputy Chief Electoral Officer, Sikkim

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LAW AND LEGISLATIVE DEPARTMENT


Dated Gangtok, the 17th, July, 1979.

Government of India, Ministry of Law, Justice and company Affairs, New Delhi Notification No. GSR 383(E) dated the 19th June, 1979 as published in an Extraordinary issue of the Gazette of India, Part II, Section 3 (i) dated 19th June, 1979 is republished for general information.

G.S.R. 383 (E)- In exercise of the powers conferred by sub-section (2) of section 1 of the Constitution (forty-fourth Amendment) Act, 1978, the Central Government hereby appoints:-

(a) date immediately following the date on which this notification is published in Official Gazette; as the date on which sections 2, 4 to 16 (both inclusive), 22, 25 to 29 (both inclusive), 31 to 42 (both inclusive), 44 and 45 of the said Act shall come into force;

(b) the 1st day of August, 1979, as the date on which sections 17 to 21 (both inclusive), and 30 of the said Act shall come into force.

P.B. VENKATASUBRAMANIAN,
Secretary to the Government of India.

By Order,

B. R. PRADHAN,
Secretary to the Government of Sikkim,
Law & Legislative Department.
F. 11(151)LL/79.
It is hereby notified for information of the public in general and dealers in Sikkim that the Government of West Bengal have kindly extended the period for allowing exemption of West Bengal/Central Sales Tax on goods purchased from dealers having his place of business in West Bengal for use in Sikkim, by another 3 months with effect from 1/7/79 under notifications No. 4155 F.T. dated 29th. June, 1979 and No. 4156-F.T. dated 29th. June, 1979, which are reproduced as under:-

Government of West Bengal
Finance (Taxation) Deptt.

NOTIFICATION

No.4155-F.T. dated 29th. June, 1979— In exercise of the power conferred by section 26 of the Bengal Finance (Sales Tax) Act, 1941 (Ben. Act VI of 1941), the Governor is pleased hereby to make the following amendments in the Bengal Sales Tax Rules, 1941, as subsequently amended thereafter referred to as the said rules) :—

Amendments

In the said rules, in rule 3:—

(1) in clause (12),—

(a) in sub-clause (b), for the figures and words "30th June, 979 or till the Central Sales Tax Act, 1956 is enforced in Sikkim, whichever is earlier" substitute the figures and words "30th September, 1979";

(b) in sub-clause (c), for the figures and words "30th June, 1979 or till the Central Sales Tax Act, 1956 is enforced in Sikkim, whichever is earlier" substitute the figures and words "30th September, 1979; and
in clause (13), in sub-clause (b), for the figures and words "30th June, 1979 or till the Central Sales Tax Act, 1956 is enforced in Sikkim, whichever is earlier" substitute the figures and words "30th September, 1979".

By order of the Governor,

Sd/- T.N. Mookerjee,
Dy. Secy, to the Govt of W. Bengal.

NOW, THEREFORE, in exercise of the power conferred by sub-section (5) of section 8 of the Central Sales Tax Act, 1956 (74 of 1956) the Governor is please hereby to the following amendments in this department notification No.2787-F.T. dated the 13th June, 1975, published at page 1228 of Part I of the Calcutta Gazette, Extraordinary,dated the 13th June, 1975, as subsequently amended (hereinafter referred to as the said notification) :-

Amendment

In the said notification, for the figures and words "30th June, 1979 or till the Central Sales Tax Act, 1956 is enforced in Sikkim, whichever is earlier" substitute the figures and words "30th September, 1979".

By order of the Governor,

Sd/- T.N. Mookerjee,
Dy. Secy, to the Govt, of W.Bengal

By Order,

Sd/- T.P. Ghimiray,
Joint Secretary,
Income & Sales Tax Depart
Government of Sikkim,
Gangtok.

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HOME DEPARTMENT
GOVERNMENT OF SIKKIM

No. 117/Home/79.
Dated Gangtok, the 28th June, 1978.

NOTIFICATION

Whereas the functions of the Central Government under rule 3 of the Registration of Foreigners Rules, 1939, have been entrusted to the State Government of Sikkim vide the Notification of the Government of India in the Ministry of Home Affairs No. 11011/1/75-FI (iii) dated the 3rd April, 1976:

Now, therefore, in exercise of the powers so entrusted, the State Government of Sikkim hereby appoint the Superintendent of Police, Special Branch, to be the Registration Officer under rule 3 of the Registration of Foreigners Rules, 1939, for the whole of Sikkim.

By Order,

T. S. GYALTSHEN,

Chief Secretary,
Governmmt of Sikkim.
GOVERNMENT OF SIKKIM
HOME DEPARTMENT

NOTIFICATION

No. 2(3)/Home/77(i)

Dated Gangtok, the 6th August, 1979.

In pursuance of Section 6 of the Proclamation dated the 30th March, 1972, the State Government hereby nominates Shri R. Narayanan as one of the Directors of the State Trading Corporation of Sikkim with immediate effect and until further orders-

T. S. GYALTSHEN,

Chief Secretary,
Government of Sikkim.
GOVERNMENT OF SIKKIM
HOME DEPARTMENT

NOTIFICATION

No. 2(3)/Kome/77(ii)
Dated Gangtok, the 6th August. 1979

In pursuance of section of the Proclamation dated the 30th March, 1972, the State Government hereby appoints Shri R. Narayanan as Acting Chairman of the State Trading Corporation of Sikkim vice Shri N.K. Subedi with immediate effect and until further orders.

T. S. GYALTSHEN,

Chief Secretary,
Government of Sikkim.
GOVERNMENT OF SIKKIM
HOME DEPARTMENT

F. No. 6(1)Home/76.

Dated Gangtok, the 4th August, 1979.

NOTIFICATION
In modification of Home Department Notification No. 12/Home/76, dated the 29th March, 1976, Government have decided that the Judges of the Supreme Court and High Courts of other State (and their wives when accompanying them) visiting the State will be treated as State Guests for a period not exceeding 3(three) days irrespective of whether the visit is on duty or otherwise.

T. S. GYALTSHEN,
Chief Secretary,
Government of Sikkim.
In the Sikkim Government Gazette, Extraordinary, No. 50 dated Gangtok, the 5th July, 1979 the following may be inserted at the end.

"Shri R.V.S. Peri Sashtri,
Secretary to the
Government of India.

By Order,

B. R. PRADHAN,
Secretary to the
Government of Sikkim.
File No. II(147)LL/79"

B.R. Pradhan,
Secretary to the
Government of Sikkim.
The following order of the Governor of Sikkim dated 13th August, 1979 is published for general information:

ORDER

“No. SKM/GOV/770/79 — In exercise of the powers conferred upon me by sub-clause (b) of Clause (2) of Article 174 of the Constitution, I hereby dissolve the Legislative Assembly of Sikkim.

B. B. LAL
Governor of Sikkim.”

The Thirteenth Day of August, 1979."

By Order

R. K. GUPTA
Secretary
Sikkim Legislative Assembly.
NOTIFICATION

It has been decided that the Department of Social Welfare shall, with immediate effect, be under the charge of Director of Health Services. Accordingly, this Department's Notification No. 756/Home/78, dated 8th June, 1978 will stand modified to the extent that Shri T.P. Sharmam, Secretary, Rural Works & Panchayat will no longer be concerned with that Department.

By Order,

T. S. GYALTSHEN,
Chief Secretary,
Government of Sikkim.
GOVERNMENT OF SIKKIM, HOME DEPARTMENT

No. 7(14)Home/79                                                                         Gangtok, dated the 19th August, 1979

NOTIFICATION

The Proclamation under article 356 of the Constitution of India and the Order dated the 18th August, 1979 made thereunder by the President of India are re-published for general information.

PROCLAMATION

G.S.R. 497 (E).— WHEREAS I, Neelam Sanjiva Reddy, President of India have received a report from the Government of the State of Sikkim and after considering the report and other information received by me, I am satisfied that a situation has arisen in which the Government of that State cannot be carried on in accordance with the provisions of the Constitution of India (hereinafter referred to as "the Constitution,);

NOW, THEREFORE, in exercise of the powers conferred by article 356 of the Constitution and of all other enabling me in that behalf, I hereby proclaim that I —

(a) assume to myself as President of India all functions of the Government of the said State and all powers vested in or exercisable by the Governor of that State;

(b) declare that the powers of the Legislature of the said State shall be exercisable by or under the authority of Parliament; and

(c) make the following incidental and consequential provisions which appear to me to be necessary or desirable for giving effect to the objects of this Proclamation, namely—

(i) in the exercise of the functions and powers assumed to myself by virtue of clause (a) of this Proclamation as aforesaid it shall be lawful for me as President of India to act to such extent as I think fit through the Governor of the said State;

(ii) the operation of the following provisions of the Constitution in relation to that State is hereby suspended, namely—

so much of the proviso to article 3 as relates to the reference by the President to the Legislature of the State;

so much of clause (2) of article 151 as relates to the laying before the Legislature of the State of the reports submitted to the Governor by the Comptroller and Auditor General of India;

article 163 and 164;

so much of clause (3) of article 166 as relates to the allocation among the Ministers of the business of the Government of the State;

Article 167 and so much of clause (1) of article 169 as relates to the passing of a resolution by the Legislation Assembly of a State;

clause (1) and sub-clause (a) of clause (2) of article 174;
article 175 to 178 (both inclusive);
clauses (b) and (c) of article 179 and the first proviso to that article;
article 180 and 181;
so much of article 186 as relates to the salaries and allowances of the Deputy Speaker of the Legislative Assembly;
articles 188, 189, 193, 194, 19^ and 196;
article 198;
clauses (3) and (4) of article 199;
so much of clause (3) of article 202 as relates to the salaries and allowances of the Deputy Speaker of the Legislative Assembly;
articles 208 to 211 (both inclusive);
the proviso to clause (1) and the proviso to clause (3) of article 213; and
so much of clause (2) of article 323 as relates to the laying of the report with a memorandum before the Legislature of the State;

(iii) any reference in the Constitution to the Governor shall in relation to the said State be construed as a reference to President, and any reference their to the Legislature of the State or the Houses thereof shall insofar as it relates to the functions and powers thereof be construed, unless the context otherwise required as a reference to Parliament, and, in particular, the references in article 213 of the Governor and to the Legislature of the State or the Houses thereof shall be construed as references to the President and to Parliament or the Houses thereof respectively.

Provided that nothing herein shall affect the provisions of article 153, article 155 to 159 (both inclusive), article 299 and article 361 and paragraphs 1 to 4 (both inclusive) of the Second Schedule or prevent the President from acting under sub-clause (1) of this clause to such extent as he thinks fit through the Governor of the aid State;

(iv) any reference in the Constitution to Acts or laws of or made by the Legislative of the State shall be construed as including a reference to Acts or law made, in exercise of the powers of the Legislature of the State by Parliament by virtue of the Proclamation, or by the President or other authority referred to in sub-clause(a) of clause (1) of article 357 of the Constitution, and the Sikkim Interpretation and General Clauses Act, 1977 (Act 7 of 1977) as in force in the State of Sikkim, and so much of the General Clauses Act, 1897 (10 of 1897), as applies to State law shall have effect in relation to any such Act or law as if it were an Act of the Legislature of the State.

Neelam Sanjiva Reddy
PRESIDENT OF INDIA

NEW DELHI,

The 18th August, 1979.
ORDER

G.S.R. 498 (E).— In pursuance of sub-clause (i) of clause (c) of the Proclamation issued on this the 18th day of August 1979 by me under article 356 of the Constitution of India, I hereby direct that all the function of the Government of the State of Sikkim and all the powers vested in or exercisable by the Governor of that State under the Constitution or under any law in force in that State which have been assumed by the President of clause (a) of the said Proclamation shall, subject to the superintendence, direction and control of the President, be exercisable also by the Governor of the said State.

Neelam Sanjiva Reddy

PRESIDENT OF INDIA.

NEW DELHI,

The 18th August, 1979.

T. S. GYALTSHEN

Chief Secretary,
Government of Sikkim.

PRINTED AT THE SIKKIM GOVERNMENT PRESS
LAW AND LEGISLATIVE DEPARTMENT

Notification No. 2/LL/RC/79

Dated Gangtok the 12th July, 1979.

The following Act of Parliament having received the assent of the President on 16th May, 1979 and published in the Gazette of India Extraordinary, Part II, Section I is hereby republished for general information.

THE SPECIAL COURTS ACT, 1979
(As passed by the Houses of Parliament)

AN

ACT

to provide for the speedy trial of a certain class of offences.

Whereas Commissions of Inquiry appointed under the Commissions of Inquiry Act, 1952 have rendered reports disclosing the existence of prima facie evidence of offences committed by persons who held high public or political offices in the country and others connected with the commission of such offences during the operation of the Proclamation of Emergency, dated the 25th June, 1975, issued under clause (1) of article 352 of the Constitution;

And whereas investigations conducted by the Government through its agencies have also disclosed similar offences committed during the period aforesaid;

And whereas the offences referred to in the recitals aforesaid were committed during the operation of the said Proclamation of Emergency, during which a grave emergency was clamped on the whole country, civil liberties were curtailed to a great extent, important fundamental rights of the people were suspended, strict censorship was imposed on the press, judicial powers were severely crippled and the parliamentary democratic system was emasculated;

And whereas all powers being a trust, and holders of high public or political offices are accountable for the exercise of their powers in all cases where Commissions of Inquiry appointed under the Commissions of Inquiry Act, 1952 or investigation conducted by Government through its agencies disclose offences committed by such holders;

And Whereas it is the constitutional, legal and moral obligation of the State to prosecute persons involved in the said offences;

And whereas the ordinary criminal courts due to congestion of work and other reasons cannot reasonably be expected to bring those prosecutions to a speedy termination;
And whereas it is imperative for the efficient functioning of parliamentary democracy and the institutions created by or under the Constitution of India that the commission of offences referred to in the recitals aforesaid should be judicially determined with the utmost dispatch;

And whereas it is necessary for the said purpose to establish additional courts presided over by sitting Judges of High Courts;

And whereas it is expedient to make some procedural changes whereby avoidable delay in the final determination of the innocence or guilt of the persons to be tried is eliminated without interfering with the right to a fair trial;

Be it enacted by Parliament in the Thirtieth Year of the Republic of India as follows:—

1. (1) This Act may be called the Special Courts Act, 1979.

(2) It extends to the whole of India except the State of Jammu and Kashmir.

2. In this Act, unless the context otherwise requires.—

(a) "Code" means the Code of Criminal Procedure, 1973;

(b) "declaration", in relation to an offence, means a declaration made under section 5 in respect of such offence;

(c) "Special Court" means a Special Court established under section 3;

(d) words and expressions used but not defined in this Act but defined in the Code shall have the same meanings in the Code.

3. (1) The Central Government shall, by notification in the Official Gazette, establish an adequate number of courts to be called Special Courts.

(2) A Special Court shall consist of a sitting Judge of a High Court nominated by the Chief Justice of the High Court within the local limits of whose jurisdiction the Special Court is situated, with the concurrence of the Chief Justice of India.

Explanation.— Any reference to a High Court or to the Chief Justice or Judge of a High Court shall, in relation to a Union territory having a Court of the Judicial Commissioner, be construed as reference to the said Court of the Judicial Commissioner or to the Judicial Commissioner or any Additional Judicial Commissioner, as the case may be.

4. A Special Court shall take cognizance of or try such cases as are instituted before it or transferred to it as hereinafter provided.

5. (1) If the Central Government is of opinion that there is prima facie evidence of the commission of an offence alleged to have been committed by a person who held high public or political office in India and that in accordance with the guidelines contained in the preamble hereto the said offence ought to be dealt with under this Act, the Central Government shall make a declaration to that effect in every case in which it is of the aforesaid opinion.

(2) such declaration shall not be called in question in any court.

6. On such declaration being made in respect of any offence Notwithstanding anything in the Code, any prosecution in respect of such Offence shall be instituted only in a Special Court designated by the court Government and any prosecution in respect of such offence pending in any Court shall stand transferred to a Special Court designated by the Central Government.
7. If at the date of the declaration in respect of any offence an appeal or revision against any judgment or order in a prosecution in respect or such offence, whether pending or disposed of, is itself pending in any of appeal or revision, the same shall stand transferred for disposal to the Supreme Court.

8. A Special Court shall have jurisdiction to try any person concerned in the offence in respect of which a declaration has been made, either as principal, conspirator or abettor and all other offences and accused persons as can be jointly tried therewith at one trial in accordance with the Code.

9. (1) A Special Court shall in the trial of such cases follow the procedure prescribed by the Code, for the trial of warrant cases before a magistrate.

(2) A Special Court may, with a view to obtaining evidence of any son suspected to have been directly or indirectly concerned in or privy to an offence, tender a pardon to such person on condition of his making and true disclosure of the whole circumstances within his knowledge relating to the offence and to every other person concerned whether as principal, conspirator or abettor in the commission thereof and any pardon so tendered shall for the purposes of section 308 of the Code be deemed to have been tendered under section 307 thereof.

(3) Save as expressly provided in this Act, the provisions of the Code shall, in so far as they are not inconsistent with the provision of this Act, apply to the proceedings before a Special Court and for the purposes of the said provisions of the Code a Special Court shall be deemed to be a Court of Session and shall have all the powers of a Court of Session and the person conducting a prosecution before a Special Court shall be deemed to be a Public Prosecutor.

(4) A Special Court may pass upon any person convicted by it any sentence authorised by law for the punishment of the offence of which such person is convicted.

10. (1) Wherever it is made to appear to the Supreme Court that an order under this section is expedient for the ends of justice, it may direct that any particular case be transferred from one Special Court to another.

(2) The Supreme Court may act under this section only on the application of the Attorney-General of India or of a party interested, and every such application shall be made by motion, which shall, except when the applicant is the Attorney-General of India or the Advocate-General of a State, be supported by affidavit or affirmation.

(3) Where any application for the exercise of the powers conferred by this section is dismissed, the Supreme Court may, if it is of opinion that the application was frivolous or vexatious, order the applicant to pay by way of compensation to any person who has opposed the application such sum not exceeding one thousand rupees as it may consider appropriate in the circumstances of the case.

11. (1) Notwithstanding anything in the Code, an appeal shall Lie as of right from any judgment, sentence or order, not being interlocutory order, of a Special Court to the Supreme Court both on facts and on law.

(2) Except as aforesaid, no appeal or revision shall lie to any court from any judgment, sentence or order of a Special Court.

(3) Every appeal under this section shall be preferred within a period of thirty days from the date of any judgment, sentence or order of a Special Court.

Provided that the Supreme Court may entertain an appeal after the Expiry of the said period of thirty days if it is satisfied that the appellant had sufficient cause for not preferring the appeal within the period of thirty days.
GOVERNMENT OF SIKKIM
LAND REVENUE DEPARTMENT
GANGTOK

Notification under section 6 of Land Acquisition Act, 1894 (I of 1894)

Notification No. 428 (516)/L.R.(S)

Dated Gangtok, the 20th August, 1979.

Whereas the Governor is satisfied that land is needed for a public purpose, not being a purpose of the Union, namely for establishment of Central School in the block of Syari Elaka Tathangchen, District East, Gangtok it is hereby declared that out of 16.37 acres of land for which notification under section 4 of Land Acquisition Act has been issued under Notification No. 1236) L.R. (S) dated 13.3.1979 only a piece of land comprising cadastral survey plots specified on the schedule of properties below measuring more or less 14.69 acres, bounded on the,

North  
D.F. S/Shri Deegmit Lepcha, Kami Tsering Lepcha & Jhora seperateing D.F- & P.F.

South  
Khasmahal (Rocks) S/Shri Ledup Lepcha & Kunzang Sherab & D.F. of Shri S. Topden Kazi.

East  
Holding of Shri S. Topden Kazi.

West  
Syari School compound (seperated by foot path), D.Fs. of Gom Tsen Lama & Kami Tsering Lepcha.

Is need for the aforesaid public purpose at the public expenses within the aforesaid block.

This declaration is made under the provision of section 6 of the land acquisition act, 1894 (I of 894) read with Section 17 of the above act, to all whom it may concern.

A plan of the land may be inspected in the office of the District Collector, East District, Gangtok.
## SCHEDULE OF PROPERTIES

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<tr>
<th>Cadastral survey plot Nos.</th>
<th>Area (D.F)</th>
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</table>

Block: Syari  
Elakha: Tathangchen  
Police Station: Gangtok, East Sikkim.

By Order of the Governor.

P.T. WANGDI, IAS  
Secretary, Land Revenue Department  
Government of Sikkim Gangtok.

PRINTED AT THE SIKKIM GOVERNMENT PRES
GOVERNMENT OF SIKKIM
HOME DEPARTMENT

No. 7(13)Home/79.

Dated Gangtok, the 18th August, 1979.

NOTIFICATION

In the Second Schedule to the Government of Sikkim (Allocation of Business) Rules, 1975 as published in the Sikkim Government Gazette Extraordinary No. 29 dated the 16th May, 1979, the following amendments shall be made, namely:—

(i) In Serial No. 4 — Land Revenue Department, the following items shall be

“Questions relating to Citizenship. District officers and staff”.

(ii) In Serial No. 1 — Home Department, the following new items shall be inserted

At the end—

“District Collectors and Magistrates and staff connected with general administration, magisterial administration and connected public services.

“Matters relating to Citizenship.”

By order of the Governor of Sikkim

T. S. GYALTSHEN
Chief Secretary
Government of Sikkim

PRINTED AT THE SIKKIM GOVERNMENT PRESS
GOVERNMENT OF SIKKIM
HOME DEPARTMENT

No. 26/8/Home/79

Dated Gangtok, the 21st August, 1979.

NOTIFICATION

Whereas the Government is satisfied that it is necessary in the interest of public safety convenience and to ensure smooth flow of traffic, to regulate and restrict the use of Indicator Red Light and other such Indicator devices on motor vehicles;

Now, therefore, in exercise of the powers conferred by section 65 of the Sikkim Motor Act, 1957 it is hereby ordered that no motor vehicle, other than a motor vehicle carrying therein a VIP or other authorised persons, shall be driven within the territory of the State an Indicator Red-light or any other such Indicator device in operation thereon:

Provided that this order shall not apply to the following types of vehicles:—

1. Defence Services vehicles.
3. Fire Service vehicles.

By Order.

T. S, GYALTSEN,
Chief Secretary,
Government of Sikkim
GOVERNMENT OF SIKKIM

CHIEF REGISTRAR OF BIRTHS & DEATHS

(BUREAU OF ECONOMICS & STATISTICS)

Gangtok, the 20th August 1979.

NOTIFICATION

No. F(2)/79-B&D. 180/1969

In exercise of the powers conferred by section 30 of the Registration of Births and Deaths Act, 1969, (18 of 1969) the State Government of Sikkim with the approval of the Central Government, hereby makes the following rules, namely:

1. (1) These rules may be called the Sikkim Registration of Births and Deaths Rules, 1979.

(2) These rules extend to the whole of the Sikkim.

(3) These rules shall come into force from the date of this notification.

2. In these rules, unless the context otherwise requires —

(a) "Act" means the Registration of Births and Deaths Act, 1969;

(b) "Form" means a Form appended to these rules; and

(c) "Section" means a section of the Act.

3. The period of gestation for the purposes of clause (g) of subsection (j) of section 2 shall be twenty-eight weeks.

4. The report under sub-section (4) shall be prepared in Form No. 1 and shall be submitted along with the statistical report referred to in sub-section (2) of section 19, to the State Government by the Chief Registrar every year by the 31st July of the year following the year to which the report relates.

5. (1) The information required to be given to the Registrar under section 8 or section 9, as the case may be, shall, if given in writing, be in Form Nos. 2, 3 and 4 for the Registration of a birth, still birth and death respectively and if given orally, mention the several particulars in the relevant Form.
(2) The information referred to in sub-rule (1) shall be given within fourteen days from the date of birth or still birth and within seven days from the date of death.

Birth or death in a vehicle
Under section 8(i)(f)

6 (1) In respect of a birth or death in a moving vehicle, the person incharge of the vehicle shall give or cause to be given the information under sub-section (1) of section 8 at the first place of halt.

Explanation:- For the purpose of this rule, the term “Vehicle” means conveyance of any kind used on land, air or water and includes an aircraft, a boat, a ship, a railway carriage, an automobile, (motor car, bus, Truck, a motor-cycle etc) a cart, a tonga and a rickshaw.

(2) In the case of death (not falling under clauses (a) to (e) of sub-section (1) of section 8) in which an inquest is held, the officer who conducts the inquest shall give or cause to be given the information under sub-section (1) of section 8.

Time and Form for notifying in
Formation under section 10(1)

7. (1) Every person required to notify a birth, still birth or death under section 10 shall give information thereof to the Registrar in Form Nos. 5, 6, or 7, as the case may be.

(2) The information referred to in sub-rule (1) shall be given with in fourteen days from the date of birth or still birth and within seven days from the date of death.

Form of certificate under section
10(3)

8 The certificate as to the cause of death required under sub-section (3) of section 10 shall be issued in Form No. 8 or Form No. 8A in respect of institutional and non institutional events as the case may be and the Registrar shall, after making necessary entries in the register of births and deaths, forward all such certificate to the Chief Registrar or the officer specified by him in this behalf by the 10th of the month immediately following the month to which the certificates relate.

Extracts of registration entries
To be given under section 12.

9. The extracts of particulars from the register relating to births and death to be given to an informant under section 12 shall be in Form or Form No. 9 or Form No.10, as the case may be.

Authority for delayed registration
and fee payable thereof
under Section 13

10. (1) Any birth or death of which information is given to the Registrar after the expiry of the period specified in rule 5, but within thirty days of its occurrence, shall be registered in payment of a late fee of rupee one.

(2) Any birth or death of which information is given to the Registrar after thirty days, but within one year of its occurrence shall be registered only with the written permission of the Officer prescribed in this behalf and on payment of a late fee of rupees three.

(3) Any birth or death which has not been registered within one year of its occurrence, shall be registered only on an order of a magistrate of the first class or a Presidency Magistrate and on payment of a late fee of rupees five.

Period for the purpose of
Section 14.

11. (1) Where the birth of any child had been registered without a name the parent or guardian of such child shall within 12 months from the date of registration of the birth of child, give information regarding the name of the child to the Registrar either orally or in writing:

Provided that if any such information is given after the period if 12 months, subject to the provisions of sub-section (4) of section 23, the Registrar shall,

(a) If the registrar is in his possession, forth enter the name in
The registrar on payment of a late fee of rupees two.
(b) If the register is not in his possession and if the information is given orally, make a report giving necessary particulars and if the information is given in writing, forward the same to the officer specified by the State Government in this behalf for making the necessary entry on payment of a late fee of rupees two.

(2) The parent or the guardian as the case may be shall also present to the Registrar the copy of the extract given to him under section 12 or a certified extract issued to him under section 17 and on such presentation the Registrar shall make the necessary endorsement relating to the name of the child or take action as laid down in clause (b) of the proviso to sub-rule (1).

Correction or cancellation of Entry in the register of births and deaths under section 15.

12. (1) If it is reported to the Registrar that a clerical or formal error has been made in the register or if such error is otherwise noticed by him and if the register is in his possession, the Registrar shall enquire into the matter and if he is satisfied that any such error has been made, he shall correct the error (by correcting or cancelling the entry) as provided in section 16 and shall send an extract of the entry showing the error and how it has been corrected to the State Government or the officer specified by it in this behalf.

(2) in the case referred to in sub-rule (1) if the registrar is not in his possession, the Registrar shall make a report to the State Government or the officer specified by it in this behalf and call for relevant register and after enquiring into the matter, if he is satisfied that any such error has been made, make the necessary correction.

(3) Any such correction as mentioned in sub-rule (2) shall be countersigned by the State Government or the officer specified by it in this behalf when the register is received from the Registrar.

(4) If any person avers that any entry in the register of births and Deaths is erroneous in substance, the Registrar may correct the entry in the manner prescribed under section 15 upon production by that person a declaration setting forth the nature of the error and true facts of the case made by two credible persons having knowledge of the facts or the case.

(5) Notwithstanding anything contained in sub-rule (1) and sub-rule(4) the Registrar shall make report of any correction of the kind referred to therein giving details to the State Government or the officer specified in this behalf.

(6) If it is proved to the satisfaction of the Registrar that any entry in the register of births and deaths has been fraudulently or improperly made, he shall make a report giving necessary details to the officer authorised by the Chief Registrar by general or special orders in this behalf under section 25 and on hearing from him take necessary action in the matter.

(7) In every case in which an entry is corrected or cancelled under this rule, intimation thereof should he sent to the permanent address of the person who has given information under section 8 or section 9.

Form of register.

Section 16.

13. (1) The register of births, still births and deaths to be kept by the Registrar under section 16 shall be in three parts as set out in Form Nos. 11, 12 and 13 respectively and in each part of the register, the event shall be numbered serially and for each calendar year.

(2) A new register shall be opened on the first day of January of each year.

(3) An event which occurred in any previous year shall be recorded in the register for the year in which it is reported.

Provided that no entry shall be interpolated between two entries recorded earlier.
Fees and postal charges
Payable under section 17.

(i) The fees payable for a search to be made or an extract to be issued under section 17 shall be follows:

Rs. P

(a) search for a single entry in the first year for which the search is made.

1. 00

(b) for every additional year for which the search is continued.

1. 00

(c) for granting extract relating to each birth or death.

1. 00

(2) Any such extract in regard to a birth or death shall be issued by the Registrar or the officer authorised by the State Government in this behalf in Form No.9 or, as the case may be, Form No. 10 and hall be certified in the manner provided for in section 76 of the Indian Evidence Act, 1872 (1 of 1872).

(3) Any such extract may be furnished to the person asking for it by post on payment of the postal charges therefor.

Interval and forms of periodical
Returns under section 19(1)

(1) Every Registrar, including the Registrar for a Municipality with a Population less than 30,000 shall send to the Chief Registrar or the officer specified by him in this behalf on or before the 5th of each month, a true copy of the entries in register of births and deaths relating to the month immediately preceding.

(2) The officer so specified shall forward all such copies of the entries in the register of births and deaths received by him to the Chief Registrar not later than the 10th of that month.

(3) The Registrar for a Municipality with a population more than 30,000 shall send to the Chief Registrar in Form No. 14 a weekly return of births and deaths within 7 days of the expiry of the week to which the information relates, and in Form No.15, a monthly return of births and deaths by the end of the month following the month to which the information relates.

(4) The Registrar for a Cantonment, shall send to the Chief Registrar or the officer specified by the Chief Registrar in this behalf, a weekly return of births and deaths in Form No. 14 within 4 days of the expiry of the week to which the information relates and a monthly return of births and deaths in Form No. 15 by the end of the month following the month to which the information.

Statistical report under
Section 19(2)

(1) The Statistical report under sub-section (2) of section 19 shall be in Form No. 16 and shall be compiled for each year before the 31st July of the year immediately following and shall be published as soon as may be thereafter but in any case not later then five months from that date.

Conditions for compounding
Offences under section 24.

(1) Any offence punishable under section 23 may, either before or after the institution of criminal proceedings under this Act be compounded by an officer authorised by the Chief Registrar by a general or special order in this behalf, if the officer so authorised is satisfied that the offence was committed through inadvertence or oversight or for the first time.

(2) Any such offence may be compounded on payment of such sum not exceeding rupees fifty for offences under sub-section (1) (2) and (3) and rupees ten for offences under sub-set of section (4) of section2 3 as the said officer may think fit.

Registers and other records
Under section 30(2)(k)

(1) The register of births and deaths shall be a record of permanent importance and shall not be destroyed.

(2) All information received by the Registrar under sections 8 and 9 and the certificate as to the cause of death furnished under sub-Section (3)of section 10 of the Act shall form an integral part of the Register of births and deaths and shall not be destroyed.
(3) Every register of births and deaths and the forms relating to the entries therein shall be retained by the Registrar in his possession for a period of twelve months after the end of the calendar year to which it relates and such register and forms shall thereafter be transferred for safe custody to such officer as may be specified by the State Government in this behalf.

19. All fees payable under this Act/Rules may be paid in cash or by money order or postal order.

(T. S. Gyaltshen)

Chief Secretary
FORM NO.1
(See Rule 4)
Report on the Working of the Act

1. Brief description of State, its boundaries and revenue districts.
2. Changes in Administrative Areas.
3. Explanation about the differences in Areas.
4. Changes in Registration Area-Extension.
5. Administrative set up of the registration machinery at various levels;
7. Notification of births and deaths.
10. Search of births and deaths register for issue of certificates.
11. Delayed registrations.
12. Prosecutions and compounding of offences.
13. Difficulties encountered in implementation of the Act,
   (i) Administrative
   (ii) Others.
14. Orders and Instructions issued under the Act.
15. General remarks.

FORM NO. 2
(See Rule 5)
Live Birth Report

RISTRATION UNIT/VILLAGE/TOWN/MUNICIPALITY — TALUK/TEHSIL/BLOCK/THANA DISTRICT

1. Date of birth
2. Sex Male/Female
3. Name of Child
4. Place of birth *
5. Permanent residential address
6. Father’s
   (i) Name
   (ii) Literacy
   (iii) Occupation
   (iv) Nationality
   (v) Religion
7. Mother’s
   (i) Name
   (ii) Literacy
   (iii) Occupation
   (iv) Nationality
   (v) Religion
8. Age of mother in completed Years at confinement
9. Order of birth
   (Number of live births including the birth registered)
10. Type of attention at delivery @
11. Informant’s :
   (i) Name
   (ii) Address

Date………………………… Signature or left thumb mark
the informant.

*If the delivery took place in hospital or any other institution, write “Hospital” or “Institution” giving its name, otherwise give full postal address of the place of birth.

@ If the delivery was conducted in a hospital or maternity home, write the name of institution, otherwise mention whether it was conducted by a qualified or unqualified mid-wife and give her name.

NOTE
1. In the case of illegitimate birth the word “illegitimate” should be entered in the remarks column and no persons name should be entered as that of the father unless there is a joint request of the mother and the person acknowledging himself to be father of the child.
2. In the case of multiple births make separate entry for each and a reference in the remarks column.
3. If the person is a non-worker, insert the word “NIL” in the column for occupation.
Still Birth Report

REGISTRATION UNIT/VILLAGE/TOWN/MUNICIPALITY-TALUK/TEHSIL/BLOCK/THANA DISTRICT.

1. Date of Birth
2. Sex Male/Female
3. Place of birth *
4. Permanent residential address of parent
5. Father’s:
   (i) Name
   (ii) Literacy
   (iii) Occupation
   (iv) Nationality
   (v) Religion

6. Mother’s:
   (i) Name
   (ii) Literacy
   (iii) Occupation
   (iv) Nationality
   (v) Religion

7. Age of mother in completed years at confinement
8. Type of attention at delivery *
9. Informant’s:
   (i) Name
   (ii) Address

Date………………………………                 Signature or left thumb mark of the informant

*If the delivery took place in hospital or any other institution, write "Hospital" or "Institution" giving Its name, otherwise give full address of the place of birth.

* If the delivery was conducted in a hospital or maternity home, write the name of institution otherwise mention whether it was conducted by a qualified or unqualified mid-wife and give her name.

NOTE: 1. In the case of illegitimate birth the word "Illegitimate" should be entered in the remarks columns and no persons name should be entered as that of the father, unless there is a joint request of the mother and person acknowledging himself to be father of the child.

2. In the case of multiple births make separate entry for each and a reference in the remarks column.

3. If the person is a non-worker, insert the word “NIL” in the column for occupation.
FORM NO.4
(See Rule 5)
Death Report

REGISTRATION UNIT/VILLAGE/TOWN/MUNICIPAUTY-TALUK/TEHSII/BLOCK/THANA DISTRICT

1. Date of death
2. Full name of the deceased
3. Place of death
4. Name of the father/husband
5. Age
6. Sex, Male/Female
7. Marital Status
8. Occupation
9. Religion
10. Nationality
11. Permanent residential address*
12. * Cause of death
13. Whether medically certified (Yes/No)
14. Kind of medical attention received if any
15. Informant’s:
   (i) Name
   (ii) Address

Date……………………………………….                          Signature or left thumb mark of the informant.

* The address of the parent, in the case of a child, husband/late husband in the case of married women/widow and deceased if independent, is to be given in this column.

*Where the cause of death is medically certified, the cause marked (/) in the medical certificate From No. 8 is to be entered here.

NOTE:  1. If the deceased was over i year of age, give age in completed years. If the deceased was under 1 year of age give age in completed months and if below 1 month give age in completed number of days and if below one day in hours.

2. If the person is non-worker, insert the word ‘Nil’ in the column for occupation.

FORM NO. 5
(See Rule 7)
Notification form for a Birth.

Date of birth                Sex of the child                Place of Birth    Name and local
(with full address)

1                2                3                4

Signature of the person notifying
Name and Designation
Date

(For the use of Registration Office)

(a) Whether registered or not.
(b) If ‘Yes’ (i) annual serial number in the register.
    (ii) Date of registration

‘No’ (i) Date of issuing the notice (See Section 21)
(ii) Date of registration.
    (iii) Date of prosecution.
### FORM NO.6
(See Rule 7)

Notification Form for a Still Birth

<table>
<thead>
<tr>
<th>Date of still Birth</th>
<th>Sex of the Child</th>
<th>Place of still Birth (with full address)</th>
<th>Name and local address of parent.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
</tr>
</tbody>
</table>

Signature or the person notifying
Name and Designation

Date

(for the use of Registration Office)

(a) Whether registered or not.
(b) If ‘Yes’
   (i) Annual serial number in the register.
   (ii) Date of registration.

‘No’
   (i) Date of issue the notice (See section 21)
   (ii) Date of registration.
   (iii) Date of prosecution.

### FORM NO.7
(See Rule 7)

Notification form for a Death

<table>
<thead>
<tr>
<th>Name and address of the Deceased*</th>
<th>Sex</th>
<th>Age at death</th>
<th>Date of death</th>
<th>Place of death with full address</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
</tbody>
</table>

Signature of the person notifying
Name and Designation

Date

(for the use of Registration Office)

(a) Whether registered or not.
(b) If ‘Yes’
   (i) Annual serial number in the register.
   (ii) Date of registration

‘No’
   (i) Date of issuing the notice (See Section 21)
   (ii) Date of registration.
   (iii) Date of prosecution.

* In the case of a Child without a name, the name of parent may be given.
FORM NO. 8
(See Rule 8)
MEDICAL CERTIFICATE OF CAUSE OF DEATH
(Hospital in patients. Not to be used for still births)

To be sent to Registrar alongwith From No.4 (Death Report)

I, hereby certify that the person whose particulars are given below died in the hospital in Ward No-------- on ----------------- at------------------ A.M./P.M.

<table>
<thead>
<tr>
<th>NAME OF DECEASED (TYPE OR PRINT)</th>
<th>For use by Stat. Office</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address of normal residence.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Sex</th>
<th>Age in Years</th>
<th>Date of birth</th>
<th>Marital status</th>
<th>Religion</th>
<th>Occupation</th>
<th>Age at Death</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>S,M,W or D</td>
<td></td>
<td></td>
<td>if under I Year</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>If under 24 hrs.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Month</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>CAUSE OF DEATH</th>
<th>Interval between onset &amp; death approx.</th>
</tr>
</thead>
</table>

Immediate cause
State the disease, injury or complication (a)...................................................................................................
which caused death, not the mode of dying due to (or as a consequence of) Det. List Code
Such as heart failure, asthenia, etc.

Antecedent cause
Morbid conditions, if any, given rise to the above cause, starting underlying condition last. (b) .................................
Due to (or as consequence of) N.Code (c) ................................................

II
Other significant conditions contributing Contributing to the death, but it related to the disease or condition if causing it
II

Accident, suicide, Homicide (Specify) How did injury occur?

IF DECEASED WAS A FEMALE
Was pregnancy the death associated with------------Was there a delivery?----------------- (Yes or No) (Yes or No)

<table>
<thead>
<tr>
<th>Name of (Rubber Stamp) OF INSTITUTION OR MEDICAL</th>
<th>SERIAL NUMBER OF INSTITUTION</th>
<th>DATE OF REPORT</th>
</tr>
</thead>
</table>

Practitioner
Allopathic –
Ayurvedic –
Homeopathi –
Unani –

Signature and Address of Medical Attendant

SEE REVERSE FOR INSTRUCTIONS

Perforation
(To be detached and handed over to relative of the deceased)
Certified that Shri/Smt/Kum.________________S/W/D/ of Shri________
R/O________________________was admitted to this hospital on________
And expired on________________________

Doctor _____________________
(Medical Supdt.
Name of Hospital)
FORM NO. 8
(See Rule 8)
MEDICAL CERTIFICATE OF CAUSE OF DEATH
(Hospital in patients. Not to be used for still births)

To be sent to Registrar along with Form No. 4 (Death Report)

I, hereby certify that the deceased Shri/Smt/Km._________________son of/wife of/daughter of
_____________________________ resident of____________________ was under my treatment from___________to_____
______________________________________at A.M./P.M.

NAME OF DECEASED (TYPE OR PRINT)              For use by Stat. Office

Address of normal residence.

<table>
<thead>
<tr>
<th>Sex</th>
<th>Age in Years</th>
<th>Last birth day</th>
<th>Date of birth</th>
<th>Marital status S,M,W or D</th>
<th>Religion</th>
<th>Occupation</th>
<th>Age at Death</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Immediate cause
State the disease, injury or complication (a).................................................................
which caused death, not the mode of dying due to (or as a consequences of) Det. List Code
Such as heart failure, asthenia, etc.

Antecedent cause

Morbid conditions, if any, given rise to the above cause, starting underlying condition last.
(a) .................................................................................................................................
(b) .................................................................................................................................
Due to (or as consequence of)N.Code
(c) .................................................................................................................................
II

Other significant conditions contributing
Contributing to the death, but it related to the disease or condition if causing it
.................................................................................................................................

Accident,suicide, Homicide (Specify) How did injury occur?

IF DECEASED WAS A FEMALE
Was pregnancy the death associated with-------------------Was there a delivery?-------------------
(Yes or No)     (Yes or No)

Name of (Rubber Stamp) OF INSTITUTION OR MADICAL SERIAL NUMBER OF INSTITUTION DATE OF REPORT

Practitioner Allopathic –
Ayurvedic –
Homeopathi –
Unani –

Signature and Address of Medical Attendent

SEE REVERSE FOR INSTRUCTIONS

Perforation (To be detached and handed over to relative of the deceased)
Certified that Shri/Smt/Kum._________________S/W/D/ of Shri
R/O ___________________________was under my treatment from_________________and he/she
expired on_________________________at__________________________A.M./P.M.

Doctor
Signiture and address of Medical Practitioner/Medical attendant with Registration No.
MEDICAL CERTIFICATE OF CAUSES OF DEATH

Directions for completing the form.

Name of deceased: To be given in full. Do not use initials. If deceased is an infant, not yet named at time of death, write, 'Son of (S/o) or 'Daughter of (D/o), followed by names of mother and father.

Date of birth: Please try to ascertain this in the largest possible number of deaths. It is of great importance from both the legal and statistical point of view.

Age: This should be stated whether or not the date of birth has been given. If deceased is more than one year old: give age in years last birthday (completed number of years). If under 1 year: give age in month and days. If under 24 hours: give age in hours and minutes.

Cause of death: This part of the form should always be completed by the attending physician personally.

The certification of cause of death is divided into two parts, I and II. Part I is again divide into three parts, lines (a), (b), (c). If a single morbid condition completely explains the deaths, then this will be written on line (a) of Part I, and nothing more need be written in the rest of Part I or in Part II. For example smallpox, pneumonia, cardiac beriberi, are sufficient cause of death and usually, nothing more is needed.

Often, however, a number of morbid conditions will have been present at death, and the doctor must then complete the certification in the proper manner so that the correct underlying cause will be tabulated. First, enter in Part I (a) the immediate cause of death. This does not mean the mode if dying, e.g., heart failure, respiratory failure, etc. These terms should not appear on the certification at all since they are modes of dying and not causes of death. Next consider whether the immediate cause is a complication or delayed result of some other cause. If so, enter the antecedent cause in Part I, line (b). Sometimes where will be cause to be tabulated is always written last in Part I.

Morbid conditions or injuries may be present which were not directly related to one train of events causing death but which contributed in some way to the fatal outcome. Sometimes the doctor finds it difficult to decide, especially for infant deaths, which of several independent conditions was the primary cause of death; but only the cause can be tabulated, so the doctor must decide. If the other diseases are not efforts of the underlying cause, they are entered in Part II.

Do not write two or more conditions on a single line. Please write the names of the diseases (in full) in the certificates as legibly as possible to avoid the risk of their being misread.

Onset: Complete the column for interval between onset and death whenever possible, even if very approximately, e.g., “from birth”, ‘several years’.

Accidental or violent deaths: Both the external cause and the nature of the injury are needed and should be stated. The doctor or hospital should always be able to describe the injury, stating the part of the body injured, and should give the external cause in full when this is known. Examples: 1 (a) Hypostatic pneumonia; (b) Fracture of neck of femur; (c) -Fall from ladder at home.

Maternal death: Be sure to answer the questions on pregnancy and delivery. This information is needed for all women of child-bearing age, even though the pregnancy may have had nothing to do with the death.

Old age or senility: Old age (or senility) should not be given as a cause of death if a more specific cause of known. If old age was a contributory factor, it should be entered in Part II example:- I (a) Chronic bronchitis II Old aac.

Completeness of information: A complete case history is not wanted, but, if the information is available enough details should be given to enable the underlying came to be properly classified.

Anemia - Give type of anemia, if known, Neoplasms - Indicate whether: benign or malignant, and site, with site of primary neoplasm, whenever possible. Heartdisease - Described the condition specifically; if congestive heart failure, chronic or pulmonary, etc., are mentioned, give the antecedent conditions. Tetanus - Describe the antecedent injury, if known. Operation - State the condition for which the operation was performed. Dysentery - Specify whether bacillary, amoebic, etc., if known. Complications of pregnancy or deliver – Describe the complication specifically. Tuberculosis - Give organs affected.

Syntomatic statement: Convulsions, diarrhooa, fever, ascites, jaundice, debility, etc., are symptoms Which may be due to any one of a number of different conditions. Sometimes nothing more is known, but whenever possible, give the disease which caused the symptom.
Government of…………………………………………………
Department of…………………………………………………

Certificate of birth Issued under section 12 of the Registration of Births &
Issued under section 17 of Deaths Act, 1969.

This is to certify that the following information has been taken from the original record of birth
which is in the register.

For…………………………………………of Tehsil……………………………of District……………..
(Local area)
of State……………………………………
Name……………………………………
Sex……………………………………

Date of Birth……………………………………Registration No……………………………………
Place of Birth……………………………………Date of Registration…………………………
Name of Father/Mother…………………………

Signature of issuing authority
Seal……………………………………
Date……………………………………

FORM NO.10
(See Rule 9)

Government of…………………………………………………
Department of…………………………………………………

Certificate of birth Issued under section 12 of the Registration of Births &
Issued under section 17 and Deaths Act, 1969.

This is to certify that the following information has been taken from the original record of birth
which is in the register.

For…………………………………………of Tehsil……………………………of District……………..
(Local area)
of State……………………………………
Name……………………………………
Sex……………………………………

Date of Birth……………………………………Registration No……………………………………
Place of Birth……………………………………Date of Registration…………………………
Name of Father/Mother/Husband………………………………………………………..
Signature of issuing authority
Seal……………………………………
Date……………………………………

*NOTE : In the case of death, no disclosure shall be made of particulars regarding the cause of death as entered
In the Register.

See proviso to Section 17(1)
## FORM NO.11
(See Rule 13)

Register of Birth and Deaths

Part I – Live Births

Year…………………………
Registratin Unit/Village/Town/Municipality………………………………………………………………………………..
……………………………………………………………………………………………………………………………………………………………..Taluk/Tahsil/Block/Thana……………………………..District

<table>
<thead>
<tr>
<th>Serial Number</th>
<th>Date of Registration</th>
<th>Birth</th>
<th>Sex</th>
<th>Name</th>
<th>Place of Birth*</th>
<th>Permanent Residential Address of parent</th>
<th>Name</th>
<th>Literacy</th>
<th>Occupation</th>
<th>Nationality</th>
<th>Religion</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Mother’s**

<table>
<thead>
<tr>
<th>Name</th>
<th>Literacy</th>
<th>Occupation</th>
<th>Nationality</th>
<th>Religion</th>
<th>Age of Mother in Completed year at confinement</th>
<th>Order of birth i.e. No. of the birth including the birth regd.</th>
<th>Type of attention at delivery @</th>
<th>Name</th>
<th>Address</th>
<th>Signature or left thumb mark of the informant if the information is given orally</th>
<th>Signature of the Register/Sub-Register</th>
<th>Remark</th>
</tr>
</thead>
<tbody>
<tr>
<td>13</td>
<td>14</td>
<td>15</td>
<td>16</td>
<td>17</td>
<td>18</td>
<td>19</td>
<td>20</td>
<td>21</td>
<td>22</td>
<td>23</td>
<td>24</td>
<td>25</td>
</tr>
</tbody>
</table>

*If the delivery took place in hospital or any other institution, write 'Hospital' or 'Institution' giving it names otherwise give full postal address of the place of birth.

@If the delivery was conducted in a hospital or maternity home, write the name of institution otherwise mention whether it was conducted by a qualified or unqualified mid-wife and give her name.

**KOTE 1**: In the case of illegitimate birth the word 'illegitimate' should be entered in the remark column and no person's name should be entered as that of the father there is a joint request of the mother and the person acknowledging himself to be father of the child.

2. In the case of multiple births, make separate entry for each and a reference in the remarks column.

3. If the person is a non-worker, insert the word 'Nil' in the column for occupation.
FORM NO.12

(See Rule 13)

Register of Birth and Deaths Part I – Still Births

RegistratinUnit/Village/Town/Municipality
Taluk/Tahsil/Block/Thana

<table>
<thead>
<tr>
<th>Serial Number</th>
<th>Date of Registration</th>
<th>Birth</th>
<th>Place of Birth</th>
<th>Type of attention at delivery</th>
<th>Father’s Name</th>
<th>Father’s Literacy</th>
<th>Father’s Occupation</th>
<th>Father’s Nationality</th>
<th>Father’s Religion</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
<td>7</td>
<td>8</td>
<td>9</td>
<td>10</td>
</tr>
</tbody>
</table>

*lf the delivery took place in hospital or any other institution,write 'Hospital' or 'Institution' giving it names otherwise give full postal address of the place of birth.

@If the delivery was conducted in a hospital or maternity home, write the name of institution otherwise mention whether it was conducted by a qualified or unqualified mid-wife and give her name.

KOTE 1 : In the case of illegitimate birth the word 'illegitimate' should be entered in the remark column and no person’s name should be entered as that of the father there is a joint request of the mother and the person acknowledging himself to be father of the child.

2. In the case of multiple births, make separate entry for each and a reference in the remarks column.

3. If the person is a non-worker, insert the word ‘Nil’ in the column for occupation.
FORM NO.13
(See Rule 13)
Register of Births and Deaths
Part III – Deaths

Year……………………………

Taluk/Tehsil/Block/Thana……………………………………………………………………

District……………………

Registration Unit/Village/Town/Municipality………………………………………………

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Date of Registration</th>
<th>Death Name</th>
<th>Name of father/husband</th>
<th>Place of Death</th>
<th>Age</th>
<th>Sex</th>
<th>Marital status</th>
<th>Occupation</th>
<th>Religion</th>
<th>Nationality</th>
<th>Permanent residential address</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
<td>7</td>
<td>8</td>
<td>9</td>
<td>10</td>
<td>11</td>
<td>12</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Cause Of Death</th>
<th>Whether medically certified or not</th>
<th>Kind of medical attention received if any</th>
<th>Information Name</th>
<th>Information address</th>
<th>Signature left thumb mark of the information if the information be given orally</th>
<th>Signature of the Registrar/Sub Registrar</th>
<th>Remark</th>
</tr>
</thead>
<tbody>
<tr>
<td>14</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

@ The address of the parent, in case of a child, husband/late husband in case of married women, widow and Deceased if independent are to be given in this column.

NOTE :-

1. If the cause of death is not medically certified ascertain the cause from the list of important causes of death.
2. If the deceased was over 1 year of age, give age in completed years. If the deceased was under 1 year of age, give in completed months and if below 1 month give age in completed number of days if below one day in hours.
3. If the person is a non-worker, insert the word ‘Nil’ in the column for occupation.
### Mid Year Population

**FORM N.14**

(See Rule 15)

Weekly return of births and death in…………………………town for the week ending…………………………

<table>
<thead>
<tr>
<th>Registration Units</th>
<th>Latest Census Population</th>
<th>Live Birth</th>
<th>Deaths</th>
<th>Rates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Covered</td>
<td>Total Covered</td>
<td>P</td>
<td>M</td>
<td>F</td>
</tr>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
</tbody>
</table>

### Cholera

<table>
<thead>
<tr>
<th>Cholera</th>
<th>Pox</th>
<th>Plague</th>
<th>Fever</th>
<th>Dysentery &amp; Diarrhoea</th>
<th>Respiratory Diseases</th>
<th>Delivers and complication of Pregnancy i.e Material deaths</th>
<th>Other Cause</th>
<th>Infant deaths</th>
</tr>
</thead>
<tbody>
<tr>
<td>13</td>
<td>14</td>
<td>15</td>
<td>16</td>
<td>17</td>
<td>18</td>
<td>19</td>
<td>20</td>
<td>21</td>
</tr>
</tbody>
</table>

**NOTE**: Still births are not to be included in the live births or deaths

### Vital Statistics

**FORM NO.15**

(See Rule 15)

Vital Statistics for the month of……………………………year………….in municipality/Cantonment of………

Part A. Live birth registrared by sex, type of attention at delivery and still birth by sex.

<table>
<thead>
<tr>
<th>Registration</th>
<th>Latest Census population</th>
<th>Live Births</th>
<th>Type of attention at delivery</th>
<th>Still Births</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Covered</td>
<td>Total Covered</td>
<td>Per-Sons</td>
<td>Mas-les</td>
<td>Fe-Ma-less</td>
</tr>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
</tbody>
</table>
Vital Statistics for the month of __________________________ year ____________________________ in the Municipality/ Cantonment of ____________________________

Part B- Live Births by Age of Mother and Birth Order

<table>
<thead>
<tr>
<th>Age of Mother</th>
<th>1(^{st})</th>
<th>2(^{nd})</th>
<th>3(^{rd})</th>
<th>4(^{th})</th>
<th>5(^{th})</th>
<th>6(^{th})</th>
<th>7(^{th})</th>
<th>8(^{th})</th>
<th>9(^{th})</th>
<th>10(^{th})</th>
<th>Over 10</th>
<th>Not Known</th>
<th>Total live births</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
<td>7</td>
<td>8</td>
<td>9</td>
<td>10</td>
<td>11</td>
<td>12</td>
<td>13</td>
<td>14</td>
</tr>
</tbody>
</table>

All Age

Below 15

15 – 19

20 – 24

25 – 29

30 – 34

35 – 39

40 – 44

45 & over

Not Known

__________________________________________________________________________________

Total Live Births

__________________________________________________________________________________
**FORM NO. 15**  
(See Rule 15)  
Vital Statistics for the month of_________________________year_________________ in Municipality/  
Cantonment of__________________________________________

Part C- Live births by sex, religion, literacy and occupation of parents.

<table>
<thead>
<tr>
<th>Births order</th>
<th>Hindu</th>
<th>Muslim</th>
<th>Christians</th>
<th>Shiks</th>
<th>Buddhists</th>
<th>Jains</th>
<th>Others</th>
<th>Graduates &amp; above</th>
<th>Hr.sec Matriculation or examination</th>
<th>Middle School</th>
<th>Other Literates</th>
<th>Illiterate</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
<td>7</td>
<td>8</td>
<td>9</td>
<td>10</td>
<td>11</td>
<td>12</td>
<td>13</td>
<td>14</td>
</tr>
</tbody>
</table>

**M**

<table>
<thead>
<tr>
<th>P</th>
<th>1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Over 10</td>
<td>10</td>
</tr>
<tr>
<td>Not Known</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Occupation</th>
<th>Father</th>
<th>Mother</th>
<th>Literacy</th>
<th>Occupation*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cultivators</td>
<td>Non-works</td>
<td>Graduates above</td>
<td>Hr.sec Matriculation or equivalent examination</td>
<td>Middle School</td>
</tr>
<tr>
<td>15-23</td>
<td>24</td>
<td>25</td>
<td>26</td>
<td>27</td>
</tr>
</tbody>
</table>

**M**

<table>
<thead>
<tr>
<th>P</th>
<th>1</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Over 10</td>
<td></td>
</tr>
<tr>
<td>Not Known</td>
<td></td>
</tr>
</tbody>
</table>

*(1) Cultivators (2) Agriculture labourers (3) Professional, Technical and Related workers (4) Administration, Executive and Managerial workers (5) Clerical workers (6) Sale workers (7) Service workers (8) Farmers, Fishersmen, Hunters, Loggers etc, and Related workers (9) Production and other Related Workers, Transport Equipment operators and Labours (10) Non-Workers
### Part - C (1) - Live Births by sex, Religion, Literacy of Father

#### Religions and Literacy

<table>
<thead>
<tr>
<th>Birth Order</th>
<th>Hindus</th>
<th></th>
<th>Muslims</th>
<th></th>
<th>Christians</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Graduate &amp; above</td>
<td>Hr. Secondary</td>
<td>Matriculation or equivalent</td>
<td>Middle School</td>
<td>Other Literates</td>
<td>Illiterates</td>
</tr>
<tr>
<td>1</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
</tr>
<tr>
<td>Total</td>
<td>M</td>
<td>F</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
</tr>
<tr>
<td>Over 10</td>
<td>Not known</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### Others

<table>
<thead>
<tr>
<th>Graduate &amp; above</th>
<th>Hr. Secondary</th>
<th>Matriculation or equivalent</th>
<th>Middle School</th>
<th>Other Literates</th>
<th>Illiterates</th>
<th>Total</th>
<th>Graduate &amp; above</th>
<th>Hr. Secondary</th>
<th>Matriculation or equivalent</th>
<th>Middle School</th>
<th>Other Literates</th>
<th>Illiterates</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>20</td>
<td>21</td>
<td>22</td>
<td>23</td>
<td>24</td>
<td>25</td>
<td>26</td>
<td>27</td>
<td>28</td>
<td>29</td>
<td>30</td>
<td>31</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Vital Statistics for the month of ___________________ in Municipality/Cantonment of ________________________________

Part D- Deaths registered by type of certifier, type of attention at death, religion, marital status and occupation.

<table>
<thead>
<tr>
<th>Registration Units</th>
<th>Latest census Population</th>
<th>Total Death</th>
<th>Kind of medical attention</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Total</td>
<td>No. Medically certified</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Covered</td>
<td>other</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Qualified medical practitioner or (other system)</td>
</tr>
<tr>
<td>Total</td>
<td>Covered</td>
<td>Total</td>
<td>6</td>
</tr>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
</tr>
</tbody>
</table>

M

F

P

<table>
<thead>
<tr>
<th>Religion</th>
<th>Maital Status</th>
<th>Occupation*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hindus</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Muslims</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Christians</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sikh</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bhud-Dist</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jains</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Others</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Never Married</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Currently married</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wild_Owed</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Separated or divorced</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cultivators</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Non-workers</td>
<td></td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>13</td>
<td>14</td>
</tr>
</tbody>
</table>

*(1) Cultivators (2) Agriculture labourers (3) Professional, Technical and Related workers (4) Administration, Executive and Managerial workers (5) Clerical workers (6) Sale workers (7) Service workers(8) Farmers, Fishersmen, Hunters, Loggers etc, and Related workers (9) Production and other Related Workers, Transport Equipment operators and Labours (10) Non-Workers
## Part E – Causes of death by age and Sex

<table>
<thead>
<tr>
<th>Code Number</th>
<th>Cause of death</th>
<th>Sex</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>M</td>
<td>F</td>
</tr>
</tbody>
</table>

### Vital Statistics for the month of __________ year __________ in Municipality/Cantonment of __________

The list of Cause of Death would be as prescribed by the Registrar General, India.

---

* According to the International ‘A’ List.
Vital Statistics for the month of……………..year………………in Municipality/Cantonment of

Part F – Causes of death by age, sex and religion

<table>
<thead>
<tr>
<th>Religion</th>
<th>Total</th>
<th>Age</th>
<th>Below 24 Hours</th>
<th>1 – 7 Days</th>
<th>7 – 28 Days</th>
<th>28 days – 3 Months</th>
<th>3 – 6 Months</th>
<th>6 – 9 Months</th>
<th>9 months 1 years</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>M</td>
<td>F</td>
<td>M</td>
<td>F</td>
<td>M</td>
<td>F</td>
<td>M</td>
</tr>
<tr>
<td>Hindu</td>
<td></td>
<td></td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
<td>7</td>
</tr>
<tr>
<td>Muslim</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Christian</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sikh</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Buddhist</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jain</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Others</td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(HOME No.16)

TABLE 1(a) Census Population (to the nearest thousand) of districts.

<table>
<thead>
<tr>
<th>No.</th>
<th>District</th>
<th>Total population</th>
<th>Rural</th>
<th>Urban</th>
<th>Population not under registration</th>
<th>Population of towns Each with population 30,000 &amp; over</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Rural</td>
<td>Urban</td>
<td>Rural</td>
<td>Urban</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Ma- Le</td>
<td>Fe- Male</td>
<td>Me- Le</td>
<td>Fe- male</td>
</tr>
<tr>
<td>1</td>
<td>A</td>
<td>19</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
</tr>
<tr>
<td>2</td>
<td>B</td>
<td>19</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
</tr>
<tr>
<td>3</td>
<td>C</td>
<td>19</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
</tr>
</tbody>
</table>

Total

* If the registration extends to the whole of the State/Union Territory, Columns 8, 9, 10 and 11 need not be filled.
### FORM NO. 16

#### TABLE 1 (b) - Census Population (to the nearest thousand) of districts by religion.

<table>
<thead>
<tr>
<th>Sl. No</th>
<th>District</th>
<th>Rural</th>
<th>Urban</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Hindu</td>
<td>Muslim</td>
<td>Christian</td>
</tr>
<tr>
<td>1</td>
<td>A19</td>
<td>19</td>
<td>19</td>
</tr>
<tr>
<td>2</td>
<td>B19</td>
<td>19</td>
<td>19</td>
</tr>
<tr>
<td>3</td>
<td>C19</td>
<td>19</td>
<td>19</td>
</tr>
</tbody>
</table>

NOTE: Population of any special religion culture or social group selected will also be shown separately.

### FORM NO. 16

#### TABLE : 1(c) - Returns not received

<table>
<thead>
<tr>
<th>Sl. No</th>
<th>District</th>
<th>No. of monthly returns due</th>
<th>No. of monthly return not received</th>
<th>Rural</th>
<th>Urban</th>
<th>Rural</th>
<th>Urban</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>A</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
<td>5</td>
<td>6</td>
</tr>
<tr>
<td>2</td>
<td>B</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>C</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>D</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>E</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### FORM NO. 16

#### (iv)

#### TABLE 2(a) – Key Vital Statistics by District for the year

<table>
<thead>
<tr>
<th>Sl. No</th>
<th>District</th>
<th>Mid-year estimated population</th>
<th>Total Live Births</th>
<th>Total Death</th>
<th>Infant Death</th>
<th>Maternal Death</th>
<th>Still Births</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>A</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
<td>7</td>
<td>8</td>
</tr>
<tr>
<td>2</td>
<td>B</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>C</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>D</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>E</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
**TABLE 2 (b) – Vital Rates by District**

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>District</th>
<th>Live Birth Rate*</th>
<th>Death Rate*</th>
<th>Infant Death Rate*</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>A</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>B</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>C</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>D</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>E</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*The rate for the four consecutive year (the ‘current’ year and three preceding years) should be given.

**TABLE 2(c) – Key Vital Statistic of individual towns each population__________and over as of the last census.**

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Towns</th>
<th>Mid-year estimated population</th>
<th>Total Live Births</th>
<th>Total Death</th>
<th>Infant Death</th>
<th>Maternal Death</th>
<th>Still Births</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>A</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>B</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>C</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>D</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>E</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**TABLE 2(d) – Vital Rates of individual Towns**

<table>
<thead>
<tr>
<th>Sl.No.</th>
<th>Towns</th>
<th>Live Birth Rate*</th>
<th>Death Rate*</th>
<th>Infant Death Rate*</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>A</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>B</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>C</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>D</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>C</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*The rate for the four consecutive year (the ‘current’ year and three preceding years) should be given.
(FORM NO. 16)

TABLE 3(a) - Live Births by months and according to area

<table>
<thead>
<tr>
<th>Month</th>
<th>Live birth</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Total</td>
<td>Rural</td>
<td>Urban</td>
</tr>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
</tr>
<tr>
<td>January</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>February</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>March</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>April</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>May</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>June</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>July</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>August</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>September</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>October</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>November</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>December</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Yearly Total

FORM NO.16

TABLE 3(a)I : Live Births by sex and month by Rural/Urban

<table>
<thead>
<tr>
<th>Month</th>
<th>Live Births</th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Total</td>
<td>Rural</td>
<td>Urban</td>
<td>M</td>
<td>F</td>
<td>P</td>
</tr>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
<td>7</td>
</tr>
<tr>
<td>January</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>February</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>March</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>April</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>May</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>June</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>July</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>August</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>September</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>October</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>November</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>December</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Yearly Total
TABLE (b) Live Births by the type of attention at delivery

<table>
<thead>
<tr>
<th>Month</th>
<th>Total Births</th>
<th>Rural</th>
<th>Urban including town with Population Less than</th>
<th>Town with population over</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Domouiliary</td>
<td>Physician,nurse and trained Mid-wife</td>
<td>Untrained mid-wife</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Institutional</td>
<td>Physician,nurse and trained Mid-wife</td>
<td>Untrained mid-wife</td>
</tr>
<tr>
<td>1</td>
<td></td>
<td>January</td>
<td>February</td>
<td>March</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1</td>
<td>2</td>
<td>3</td>
</tr>
<tr>
<td>Yearly Total</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

NOTE: Some states may find it more convenient to show only yearly totals, and not month by month.

TABLE 4: Live births by sex and religion

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>District</th>
<th>Total Births</th>
<th>Hindu</th>
<th>Muslim</th>
<th>Christian</th>
<th>Others</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Male</td>
<td>Female</td>
<td>Person</td>
<td>Male</td>
</tr>
<tr>
<td>1</td>
<td>A Rural</td>
<td>Total</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
</tr>
<tr>
<td>2</td>
<td>B Rural</td>
<td>Total</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
</tr>
</tbody>
</table>

166
TABLE 5 (a) Live births according to their birth order by religion and father's literacy group for individual towns

<table>
<thead>
<tr>
<th>Town</th>
<th>Last census population</th>
<th>Hindu</th>
<th>Muslim</th>
<th>Christian</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Graduate &amp; above</td>
<td>Hr. Secondary, Matriculation or Equivalent examination</td>
<td>Rest</td>
</tr>
<tr>
<td>1</td>
<td></td>
<td>1</td>
<td>2</td>
<td>3</td>
</tr>
</tbody>
</table>

TABLE 5(a)- contd.

<table>
<thead>
<tr>
<th>Others</th>
<th>Total Births</th>
<th>Birth order</th>
</tr>
</thead>
<tbody>
<tr>
<td>Graduate &amp; above</td>
<td>Hr. Secondary, Matriculation or Equivalent examination</td>
<td>Rest</td>
</tr>
<tr>
<td>15</td>
<td>16</td>
<td>17</td>
</tr>
</tbody>
</table>

NOTE : Total figure for ‘All towns’ will also be shown

TABLE 5 (a) (i) Live births according to their birth order by the occupation of the father and father’s literacy group for individual towns

<table>
<thead>
<tr>
<th>Town</th>
<th>Last census population</th>
<th>Cultivation</th>
<th>Agriculture</th>
<th>Labourers</th>
<th>Professional, Technical and Related workers</th>
<th>Administration, Executive and Managerial workers</th>
<th>Clerical workers</th>
<th>Sales workers</th>
<th>Service workers</th>
<th>Farmers, Fishermans, Hunters, Loggers and Related workers</th>
<th>Production and other Related workers, Transport Equipment Operators and Labourers</th>
<th>Non workers</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
<td>7</td>
<td>8</td>
<td>9</td>
<td>10</td>
<td>11</td>
</tr>
</tbody>
</table>
### TABLE 5(b) Live births by age of mother and order of birth for individual towns

<table>
<thead>
<tr>
<th>Age of mother</th>
<th>Total Birth</th>
<th>Birth order</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Below 15 years</td>
<td></td>
<td></td>
</tr>
<tr>
<td>15 – 19 years</td>
<td></td>
<td></td>
</tr>
<tr>
<td>20 – 24 years</td>
<td></td>
<td></td>
</tr>
<tr>
<td>25 – 29 years</td>
<td></td>
<td></td>
</tr>
<tr>
<td>30 – 34 years</td>
<td></td>
<td></td>
</tr>
<tr>
<td>35 – 39 years</td>
<td></td>
<td></td>
</tr>
<tr>
<td>40 – 44 years</td>
<td></td>
<td></td>
</tr>
<tr>
<td>45 – 49 years</td>
<td></td>
<td></td>
</tr>
<tr>
<td>50 &amp; over</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**NOTE:** No. of birth, for which information is not given. Total figures for all towns will also be shown.

### TABLE 6: Deaths by Sex and age

<table>
<thead>
<tr>
<th>Total</th>
<th>Rural</th>
<th>Urban</th>
</tr>
</thead>
<tbody>
<tr>
<td>Male</td>
<td>Female</td>
<td>Person</td>
</tr>
<tr>
<td>Male</td>
<td>Female</td>
<td>Person</td>
</tr>
<tr>
<td>Male</td>
<td>Female</td>
<td>Person</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Below 1 years</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 – 4</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5 – 14</td>
<td></td>
<td></td>
</tr>
<tr>
<td>25 – 44</td>
<td></td>
<td></td>
</tr>
<tr>
<td>45 – 64</td>
<td></td>
<td></td>
</tr>
<tr>
<td>65 – 74</td>
<td></td>
<td></td>
</tr>
<tr>
<td>75 &amp; over</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
TABLE 7: Death by Month and age by Rural / Urban

<table>
<thead>
<tr>
<th>Month</th>
<th>Total Deaths</th>
<th>Rural Male</th>
<th>Rural Female</th>
<th>Rural Person</th>
<th>Urban Male</th>
<th>Urban Female</th>
<th>Urban Person</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td></td>
<td>5</td>
<td>6</td>
<td>7</td>
</tr>
<tr>
<td>8</td>
<td>9</td>
<td>10</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

January
February
March
April
May
June
July
August

... Additional Tables under Table 7...

There is provision for tabulation of deaths by month and Rural/Urban for three diseases viz. Cholera, Smallpox and plague only. We need such data for some more diseases like dysentery and diarrhoea, respiratory diseases, accidents and injuries, fevers etc. and therefore there is need for having additional Table 7(b), 7(e), 7(f) etc. on the same lines as 7(a), 7(b) and 7(c).

**FORM NO.16**

**TABLE 7(a) Deaths from Cholera by Month**

<table>
<thead>
<tr>
<th>Month</th>
<th>Total</th>
<th>Rural</th>
<th>Urban</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
</tr>
</tbody>
</table>

January
February
....
....

**FORM NO.16**

**TABLE 7(b) Death from Small Pox by Month**

<table>
<thead>
<tr>
<th>Month</th>
<th>Total</th>
<th>Rural</th>
<th>Urban</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
</tr>
</tbody>
</table>

January
February
....
....

169
### TABLE 7 (b) Death from Plague by Month

<table>
<thead>
<tr>
<th>Month</th>
<th>Total</th>
<th>Rural</th>
<th>Urban</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
</tr>
</tbody>
</table>

January
February
....
....

### TABLE 8 Total Deaths in each district by Sex and Religion

<table>
<thead>
<tr>
<th>Sl.No.</th>
<th>District</th>
<th>Total</th>
<th>Hindu</th>
<th>Muslim</th>
<th>Christian</th>
<th>Other</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>M</td>
<td>F</td>
<td>P</td>
<td>M</td>
</tr>
<tr>
<td>1</td>
<td></td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
</tr>
</tbody>
</table>

Note: Any special religious, culture or social group will also be shown as a sub-group under ‘Others’

### TABLE 9(a) Distribution of deaths in a district by cause

<table>
<thead>
<tr>
<th>Sl.No.</th>
<th>District</th>
<th>Total Deaths</th>
<th>Cholera</th>
<th>Small Pox</th>
<th>Plague etc.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>M</td>
<td>F</td>
<td>M</td>
<td>F</td>
</tr>
<tr>
<td>1</td>
<td></td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
</tbody>
</table>

### TABLE 9(b) Distribution of deaths in the State by medically Certified cause, age and sex.

<table>
<thead>
<tr>
<th>Cause</th>
<th>Total</th>
<th>Below 1 year</th>
<th>1 – 4 Years</th>
<th>5 – 14 Years</th>
<th>15 – 24 Years</th>
<th>25 – 44 Years</th>
<th>45 -64 Years</th>
<th>65 over</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>M</td>
<td>F</td>
<td>M</td>
<td>F</td>
<td>M</td>
<td>F</td>
<td>M</td>
</tr>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
<td>7</td>
<td>8</td>
<td>9</td>
</tr>
</tbody>
</table>

### TABLE 9( C) Death from specified disease in towns each with population _______________and over as of the last census.

<table>
<thead>
<tr>
<th>Sl.No.</th>
<th>Town</th>
<th>Total Deaths</th>
<th>Specified Diseases</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
</tr>
</tbody>
</table>

*The list of specified diseases would be enumerated by Registrar General, India.*
TABLE 10  Infant deaths in District by sex and religion

<table>
<thead>
<tr>
<th>Sl.No</th>
<th>District</th>
<th>Total</th>
<th>Hindu</th>
<th>Muslim</th>
<th>Christian</th>
<th>Other</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>M</td>
<td>F</td>
<td>P</td>
<td>M</td>
</tr>
<tr>
<td>1</td>
<td>A</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
</tr>
</tbody>
</table>

A
B
C

NOTE: Any special religion, cultural or social group will also be shown as a sub-group under ‘Others’

TABLE 11 Infant Deaths in the State by Sex and Age

<table>
<thead>
<tr>
<th>Age</th>
<th>Rural</th>
<th>Urban</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>M</td>
<td>F</td>
<td>M</td>
</tr>
<tr>
<td>Below 24 hours</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 – 7 days</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7 days to below 1 month</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 days to below 3 month</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3 days to below 6 month</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6 days to below 12 month</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

TABLE 11(a) : Infant Deaths by month and Sex and by Rural/Urban

<table>
<thead>
<tr>
<th>Month</th>
<th>Rural</th>
<th>Urban</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>M</td>
<td>F</td>
<td>P</td>
</tr>
<tr>
<td>January</td>
<td>2</td>
<td>3</td>
<td>4</td>
</tr>
<tr>
<td>February</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>March</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>April</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>May</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>June</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>July</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>August</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
## TABLE 12(a) Smallpox, Tetanus death by age

<table>
<thead>
<tr>
<th>Sector</th>
<th>Name of disease</th>
<th>Below 1 year</th>
<th>1 – 4 Year</th>
<th>5 – 9 Year</th>
<th>10 – 14 Year</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>M</td>
<td>F</td>
<td>M</td>
<td>F</td>
</tr>
<tr>
<td>1</td>
<td>Total</td>
<td>2</td>
<td></td>
<td>3</td>
<td>4</td>
</tr>
<tr>
<td>(a) Rural</td>
<td>Smallpox Tetanus</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(b) Urban Total</td>
<td>Smallpox Tetanus</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(b1) Urban excluding towns with population …… and over</td>
<td>Smallpox Tetanus</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(b2) Towns with Population …… and Over</td>
<td>Smallpox Tetanus</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### TABLE 12(b) Similar date for certain specified diseases by age be may be shown for urban areas or only for towns with population …… and over as may finally be decided by the Registrar General, India. Instances of the type of such diseases are Tetanus, Diptheria, Whooping Cough, Polio, Pulmonary Tuberculosis, etc.

## TABLE 13 External deaths in the State by the age at death

<table>
<thead>
<tr>
<th>Age at Death</th>
<th>Total</th>
<th>Local</th>
<th>Urban excluding towns with population… and Over</th>
<th>Town with population… and over</th>
</tr>
</thead>
<tbody>
<tr>
<td>Below 15</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>15 – 19</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>20 – 24</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>25 – 29</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>30 – 34</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>35 – 39</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>40 – 44</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>45 – 49</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>50 and above</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Age not stated</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>All Ages.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

---

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GOVERNMENT OF SIKKIM
HOME DEPARTMENT

F. No. 37(I) Home/77.

Dated Gangtok, the 28th August, 1979.

NOTIFICATION

The State Government announce that as a mark of respect to the memory of Lord Louise Mountbatten, former Governor General of India, who passed away on 27th August, 1979, State mourning will be observed for seven days with effect from 28th August, 1979 to 3rd September, 1979, during which period National flags will be flown at half mast in Government buildings throughout the State. There will be no official entertainment during the period of mourning.

All Government offices and institutions shall remain closed today, the 28th August, 1979.

T. S. GYALTSHEN,
Chief Secretary,
Government of Sikkim.
F. 37(I)-Home/77
HOME DEPARTMENT (ELECTION)

NOTIFICATION NO. 71/H.

Dated Gangtok, the 4th September, 1979.

The following Notification No. 23/SKM/78 dated 30 August, 1979 of the Election Commission of India is re-published for general information.

NOTIFICATION

No.23/SKM/78 : - In exercise of the powers conferred by sub-rule (1) of Rule 28 of the Registrar ation of Electors 960, the Election Commission hereby directs that the provisions of the said rule shall to all the Assembly Constituencies in the State of Sikkim except the Sangha Assembly Constituency in that State.

By Order

(D.K. MANAVALAN)                     Sd/-
Chief Electoral Officer,                V. NAGASUBRAMNIAN)
Sikkim                                  Secretary to the Election Commission of India.

PRINTED AT THE SIKKIM GOVERNMENT PRESS
The ordinance by the President of India is republished for general information:

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS

(Legislative Department)

New Delhi, the 1st September, 1979/Bhadra 10, 1901 {Saka)

THE REPRESENTATION OF THE PEOPLE (AMENDMENT) ORDINANCE, 1979

No. 7 OF 1979

Promulgated by the President in the Thirtieth Year of the Republic of India.

An ordinance further to amend the Representation of the People Act, 1950, and the Representation of the People Act, 1961, to provide for the readjustment of assembly constituencies in the State of Sikkim.

WHEREAS the House of the People has been dissolved and the Council of States is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (c) of article 23 of the Constitution, he is hereby pleased to promulgate the following Ordinance:

(1) This Ordinance may be called the Representation of the People (Amendment) Ordinance, 1979.

(2) It shall come into force at once.
2. During the period of operation of this Ordinance, the Representation of the People Act, 1990, the Representation of the People Act 1951, and the Delimitation of Parliamentary and Assembly Constituencies Order, 1976, shall have effect subject to the amendments specified in this Ordinance.

3. In section 7 or the Representation of the People Act, 1950---
   (a) in sub-section (1), for the words, "The total number of seats'”, the words, brackets, figure and letter “Subject to the provision of sub-section (1A), the total number of seats” shall be substituted;
   (b) after sub-section (1), the following sub-section shall be inserted, namely:

   "(1A) Notwithstanding anything contained in sub-section (1), the total number of seats in the Legislative Assembly of the State of Sikkim, to be constituted at any time after the commencement of the Representation of the People (Amendment) Ordinance, 1979, to be filled by persons chosen by direct election from assembly constituencies shall be thirty-two, of which--
   (a) twelve seats shall be reserved for Sikkimese of Bhutia-Lepcha origin;
   (b) two seats shall be reserved for the Schedule Caste of that State; and
   (c) One seat shall be reserved for the Sanghas referred to section 25A.

Explanation.— In this sub-Section ‘Bhutia’ includes Chumbipa, Dophtha, Dukpa Kagatey, Sherpa, Tibetan, Tromopa and Yolmo.”;
   (c) in sub-section (2) for the words, brackets and figure subject to section 7, the words, brackets, figures and letter “in sub-section or sub-section (1A)” shall be substituted;
   (d) in sub-section (3),—
   (i) for the words, brackets, figures and letter “Subject the provisions of sub-section (3) of section 7A, the extent of each assembly constituency in all the States and Union territories except the assembly constituencies” the words “The extent of each assembly constituency in all the States and Union territories except the assembly constituencies in the State of Sikkim and be substituted;
   (ii) after the words and figures “the Delimitation Act, 1972 the following shall be inserted, namely:—

"; the extent of each assembly constituency Sikkim in the State Shall be as provided for in the Delimitation of the Parliamentary and Assembly Constituencies Order, 1976, as amended by section 5 of the Representation of the People (Amendment) Ordinance, 1979”.

Amendment of section 5A

4. In the Representation of the People Act, 1951, section 5A, shall be re-numbered as sub-Section (1) thereof, and after sub-section (1) as so renumbered, the following sub-section shall be inserted, namely:

'(2) Notwithstanding anything contained in section 5, a person Shall not be qualified to be chosen to fill a seat in the Legislative Assembly of the State of Sikkim, to be constituted at any time after the commencement of the representation of the People (Amendment) Ordinance, 1979 unless.
(a) in the case of a seat reserved for Sikkimese of Bhutia-Lepcha origin, lie is a person either of Bhutia or Lepcha origin and is an elector for any assembly constituency in the State other than the constituency reserved for the Sanghas;

(b) in the case of a seat reserved for Scheduled Castes, he is a member of any of those castes in the State of Sikkim and is an elector for any assembly constituency in the State;

(c) in the case of a seat reserved for Sanghas, he is an elector of the Sangha constituency; and

(d) in the case of any other seat, he is an elector for any assembly constituency in the State.

Explanation.—In this sub section "Bhutia" includes Chumbipa, Dopthapa, Dukpa, Kagatey, Sherpa, Tibetan, Tromopa and Yolmo".

5. On and from the commencement of this Amendment of Delimitation of Parliamentary and Assembly Constituencies Order, 1976, shall stand amended as and Assembly Constituencies Order, 1976.

THE SCHEDULE

(See section c)

AMENDMENTS TO THE DELIMITATION OF PARLIAMENTARY AND ASSEMBLY CONSTITUENCIES ORDER, 1976,
In the Delimitation of Parliamentary and Assembly Constituencies Order, 1979

(i) in paragraph c.—

(a) for the words "and where such name", the words "where such name" shall be substituted;

(b) after the words "Scheduled Tribes", the words, brackets and letters'; and where such name is distinguished by the brackets and letters "(BL)", the seat in that constituency is reserved for the Bhutia-Lepcha origin' shall be inserted ;

(c) the following Explanation shall be inserted at the end, namely:—

"Explanation.—In this paragraph, "Bhutia" includes Chumbipa, Dopthapa, Dukpa, Kagatey, Tibetan, Tromopa and Yolmo";

(ii) in Schedule 11,—

(a) for entry 18, the following entry shall be substituted, namely:—

"18. Sikkim.... ....... ..........32 * 2 12 ( Reserved for Sikkimese of Bhutia-Lepcha origin)"

(b) in the NOTE at the end, for the words and figures "includes 1 seat reserved for Sangha Constituency", following shall be substituted, namely:—

"*Includes 1 seat reserved for Sangha constituency.
\*Includes Chumbipa, Dopthapa, Dukpa, Kagatey, Sherpa, Tibetan, Tromopa and Yolmo."

(iii) after Schedule XIX, the following Schedule shall be inserted, namely:—
<table>
<thead>
<tr>
<th>Serial no.</th>
<th>Name and extent of constituency</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td><strong>Yoksani.</strong>—Yoksam, Lawing, Dubdi, Geretinning, Ketchopheri, Chojo, Thingling I and Thingling II blocks in Ketchopheri elakha; Chumbung, Nako, Singeng, Sundarang, Darap, Nambo, Topung and Singrapong blocks in Pemayontgtse elakha; and Tingbrom, Singlitam, Meli and Melli-Aching block in Melli elakha of West district</td>
</tr>
<tr>
<td>2.</td>
<td><strong>Tashiding (BL).</strong>—Dhupidara, Narkhola, Mangnam, Labdang, Kongri, Gangcp, Chungrang, Ari-thang, Lasso, Tashiding, Yangtey, Onglep and Bhaluthang blocks in Tashiding elakha of West district</td>
</tr>
<tr>
<td>3.</td>
<td><strong>Geyzing.</strong>—Omchung, Geyzing, Kyongsa, Lunjik and Pemoyongtse blocks in Pemoyongtse elakha Tikjek, Sardong and Lingchom blocks in Sangacholing elakha; and Yangthang block in Yangthang elakha of West district; and Lekship block in Wak-Sosing elakha of South district.</td>
</tr>
<tr>
<td>4.</td>
<td><strong>Dentam.</strong>—Liching, Bedia, Srinad, Gyaten, Karmatar, Sopakha, Manevbong, Mangmoo, Deetam Sapung, Bongten Radhukundu and Sankhu blocks in Yangthang elakha of West district.</td>
</tr>
<tr>
<td>5.</td>
<td><strong>Barmiok.</strong>—Hee, Martam, Barmiok, Barthang, Hee Patel and Pacharek blocks in Yangthang elakha and Miyong, Meygyong, Chinthang and Barlok blocks in Rinchenpong elakha of West district.</td>
</tr>
<tr>
<td>6.</td>
<td><strong>Rinchenpong (BL).</strong>—Sangdorji, Hathidunga, Jeel, Boom, Reshi (A), Reshi (B), Rinchenpong Tadong, Samdong, Sribadam (A) and Sribadam (B) blocks in Rinchenpong elakha and Takuthang Chuchen, Dethang and Parengao blocks in Chakung elakha of West district; and Sangnath block Wak-Sosing elakha of South district.</td>
</tr>
<tr>
<td>7.</td>
<td><strong>Chakung.</strong>—Tinjerbong, Suldong, Komling, Mgvcng, Mabong, Sontoley, Khani Sirbong, Arubotey Samsing, Gelling, Chakung, Mendogaon, Sangcholing and Chumbung blocks in Chakung elakha of West district.</td>
</tr>
<tr>
<td>8.</td>
<td><strong>Soreong.</strong>—Soreong, Soreong Br/ar, Singling, Tinberbong, Burikhop, Kartok, Malbascy and Tarpu blocks in Chakune elakha of West district.</td>
</tr>
<tr>
<td>9.</td>
<td><strong>Daramdin.</strong>—Rumbuk, Burikhop, Lower Daramdin, Lower Thambung, Upper Thambung, Sambung, Kopche and Mik-Khelo block in Namchi elakha; and Shyampani, Sorok, Manpur, Kitam and Gom blocks in Kitam elakha of South district.</td>
</tr>
<tr>
<td>10.</td>
<td><strong>Jorethang-Nayabazar.</strong>—Joom block in Chakung elakha of West district; Salghari, Dorop, Dhragaon, Chisopani, Tinek, Poklok-Denchung, Asangthang, Sambung, Kopche and Mik-Khelo block in Namchi elakha; and Shyampani, Sorok, Manpur, Kitam and Gom blocks in Kitam elakha of South district.</td>
</tr>
<tr>
<td>11.</td>
<td><strong>Ralang (BL).</strong>—Sada, Fatimtim, Brang and Polot blocks in Brang elakha, Namlung, Lingding, Ralang, Jorang-Biring, Barfong and Dethang blocks in Ralang elakha; and Bakhim, Kewzin, Dalep and Lingu block in Wak-Sosing elakha of South district.</td>
</tr>
<tr>
<td>12.</td>
<td><strong>Wak.</strong>—Hingdam, Lamaten, Tingmo, Tinkitam, Omchu, Chumlok, Wak, Rayong and Mangbrue blocks in Wak-Sosing elakha; Ben-Namphrik, Rabang and Sangmo blocks in Ben-Namphrik elakha and Deo block in Temi-Tarku elakha of South district.</td>
</tr>
</tbody>
</table>
13. **Damthang.**—Damthang, Jaubari, Chemchey, Pabong, Boontar, Sallvbung, Maniram, Phallidara. Tingrithang, Mamley, Gumba, Pajer, Tinjir, Kamrang and Singthang blocks in Najnchi elakha; and Singtam, Bull, Palum and Rong blocks in Turuk-Sumbuk elakha of South district.

14. **Melli.**—Melli Bazar, Melli Dara, Kerabari, Suntoley, Sukhbari, Turuk, Rambung, Panchgharey, Lungchok, Kamarey, SumBuk, Kartikey, Suntoley (Sumbuk), Paiyong, Rabitar and Sadam blocks in Turuk-Sumbuk elakha of South district.

15. **Rateypani-West Pendam (SC).**—Rabikhola, Tangji, Bigmat, Rateypani and Passi blocks in Ratey-pani elka; Kating-Bokran, Pampphok, Nalam Kolbung, Nagi, Palitam, Maneydara, Kabreya, Kanamtek Turung, Donok and Mahiring blocks in Namthang elakha of South district; and West Pendam block in Namthang elakha of East district.

16. **Temi-Tarku.**—Tana, Tarku, Temi and Ailfaltar blocks in Temi-Tarku elakha; Pabong, Darings Todye, Reshep, Tokel, Slampming, Barmhiok, Thangsiing, Chalamthang, Nizar, Rarhang and Burul blocks in Barmiok elakha; and Parbihg, Fong, Chhuba and karek blocks in Namthang elakha of South district.

17. **Central Pendam-East Pendam.**—Sihgtam Bazar, Sumin, Lingiey and Mangthang blocks in Sumin elka; and Central Pendam East Pendam, Rangpo Bazar, Kamerey, Bhasmey, Pachak and Sajong blocks in Pendam elakha of East district.

18. **Rhenock.**—Rhenock, Tarpin, Rhenock Bazar, Muluksey, Sungdikplaka and Kyongsa blocks in Rhenock, elakha; Biring, Tarethang and Taja blocks in Amba-Tarethang elakha; and Linkey block in Pathing Elakha of East District.


20. **Pathing (BL).**—Changey Senti and Pache-Samsing blocks in Changay-Senti elakha; Amba and Thekabung blocks in Amba Tarethang elakha; Parkha, Riba, Machong, Latuk and Chuchunphery blocks in chota and Bara Pathing elakha; and Rolep Lamaten, Lingtam, Phdamchen and Gnathang blocks in Chuzachen Regu elakha of East district.

21. **Loosing Pachekhani.**—Chota Singtam and Aho-Yangtam blocks in Aho-Paham-Yangtam elakha; and Namchebung, Kartok, Dikling, Chalamthang, Loosing, Pachekhani, Dikling Pachekhani, Bengthang and Pakyong Bazar blocks in Pakyong elakha of East district.

22. **Khangdong (SC).**—Manzing, Tokdey, Nehbrom, Koltang, Pepthang and Lingmo blocks in Lingmo-Nehbrom elakha; Rangag, Yangang, Gagyon, Satam, Namphok and Sripatam blocks in Yangang elakha of South district; and Singbel, Dungdung, Khamdong, Beng, Thansing-Bodang and Thasa blocks in Khamdong elakha of East district.

23. **Djoungu (BL).**—Upper Djoungu and Lower Dingou blocks in Dingou elakha of North district; and, Sokpey, Lingi, Upper Pakyong Lower Piyong and Kahu blocks in Lingi-Pakyong, elakha of South district.

24. **Lachen Mangshila (BL).**—Lachen block in Lachcn elakha; Lachung block in Lachung elakha; Chumthang blocks in Chumthang elakha; Naganamgor, Singchit, Tung, Miyorig, Sentam, Pakshep, Kajor, Singchik Ringem, jinchung, Nampaat and Mangan Bazar blocks in Mailing elakha; and Sayem, Tanyek, Ramthang, Upper Mangshila, Namok and Thingchen block in Phodong elakha of North district.

25. **Kabi-Tingda (BL).**—Rongong, Tumlong and Phodong blocks in Phodong elakha; Phensang, Labi, Phamtam, Chawang, Men Rongong, Kabi-Tingda and Phyang blocks in Phensang-Kabi-Tingda elakha of North district; and Sotak, Nabey and Penlong blocks in Penlong elakha; and Lingdok and Nampung blocks in Rakdong Tingtek elakha of East district.
26. **Rakdong-Tintck (BL).**—Rakdong and Tintek blocks in Rakdong-Tintek'elakha; Samdong-Kambol and Raley-Khase blocks in Samdong elakha; Tumin, Simik and Chandey blocks in Tumin-Chandey elakha; and Patuk, Simik, Aritar and Linojey blocks in Khamdong elakha of last district.

27. **Martam (BL).**—Sirwani, Sakhong, Chisopani, Rabdang, Chalamthang, Byang, Nagethang, Martam, Phgyong, Nazitam and Trikutam blocks in Song-Martam elakha; and Chhula, Nemli, Marchak, Samlik Namin and Tumlabung blocks in Rumtek-Marchak elakha of East district.


29. **Assam-Lingjey(BL).**—Pahrn, Bhusuk, Namok, Naitam, Nandok, Lingjey and Assam blocks in Aho-Lingjey-Pahm-Singtam elakha; and Tathangchen, Rongnek and Syari blocks in Tatha of East district.

30. **Ranka (BL).**—Parbing, Ranka, Barb, Songtong, Bortuk, Lowing, Suchakgang and Chandamari blocks in Ranka elakha of Fast district.

31. **Gangtok.**—Gangtok block, including (a) Gangtok Town, (b) Gangtok Bazar and (c) Development Area of East district.

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NOTE:—Any reference in this Table to a district, elakha, block or other territorial division shall be taken to mean the area comprised within that district, elakha, block or other territorial division on the 26th day of April, 1975.

N. SANJIVA R’

President.

T. S. GYALTSHEN,

Chief Secretary
Governmnt of Sikkim

PRINTED AT THE SIKKIM GOVERNMENT PRESS
GOVERNMENT OF SIKKIM
LAW AND LEGISLATIVE DEPARTMENT

ORDINANCE NO. 3 of 1979.

Promulgated by the Governor in the Thirtieth Year of the Republic of India.

An Ordinance


Whereas the President has by proclamation published with the notification of the Government of India in the Ministry of Home Affairs No. GSR 497(E) of the Gazette of India Extraordinary dated the 18th August, 1979 assumed to himself all the functions of the Government of the State of Sikkim and all powers vested in or exercisable by the Governor of that State;

And whereas by order published with the notification of the Government of India in the Ministry of Home Affairs No. GSR 498(E) in the Gazette of India-Extraordinary of the same that, has further directed that all the functions of the Government of the State of Sikkim and all the powers vested in or exercisable by the Governor of the State under the Constitution which have been assumed by him by the said proclamation, shall, subject to the superintendence, direction and control of the President be exercisable also by the Governor of the said State;

And whereas the power to promulgate Ordinances is vested in the Governor under Article 213 of the Constitution to be exercisable by him while the Legislature of the State is not in session.

And whereas under sub-clause (iii) of clause (c) of the said proclamation references in article 213 of the Constitution to the Governor and to the Legislature of the State or the House thereof shall be construed as references to the President and the Parliament or to the House thereof respectively;

And whereas the House of People has been dissolved and the Council of States is not in session and the Governor is satisfied that circumstances exist which render it necessary for him to take immediate action;

Now, thereof, in exercise of the powers conferred upon him by clause (1) of article 213 of the Constitution, read with order No. GSR 493 (11) aforesaid, the Governor is pleased to promulgate the following Ordinance:-

1. (1) This Ordinance may be called the Sikkim Cultivators Protection (Temporary Provisions) Amendment Ordinance, 1979. Short title and commencement

(2) It shall come into force at once.

2. In sub-section (3) of Section 1 of the Sikkim Cultivators Protection (Temporary Provision) Act, 1975 for the words “a further period not exceeding two years” the words “a further period not exceeding four years”shall be substituted.

Gangtok.
Dated the 7th September, 1979

B.B. Lal
Governor of Sikkim

B. R.PRADHAN
Secretary to the Government of Sikkim
F No. 16(23)II/77
LAND REVENUE DEPARTMENT

Notification No. 2369/L.R.

Dated Gangtok, the 7th September, 1979.

In exercise of the powers conferred by sub-section (3) of Section 1 of the Sikkim Cultivators Protection (Temporary Provisions) Act, 1975 (Sikkim Act No. 1 of 1975) as amended by Ordinance No. 3 of 1979, the State Government hereby extends the period of duration the said Act for a further period of Two Years with effect from the expiry of the previous extended period of one year under Notification No. 18/L.R. dated the 2nd September, 1978.

BY ORDER

P.T. WANGDI
Secretary,
Land Revenue Department,
Government of Sikkim,
Gangtok.

PRINTED AT THE SIKKIM GOVERNMENT PRESS, GANGTOK
GOVERNMENT OF SIKKIM
ELECTION (HOME) DEPARTMENT
NOTIFICATION NO. 75/H

Election Commission of India Notification No. £6/79(6) dated 1st September, 1979 is republished for the general information.

NOTIFICATION

S.O.: In exercise of the powers conveyed by Article 324 of the Constitution read with rules 5 and 10 of the conduct of Elections Rules, 1961 and paragraph 18 of the Election Symbols (Reservation and Allotment) Order, 1968, and all other powers enabling it in this behalf, the Election Commission of India hereby make the following Order to amend the said Election Symbols (Reservation and Allotment) Order, 1968 (S.O. 2959, dated the 31st August, 1968) :—

(1) Short Title This order may be called the Election Symbols (Reservation and Allotment) (Amendment) Order, 1979.

(2) Substitution for Paragraph 9. For paragraph 9 of the Election Symbols (Reservation and Allotment) (Amendment) Order, 1979 the following paragraph shall be substituted, namely:—

“9. Restriction on the allotment of Symbols reserved for State parties in States where such parties are not recognized :— A symbol reserved for a State Party may be included in the list of free symbols in any State in which that party is not a State Party, and such symbol may be allotted subject to the provisions of paragraph 10, 11 and 12 either to any candidate set up by any unrecognised political party or to any other candidate not set up by any political party (hereinafter referred to as “independent candidate”).

By order,

(S.R.SETHI)Sd/-
DEPUTY CHIEF ELECTORAL OFFICER SIKKIM

( V. NAGASUBRAMANIAN)
SECRETARY.

PRINTED AT THE SIKKIM GOVERNMENT PRESS, GANGTOK
GOVERNMENT OF SIKKIM
HOME DEPARTMENT

NOTIFICATION No. 3(2)Home/79.
Dated Gangtok, the 12th September, 1979.

Whereas it has been decided to hold a general election in the State of Sikkim for the purpose of constituting a new Legislative Assembly;

Now, therefore, in pursuance of the provisions contained in section 15 of the Representation of the People Act, 1951 (43 of 1951), the Governor of Sikkim is hereby pleased, as recommended by the Election Commission, to call upon all assembly constituencies in the State to elect Member in accordance with the provisions of the said Act and of the Rules and Orders made thereunder.

By order of the Governor of Sikkim.

T.S. GYALTSHEN,
Chief Secretary to the Government of Sikkim.

PRINTED AT THE SIKKIM GOVERNMENT PRESS, GANGTOK
HOME DEPARTMENT (ELECTION)
NOTIFICATION NO. 74/H.

The following notifications of the Election Commission of India are hereby published for
general information.

ELECTION COMMISSION OF INDIA
Dated the 12th September, 1979.
Bhadra 21, 1901 (Saka).

NOTIFICATION
No. 464/SKM-LA/79( 1)-Whereas the Governor of Sikkim has, by notification under section
15 of the representation the People Act, 1951 (43 of 1951), published in the Official Gazette of the State
of Sikkim on 12th September, 1979 called upon all the assembly constituencies in the State to elect Members
for the purpose of constituting a new Legislative Assembly for the State;

Now, therefore, in pursuance of the provisions of section 30 of the said Act, the Election
Commission hereby appoints with respect to the said election —

(a) the 9th September, 1979 (Wednesday), as the last date for making nomination;
(b) the 20th September, 1979 (Thursday), as the date for the scrutiny of nominations;
(c) the 22nd September, 1979 (Saturday), as the last date for the withdrawal of candida-
tures;
(d) the 12th October, 1979 (Friday), as the date on which a poll shall, if necessary, be
taken and
(e) the 16th October, 1979 ( Tuesday ), as the date before which the election shall be
completed.

NOTIFICATION
No.464/SKM-LA/79 (2)- In pursuance of section 56 of the Representation of the people Act,
1951(43 of 1951), the Election Commission hereby fixes the hours from 8 AM. to 4 PM as the hours during
which the poll shall, if necessary, be taken at the general elections to the Legislative Assembly of the State
Sikkim, to be held in pursuance of the Governor's notification published in the official Gazette of the State
on the 12th September, 1979.

By Order,

Sd/- (V. Nagasubramanian)
SECRETARY TO THE ELECTION COMMISSION OF INDIA
(Davy K. Manavalan)
CHIEF ELECTORAL OFFICER SIKKIM.

PRINTED AT THE SIKKIM GOVERNMENT PRESS
GOVERNMENT OF SIKKIM
HOME DEPARTMENT
NOTIFICATION
No. 7(6)/Home)/79
Gangtok, dated the 15th Sept.'79.

In continuation of Home Department notification of even number dated the 30th May, 1979 published in the Sikkim Government Gazette Extraordinary dated the 12th June, 1979, the following notification of the Government of India, Ministry of Finance (Department of Revenue) is republished for general information:

New Delhi, the 1st September, 1979.

NOTIFICATION

G.S.R No. 527 (E) - pursuance of the notification of the Government of India in the Ministry of Home Affairs No. S.O. 229 (E), dated the 26th April, 1979, the Central Government hereby appoints the 1st day of October, 1979, as the date on which the Customs Act, 1962 (52 of 1962) and the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) shall come into force in the State of Sikkim.

A. BORDIA
UNDER SECRETARY TO THE GOVERNMENT OF INDIA
(No. 185-CUS/F.No.492/3/75-Cus. VI)

R.K. GUPTA,
Additional Secretary.

PRINTED AT THE SIKKIM GOVERNMENT PRESS
GOVERNMENT OF SIKKIM

HOME DEPARTMENT

NOTIFICATION No. 3(4)Home/79-80.
Dated Gangtok, the 18th September, 1979.

The Governor is pleased to declare 12th October, 1979, the date of poll for the General Election, to the State Assembly, as a public holiday throughout the State.

BY ORDER,

R. K. GUPTA,
-Additional Secretary.
GOVERNMENT OF SIKKIM
LOCAL SELF GOVERNMENT & HOUSING DEPARTMENT
GANGTOK

NOTIFICATION

In exercise of the powers conferred by section 20 of the Gangtok Municipal Corporation Act, 1975, (Act No.IV 1975), as amended the State Government has made the following rules regulating the holding – of meeting of the Corporation and its committees and conduct of business at such meetings :-

Part I - Preliminary

1. (i) These rules may be called the Gangtok Municipal Corporation (HOLDING OF MEETINGS AND CONDUCT OF BUSINESS), Rules, 1979.

(2) They shall come into force with effect from the date of their publication in the official Gazette:

Part II - Time and place of meetings

2. The date, time and place of a meeting of the Corporation shall be fixed by the Chairman or in his absence by the Vice-Chairman.

3. There shall be a roll of councillors of the Corporation and every councillor shall sign the roll before the start of a meeting.

Part III - Arrangement of business and list of business

4. Subject to the provisions of rule §, every list of business (including a supplementary list) to be transacted at a meeting of the Corporation, shall be prepared by the Executive Officer under the directions of the Chairman.

5. The list of business of a meeting of the Corporation shall be arranged by the Executive Officer in the following order:
   (a) Confirmation of the minutes of the last meeting;
   (b) letters received from Government and others;
   (c) petitions;
   (d) resolutions or reports of any standing committee or joint committee constituted under section 17 and 18 of the Gangtok Municipal Corporation Act, 1975 (hereinafter called the Act),
   (e) questions, if any, and
   (f) notices of resolutions, if any, sent by any Councillor under Rule 8.

6. Notice of meeting of Corporation shall be sent to the councillors at the addresses given by them, and if the notice is sent by post it shall be sent under a certificate of posting.

7. Notwithstanding anything contained in these rules but subject to the provision of sub-section (1) of section 16 relating to notice, the Executive Officer may prepare under the direction of the Chairman a supplementary list of business with respect to any urgent matter and circulate that list to the councillors for consideration at the ensuing meeting whether ordinary or adjourned.
Revolutions

8. (1) Any councillor of the Corporation may send or deliver to the Executive Officer notice of any resolution with a copy thereof proposed to be moved by him at any meeting of which notice has been sent to him under section 16 of the Act. The notice shall be legibly written or typed and shall be sent or delivered at least forty eight hours before the date fixed for the meeting. The Executive Officer shall immediately circulate such resolution to every councillor and a resolution so circulated may, unless the meeting otherwise decides, be considered and disposed of thereat.

(2) No resolution shall be entertained in regard to a question once disposed of, except after a lapse of three months from the date of such disposal.

Part IV - Questions

9. The councillors may, subject to the conditions laid down in these rules, ask questions on any matter relating to the Municipal administration of the town under the Act.

10. The right to ask a question shall be governed by the following conditions, namely:

(a) not less than ten clear days notice in writing specifying the question shall be given to the Executive Officer;
(b) no question shall -
   (i) bring in any name or statement not strictly necessary to make the question intelligible,
   (ii) contain arguments, ironical expressions, imputations or defamatory statements,
   (iii) ask for an expression of opinion or solution of a hypothetical proposition,
   (iv) ask as to the character or conduct of any person except in his official or public capacity,
   (v) relate to a matter which is not primarily the concern of the Corporation or of any of the Corporation authorities,
   (vi) raise questions of policy too large to be dealt within the limit of an answer to a question,
   (vii) repeat, in substance, questions already answered or to which an answer has been refused,
   (viii) make or imply a charge of a personal character,
   (ix) ask for information on trivial matters,
   (x) ask for information on matters of past history,
   (xi) ask for information set forth in accessible documents or in ordinary works of reference,
   (xii) raise matters under the control of bodies or persons not primarily responsible to the Corporation,
   (xiii) ask for any information on a matter which is under adjudication by a court of law, or,
   (xiv) be of excessive length.

11. The Chairman shall disallow any question which is, in his opinion, in contravention of the provisions of rule 10. The decision of the Chairman in this matter shall be final.

12. Every question shall be answered by the Chairman at the meeting of the Corporation. The Chairman may, however, direct the Executive officer to read out a statement or report if he considers it necessary.

Provided that the Chairman shall not be bound to answer the question if it asks for information which has been communicated to him in confidence or if, in his opinion, it cannot be answered without prejudice to public interest or the interest of the Corporation.

Question time

13. (1) Not more than half an hour at a meeting shall be available for asking and answering of questions. Such questions as cannot be answered within the allotted time, shall be kept over for the next meeting.

(2) No councillor shall ask more than two question at a meeting.

List of question.

14. The Executive Officer shall prepare a list of all questions admitted and circulate the same to the Councillors along with the list of business.

Mode of asking and answering question

15. (1) When the time for asking questions arrives, the Chairman shall call successively each councillor in whose name a question appears on the list of question.

(2) The councillor so called shall rise in his place and unless he states that he does not wants to ask the question standing in his name, and the question by reference to its number on the list of question.
If the councillor concerned is not present the question may be asked by any other councillor if so authorised in writing by the former. If the question is not thus asked, it shall be deemed to have been dropped.

All questions which have been included in the list of questions shall be answered orally in addition to supplying a written answer to the councillor concerned at the commencement of the meeting.

No discussion shall be permitted in respect of any question or of any answer given to a question. A councillor may, however, ask not more than two supplementary questions for the purpose of further elucidation of any matter of fact regarding which an answer has been given.

If the Chairman declares that the answer to any question is not ready, the question shall stand over to the next meeting.

The questions entered in the list of business and the answer given thereto shall, unless the Corporation otherwise directs, form part of the proceedings of the meeting.

The councillor putting the question may withdraw the same at any time before it is included in the list of business and in such a case the question, shall not be included in the list of business.

The Chairman shall be at liberty to expunge from a notice of resolution any matter which he may consider to be defamatory or grossly offensive, and if he deems proper, he may disallow the resolution altogether on these grounds.

If the Chairman is of the opinion that words have been used by any councillor in any meeting which are defamatory or indecent or unparliamentary or undignified, he may, in his discretion, order that such words be withdrawn by the councillor and the councillor shall comply with the order.

When a meeting is convened for a special purpose or for a discussion of budget estimate, no other business shall be transacted and no motion Shall be moved or discussed which does not directly relate to the business for which the meeting is convened.

Ordinarily, a councillor moving a resolution shall be allowed to speak for ten minutes and a councillor moving an amendment thereto or taking part in the debate to speak for five minutes.

Provided that the Chairman may reduce or increase the time prescribed herein according to as the occasion demands.

The following procedure shall be observed at a meeting of the Corporation :-

(a) a councillor desiring to make any observation shall speak from his place, shall rise when he speaks and shall address the Chairman;
(b) if at any time the Chairman rises to speak, the member speaking or offering to speak shall resume his seat forthwith;
(c) all questions from one councillor to another relating to the business of the meeting, shall be put through the Chair;
(d) no councillor shall speak more than once on any matter but the proposer may speak in conclusion also after hearing all others who wish to speak;
(e) the matter of every speech shall be strictly relevant to the matter under discussion before the meeting and a councillor while speaking shall not :-

(i) refer to any matter or fact on which a judicial decision is pending;
(ii) make a personal charge against a councilor or officer or other employee of the Government or the Corporation;
(iii) make use of offensive expression regarding the Parliament or Any other Legislature or any public institution;
(iv) reflect upon the conduct of the President of India or any Governor, Minister or of any court of law acting in the exercise of its judicial function;
(v) utter unreasonable, seditious or defamatory words;
(vi) use his right of speech for the purpose of willfully and persistently obstructing the business of the Corporation.
The Chairman after having called the attention of the meeting to the conduct of a councillor who acts in contravention of clause (e) or persists in irrelevance or tedious repetition either of his own arguments or of the argument used by any other councillor in debate, may direct him to discontinue his speech, and he shall discontinue it forthwith.

If the Chairman directs a councillor to discontinue his speech under clause (f) and the councillor does not comply with this direction, the Chairman may ask him to leave the meeting. If the councillor does not leave the meeting, the Chairman may cause him to be removed, if necessary, by force.

Withdrawal of resolution

A resolution already moved or an amendment thereto will not be withdrawn save with the leave of the meeting.

Dropping an item in certain cases

Any councillor may, at the close of the speech of any other councillor, move the meeting to proceed to the next business and if the motion be seconded it shall be put to the vote forthwith without debate and if such a motion is carried, the question under discussion shall be considered as dropped.

Priorit to an item of business

(1) With the consent of the majority of the councillors present at any meeting, the Chairman may give priority to any item of business, irrespective of the order in which the item stands on the list of business.

(2) The Chairman may allow any business with respect to any urgent matter included in the supplementary list of business under rule 7, to be taken up for consideration at any stage of the proceedings of the Corporation.

Motion for adjournment of Debate or meeting

(1) When a councillor moves a motion for adjourning a debate or the meeting, the Chairman may at once put it to the vote after giving the councillors such reasonable opportunity as he thinks proper to state the reason for or against such motion.

(2) No motion for adjournment of the debate or the meeting shall be moved while the councillor is speaking:

Provided that the Chairman may at any time adjourn the meeting with the consent of the majority of the councillors present.

Minutes to be taken as read

The minutes of a previous meeting of the Corporation shall be taken as read unless the majority of councillors present request that such minutes be read.

Amendment of minutes

If any councillor present draws the attention of the meeting to any error or omission in the minutes of the previous meeting, such correction shall be made therein as the Chairman, after taking the sense of the meeting, deems fit.

Admission of public at meetings

The Chairman may regulate the admission of the public to witness the proceedings of the Corporation in accordance with such orders as he may, from time to time, issue in this behalf.

Power of persons presiding

In the absence of the Chairman, the Vice-Chairman or the person presiding over the meeting of the Corporation in the absence of both the Chairman and the Vice-Chairman, shall, when so presiding, have the same power as the Chairman when so presiding and all references to the Chairman in this rules shall in those circumstances, be deemed to be reference to any such person so presiding.

Part VI - Procedure for appointment and conduct of business of Commission

Standing Committees

The Corporation may at a meeting appoint one or more of the following Committees:

(i) Finance Committee.
(ii) Public Works Committee.
(iii) Public Health Committee.
(iv) Taxation Committee.
(v) any other Standing Committee the appointment of which may be considered necessary for performing some special function or duties.

The Standing Committee shall be appointed by election at a meeting of the Corporation by a majority of votes and in case of equality of votes, the person presiding shall have a second or casting vote.

Qualification of other persons

(1) The other person or person to be appointed on a standing committee under section 17 (2) of the Act, shall, as far as possible, be such person or person as have experience of municipal or public administration and person special aptitude for dealing with the matters for which the Standing Committee is appointed.
(2) The other person or persons referred to in sub-rule (1) shall have the right to speak in and otherwise take part in the proceedings of the committee of which they are members but shall not be entitled to vote.

38. The Councillors who are members of a Standing Committee shall at the first meeting of the Committee, elect from among themselves a Chairman and shall fill any casual vacancy in the office of the Chairman by fresh election.

39. The term of a Standing Committee shall be one year commencing from April 1 or the remaining part of the financial year if the election is held at any time after the said date.

Chairman of Standing Committee.

Term of Standing Committee.

Quorum

Date, time & place of meeting

Notice of the meeting.

Confirmation of minutes.

40. No business shall be transacted at a meeting of the Standing Committee unless at least two third of the members of the Committee are present.

41. The Chairman of the Standing Committee shall appoint the date, time and place of the meeting.

42. The Chairman of the Committee shall give at least 24 hours notice to the members of the Committee for holding the meeting and shall also circulate the list of business to be transacted at the meeting simultaneously.

43. All resolutions, motions or amendments shall be duly proposed and seconded and the Chairman shall decide summarily all points of order raised at a meeting of the Committee.

44. (1) The minutes of a previous meeting of the Committee shall be taken as read unless the majority of the members request that such minutes be read.

(2) If any member present draws the attention of the Chairman to any portion of the minutes of the previous meeting as being erroneously entered in the minute book, such correction as is deemed necessary by the Chairman shall be made before the minutes are signed.

45. In the absence of the Chairman, members of the Committee present may, if there is a quorum, elect one of themselves to preside over the meeting of the Committee.

46. All the proceedings of the Standing Committee shall be submitted by the Chairman of the Committee to the Corporation which may, before taking further action, confirm them or make such modifications therein as it may consider necessary.

47. If any doubt arises in giving effect to the provisions of these rules or in the interpretation of any rule the Executive Officer shall refer the matter to the State Government whose decision shall be final.

By Order.

P. K. Pradhan,
Secretary,
Local Self Government & Housing Department,
Gangtok

PRINTED AT THE SIKKIM GOVERNMENT PRESS
In exercise of the powers conferred by sub-section (v) of Section 12 - of the Gangtok Municipal Corporation Act, 1975 (IV of 1975) the State Government hereby makes the following rules relating to payment to be made out of the Municipal Fund to the Chairman, Vice - Chairman, Councillors, Officers and servants of the Corporation for travelling expenses incurred in performing Journeys for carrying out the purposes of the Act :

1. (i) These rules may be called the Gangtok Municipal Corporation Travelling Allowance Rules, 1979.
(ii) They shall come into force at once.

2. In these rules unless the subject or context otherwise requires :—
(a) "ACT" means the Gangtok Municipal Corporation Act, 1975 (Act IV of 1975).
(b) "Corporation" means the Gangtok Municipal Corporation.

3. The Chairman, Vice - Chairman, Councillors, Officers and servants of the Corporation shall be entitled to charge travelling allowance under these rules for journeys performed outside the boundary of the Corporation for carrying out the purposes of the Act, provided such journeys are undertaken in pursuance of a resolution passed by the Corporation at a meeting:

Provided that in emergent cases if the Executive Officer, or an Officer or servant of the Corporation is required to be sent put on Corporation work without waiting for the meeting of the Corporation, the Chairman in the case of the Executive officer and the Executive Officer in other cases, may allow him to proceed subject, however, to the condition that the matter is brought to the notice of the Corporation the next meeting for post facto approval.

4. The Chairman and Vice-Chairman of the Corporation shall be entitled to draw from the Municipal Fund travelling allowances, at the rates as are admissible to Sikkim Government servants belonging to Grade I. They will be entitled to travel by A.C.C. First Class while on tour where such class of accommodation is available.

5. The Councillors shall be entitled to draw from the Municipal Fund traveling Allowances at the rates as are admissible to Sikkim Government Servants belonging to Grade I. They will be entitled to travel by ordinary First Class while on tour.

6. The Officers and servants of the Corporation working in the posts mentions in column I below shall be allowed travelling allowances admissible to Government Servant of the Class mentioned against them in Column II below.

(a) Posts in the Scale the maximum of which is above Rs. 1600/-
Grade I (Class I Gazetted Officer)

(b) Posts in the Scale the maximum of which is Rs. 1600/- or lower but above Rs. 1100/-
Grade I (Class II Gazetted Officer)

(c) Posts in the Scale the maximum of which is Rs. 1 100/- or lower but above Rs. 450/-
Grade III (Class III Gazetted Officer)

(d) Posts in the Scale the maximum of which is Rs. 450/- or below.
Grade IV (Class IV Gazetted Officer)

Journey by Air

7. No journey shall be undertaken by air except under exceptional circumstance.
If the Chairman, Vice-Chairman or any Officer in receipt of pay of Rs. 2,000/- and above is required to travel by air in the interest of the Corporation prior approval of the Secretary to Government in the Local Self Government and Housing Department will be taken before the journey is undertaken.

Claims.

8. (I) A claim for travelling allowance shall be admitted for payment in the financial year during which the journey in respect of which travelling allowance is claimed, if performed:
Provided that such Claim shall be preferred within three months of its becoming due.

. Explanation:— For the purpose of this rule the period of three months prescribed for submission of travelling allowance bill shall be computed from the date of completion of the journey.

(2) The claim preferred within three months of its becoming due but not paid during the same financial year for any reason may be paid during the next financial year after obtaining the sanction of the Corporation.

(3) If a claim is preferred after the period of three months, it shall be entertained only after the sanction of the Corporation.

Controlling Officer

9. The "Controlling Officers for the purpose of passing bills for travelling allowance To be drawn by the Chairman, Vice-Chairman, the Councillors and the Officers and servants of the Corporation shall be as mentioned against them in column 2 below;

<table>
<thead>
<tr>
<th>1</th>
<th>2</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Chairman and Vice-Chairman</td>
<td>Secretary to the Govt. in the Local Self Government and Chairman Department.</td>
</tr>
<tr>
<td>(b) Councillors</td>
<td>Chairman</td>
</tr>
<tr>
<td>(c) Officers (Gazetted Grade)</td>
<td>Chairman.</td>
</tr>
<tr>
<td>(d) Other servants</td>
<td>Executive Officer.</td>
</tr>
</tbody>
</table>

10. in case any doubt or difficulty arises in the Interpretation of these rules the decision of the Government shall be final and binding on all concerned.

(P.K. Pradhan)
Secretary,
Local Self Government & Housing Department

PRINTED AT THE SIKKIM GOVERNMENT PRESS, GANGTOK.
ELECTION COMMISSION OF INDIA
NEW DELHI

NOTIFICATION

No. 77/H – In pursuance of sub-rule (2) of rule 11 of the Conduct of Elections Rules, 1961, the following is published for general information.

FORM 7A
Lists of Contesting Candidates
(See Rule 10 (1) Election to the Sikkim Legislative Assembly

<table>
<thead>
<tr>
<th>Serial Number</th>
<th>Name of candidate</th>
<th>Address of candidate</th>
<th>Symbol allotted</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Ashok Kumar Subba</td>
<td>Norbu Bhuwan, Lall Market, Gangtok</td>
<td>Drum</td>
</tr>
<tr>
<td>2</td>
<td>Chewang Dorjee Bhutia</td>
<td>Chumbung Bustty, P.O. Pathing</td>
<td>Umbrella</td>
</tr>
<tr>
<td>3</td>
<td>Mangal Limbu</td>
<td>Darap P.O. Yoksam W.S</td>
<td>Rising Sun</td>
</tr>
<tr>
<td>4</td>
<td>Mohan Kr. Gurung</td>
<td>Yoksam W.S</td>
<td>Bow and Arrow</td>
</tr>
<tr>
<td>5</td>
<td>Ram Bahadur Limboo</td>
<td>Darap W.S</td>
<td>Haldhar within Wheel (Chakra Haldhar)</td>
</tr>
<tr>
<td>6</td>
<td>Sanchaman Limboo</td>
<td>Hee, W.Sikkim</td>
<td>Horse</td>
</tr>
</tbody>
</table>

1 – YOKSUM Constituency.

2 – TASHIDING Constituency. BL

<table>
<thead>
<tr>
<th>Serial Number</th>
<th>Name of candidate</th>
<th>Address of candidate</th>
<th>Symbol allotted</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Dawgyal Pentso Bhutia</td>
<td>P.O. Sinek, W. Sikkim</td>
<td>Horse</td>
</tr>
<tr>
<td>2</td>
<td>Lago Tshering Bhutia</td>
<td>P.O. Geyzing, W. Sikkim</td>
<td>Bow and Arrow</td>
</tr>
<tr>
<td>3</td>
<td>Phurba Dorjee Sherpa</td>
<td>Singling Busty P.O. Soreong, W. Sikkim</td>
<td>Rising Sun</td>
</tr>
<tr>
<td>4</td>
<td>Phurba Wangyal Lassoppa</td>
<td>P.O. Gangtok, E. Sikkim</td>
<td>Haldhar within Wheel (Chakra Haldhar)</td>
</tr>
<tr>
<td>5</td>
<td>Ruth Karthak Lepchani</td>
<td>P.O. Singtam, E. Sikkim</td>
<td>Elephant</td>
</tr>
<tr>
<td>6</td>
<td>Yongda Lepcha</td>
<td>P.O. Tashiding, W. Sikkim</td>
<td>Bicycle</td>
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<tr>
<td>1</td>
<td>2</td>
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<td>4</td>
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<tr>
<td>3 – GEYZING Constituency</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>1.</td>
<td>Chatra Bahadur Chhetri P.O. Geyzing, W.Sikkim</td>
<td>Scale</td>
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<tr>
<td>2.</td>
<td>Dhan Bahadur Basnet P.O. Geyzing, W.Sikkim</td>
<td>Bow and Arrow</td>
<td></td>
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<tr>
<td>3.</td>
<td>Dudraj Gurung P.O. Geyzing, W.Sikkim</td>
<td>Haldhar within Wheel (Chakra Haldhar)</td>
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</tr>
<tr>
<td>4.</td>
<td>Indra Bahadur Limboo Lingchow, P.O.Geyzing W.Sikkim</td>
<td>Horse</td>
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<tr>
<td>5.</td>
<td>Kancha Bhutia P.O. Tadong, E.Sikkim</td>
<td>Umbrella</td>
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</tr>
<tr>
<td>6.</td>
<td>Nanda Kumar Subedi Block Kyongsa,P.O.Geyzing W.Sikkim</td>
<td>Rising Sun</td>
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<tr>
<td>7.</td>
<td>Padam Dhoj Limbu Langang, Yangang P.O.Geyzing, W.Sikkim</td>
<td>Drum</td>
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<tr>
<td>8.</td>
<td>Pharsaman Limboo P.O. Geyzing, W.Sikkim</td>
<td>Bicycle</td>
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<tr>
<td>9.</td>
<td>Prem Prakash Sahay M.G. Geyzing, W.Sikkim</td>
<td>Flower</td>
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<tr>
<td>10.</td>
<td>Purna Bahadur Limboo P.O. Geyzing, W.Sikkim</td>
<td>Elephant</td>
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<tr>
<td>11.</td>
<td>Ras Bahadur Sanyasi P.O. Geyzing, W.Sikkim</td>
<td>Clock</td>
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<td>4 – DENTAM Constituency</td>
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<tr>
<td>1.</td>
<td>Babulal Goyal P.O. Nayabazar, (W.S)</td>
<td>Deer</td>
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<tr>
<td>2.</td>
<td>Keder Jang Basnet Radhu Khandu P.O.Dentam, W.Sikkim</td>
<td>Umbrella</td>
<td></td>
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<tr>
<td>3.</td>
<td>Kul Bahadur Subba Dentam Bazar, W.Sikkim</td>
<td>Two Leaves</td>
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<td>4.</td>
<td>Man Bahadur Subba Shriaprtam P.O. Yangang, S.Sikkim</td>
<td>Drum</td>
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<td>5.</td>
<td>Padam Lall Gurung Maneybong, Uttaray W.Sikkim</td>
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<tr>
<td>6.</td>
<td>Pahalman Subba P.O. Uttarey W.Sikkim</td>
<td>Horse</td>
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<td>7.</td>
<td>Phur Tshering Luksom P.O. Dentam, W.Sikkim</td>
<td>Haldhar within Wheel (Chakra Haldhar)</td>
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<td>8.</td>
<td>Phurba Tenzing Sherpa P.O. Barmiok,W.Sikkim</td>
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<tr>
<td>9.</td>
<td>Pratap Singh Tewari P.O. Temi Tarku</td>
<td>Bow and Arrow</td>
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<td>5 – BARMIOK Constituency</td>
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<tr>
<td>1.</td>
<td>Bhaktabahadur Chhetri P.O.Hee Bazar (W.S)</td>
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<td>2.</td>
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<td>3.</td>
<td>Jag Bahadur Chhetri Block Pacherek P.O.Hee Bazar (W.S)</td>
<td>Bicycle</td>
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<td>4.</td>
<td>Mani Raj Rai P.O.Kaluk, W.Sikkim</td>
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<td>5.</td>
<td>Monita Pradhan Vil.Hee P.O. Hee (W.Sikkim)</td>
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<td>6.</td>
<td>Moni Parsad Subba P.O.Hee Bazar (W.S)</td>
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<td>7.</td>
<td>Needup Lepcha P.O. Barmiok (W.Sikkim)</td>
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<td>8.</td>
<td>Padam Singh Subba Uttaray P.O. Uttaray W.Sikkim</td>
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<td>9.</td>
<td>Til Bahadur Limbu P.O. Hee Bazar (W.S)</td>
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<tr>
<td>Constituency</td>
<td>Name</td>
<td>Post Office</td>
<td>Election Symbol</td>
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<tr>
<td>Rinchenden Pong</td>
<td>Dawa Tshering Sherpa</td>
<td>P.O. Dentam (W.Sikkim)</td>
<td>Bow and Arrow</td>
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<td></td>
<td>Degey Bhutia</td>
<td>Geyzing P.O.(W.Sikkim)</td>
<td>Haldhar within wheel (Chakar Haldhar)</td>
</tr>
<tr>
<td></td>
<td>Gompoo Namgyal Lepcha</td>
<td>P.O. Takuthang (W.S)</td>
<td>Umbrella</td>
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<td>Katuk Bhutia</td>
<td>P.O. Rinchenpong Kaluk (W.Sikkim)</td>
<td>Horse</td>
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<td>Lako Tshering Lepcha</td>
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<td>Loday Tshering Bhutia</td>
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<tr>
<td>Chakung</td>
<td>Chakra Bahadur Gurung</td>
<td>P.O. Chakung, W.Sikkim</td>
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10 – RALANG Constituency. (BL)

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12 – WAK Constituency.

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### 19 – Regu Constituency

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### 20 – Pathing (BL) Constituency

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<th>Symbol</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Chitim Bhutia</td>
<td>Lingtam</td>
<td>Horse</td>
</tr>
<tr>
<td>2</td>
<td>Cholek Dorjee Bhutia</td>
<td>Biring</td>
<td>Umbrella</td>
</tr>
<tr>
<td>3</td>
<td>Jimba Bhutia</td>
<td>Parkha</td>
<td>Hammer Sickle and Star</td>
</tr>
<tr>
<td>4</td>
<td>O.T. Lepcha</td>
<td>Chujachen</td>
<td>Scales</td>
</tr>
<tr>
<td>5</td>
<td>Ram Lepcha</td>
<td>Turung</td>
<td>Rising Sun</td>
</tr>
<tr>
<td>6</td>
<td>Rintseang Lepcha</td>
<td>Pakyang</td>
<td>Tiger</td>
</tr>
<tr>
<td>7</td>
<td>Sangay Bhutia</td>
<td>Parkha</td>
<td>Bow and Arrow</td>
</tr>
<tr>
<td>8</td>
<td>Sangay Dorjee Bhutia</td>
<td>Rongli</td>
<td>Haldhar within Wheel (Chakra Haldhar)</td>
</tr>
<tr>
<td>9</td>
<td>Sonpin Lucksom</td>
<td>Singtam</td>
<td>Clock</td>
</tr>
</tbody>
</table>

### 21 – Loosing Pacheykhan (SC) Constituency

<table>
<thead>
<tr>
<th></th>
<th>Name</th>
<th>Ward</th>
<th>Symbol</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Bans Bahadur Basnet</td>
<td>Pakyong</td>
<td>Horse</td>
</tr>
<tr>
<td>2</td>
<td>Bhakta Bahadur Khulal</td>
<td>Namchebyung</td>
<td>Umbrella</td>
</tr>
<tr>
<td>3</td>
<td>Btim Bahadur Subba</td>
<td>Aho-Yangtam</td>
<td>Drum</td>
</tr>
<tr>
<td>4</td>
<td>Damber Kusum Subba</td>
<td>Gangtok</td>
<td>Two Leaves</td>
</tr>
<tr>
<td>5</td>
<td>Jagat Bandhu Pradhan</td>
<td>Gangtok</td>
<td>Rising Sun</td>
</tr>
<tr>
<td>6</td>
<td>Mangal Singh Tamang</td>
<td>Rangpo</td>
<td>Elephant</td>
</tr>
<tr>
<td>7</td>
<td>Mohan Gurung</td>
<td>Ranipul</td>
<td>Scales</td>
</tr>
<tr>
<td>8</td>
<td>Narayan Prasad Pradhan</td>
<td>Ranipul</td>
<td>Calf and Cow</td>
</tr>
<tr>
<td>9</td>
<td>Rup Raj Rai</td>
<td>Pakyang</td>
<td>Bow and Arrow</td>
</tr>
<tr>
<td>10</td>
<td>Shova Kanti Lepcha</td>
<td>Gangtok</td>
<td>Haldhar within Wheel (Chakra Haldhar)</td>
</tr>
</tbody>
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### 22 – Khumdong (SC) Constituency

<table>
<thead>
<tr>
<th></th>
<th>Name</th>
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<tbody>
<tr>
<td>1</td>
<td>Bhairab Bahadur Lamichanay</td>
<td>Khamdong</td>
<td>Chepcha</td>
</tr>
<tr>
<td>2</td>
<td>Birkhaman Ramudharu</td>
<td>Yangang</td>
<td>Umbrella</td>
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<tr>
<td>3</td>
<td>Dal Bahadur Damai</td>
<td>Dentum West Sikkim</td>
<td>Bow and Arrow</td>
</tr>
<tr>
<td>4</td>
<td>Hima Lal Rasaily</td>
<td>Gangtok</td>
<td>Haldhar within Wheel (Chakra Haldhar)</td>
</tr>
<tr>
<td>5</td>
<td>Janga Bahadur Khari</td>
<td>Barmiok</td>
<td>Elephant</td>
</tr>
<tr>
<td>6</td>
<td>Laya Prasad Mohato</td>
<td>Lingjey</td>
<td>Two Leaves</td>
</tr>
<tr>
<td>7</td>
<td>Man Bahadur Darjee</td>
<td>Rorathang</td>
<td>Rising Sun</td>
</tr>
<tr>
<td>8</td>
<td>Sukman Darjee</td>
<td>Parkha</td>
<td>Scales</td>
</tr>
<tr>
<td>9</td>
<td>Tilochan</td>
<td>Khamdong</td>
<td>Horse</td>
</tr>
</tbody>
</table>

### 23 – Dzongu (BL) Constituency

<table>
<thead>
<tr>
<th></th>
<th>Name</th>
<th>Ward</th>
<th>Symbol</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Athup Lepcha</td>
<td>P.O. Passingdang Upper Dzongu</td>
<td>Horse</td>
</tr>
<tr>
<td>2</td>
<td>Kazi Lhendup Dorjee Kangsarpetrol Pump,Gangtok</td>
<td>Haldhar within Wheel (Chakra Haldhar)</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Pintook Lerpcha</td>
<td>P.O. Hee-Gyathang</td>
<td>Bow and Arrow</td>
</tr>
<tr>
<td>4</td>
<td>Sonam Chhyoda Lepcha</td>
<td>Lingdong, Dzongu</td>
<td>Flower.</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>2</td>
<td>3</td>
</tr>
<tr>
<td>-------</td>
<td>--------------------------</td>
<td>-------------------------------------------------------</td>
<td>-----------------------------------------------</td>
</tr>
<tr>
<td>24 — Lachen (BL) Mangshila Constituency</td>
<td>1. Phutik Bhutia</td>
<td>P.O. Namok</td>
<td>Bow and Arrow</td>
</tr>
<tr>
<td></td>
<td>2. Sangay Dubo Kazi</td>
<td>Mangan Kohti, Mangan</td>
<td>Two Leaves</td>
</tr>
<tr>
<td></td>
<td>3. Tasha Tengay Lepcha</td>
<td>Chungthang</td>
<td>Haldhar within Wheel</td>
</tr>
<tr>
<td></td>
<td>4. Tenzing Dadul Bhutia</td>
<td>P.O. Mangan</td>
<td>Horse</td>
</tr>
<tr>
<td></td>
<td>5. Thokchok Bhutia</td>
<td>P.O. Namok</td>
<td>Hurricane Lamp</td>
</tr>
<tr>
<td>25 - Kabi Tingda (BL) Constituency</td>
<td>1. Dawa Tendup Lepcha</td>
<td>P.O. Kaluk, W.Sikkim</td>
<td>Bow and Arrow</td>
</tr>
<tr>
<td></td>
<td>2. Kalzang Gyatso</td>
<td>Kabi</td>
<td>Haldhar within Wheel</td>
</tr>
<tr>
<td></td>
<td>3. Nima Kazi</td>
<td>Phodong</td>
<td>Hurricane Lamp</td>
</tr>
<tr>
<td></td>
<td>4. Sonam Dorjee</td>
<td>Chooking House, Gangtok</td>
<td>Flower</td>
</tr>
<tr>
<td></td>
<td>5. Sonam Tsering</td>
<td>Bridge Lodge, Gangtok</td>
<td>Horse</td>
</tr>
<tr>
<td>26 — Rakdong Tintek (BL) Constituency</td>
<td>1. Dugo Bhutia</td>
<td>Ranipool</td>
<td>Bow and Arrow</td>
</tr>
<tr>
<td></td>
<td>2. Leythup Lepcha</td>
<td>Makha</td>
<td>Elephant</td>
</tr>
<tr>
<td></td>
<td>3. Loden Tsering Bhutia</td>
<td>Samdong</td>
<td>Horse</td>
</tr>
<tr>
<td></td>
<td>4. Rinezing Tongden Lepcha</td>
<td>Gangtok</td>
<td>Haldhar within Wheel</td>
</tr>
<tr>
<td></td>
<td>5. Ugen Tsering Lasopa</td>
<td>Tumin</td>
<td>Clock</td>
</tr>
<tr>
<td>27—Martam (BL) Constituency</td>
<td>1. Palden Wangchuk</td>
<td>Song</td>
<td>Haldhar within Wheel</td>
</tr>
<tr>
<td></td>
<td>2. Rapzang Lama</td>
<td>Song</td>
<td>Bow and Arrow</td>
</tr>
<tr>
<td></td>
<td>3. Ruth Karthak Lepchani</td>
<td>Singtam</td>
<td>Elephant</td>
</tr>
<tr>
<td></td>
<td>4. Samten Tsering</td>
<td>Song</td>
<td>Horse</td>
</tr>
<tr>
<td></td>
<td>5. Tseten Gyatso Bhutia</td>
<td>Martam</td>
<td>Drum</td>
</tr>
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<td></td>
<td>6. Tsewang Gyamtso Bhutia</td>
<td>Sangmo</td>
<td>Rising Sun</td>
</tr>
<tr>
<td>28—Rumtek (BL) Constituency</td>
<td>1. Dadul Bhutia</td>
<td>Tadong</td>
<td>Horse</td>
</tr>
<tr>
<td></td>
<td>2. Dawa Tashi Bhutia</td>
<td>Tadong</td>
<td>Elephant</td>
</tr>
<tr>
<td></td>
<td>3. Karma Gyampo Bhutia</td>
<td>Rumtek</td>
<td>Bow and Arrow</td>
</tr>
<tr>
<td></td>
<td>4. K. Lama Chankapa</td>
<td>Gangtok</td>
<td>Rising Sun</td>
</tr>
<tr>
<td></td>
<td>5. Namgyal Tsering Bhutia</td>
<td>Tadong</td>
<td>Haldhar within Wheel</td>
</tr>
<tr>
<td></td>
<td>6. Needup Lepcha</td>
<td>Barmiok</td>
<td>Bicycle</td>
</tr>
<tr>
<td></td>
<td>7. Tenzing Bhutia</td>
<td>Song</td>
<td>Scale</td>
</tr>
<tr>
<td></td>
<td>8. Tshering Pintso Bhutia</td>
<td>Ben Busty</td>
<td>Calf and Cow</td>
</tr>
<tr>
<td>29 — Assam Lingjey (BL) Constituency</td>
<td>1. Norchen Lucksom</td>
<td>Pakyong</td>
<td>Haldhar within Wheel</td>
</tr>
<tr>
<td></td>
<td>2. Phuchung Tshering</td>
<td>Rangpo</td>
<td>Rising Sun</td>
</tr>
<tr>
<td></td>
<td>3. Sherab Palden</td>
<td>Tathangchen</td>
<td>Horse</td>
</tr>
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<td></td>
<td>4. Tshering Nedup</td>
<td>Pahm</td>
<td>Bow and Arrow</td>
</tr>
<tr>
<td>30 – Ranka (BL) Constituency</td>
<td>1. Diki Choden Bhutia</td>
<td>Sichey Busty, Gangtok</td>
<td>Haldhar within Wheel</td>
</tr>
<tr>
<td></td>
<td>2. Dorji Tshering Bhutia</td>
<td>Gangtok</td>
<td>Rising Sun</td>
</tr>
<tr>
<td></td>
<td>3. Kancha Lama</td>
<td>Ranka</td>
<td>Two Leaves</td>
</tr>
<tr>
<td></td>
<td>4. Rinchen Lepcha</td>
<td>Dhajay Danra</td>
<td>Bow and Arrow</td>
</tr>
<tr>
<td></td>
<td>5. Sonam Tshering Bhutia</td>
<td>Khamdong</td>
<td>Horse</td>
</tr>
</tbody>
</table>
31 – Gangtok Constituency

1. Anand Singal  M.G. Mark, Gangtok  Tiger
2. Bimal Kumar Rasily  Above Durga Stores, Gangtok  Clock
3. D.P. Bhawani Puri  M.G.Marg, Gangtok  Deer
4. Dorjee Dadul  New Market, Gangtok  Haldhar within Wheel (Chakra Haldhar)
5. Ganesan  T.N.Academy, Gangtok  Umbrella
6. Gauri Shanker Banset  New Market, Gangtok  Car
7. Hari Bhakta Pradhan  Ranipul Bazar  Elephant
8. Jagat Bhandu Pradhan  Development Area, Gangtok  Rising Sun
9. Kaiser Bahadur Thapa  P.O. Gangtok  Bow and Arrow
10. Kharga Bahadur Chhetri  M.G. Marg, Gangtok  Hurricane Lamp
11. Lall Bahadur Basnet  Primula Cottage, Gangtok  Horse
12. Malchand Agarwal  Lall Market, Gangtok  Two Leaves
13. R.P. Nehru  Lall Market, Gangtok  Scales
14. K.B. Pradhan  Lall Market Road, Gangtok  Bicycle
15. Ram Chandra Verma  Lall Market Road, Gangtok  Drum
16. Ratna Kamal Dewan  Development Area, Gangtok  Flower
17. Santosh Nirash  West Point House, Gangtok  Pot

32 – Sangha Constituency

1. Lhachen Gonchen Rimpuchhi  P.O. Lhachen  Elephant
2. Pema Lama  Rumtak  Bow and Arrow

(D.K. Manavalan)
Chief Electoral Officer, Sikkim.
No. 85                    Gangtok, Thursday, 4th October, 1979

GOVERNMENT OF SIKKIM
HOME DEPARTMENT

Gangtok, dated the October 4, 1979.

NOTIFICATION

In exercise of the powers conferred by Section 12 of the Code of Criminal Procedure, 1989, the State Government hereby appoints the following officers to be Magistrates of the first class for the period from the 8th October, 1979 to the 14th October, 1979 for the District indicated against their names:—

<table>
<thead>
<tr>
<th>Sl.No.</th>
<th>Name</th>
<th>Designation</th>
<th>District</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Shri B.K. Kharel</td>
<td>Deputy District Collector-cum-Magistrate</td>
<td>West</td>
</tr>
<tr>
<td>2.</td>
<td>Shri D.P. Kaleon</td>
<td>Revenue Officer, Head Quarters.</td>
<td>West</td>
</tr>
<tr>
<td>3.</td>
<td>Shri A.K. Chhetri</td>
<td>Revenue Officer, East.</td>
<td>South</td>
</tr>
<tr>
<td>4.</td>
<td>Shri M.K. Rai</td>
<td>Assistant Commissioner, Excise.</td>
<td>South</td>
</tr>
<tr>
<td>5.</td>
<td>Shri Palden Tsering</td>
<td>- do -</td>
<td>West</td>
</tr>
<tr>
<td>6.</td>
<td>Shri Tsewang Dorje</td>
<td>Deputy Registrar, High Court.</td>
<td>East</td>
</tr>
<tr>
<td>7.</td>
<td>Shri C.P. Khati</td>
<td>Assistant Registrar-cum-Reader, High Court.</td>
<td>East.</td>
</tr>
</tbody>
</table>

The appointment of officers at serial number 6 & 7 has the concurrence of the Hon’ble High Court of Sikkim.

BY ORDER

R.K. GUPTA
Additional Secretary,
Home Department.
F. No. 3(2) Home/79.

PRINTED AT THE SIKKIM GOVERNMENT PRESS, GANGTOK
No.86    Gangtok, Saturday, October 6th, 1979.

HOME DEPARTMENT
NOTIFICATION

No. 3(2)-Home/79

Dated Gangtok, the October 6, 1979.

In exercise of the powers conferred by Section 12 of the Code of Criminal Procedure, 1898, the State Government hereby appoints the following officers to be Magistrates of the first class the period from the 8th October, 1979 to the 14th October, 1979 for the District indicated against their names :-

<table>
<thead>
<tr>
<th>Sl.No</th>
<th>Name</th>
<th>Designation</th>
<th>District</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Shri T.P. Dorji</td>
<td>Dy. District Magistrate East</td>
<td>East</td>
</tr>
<tr>
<td>2.</td>
<td>Shri S. K. Singh</td>
<td>Dy. District Magistrate South</td>
<td>South</td>
</tr>
<tr>
<td>4.</td>
<td>Shri Alok Rawat</td>
<td>D.D.O., West</td>
<td>West</td>
</tr>
<tr>
<td>5.</td>
<td>Shri Nari Tsering</td>
<td>D.D.O., South</td>
<td>South</td>
</tr>
<tr>
<td>7.</td>
<td>Shri D. K. Gajmer</td>
<td>Dy. C.P. &amp; A.O</td>
<td>East</td>
</tr>
<tr>
<td>8.</td>
<td>Shri T.T. Dorjee</td>
<td>Executive Officer, GMC</td>
<td>East</td>
</tr>
<tr>
<td>10.</td>
<td>Shri Sangay Basi</td>
<td>Under Secy., Coop. Deptt.</td>
<td>East</td>
</tr>
</tbody>
</table>

BY ORDER

T.S. GYALTSHEN

Chief Secretary,
Government of Sikkim

PRINTED AT THE SIKKIM GOVERNMENT PRESS, GANGTOK
HOME DEPARTMENT
NOTIFICATION
No. 37(1)-Home/77 Dated
Gangtok, the 8th October, 1979.

The State Government announce that, as a mark of respect to the memory of Lok Nayak Shri Jayaprakash Narain, who passed away this morning, State mourning will be observe for seven days with effect from 8th October, 1979 to 14th October, 1979, during these period National flags will be flown at half mast on all Government buildings throughout the State. There will be no official entertainment during the period of mourning.

All Government offices and institutions shall remain closed today, the 8th October, 1979.

T.S.GYALTSHEN
Chief Secretary,
Government of Sikkim
No. 88    Gangtok, Thursday, October 11, 1979

HOME DEPARTMENT (ELECTION)

NOTIFICATION NO. 80/H

DATED, GANGTOK, THE 2nd OCTOBER, 1979

The following notification dated 28 September, 1979 of the Election Commission of India is hereby published for general information.

NOTIFICATION

S.O. :- In pursuance of the paragraph 17 of the Election Symbols (Reservation and Allotment) Order, 1968, and in supersession of its notification No.56/78 dated 25 January 1978 published as S.O. 40(E) in the Gazette of India, Extordinary, Part II, Section 3 (ii) dated 25 January 1978 and notification No.56/79(4) dated 23 May, 1979 published as S.O. 300(E) in the Gazette of India, Extraordinary, Part II, Section 3(ii) dated 23 May, 1979 and as amended from time to time, the Election Commission hereby specifies —

(a) the National Parties and the symbols respectively reserved for them in Table I;

(b) the State Parties, the State or States in which they are State Parties and the symbols respectively reserved for them in such State or States in Table 2;

(c) un-recognised registered political parties and the State or States in which they function Table 3; and

(d) free symbols for each State in Table 4.

TABLE – 1

<table>
<thead>
<tr>
<th>NATIONAL PARTIES</th>
<th>SYMBOLS RESERVED</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Indian National Congress</td>
<td>Calf and Cow</td>
</tr>
<tr>
<td>2. Indian National Congress (I)</td>
<td>Hand</td>
</tr>
<tr>
<td>3. Communist Party of India</td>
<td>Ears of Corn and Sickle</td>
</tr>
<tr>
<td>4. Communist Party of India (Marxist)</td>
<td>Hammer, Sickle and Star</td>
</tr>
<tr>
<td>5. Janata Party</td>
<td>Haldhar within Wheel (Chakra Haldhar)</td>
</tr>
<tr>
<td>6. Janata Party (Secular)</td>
<td>Farmer Ploughing the Field (Khet Jotata Hua Kisan)</td>
</tr>
</tbody>
</table>
### TABLE – 2

<table>
<thead>
<tr>
<th>NAME OF THE STATE</th>
<th>NAME OF THE STATE PARTY</th>
<th>SYMBOLS RESERVED</th>
</tr>
</thead>
<tbody>
<tr>
<td>ASSAM</td>
<td>Plains Tribals Council of Assam</td>
<td>Cultivator cutting crop.</td>
</tr>
<tr>
<td>HARYANA</td>
<td>Vishal Haryana</td>
<td>Rising Sun</td>
</tr>
<tr>
<td>JAMMU AND KASHMIR</td>
<td>Jammu and Kashmir National Conference</td>
<td>Plough</td>
</tr>
<tr>
<td>MAHARASHTRA</td>
<td>Peasants and Workers Party</td>
<td>Cart</td>
</tr>
<tr>
<td>MEGHALAYA 1.</td>
<td>All party Hill Leaders Conference</td>
<td>Lion</td>
</tr>
<tr>
<td>NAGALAND</td>
<td>1. National Convention of Nagaland, 2. United Democratic Front</td>
<td>Naga, Cock</td>
</tr>
<tr>
<td>PUNJAB</td>
<td>Shiromani Akali Dal</td>
<td>Scales</td>
</tr>
<tr>
<td>SIKKIM</td>
<td>1. Sikkim Congress (R), 2. Sikkim Scheduled Castes League</td>
<td>Rising Sun, Chepcha</td>
</tr>
<tr>
<td>TAMIL NADU</td>
<td>1. All India Anna Dravida Munnetra Kazhagam, 2. Dravida Munnetra Kazhagam</td>
<td>Two Leaves, Rising Sun</td>
</tr>
<tr>
<td>TRIPURA</td>
<td>Tripura Upajati Juba Samiti</td>
<td>Two Leaves</td>
</tr>
<tr>
<td>WEST BENGAL</td>
<td>1. All Indai Forward Block</td>
<td>Lion</td>
</tr>
<tr>
<td>ARUNACHAL</td>
<td>People’s Party of Arunachal</td>
<td>Mithun</td>
</tr>
<tr>
<td>PRADESH</td>
<td>Maharshtrawadi Gomuntak</td>
<td>Lion</td>
</tr>
<tr>
<td>GOA,DAMAN And</td>
<td>People’s Conference</td>
<td>Scales</td>
</tr>
<tr>
<td>DIU</td>
<td>1. All India Anna Dravida Munnetra Kazhagam, 2. Dravida Munnetra Kazhagam</td>
<td>Two Leaves, Rising Sun</td>
</tr>
</tbody>
</table>

### TABLES – 3

<table>
<thead>
<tr>
<th>Name of the un-recognised registered political party</th>
<th>State/States in which it function</th>
</tr>
</thead>
<tbody>
<tr>
<td>3. Bharatiya Socialist Party</td>
<td>Punjab</td>
</tr>
<tr>
<td>6. Revolutionary Communist Party of India</td>
<td>Uttar Pradesh</td>
</tr>
<tr>
<td>9. Socialist Unity Centre of India</td>
<td>Uttar Pradesh, 7. West Bengal and 8. Delhi</td>
</tr>
<tr>
<td>10. Shiva Sena</td>
<td>Maharashtra</td>
</tr>
<tr>
<td>12. Sikkim Pranatantra Congress</td>
<td>Sikkim</td>
</tr>
<tr>
<td>13. Tripura State Congress for Democracy</td>
<td>Tripura</td>
</tr>
<tr>
<td>Name of State</td>
<td>Free Symbols</td>
</tr>
<tr>
<td>-------------------------</td>
<td>------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>No.</td>
<td>State</td>
</tr>
<tr>
<td>-----</td>
<td>---------------</td>
</tr>
</tbody>
</table>
22. WEST BENGAL
1. A woman carrying basket on her head, 2. A pair of Pigeons
about to fly, 8. Elephant, 9. Fish, 10. Flaming Torch 11. Hand
23. Two Leaves,

23. ANDAMAN & NICOBAR ISLANDS

24. ARUNCHAL PRADESH
1. Aeroplane, 2. A woman carrying basket on her head, 3. Boat
Leaves, 18. Two swords and a shield 19. Umbrella,

25. CHANDIGARH
10. Lion, 11. Railway Engine, 12. Rising Sun, 13. Scales,
Leaves,

26. DADRA AND NAGAR HAVELI
Leaves,

27. DELHI
Rider, 10. Ladder, 11. Lion, 12. Pot, 13. Rising Sun, 14. Rail-
swords and a shield

28. GOA, DAMAN AND DIU

29. LASHADWEEP
7. Spade, 8. Two Leaves,

30. Mizoram
row, 15. Two Leaves, 16. Tiger, 17. Umbrella

31. PONDACHERRY
Engine, 6. Scales, 7. Spade, 8. Sparrow,
HOME DEPARTMENT (ELECTION)

Notification No. 78/H

Dated Gangtok, the 1st October, 1979.

The following notification dated 25 September, 1979 of the Election Commission of India is hereby published for general information.

NOTIFICATION

S.O. Whereas by its order dated 25 September 1979 in exercise of the powers conferred on the Election Commission by Article 324 of the Constitution read with rules 5 and 10 of the Conduct of Elections Rules, 1961, paragraphs 3, 6, 7, 8 and 18 of the Election Symbols (Reservation and Allotment) Order, 1968 and all other powers enabling it in this behalf, the Election Commission of India has decided to recognize "Janta Party (Secular)" National Party and to reserve the symbol "Farmer Ploughing the Field" (Khet Jotata Hua Kisan) to it;

Now, therefore, in pursuance of clause (a) of sub-paragraph (1) and sub-paragraphs (2) of paragraph 17 of the Election symbols (Reservation and Allotment) Order, 1968 the Commission hereby makes the following amendment in its notification No. 56/78, dated 25 January, 1978 published as S.O. 40 (E) in the Gazette of India, Extraordinary, Part II Section 3(ii) dated 25 January 1978 and as amended from time to time, namely—

In TABLE 1 appended to the said notification, the following entries shall be made in column 1 and 2:—

'6 Janata Party (Secular)................. Farmer Ploughing the Field" (Khet Jotata Hua Kisan)

By Order

(S.R. Sethi)
Deputy Chief Electoral Officer, Sikkim

No.56/79(10)

Sd/- (K. GANESAN)
SECRETARY
HOME DEPARTMENT (ELECTION)

NOTIFICATION No. 79H

Dated Gangtok, the 1st October, 1979.

The following notification dated 26 September, 1979 of the Election Commission of India is hereby published for general information.

NOTIFICATION

S.O. In exercise of the powers conferred by rules 5 and 10 of the Conduct of Election Rule 61 and clause (d) of sub-paragraph (1) and sub-paragraph (2) of paragraph 17 of the Election Symbol (Reservation and Allotment) Order, 1968, the Election Commission of India hereby makes the following further amendment in its notifications No. 56/78, dated the 25th January, 1978, published as S.O-40 (E) in the Gazette of India, Extraordinary, Part II Section 3 (ii), dated the 25th January, 1978, which shall be deemed to have been made with effect from 22nd September, 1979, namely:

In Table 3 appended to the said notification against item No.18 Sikkim, under column 2, the following entry shall be added:—

"18. Car"

By Order,

(S.R. Sethi)       Sd/- ( K. GANESAN)
Deputy Chief Electoral Officer, Sikkim    SECRETARY

No. 56/79/11

PRINTED AT THE SIKKIM GOVERNMENT PRESS, GANGTOK
GOVERNMENT OF SIKKIM
LAW AND LEGISLATIVE DEPARTMENT

Notification No. 4LL/RC/79
Dated Gangtok, the 9th October, 1979.

Government of India, Ministry of Law, Justice and Company Affairs, New Delhi Notification No. GSR 529 (E) dated New Delhi the 5th September, 1979, as published in Extraordinary of the Gazette of India, Part II, Section 3 (i) dated 5th September, 1979, is republished for general information.

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS
( Department of Legal Affairs )
(Advice (A) Section)

NOTIFICATION
New Delhi, the 5th September, 1979.

G.S.R. 592(E):— In exercise of the powers conferred by sub-section (2) of section 1. of the Constitution (Forty-fourth Amendment) Act, 1979, the Central Government hereby appoints the date immediately following the date on which this notification is published in the Official Gazette, as the date on which section 24 and 43 of the said Act shall come into force.

(No. F. 1 (8)/78-Adv. (A) )
P.B. YENKATA-SUDRAMANIAN,
Secretary to the Government of India.

By Order

B.R. PRADHAN
Secretary to the Government of Sikkim.
Law & Legislation Department.
F. No. 11 (147) LL/79.

PRINTED AT THE SIKKIM GOVERNMENT PRESS. GANGTOK
GOVERNMENT OF SIKKIM,

HOME DEPARTMENT,

OFFICE OF THE CHIEF ELECTORAL OFFICER.

Gangtok, dated the 18th October, 1979

NOTIFICATION

The following notification issued by the Election Commission of India on 18th October, 1979 is published hereinafter:—

"No. 308/SKM-LA/79. - Whereas in pursuance of the notification No.3 (2) Home/79 issued by the Governor of Sikkim on the 12th September, 1979, under section 15 of the Representation of the People Act, 1953 (43 of 1953), a General Election has been held for the purpose of constituting a new Legislative Assembly for the State of Sikkim;

And whereas the results of the elections in all the assembly constituencies in the said General Election, other than that in 22-Khamdong (SC) assembly constituency in which the poll could not be taken on the date originally fixed under clause(d) of section 30 of the said Act on account of the countermanding of the poll due to the death of a contesting candidate, have been declared by the Returning Officers concerned;

And whereas, having been elected on the results of the elections in 7-Chakung as also 10 Jorethang-Naya Bazar assembly constituencies, Shri B.B. Gurung has tendered his resignation from 7-Chakung assembly Constitution, the seat in 7-Chakung assembly constituency is also remaining vacant;"
Now, therefore, in pursuance of section 73 of the Representation of the People Act, 1951 (43 of 1951), the Election Commission hereby notifies the names of the members elected for those Constituencies as shown below:

<table>
<thead>
<tr>
<th>No. &amp; Name of the constituency</th>
<th>Name of elected member</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Yoksam</td>
<td>Sanchaman Limbu</td>
</tr>
<tr>
<td>2. Tashiding (BL)</td>
<td>Dawgyal Pentso Bhutia</td>
</tr>
<tr>
<td>3. Geyzing</td>
<td>Indra Bahadur Limbu</td>
</tr>
<tr>
<td>4. Dentam</td>
<td>Padam Lall Gurung</td>
</tr>
<tr>
<td>5. Barmiok</td>
<td>Til Bahadur Limbu</td>
</tr>
<tr>
<td>6. Rinchenpong(BL)</td>
<td>Katuk Bhutia</td>
</tr>
<tr>
<td>7. Chakung</td>
<td>(Vacant)</td>
</tr>
<tr>
<td>8. Soreong</td>
<td>Nar Bahadur Bhandari</td>
</tr>
<tr>
<td>9. Daramdin</td>
<td>Padam Bahadur Gurung</td>
</tr>
<tr>
<td>10. Jorethang, Naya Bazar</td>
<td>Bhim Bahadur Gurung</td>
</tr>
<tr>
<td>11. Ralang(BL)</td>
<td>Chmla Tsering</td>
</tr>
<tr>
<td>12. Wak</td>
<td>Garjaman Gurung</td>
</tr>
<tr>
<td>13. Damthang</td>
<td>Pradeep Yonzon</td>
</tr>
<tr>
<td>14. Melli</td>
<td>Mohan Prasad Sharma</td>
</tr>
<tr>
<td>15. Rateypani- West Pendam(SC)</td>
<td>Bir Bahadur Lohar</td>
</tr>
<tr>
<td>16. Temi-Tarku</td>
<td>Nar Bahadur Khatiwalla</td>
</tr>
<tr>
<td>17. Cantral Pendam-East Pendam</td>
<td>Bhuwani Prasad Kharel</td>
</tr>
<tr>
<td>18. Rhenock</td>
<td>Kharananda Upeti</td>
</tr>
<tr>
<td>19. Regu</td>
<td>Tulshi Sharma</td>
</tr>
<tr>
<td>20. Pathing (BL)</td>
<td>Ram Lepcha</td>
</tr>
<tr>
<td>21. Loosing Pachekhani</td>
<td>Jagat Bahadur Pradhan</td>
</tr>
<tr>
<td>22. Khamdong (SC)</td>
<td>(Vacant)</td>
</tr>
<tr>
<td>23. Dzongu(BL)</td>
<td>Athup Lepcha</td>
</tr>
<tr>
<td>24. Lachen- Mangshila(BL)</td>
<td>Tenzing Dadul Bhutia</td>
</tr>
<tr>
<td>25. Kabi-Tingda(BL)</td>
<td>Sonam Tshering</td>
</tr>
<tr>
<td>26. Rakdong-Tintek(BL)</td>
<td>Dugo Bhutia</td>
</tr>
<tr>
<td>27. Martam (BL)</td>
<td>Samten Tshering</td>
</tr>
<tr>
<td>28. Rumtek(BL)</td>
<td>Sherab Bhutia</td>
</tr>
<tr>
<td>29. Assam-Lingjey(BL)</td>
<td>Dorji Tshering Bhutia</td>
</tr>
<tr>
<td>30. Gangtok</td>
<td>Lall Bahadur Basnet</td>
</tr>
<tr>
<td>31. Sangha</td>
<td>Lhachen Gonchen Rimpuchhi</td>
</tr>
</tbody>
</table>

By Order.

Sd.K.Ganesan  
Secretary to the Election Commission of India

D.K.Manavalan  
Chief Electoral Officer, Sikkim

PRINTED AT THE SIKIM GOVERNMENT PRESS, GANGTOK
GOVERNMENT OF SIKKIM
HOME DEPARTMENT
NOTIFICATION

No. 183/HOME/79

Gangtok, dated the 18th October, 1979.

The Following Order made by Governor of Sikkim today is published for general information:—

ORDER

In exercise of the powers vested in me under clause (i) of article 164 of the Constitution, I, B. B. Lal, Governor of Sikkim, hereby appoint Shri Nar Bahadur Bhandari to be the Chief Minister with effect from the forenoon of 18th October, 1979 and, on the advice of the Chief Minister, the following persons to be the other member of the Council of Ministers with effect from the same date:—

1. Shri Sherab Palden
2. Shri Sanchaman Limbu
3. Shri Lanchen Gonchen Rimpuchhi
4. Shri Tulshi Sharma
5. Shri Athup Lepcha
6. Shri Padm Bahadur Gurung
7. Shri Samten Tshering.

T.S. GYALTSHEN
Chief Secretary,
Government Of Sikkim

PRINTED AT THE SIKKIM GOVERNMENT PRESS, GANGTOK
SIKKIM LEGISLATIVE ASSEMBLY SECRETARIAT

NOTIFICATION

No. 18/SLAS/79-80/401. Gangtok, dated the 18th October, 1979.

The following of the Orders made by the Governor of Sikkim today are hereby published for General information:


ORDER

In exercise of the powers conferred by clause (1) of article 174 of the Constitution, I. B. B. Lal, Governor of Sikkim, hereby summon the new Legislative Assembly of Sikkim constituted after the general election held on the 12th October, 1979, to meet in its first session on Saturday, the 20th October, 1979 at 11.00 A.M., in the Assembly House at Gangtok.

I also direct that the Secretary, Assembly Secretariat, shall notify every member accordingly.

B. B. LAL
Governor of Sikkim.

No. SKM/GOV/996/79 18th October, 1979

ORDER

Whereas in pursuance of article 178 of the Constitution, the new Legislative Assembly of the State of Sikkim constituted after the general election held on the 12th October, 1979 is required to choose a member of the Assembly to be the Speaker thereof, I. B. B. Lal, Governor of Sikkim, in exercise of the powers conferred by clause (1) of article 180 of the Constitution, hereby appoint Shri Sonam Tshering, a member of the said Legislative Assembly, to perform the duties of the Speaker till the election of the Speaker of the said Legislative Assembly.

B. B. LAL
Governor of Sikkim.

No. SKM/GOV/997/79 18th October, 1979

ORDER

Whereas in pursuance of article 178 of the Constitution, the new Legislative Assembly of the State of Sikkim constituted after the general election held on the 12th October, 1979 is required to choose a member of the Assembly to be the Speaker thereof, I. B. B Lal, Governor of Sikkim, hereby fix, under sub-rule (1) of rule 7 of the Rules of Procedure and Conduct of Business in Sikkim Legislative Assembly, Saturday, the 20th October, 1979 as the date of the Holding of the election of the Speaker.

B. B. LAL
Governor of Sikkim

R. K. GUPTA
Secretary

PRINTED AT THE SIKKIM GOVERNMENT PRESS, GANGTOK
GOVERNMENT OF SIKKIM
HOME DEPARTMENT

NOTIFICATION

No. 184/HOME/79
Gangtok, dated the 18th October, 1979.

The following Order made by the Governor of Sikkim today is published for general information:

ORDER

I, B.B. Lal, Governor of Sikkim, hereby order that the portfolios of the members of the Council of Ministers shall be as follows with effect from today:

1. Shri Nar Bahadur Bhandari, Home, Planning & Development, Panchavat & Rural Works, Law & Legislative, State Trading Corporation of Sikkim and any other Department not allotted to, or held for the time being by, any other Minister
2. Shri Sherab Palden, Finance, Establishment, Land Revenue, Excise and Survey & Settlement
3. Shri Sanchaman Limbu, Education, Health & Family Welfare and Industry
4. Shri Lhachen Gonchen Rimpuchhi, Culture, Ecclesiastical, Social Welfare and Scheduled Castes & Scheduled Tribes Welfare
5. Shri Tulshi Sharma, Information & Public Relations, Agriculture and Animal Husbandry
6. Shri Athup Lepcha, Forests, Tourism, Ioral Self Government & Housing and Mines & Geology
7. Shri Padam Bahadur Gurung, Food & Civil Supplies, Co-operation, Motor Vehicles and Sikkim Nationalised Transport

B. B. LAL
Governor of Sikkim.

T. S. GYALTSHEN
Chief Secretary
Government of Sikkim

PRINTED AT THE SIKKIM GOVERNMENT PRESS, GANGTOK
Sikkim Legislative Assembly Secretariat

Notification


The following Order made by the Governor of Sikkim today is hereby published for general information.


ORDER

Whereas in pursuance of article 178 of the Constitution, the new Legislative Assembly of the State Sikkim constituted after the general election held on the 12th October, 1979 is required to choose a member of the Assembly to be the Speaker thereof, I. B. B. Lal, Governor of Sikkim, in exercise of the powers conferred by clause (I) of article 180 of the Constitution, hereby appoint Shri Lal Bahadur Basnet, a member of the said Legislative Assembly, to perform the duties of the Speaker till the election of the Speaker of the said Legislative Assembly.

This supersedes my Order No. SKM/GOV/996; 79, dated the 18th October, 1979.

B. B. LAL,
Governor of Sikkim.

R.K. GUPTA
Secretary.

Printed at the Sikkim Government Press, Gangtok
No. 96          Gangtok, Saturday, October 20th, 1979

SIKKIM LEGISLATIVE ASSEMBLY SECRETARIAT

NOTIFICATION


The following Order made by the Governor of Sikkim today is hereby published for general information :-


ORDER

Whereas in pursuance of article 178 of the Constitution, the new Legislative Assembly of the State of Sikkim constituted after the general election held on the 12th October, 1979 is required to choose a member of the Assembly to be the Deputy Speaker thereof, I, B. B. Lal, Governor of Sikkim, hereby fix, under sub-rule (1) of rule 8 of the Rules of Procedure and Conduct of Business in Sikkim Legislative Assembly, Friday, the 26th October, 1979 as the date for the holding of the election of the Deputy Speaker.

B. B. LAL,
Governor of Sikkim.

R. K. GUPTA,
Secretary.

PRINTED AT THE SIKKIM GOVERNMENT PRESS, GANGTOK
NOTIFICATION


The following Order made by the Governor of Sikkim today is hereby published for general information: -

ORDER

Whereas in pursuance of article 178 of the Constitution, the new Legislative Assembly of the State of Sikkim constituted after the general election held on the 12th October, 1979 is required to choose a member of the Assembly to be the Deputy Speaker thereof, I, B. B. Lal, Governor of Sikkim, hereby fix, under sub-rule (1) of rule 8 of the Rules of Procedure and Conduct of Business in Sikkim Legislative Assembly, Friday, the 26th October, 1979 as the date for the holding of the election of the Deputy Speaker.

This supersedes my Order No.SKM/GOV/1014/79, dated the 20th October, 1979.

B. B. LAL,
Governor of Sikkim.

R. K. GUPTA,
Secretary.

PRINTED AT THE SIKKIM GOVERNMENT PRESS, GANGTOK
KJM LEGISLATIVE ASSEMBLY SECRETARIAT
GANGTOK

Notification No.39/SLAS/79-80

Gangtok, dated the 26th October, 1979.

Consequent upon his election as Speaker of Sikkim Legislative Assembly, Shri Sonam Tshering, M.L. A., assumed the Office of the Speaker, Sikkim Legislative Assembly on the forenoon of 20th October, 1979.

R. K. GUPTA,
Secretary,
Sikkim Legislative Assembly

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SIKKIM LEGISLATIVE ASSEMBLY SECRETARIAT
GANGTOK

Notification No. 39/SLAS/79-80

Dated Gangtok, the 26th October, 1979.

Consequent upon his election as Deputy Speaker, Sikkim Legislative Assembly, Shri Lall Bahadur Basnet assumed the office of the Deputy Speaker in the forenoon of 25th October, 1979.

R. K. GUPTA,
Secretary,
Sikkim Legislative Assembly.

PRINTED AT THE SIKKIM GOVERNMENT PRESS, GANGTOK
SIKKIM LEGISLATIVE ASSEMBLY SECRETARIAT
NOTIFICATION

No. 455/SLAS/79-80/190                                          Gangtok, dated the 2nd November, 1979

The following Bill, the publication of which has been ordered by the Speaker before its introduction in the Assembly, is published for general information:—

BILL NO. 3 of 1979.
CULTIVATORS PROTECTION (TEMPORARY PROVISIONS) AMENDMENT BILL, 1979.

A BILL


WHEREAS it is expedient to amend the Sikkim Cultivators Protection (Temporary Provisions) Act, 1975 (Act No. 1 of 1975) in the manner hereinafter appearing;

It is hereby enacted in the Thirtieth Year of the Republic of India by the Legislature of Sikkim as follows:-

1. (1) This Act may be called the Sikkim Cultivators Protection (Temporary Provisions) Amendment Act, 1979. Short title and commencement

(2) It shall come into force at once.

2. In sub-section (3) of Section 1 of the Sikkim Cultivators Protection (Temporary Provisions) Act 1975 for the words “a further period not exceeding two years”, the words “a further period not exceeding four years” shall be and shall be deemed always to have been substituted.

3. (1) The Sikkim Cultivators Protection (Temporary Provisions) Amendment Ordinance, 1979 (Ordinance No. 3 of 1979) is hereby repealed. Repeal and Saving

(2) Notwithstanding such repeal all acts done and actions taken including notifications issued and orders passed under the Sikkim Cultivators Protection (Temporary Provisions) Act, 1975 as amended by the Sikkim Cultivators Protection (Temporary Provision) Amendment Ordinance, 1979, (Ordinance No. 3 of 1979) shall be deemed to have been validly done, taken, issued and passed duly and properly under the provision of the Sikkim Cultivators Protection (Temporary Provision) Act, 1975 as amended by this Acts.

STATEMENT OF OBJECTS AND REASONS.

With a view to provide for the extension of the period of duration of Sikkim Cultivators Protection (Temporary Provisions) Act, 1975 (Act No. 1 of 1975) by two more years, the Act, has been amended by the Sikkim Cultivators Protection (Temporary Provision) Ordinance 1979 (Ordinance No.3 of 1979).

The bill seeks to replace the aforesaid Ordinance and has been framed accordingly.

SHERAB PALDEN
Minister-in-Charge
Department of Land Revenue.

By Order,

R.K. GUPTA
Secretary

PRINTED AT THE SIKKIM GOVERNMENT PRESS, GANGTOK
SIKKIM LEGISLATIVE ASSEMBLY SECRETARIAT
NOTIFICATION

The following Bill, the publication of which has been ordered by the Speaker before its introduction in the Assembly, is published for general information:—

BIU NO 4 OF 1979
A BILL

To provide the Constitution of a Housing and Development Board for Sikkim and for matters connected therewith or incidental thereto;
Whereas it is expedient to make provision for the constitution of a Housing and Development Board for Sikkim and for matters connected therewith or incidental thereto;

It is hereby enacted in the Thirtieth Year of the Republic of India by the Legislature of Sikkim as follows:—

PRELIMINARY

1. (1) This Act may be called the Sikkim Housing and Development Board Act, 1979.
(2) It shall come into force at once.
2. In this Act unless there is anything repugnant in the subject or context:-
   (1) “Board” means the Sikkim Housing and Development Board Constituted under Section 3;
   (2) “Board” premises” means any premises belonging to or vested in the Board or taken on lease by the Board or entrusted to the Board for management and use for the purpose of this Act;
   (3) “building material” means such commodities or article as are specified by the State Government by notification in the Official Gazette be building materials for the purposes of this Act.
(4) “bye-laws” means bye-laws made by the Board under Section 36;
(5) “Chairman” means the Chairman of the Board;
(7) “housing scheme” means a housing scheme made under this Act;
(8) “land” includes Benefits to arise Out of land and things attached to the earth or permanently fastened to anything attached to the earth.
(9) “Land Acquisition Act” means the Land Acquisition Act, 1894 or the of Sikkim Land (Requisition arid Acquisition) Act, 1977.
(10) “member” means a member of the Board and includes the Chairman;
(12) “Premises” means any land or building or part of a building and includes,
(i) gardens, grounds and out-houses, if any, appurtenant to such building or part of a building, and
(ii) any fittings affixed to such building or part of a building for the more beneficial enjoyment thereof;
(13) “prescribed” means prescribed by rules made under this Act;
(14) “regulations” means regulations made by the Board under Section 35;
(15) “rule” means rules made by the State Government under Section 34;
(16) “Secretary” means the Secretary, Sikkim Housing and Development Board Appointed under Section 6;
(17) “year” means the year commencing on the 1st day of April and ending on the 31st day of March.

Chapter II
ESTABLISHMENT OF THE BOARD

Constitution of the Board. (1) The State Government shall, by notification in the official Gazette constitute for the purposes of this Act a Board by the name of the Sikkim Housing and Development Board.

(2) The Board shall be a body corporate having perpetual succession and a common seal and may sue and be sued in its corporate name and shall be competent to acquire and hold property both movable, and immovable enter into contract and do all things necessary for the purposes of this Act.

(3) For the purposes of this Act and the Land Acquisition Act for the Board shall be deemed to be a local authority.

Members of the Board. 4. (1) The Board shall consist of a Chairman who shall be the Minister-in-Charge of the Local Self Government and Housing Department of the State Government and the following other members, that is to say,

(i). Secretary, Finance Department.
(ii) Secretary, Local Self Government & Housing Department.
(iii) Secretary, Panchayat & Rural Works Department,
(iv) Development Commissioner,
(v) Chief Engineer, Sikkim Public Works Department.
(vi) Secretary, Sikkim Housing and Development Board.

(2) Whenever for any reason there is a temporary vacancy in the Office of the Chairman or if the Chairman is, due to infirmity or otherwise unable to carry out his duties, the State Government may appoint a person to act as Chairman for such period as may be, necessary and while so acting the person so appointed shall be deemed to be the Chairman for all purposes of the Act.

(3) Every member, other than the Chairman, shall receive such allowances, if any, as may be prescribed.

Proceedings presumed to be good and valid. 5. No disqualification or defect in the appointment of any person acting as Chairman or any other member shall be deemed to viti ate any act or proceeding of the Board, if such proceeding in otherwise in accordance with the provisions of this Act.

Officer and other staff. 6. (1) The Board shall have a Secretary, who shall be the Chief Executive Officer and one or more Assistant Secretaries, and such other officers and employees as the Board may consider necessary for the efficient performance of its functions.

(2) The appointment of the Secretary shall be made by the State Government and the appointment of other officers and employees of the Board Shall be made by the Board;
Provided that the Board shall not appoint any Officer in a scale of pay the maximum of which exceeds one thousand rupees a month, without obtaining the previous sanction of the State Government.

7. (1) The Secretary and other officers shall perform such duties as may be assigned to them by the Board.

(2) The Board may, from time to time, by order delegate, under such restriction, if any, as it may think fit to impose, any of its powers conferred on it by this Act, to the Secretary and to other officers of the Board specified in the order.

8. (1) The Board shall take over and employ such staff of the State Government in the Housing and other Departments as the State Government may make available and every person so taken over and employed shall be subject to the provisions of this Act and the rules and bye-laws made thereunder:

Provided that during the period of such employment any matters relating to The pay, allowances, leave, retirement, pensions, provident fund and all other terms and conditions of service of the members of the said staff shall be regulated by the Sikkim Service Rules or such other rules on the subject as may from time to time be made by the State Government.

(2) All permanent Government servants taken over and employed by the Board under sub-section (1) shall have a lien on their posts in the service of the State Government and the period of their service under the Board, shall on their reversion to the service of the State Government, be counted for their promotion, increments, pension and other matters relating to their service.

9. The Board shall meet and shall from time to time make such arrangements with respect to the day, time, notice and adjournment of its meetings as it thinks fit, subject to the following conditions, namely—

(a) an ordinary meeting shall be held at least once in every two months;

(b) the Chairman, may, whenever he thinks fit, call a special meeting;

(c) the quorum for every meeting shall be four:

Provided that when a meeting has been adjourned to another date for want of quorum, no quorum shall be necessary in the case of the adjourned meeting;

(d) every meeting shall be presided over by the Chairman and in the absence of the Chairman by any member chosen by the members present;

(e) all question at any meeting shall be decided by a majority of the member present and in case of equality of votes, the person presiding shall have and exercise a second or casting vote;

(f) the meeting of the proceedings of each meeting shall be recorded in a book to be provided for the purpose.

10. (1) Every contract made by the Board shall be entered into in such manner and in such form as may be prescribed and be signed by the Chairman on behalf of the Board:

Provided that—

(a) no contract involving an expenditure of rupees five lakhs or more shall be made without the previous sanction of the State Government;

(b) any contract involving an expenditure up to rupees fifty thousand may, in case of urgency, be made by the Chairman without the previous sanction of the Board but shall be referred to the Board at the earliest opportunity.

(2) Sub-section (1) shall apply to every variation or abandonment of a contract as well as to an original contract.

11. Subject to any rule which the State Government may make in this behalf, the Board may be order direct that the power to sign a contract shall be exercisable also by the Secretary or any other officer specified by it in the order.

Power and duties of the Secretary and other officers.

Employment of staff of the State Government.

Meetings of the board.

Execution of contracts.

Delegation of Board’s power to sign contracts.
Chapter III
HOUSING SCHEMES

12. (1) Subject to the provisions of this Act, the Board may, from time to time, incur expenditure and undertake works for the framing and execution of such housing schemes in relation to lands and buildings vested in or in the possession of the State Government.

(2) The State Government may, on such terms and condition as it may think fit to impose, entrust to the Board the framing and execution of any housing scheme and the Board shall thereupon undertake the framing and execution of such scheme.

(3) The Board may, on such terms and conditions as may be agreed upon and with the previous approval of the State Government, take over for execution any housing scheme, on behalf of a local authority or cooperative society, or on behalf of an employer, for building house property, mainly for the residence of the employees of such local authority, cooperative society or employer, or for the residence of the members of such co-operative society, as the case may be.

13. Notwithstanding anything contained in any other law for the time being in force, a housing scheme may provide for all or any of the following matters:

(a) the acquisition by purchase, exchange or otherwise of any property necessary for the scheme;
(b) the construction and reconstruction of buildings;
(c) the sale, letting out or exchange of any property included in the scheme;
(d) the roads, drainage, water-supply, lighting, schools, hospitals, dispensaries, market places, parks, play grounds and open spaces within a housing scheme;
(e) the reclamation or reservation of land for markets, gardens, schools, dispensaries, hospitals, and other amenities in a housing scheme;
(f) the letting out, management and user of the Board premises;
(g) accommodation for any class of inhabitants;
(h) the advancing of money for the purpose of the scheme;
(i) the collection of such information and statistics as may be necessary for successful implementation of the scheme, development of any urban or rural area for successful implementation of housing scheme and for purposes ancillary or incidental thereto.
(j) any other matter for which, in the opinion of the Board or the state Government, it is expedient to make provision with a view to providing housing accommodation and to improving or developing of any area included in a housing scheme.

14. (1) The Chairman shall, at a special meeting to be held within the fifteenth day of the month of February in each year, lay before the Board a Budget of the Board for the next year.

(2) Every such budget shall be prepared in such form as may be prescribed and shall make provision for—

(i) the housing schemes which the Board proposes to execute whether in part or in whole during the next year.
(ii) the due fulfilment of all the liabilities of the Board; and
(iii) the efficient administration of this Act, and shall contain a statement showing the estimated receipts and expenditure on capital and revenue accounts for the next years, and such other particulars as may be prescribed.

15. The Board shall consider the budget laid before it and sanction it with or without modification.

16. (1) Every budget sanctioned by the Board shall be submitted to the State Government for approval. Within such time as may be prescribed, the State Government may approve the budget as sanctioned by the Board or return it to the Board.
(2) Where a budget is returned to the Board by the State Government for making any modification therein, the Board shall forthwith make such modification and submit the budget so modified to the State Government, which may then approve the same.

17. The Chairman may, at any time during the year for which a budget has been approved by the State Government, lay before the Board a supplementary budget and the provision of Sections 14, 15 and 16 shall apply to such supplementary budget.

18. After the budget is approved by the State Government, the Board shall cause the housing scheme in respect of which provision is made in the budget, to be published in the official Gazette in such manner as may be prescribed and proceed to execute such schemes.

19. The Board may at any time vary any housing scheme or any part thereof included in the budget approved by the State Government;

Provided that no such variation shall be made except with the approval of the State Government if it involves an expenditure in excess of ten per cent of the amount as included in the budget approved by the State Government for the execution of any housing scheme.

20. (1) When any open space for the purpose of ventilation or recreation has been provided by the Board in executing any housing scheme, the Board may, at its option by resolution, transfer such open space to the local authority concerned on completion of the scheme and thereupon such open space shall vest in and be maintained at the expense of the local authority:

Provided that the local authority may require the Board before any such open space is so transferred, level, turf, drain and lay-out such space and provided footpath therein if necessary, to provide lamps and other apparatus for lighting it.

(2) If any difference of opinion arises between the Board and the local authority concerned in respect of any matter referred to in sub-section (i) the matter shall be referred to the State Government whose decision thereon shall be final.

21. (1) The Board shall take necessary measures to maintain, allot, lease, sell or otherwise use the Board premises in such manner as it may decide and shall collect rent, price, compensation and damages in respect thereof.

(2) The Board may –
   (i) provided technical advice to the State Government and scrutinise project under housing schemes when required by the State Government to do so;
   (ii) undertake research on various problems connected with housing in general and find out, in particular the economical methods of constructing houses suited to local conditions;
   (iii) undertake comprehensive surveys on problems of housing;
   (iv) do all things for –
      (a) unification, simplification standardisation of building materials,
      (b) encouraging pre-fabrication and mass production of house components;
      (c) organising or undertaking the, production of building materials for residential or non-residential houses;
      (d) securing a steady and sufficient supply of workman trained in the work of construction of buildings and for the manufacture of building materials.

(3) Subjects to such rules as may be made in this behalf, the Board may, from time to time, appoint one or more Committees or invest any local or other authority for the purpose of discharging or performing such duties or function of an executive or administration nature as it may delegate to such Committee or local or other authority and any such Committee or local or other authority may discharge such duties or may perform such functions accordingly.

22. The State Government may, by general or special order published in the official Gazette, exempt, subject to such conditions, if any, as it may impose any housing scheme undertake by the Board from all or any of the provision of this Act or direct any such provision shall apply to such scheme with such modification as may be specified in the order.
Chapter IV

ACQUISITION AND DISPOSAL OF LAND

23. (1) Where any land is needed for the purpose of a housing scheme or the performing any other duties or functions of the Board, the Board may enter into an agreement with any person for the acquisition by purpose, lease or exchange of his rights and interests in such land either wholly or in part, on payment of an amount proportionate to the loss or deprivation caused to the enjoyment of the land;

Provided, that the amount to be paid for the loss or deprivation caused shall not exceed the market value of the land prevailing on the first date of negotiation in respect of the transaction.

(2) The Board may also request the State Government to take steps for the compulsory acquisition under the provisions of the land Acquisition Act of any land or any interest therein required for the execution of a housing scheme or for performing any other duties or functions of the Board and such acquisition of any land or any interest therein shall be deemed to be acquisitioned for a public purpose within the meaning of the Land Acquisition Act.  

Chapter V

FINANCE, ACCOUNTS AND AUDIT

24. (1) Such assets and liabilities of the State Government which the State Government may decide to transfer to the Board on such terms and conditions as may be prescribed shall, with effect from the date of notification publishes by the State Government in this behalf, stand vested in and transferred to the Board.

(2) All debts and expenditure incurred, all contract entered into and all matters and things engaged to be done by, with or for the State Government in respect of the assets and liabilities transferred tinder sub-section (i) before and open the date of transfer, shall be deemed to have been incurred, entered into or engaged to be done with or for the Board and all suits and other legal proceeding instituted or which may be instituted-by or against the State Government in respect of such assets shall be continued or instituted by or against the Board, as the case may be.

25. (1) The Board shall have a fund to be called the Housing and Development Board Fund.

(2) The Board may accept grants, subventions, donations and gift from the Central Government or the State Government or a local authority or any individual or body, whether incorporated or not for all or any of the purpose of this Act.

(3) The State Government may every year makes a grant to the Board of the amount required to meet the administrative expenses of the Board.

(4) All moneys received by or on behalf of the Board, all proceeds of sale of land or any other property, all rents, betterment charges and all interest, profits and other moneys securing to the Board shall be deposited in the fund of the Board.

(5) Except as otherwise directed by the State Government, all money and receipts specified in the foregoing provisions and forming part of the fund of the Board shall be deposited in the State Bank of Sikkim.

(6) The Bank account or any cash or security of the Board shall be operated or handled by such officers as may be authorized by the Board.

26. All property, fund and all other assets vested in the Board shall be held and applied by it, subject to the provisions and for the purpose of this Act.

27. (1) Where in the opinion of the Board, circumstance of extreme urgency have arisen, it shall be lawful for the Board to make in any year, -

(a) recurring expenditure not exceeding fifty thousand repuees

(b) non-recurring expenditure not exceeding two lakhs of repuees

(2) Where any sum is expanded under circumstance of extreme urgency as provided in sub-section (I), a report thereof indicating the source from which it is propose to meet the expenditure shall be made by the Board as soon as practicable to the State Government.

28. (1) The State Government may from time to time make subvention to the Board for carrying out the purpose of this Act on such terms and conditions as the State Government may determine.

(2) The State Government may form time to time advance loans to the Board on such terms and condition not inconsistent with the provisions of this Act as the State Government may determine.
29. (1) The Board may, from time to time, with the previous sanction of the State Government and subject to the provisions of this Act and to such conditions may be prescribed in this behalf, borrow any sum required for the purposes of the Act.

(2) The rules made by the State Government may empower the Board to borrow by the issue of debentures and to make arrangements with bankers.

(3) All debentures issued by the Board shall be in such form as the Board, with the sanction of the Government, may from time to time determine.

(4) Every debenture shall be signed by the Chairman and one other member of the Board.

(5) Loans borrowed and debentures issued under this section may be guaranteed by the State Government as to the repayment of Principal and payment at interest at such rates as may be fixed by the State Government.

30. (1) The Board shall cause to be maintained proper books of accounts and such other books as the rules may require and shall prepare in accordance with the rules an annual statement of accounts.

(2) The Board shall cause its accounts to be audited annually by an auditor to be appointed by the State Government. The auditor so appointed shall have the rights to demand the protection of books, accounts, vouchers, documents and other papers, and to inspect any of the offices of the Board.

(3) As soon as the accounts of the Board have been audited, the Board shall send a copy thereof together with a copy of the report of the auditor thereon to the State Government and shall cause the accounts to be published, in the prescribed manner and place of the report on scale at a reasonable price.

(4) The Board shall comply with such directions as the State Government may after perusal of the report of the auditor, think fit to issue.

31. (1) Notwithstanding anything contained in Section 30, the State Government may order that there shall be a concurrent audit of the accounts of the Board by such person as it think fit. The State Government may also direct a special audit to be made by such person as it thinks fit of the accounts of the Board relating to any particular transaction or a class or series of transactions or to a particular period.

(2) When an order is made under sub-section (1), the Board shall present or come to be presented for audit such accounts and shall furnish to the person appointed under sub-section (1) such information as the said person may require for the purpose of audit and remedy or cause to be remedied the defects pointed out by such person unless they are condoned by the State Government.

Chapter VI
MISCELLANEOUS
32. The Chairman or any person either generally or specially authorised by the Chairman in this behalf may, with or without assistance of workmen, enter into or Upon any land, in order -

(a) to make any inspection, survey, measurement, valuation or inquiry;
(b) to take levels;
(c) to dig or bore into the sub-soil;
(d) to set boundaries and intended lines of work;
(e) to do any other things;

When it is necessary to do so for any of the purposes of this Act or any rule made or scheme sanctioned thereunder;

Provided that –

(f) no such entry shall be made between sunset and sunrise;
(ii) no dwelling house and no public building which is used as a dwelling place shall be so entered, unless with the consent of the occupier thereof and without giving the said occupier at least twenty-four hours previous written notice of the intention to make such entry;
(iii) sufficient notice shall in every instance be given to enable the female inmates of any apartment to remove themselves to some part of the premises where their privacy will not be disturbed.
(iv) due regard shall always be had, so far as may be compatible with the exigencies of the purpose for which the entry is made, to the social and religious usage of the occupiers of the premises entered.

33. No person shall commence any suit against the Board or against any officer or employees of the Board, or any person acting under the orders of the Board, for anything done, or purporting to have been in pursuance of this Act without giving to the Board, officer or employee or person two months previous notice in writing the intended suit and of the cause thereof.
34. (1) The State Government may, by notification in the Official Gazette, rules for carrying out the purpose of this Act.

(2) In particular and without prejudice to the generality of the foregoing powers such rules may provide for all or any of the following purpose, namely:

(a) the allowance of members;
(b) the manner and form in which contract shall be entered into under sub-section (1) of Section 10;
(c) the form of the annual budget to be laid before the Board under Section 14 and the other particulars to be contained therein;
(d) the time within which the State Government may approve or return the budget to the Board under sub-section (1) of Section 16;
(e) the manner of publication of the housing scheme included in the Budget under Section 18;
(f) the terms and conditions on which assets of the State Government may be transferred to the Board under Section 24;
(g) the conditions subject to which the Board may borrow any sum under Section 29;
(h) the manner of preparation, maintenance and publication of Accounts under Section 30;
(i) any other matter which is to be or may be prescribed under this Act.

35. (1) The Board may, from time to time, with the previous sanction of the State Government make regulations consistent with this Act and with any rule made under this Act.

(2) Such regulations may provide for—

(a) the management and use of buildings constructed under any Housing scheme;
(b) the principles to be followed in allotment of tenements and premises;
(c) regulation its procedure and the disposal of its business;
(d) the conditions of service of the employees of the Board other than those taken over and employed under sub-section (1) of Section 8.

(3) If it appears to the State Government that it is necessary or desirable for carrying out the purpose of this Act to make or amend any regulation made under sub-section (1), it may call upon the Board to make or amend such regulation within such time as it may specify. If the Board fails to make such regulation or amendment and the regulation or the amendment so made shall be deemed to have been made by the Board under sub-section (1).

36. (1) The Board may, with the previous sanction of the State Government, make bye-laws, not inconsistent with this Act and rules which may be necessary or expedient for the purpose of carrying out its duties and functions under this Act.

(2) A bye law made under this Section may provide that a contravention thereof shall be an offence.

(3) All bye laws made under this Section shall be published in this Official Gazette.

37. Whoever contravenes a bye law made under Section 36 shall, on conviction, be punished with imprisonment for a term which may extend to six months or with fine which may extend to one thousand rupees or with both.

38. If any person—

(a) obstructs or molests any person with whom the Board has entered into a contract, in the performance or execution of his duty or of anything which he is empowered or required to do under this Act, or
(b) removes any mark set up for the purpose of indicating any level or direction necessary to the execution of works authorised under this Act,
he shall, on conviction, be punished with imprisonment for a term which may extend to three months or with fine which may extend to five hundred rupees or with both.

39. Unless otherwise expressly provided, no Court shall take cognizance of any offence punishable under this Act except on the complaint of or upon information received from the Board or some person authorized by the Board by general or special order in this behalf.
40. All members, officers and employees of the Board shall be deemed when Acting or purporting to act in pursuance of any of the provisions of this Act, to be Public servants within the meaning of Section 21 of the Indian Penal Code.

41. No suit, prosecution or other proceedings shall lie against any person for anything which is in good faith done or purported to be done under this Act.

42. (1) This Sikkim Housing and Development Board Ordinance, 1979 (Ordinance No.4 of 1979) is, hereby, repealed.

(2) Notwithstanding such repeal, anything done, or any action taken in have been done or taken in exercise of the powers conferred by or under this Act as if this Act was in force on the day on which such thing was done or such action was taken.

STATEMENT OF OBJECTS AND REASONS

The Government felt the necessity of constituting a Housing Board for the State of Sikkim for The purpose of providing housing facilities to the people of the State. It was also felt that through a Housing Board it would be possible to confer social benefit to the economically weaker section of the people of the State.

With these objects in view, the Sikkim Housing and Development Board Ordinance, 1979 (Ordinance No. 1 of 1979) was promulgated by the Governor on the 29th day of March, 1979. Due to dissolution of the State Assembly, the Presidential Proclamation under article 356 of the Constitution and dissolution of Lok Sabha, the aforesaid Ordinance could not be replaced by an Act of Legislature. It was, therefore, replaced by another Ordinance namely, the Sikkim Housing and Development Board Ordinance, 1979 (Ordinance No.4 of 1979) promulgated by the Governor on the 29th day of September, 1979.

The Bill seek to replace the aforesaid Ordinance.

Athup Lepcha
Minister – in – Charge, Local Self Government and Housing Department.

By Order,

R.K. GUPTA
Secretary

PRINTED AT THE SIKKIM GOVERNMENT PRESS
SIKKIM LEGISLATIVE ASSEMBLY SECRETARY

NOTIFICATION

No. 456/SLAS/79-80/190 Gangtok dated the 2nd November, 1979

The following Bill, the publication of which has been ordered by the Speaker before its introduction in the Assembly, is published for general information:—

BILL NO 5 OF 1979.

The Sikkim Panchayat (Amendment) Bill, 1979

A

BILL

to amend the Sikkim Panchayat Act, 1965.

Whereas it is expedient to amend the Sikkim Panchayat Act, 1965, in the manner hereinafter appearing;

Be it enacted in the Thirtieth Year of the Republic of India, by the Legislature of Sikkim as follows:—

1. (1) This Act may be called the Sikkim Panchayat (Amendment) Act, 1979.

(2) It extends to the whole of Sikkim.

(3) It shall come into force at once.

2. In Section 1 of the Sikkim Panchayat Act, 1965 (hereinafter-referred to as the Principal Act), in Sub-sections 3 and 4 for the words “Chogyal of Sikkim, The words "Sikkim Government” shall be, and shall be deemed to have been, substituted with effect from the 26th day of April, 1975.

3. In section 6 of the principal Act, for Sub-section 4, the following Sub-section shall be, and shall be deemed always to have been, substituted, namely :-

“4. Every Block Panchayat shall, unless dissolved or superseded earlier under Section 19 of the Act, continue for four years from the date of its constitution.

Provided that the said period may be extended by the Government by notification for a period not exceeding one year”.

4. In Section 14 of the principal Act, incluse (c), for the word “Darbar”, the Word “Government” shall be deemed to have been, substituted with Effect from the 26th day of April, 1975.
2

Amendment of Section 20.

5. In Section 2o of the principal Act,* for the words "Chogyal of Sikkim", in the two places where they occur, the words "Constitution of India" shall be, and shall be deemed to have been substituted with effect from the 26th day of April,

Insertion of new Section 22

6. After section 21 of the principal Act, the following Section shall be, and shall be deemed always to have been, substituted, namely:-

Savings and Validation.

"22. All acts done arid actions taken including notifications issued, appointments made, rules framed, expenses incurred and orders passed under the provisions of this Act before; the commencement of the Sikkim Panchayat (Amendment) Act, 1979 shall be deemed to have been validly done, taken, issued, made, framed, incurred and passed duly and properly under the provisions of this Act as amended; by the Sikkim Panchayat (Amendment Act, 1979."

Repeal of Ordinance
7. The Sikkim Panchayat (Second Amendment) Ordinance, 1979 (Ordinance No. 5 of 1979. No. 5 of 1979) is hereby repealed.

STATEMENT OF OBJECIS AND REASONS

The Government felt the necessity of amending certain provisions of the Sikkim Panchayat Act 1965 in the manner as provided in this Bill and accordingly the Sikkim Panchayat (Second Amendment Ordinance, 1979 was promulgated by the Governor on the 29th day of September 1979.

This Bill seeks to replace the said Ordinance.

N. B. BHANDARI
Chief Minister
Minister-in-Charge

BY ORDER

R.K. Gupta
Secretary

PRINTED AT THE SIKKIM GOVERNMENT PRESS, GANGTOK
SIKKIM LEGISLATIVE ASSEMBLY SECRETARY

NOTIFICATION

No. 454/SLAS/79-80/190

Gangtok dated the 2nd November, 1979

The following Bill, the publication of which has been ordered by the Speaker before its introduction in the Assembly, is published for general information:—

BILL NO 5 OF 1979.
The Sikkim Panchayat (Amendment) Bill, 1979

to authorize payment appropriation of certain further sum from and out of the Consolidated Fund of the State of Sikkim for the services of the Financial year, 1979-80.

BE it enacted by the Legislature of the State of Sikkim in the Thirtieth year of the Republic of India as follows:—

1. This Act may be called the Sikkim Appropriation Act, 1979.

2. From and out of the Consolidated Fund of the State of Sikkim there may be paid and applied sum not exceeding that specified in column 3 of the Schedule amounting to ninety four lakhs fiftyone thousands of Rupees towards defraying the charges which will come in course for payment during the financial year 1979-80, in respect of the services specified in column 2 of the Schedule.

3. The sum authorised to be paid and applied from and out of the Consolidated Fund of the State of Sikkim by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.

Issue of Rs.94,51,000 out of the Consolidated Fund of the State of Sikkim for the Financial year 1979-80.

Appropriation

Short title
## SCHEDULE

(See Section 2 & 3)

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<td>Fund</td>
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### STATEMENT OF OBJECTS AND REASONS

This Bill is introduced in pursuance of Article 204 (1) Constitution of India, read with Article 205 thereof to provide for the appropriation out of the Consolidated Fund of the State Sikkim of the moneys required to meet the expenditure charged on the Consolidated Fund of the State of Sikkim and the Supplemental Grants made by the Legislative Assembly for expenditure of the Government of Sikkim for the financial year 1979-80.

**SHERAB PALDEN**

Minister-in-Charge

Department of Finance

By Order

**R.K. GUPTA**

Secretary.

PRINTED AT THE SIKIKIM GOVERNMENT PRESS, GANGTOK
HOME DEPARTMENT (ELECTION)

NOTIFICATION No. 82.11

Dated Gangtok, (the 17th October, 1979.

CORRIGENDA

In the Election Commission of India Notification No.77/H dated 24th September, 1979, published in the Sikkim Government Gazette, Extra ordinary No. 84 dated 27th September, 1979, -

(a) at the end of page 3, the following shall he inserted :
   “Place Gangtok
   Date 22nd September, 1979.
   John Phurba Tshering
   Returning Officer”;

(b) after the entry at item 9 under 16-Temi Tarku Constituency, the following shall be inserted :
   “Place Gangtok
   Date 22nd September, 1979
   Sonam Tenzing
   Returning Officer”;

(c) after the entry at item 9 under 22-Khanidong / SC Constituency, the following shall be inserted :
   “Place Gangtok
   Date 22nd September, 1979
   Tashi Topden
   Returning Officer”;

(d) after the entry at item 5 under 25-Kabi Tingda (BL) Constituency, the following shall be inserted :
   “Place Gangtok
   Date 22nd September, 1979
   B. N. Sharma
   Returning Officer”; and

(e) after the entry at item 2 under 32 Sangha Constituency, the following shall be inserted :
   “Place Gangtok
   Date 22nd September, 1979
   Tashi Topden
   Returning Officer”.

D.K. MANAVALAN,
Chief Electoral Officer,
Sikkim.
HOME DEPARTMENT (ELECTION)

NOTIFICATION NO. 84/H

Dated Gangtok, the 7th November, 1979.

Election Commission of India Notifications No. 434/SKM/79(1) and No. 434/SKM/79(2) both dated 23 October, 1979 are hereby republished for general information.

ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN,
ASHOKA ROAD, NEW DELHI

KARTIKA 1, 1901 (SAKA)

NOTIFICATION

No. 434/SKM/79(1) :- pursuance of the provisions of section 21 of the Representation of the People Act, 1951 (43 of 1951), and in supersession of the Commission's Notification No. 434/SKM/77(1) dated 29th January, 1977, the Election Commission hereby designates, in consultation with the Government of Sikkim, the District Collector-cum-District Magistrate, East District, Gangtok, to be the Returning Officer for the Sikkim Parliamentary Constituency.

NOTIFICATION

No. 434/SKM/79(2) :- In exercise of the powers conferred by sub-section (1) of section 22 of the Representation of the People Act, 1951 (43 of 1951), and in supersession of the Commission's Notification No.434/SKM/79(2) dated 31st August, 1979, the Election Commission hereby appoints the following Officers of Government to assist the Returning Officer of the Sikkim Parliamentary Constituency in the performance of his functions:—

1. Deputy Collector-cum-Deputy District Magistrate, East District, Gangtok.
2. Deputy Collector-cum-Deputy District Magistrate, South District, Namchi.
3. District Development Officer, West District, Geyzing.
4. District Development Officer, North District, Mangan.

By Order,

S.R. SETHI
Deputy Chief Electoral Officer,
Sikkim.

M.L. CHANDA
Under Secretary,
Election Commission of India.

PRINTED AT THE SIKKIM GOVERNMENT PRESS, GANGTOK
LAW AND LEGISLATIVE DEPARTMENT
NOTIFICATION
No. 5/LL/RC/79.
Dated Gangtok, the 7th November, 1979.

The following Act of Parliament having received the assent of the President on 25th May, 1979 and published in Extraordinary Gazette of India Part II, Section I on 26th May, 1979 is hereby republished for general information.


AN ACT

Further to amend the Salary, Allowances and Pension of Members of Parliament Act, 1954.

BE it enacted by Parliament in the Thirtieth Year of the Republic of India as follows:—

1. This Act may be called the Salary, Allowances and Pension of Members of Parliament (Amendment) Act, 1979.

30 of 1954

2. In the Salary, Allowances and Pension of Members of Parliament Act, 1954, after section 6C, the following

Section shall be inserted, namely:—

"6D. A member who is blind or who is, in the opinion of the Chairman of the Council of States or, as the case may be, the Speaker of the House of the People, so incapacitated physically as to require the facility of an attendant, with respect to each such journey by air as is referred to in clause (b) of sub-section (1) of section 4 or clause (b) of sub-section (1) of section 5 or section 6C which he performs along with an attendant, be entitled (in addition to the allowances which he is entitled under Section 4 or section 5 or, as the case may be, section 6C) to an amount equal to one fare by air for such journey."

Shri R. V.S. Peri Sastri,
Secretary to the Government of India.

By Order.

B.R. PRADHAN,
Secretary to the Government of Sikkim,
Law & Legislative Department.
F. No. 11(173) LL/79
LAW AND LEGISLATIVE DEPARTMENT

The following Ordinance promulgated by the President on 5th October, 1979 and published in Extraordinary Gazette of India, Part II, Section I, is hereby published for general information:

THE PREVENTION OF BLACKMARKETING AND MAINTENANCE OF SUPPLIES OF ESSENTIAL COMMODITIES ORDINANCE, 1979

NO. 10 'OF 1975

Promulgated by the President in the Thirtieth Year of the Republic of India.

An Ordinance to provide for detention in certain cases for the Purpose of prevention of blackmarketing and maintenance of supplies of commodities essential to the community and for matters connected therewith.

WHEREAS the House of the People has been dissolved and the Council of State is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:

1. (1) This Ordinance may be called the Prevention of Blackmarketing and Maintenance of Supplies of Essential Commodities Ordinance, 1979. Short title and commencement.

(2) It extends to the whole of India except the State of Jammu and Kashmir.

(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.
Definitions.

2. In this Ordinance, unless thus context otherwise requires,—
   (a) “appropriate Government” means, as respects a detention order made by the Central Government or by an officer of the Central Government or a person detained under such order, the Central Government, and as respects a detention order made by a State Government or by an officer of a State Government or as respects a person Retained under such order, the State Government;
   (b) “detention, order” means an order made under section 3;
   (c) “State Government”, in relation to a Union territory, means the administrator thereof.

Power to make orders detaining certain persons.

3. (1) The Central Government or a State Government or any officer of the Central Government, not below the rank of a Joint Secretary to that Government specially empowered for the purpose of this section by that Government, or any officer of a State Government, not below the rank of a Secretary to that Government specially empowered for the purposes of this section by that Government, may, if satisfied, with respect to any person that with a view to preventing him from acting in any manner prejudicial to the maintenance of supplies of commodities essential to the community it is necessary so to do, make an order directing that such person detained.

Explanation.—For the purposes of this sub-section, the expression “acting in any manner prejudicial to the maintenance of supplies of commodities essential to the community means—
   (a) committing or instigating any person to commit any offence punishable under the Essential Commodities Act, 1955 or under any other law of 1955 for the time being in force relating to the control of the production, supply or distribution of, or trade and commerce in, any commodity essential to the community; or
   (b) dealing in any commodity—
      (i) which is an essential commodity as defined in the Essential Commodities Act, 1955, or
      (ii) with respect to which provisions have been made in any such other Law as is referred to in clause (a), with a view to making gain in any manner which may directly or indirectly defeat or tend to defeat the provisions of that Act or other law aforesaid.

(2) Any of the following officers, namely—
   (a) district magistrates;
   (b) Commissioners of Police, wherever they have been appointed may also, if satisfied as provided in sub-section (1) exercise the powers conferred by the said sub-section,

(3) When any order is made under this section by an officer mentioned in sub-section (2), he shall forthwith report the fact to the State Government to which he is subordinate together with the grounds on which the order has been made and such other particulars as in his opinion have a bearing on the matter, and no such order shall remain in force for more than twelve days after the making thereof unless in the meantime it has been approved by the State Government.

Provided that where under section 8 the grounds of detention are communicated by the authority making the order after five days but not later than ten days from the date of detention, this sub-section shall apply subject to the modification that for the words “twelve days”, the words “fifteen days” shall be substituted.

(4) When any order is made or approved by the State Government under this section or when any order is made under this section by an officer of the State Government not below the rank of Secretary to that Government specially empowered under sub-section (1), the State Government shall, within seven days, report the fact to the Central Government together with the grounds on which the order has been made and such other particulars as, in the opinion of the State Government have a bearing on the necessity for the order.
4. A detention order may be executed at any place in India in the manner provided for the execution of warrants of arrest under the Code of Criminal Procedure, 1973.

5. Every person in respect of whom a detention order has been made shall be liable—
   (a) to be detained in such place and under such conditions, including condition as to maintenance, discipline and punishment for breaches of discipline, as the appropriate Government may, by general or special order, specify; and
   (b) to be removed from one place of detention to another place of detention, whether within the same State or in another State, by order of the appropriate Government:

Provided that no order shall be made by a State Government under clause (b) for the removal of a person from one State to another State except with the consent of the Government of that other State.

6. No detention order shall be invalid or inoperative merely by reason—
   (a) that the person to be detained thereunder is outside the limits of the territorial jurisdiction of the Government or officer making the order, or
   (b) that the place of detention of such person is outside the said limits.

7. (1) If appropriate Government has reason to believe that a person in respect of whom a detention order has been made has absconded or is concealing himself so that the order cannot be executed, that Government may—

   (a) Make a report in writing of the fact to a Metropolitan Magistrate or a Judicial Magistrate of the first class having jurisdiction in the place where the said person ordinarily resides; and thereupon the provisions of sections 82, 83, 84 and 85 of the Code of Criminal Procedure, 1973, shall apply in respect of the said person and his property as if the order directing that he be detained warrant issued by the Magistrate;

   (b) by order notified in the Official Gazette direct the said person to appear before such officer, at such place and within such period as may be specified the order; and if the said person fails to comply with such direction he shall, unless he proves that it was not possible for him to comply therewith and that he had, within the period specified in the order, informed the officer mentioned in the order of the reason which rendered compliance therewith impossible and of his whereabouts, be punishable with imprisonment for a term which may extend to one year or with fine or with both.

(2) Notwithstanding anything contained in the Code of Criminal Procedure, 1973, every offence under clause (b) of sub-section (1) shall be cognizable.

8. (1) When a person is detained in pursuance of a detention order, the authority making the order shall, as soon as may be, but ordinarily not later than five days and in exceptional circumstances and for reasons to be recorded in writing not later than ten days from the date of detention, communicate to him the grounds on which the order has been made and shall afford him the earliest opportunity of making a representation against the order to the appropriate Government.

(2) Nothing in sub-section (1) shall require the authority to disclose facts which it considers to be against the public interest to disclose.

9. (1) The Central Government and each State Government shall, whenever necessary, constitute one or more Advisory Board for the purpose of this Ordinance.
(2) The constitution of every such Board shall be in accordance with the recommendations of the Chief Justice of the appropriate High Court.

(3) Every such Board shall consist of a Chairman and not less than two other members, and the Chairman shall be a serving Judge of the appropriate High Court and the other members shall be serving or retired Judges of any High Court.

Explanation.—In this section "appropriate High Court" means—

(a) in the case of the detention of a person in pursuance of an order of detention made by the Central Government or an officer of the Central Government or the administrator of the Union territory of Delhi or an officer subordinate to such administrator, the High Court for the Union territory of Delhi;

(b) in the case of the detention of a person in pursuance of an order of detention made by any State Government (other than the administrator of a Union territory) or an officer of such State Government, the High Court for that State; and

(c) in the case of the detention of a person in pursuance of an order of detention made by the administrator of a Union territory (other than the Union territory of Delhi) or an officer subordinate to such administrator, such High Court as the Central Government may, by order published in the Official Gazette, specify with respect to such Union territory.

10. Save as otherwise expressly provided in this Ordinance, in every case where a detention order has been made under this Ordinance, the appropriate Government shall, within three weeks from the date of detention of a person under the order, place before the Advisory Board constituted by it under section 9, the grounds on which the order has been made and the representation, if any, made by the person affected by the order, and in case where the order has been made by an officer referred to in sub-section (2) of section 3, also the report by such officer under sub-section (3) of that section.

11. (1) The Advisory Board shall, after considering the materials placed before it and, after calling for such further information as it may deem necessary from the appropriate Government or from any person called for the purpose through the appropriate Government or from the person concerned, and if, in any particular case, it considers it essential so to do or if the person Concerned desires to be heard, after hearing him in person, submit its report to the appropriate Government within seven weeks from the date of detention of the person concerned.

(2) The report of the Advisory Board shall specify in a separate part thereof the opinion of the Advisory Board as to whether or not there is sufficient cause for the detention of the person concerned.

(3) When there is a difference of opinion the members forming the Advisory Board, the opinion of the majority of such members shall be deemed to be the opinion of the Board.

(4) Nothing in this section shall entitle any person against whom a detention order has been made to appear by any legal practitioner in any matter connected with the reference to the Advisory Board, and the proceedings of the Advisory Board, and its report, excepting that part of the report in which the opinion of the Advisory Board is specified, shall be confidential.

12. (1) In any case where the Advisory Board has reported that there is in its opinion sufficient cause for the detention of a person, the appropriate Government may confirm the detention order and continue the detention of the person concerned for such period as it thinks fit.

(2) In any case where the Advisory Board has reported that there is in its opinion no sufficient cause for the detention of the person concerned, the appropriate Government shall revoke the detention order and cause the person to be released forthwith.
13. The maximum period for which any person may be detained in pursuance of any detention order which has been confirmed under section 12, shall be this from the date of detention.

Provided that nothing contained in this section shall affect the power of the appropriate Government to revoke or modify the detention order at any earlier time.

14. (1) Without prejudice to the provisions of section 31 of the General Clauses Act, 1897, a detention order may, at any time, be revoked or modified—

(a) notwithstanding that the order has been made by an officer of a State Government, by that State Government or by the Central Government;

(b) notwithstanding that the order has been made by an officer of the Central Government or by a State Government, by the Central Government.

(2) The revocation or expiry of a detention order shall not bar the making of a fresh detention order under section 3 against the same person in any case where fresh facts have arisen after the date of revocation or expiry on which the Central Government or a State Government or an officer, as the case may be, is satisfied that such an order should be made.

Temporary release of persons detained.

15. (1) The appropriate Government may, at any time direct that any person detained in pursuance of a detention order may be released for any specified period either without conditions or upon such conditions specified in the direction as that person accepts, and may, at any time, cancel his release.

(2) In directing the release of any person under sub-section (1), the appropriate Government may require him to enter into a bond with or without sureties for the due observance of the conditions specified in the direction.

(3) Any person released under sub-section (1) shall surrender himself at the time, place, and to the authority, specified in the order directing his release or cancelling his release, as the case may be.

(4) If any person fails without sufficient cause to surrender himself in the manner specified in sub-section (3), he shall be punishable with imprisonment for a term which may extend to two years or with fine, or with both.

(5) If any person released under sub-section (1) fails to fulfil any of the conditions imposed upon him under the said sub-section or in the bond entered into by him, the bond shall be declared to be forfeited and any person bound thereby shall be liable to pay the penalty thereof.

Protection of action taken in good faith.

16. No suit or other legal proceedings shall lie against the Central Government or a State Government, and no suit, prosecution or other legal proceeding shall lie person, for anything in good faith done or intended to be done in pursuance of this Ordinance.
GOVERNMENT OF SIKKIM
HOME DEPARTMENT
NOTIFICATION

No. 9(1) F&WL/78
Dated Gangtok, the 15th November, 1979.

In exercise of the powers conferred by Section 6 of the Wild Life (Protection) Act, 1972, the State Government of Sikkim hereby approve the formation of the Wild Life Advisory Board consisting of the following members:

<table>
<thead>
<tr>
<th>No.</th>
<th>Member</th>
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<tbody>
<tr>
<td>1.</td>
<td>Minister-in-Charge, Forests.</td>
</tr>
<tr>
<td>2.</td>
<td>Shri Tasa Tengay, Chungthang, North Sikkim</td>
</tr>
<tr>
<td>3.</td>
<td>Chief Conservation of Forests</td>
</tr>
<tr>
<td>4.</td>
<td>Shri A. Bose, Asstt. Director W.L. Preservation, Eastern Region, Calcutta</td>
</tr>
<tr>
<td>5.</td>
<td>Chief Wild Life Warden</td>
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<td>6.</td>
<td>Shri Tashi Namgyal, DIG, Police</td>
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<tr>
<td>7.</td>
<td>Shri Sonam Wangyal, Yuksom, West Sikkim</td>
</tr>
<tr>
<td>8.</td>
<td>District Collector, North Sikkim, Mangan</td>
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<tr>
<td>9.</td>
<td>Shri Johnson Issacs, T.N. Academy, Gangtok</td>
</tr>
<tr>
<td>10.</td>
<td>Mrs. Anne Wright, Regional Hony. Secretary, Eastern Region, I.B.W.L., Calcutta</td>
</tr>
<tr>
<td>11.</td>
<td>Shri K.C. Pradhan, I.A.S., Secretary, Department of Tourism, Govt. of Sikkim.</td>
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</tbody>
</table>

The non-official Members of the Board will be entitled to receive actual traveling expense at S.N.T. Bus fare rate and Rs. 50/- (Rupees fifty) only per day as Honorarium for attending the Meeting of the Board.

This supersedes the Notification No. 1060/WL, dated 7-9-1979.

T.S. GYALTSEN,
Chief Secretary,
Government of Sikkim.
LAW & LEGISLATIVE DEPARTMENT
NOTIFICATION No. 1/LL/79
Dated Gangtok, the 14th November, 1979

The following Act of the Sikkim Legislative Assembly having received the assent of the Governor on the 13th day of November, 1979, is hereby published for general information:-

SIKKIM ACT NO. 1/LL/79
THE SIKKIM CULTIVATION PROTECTION (TEMPORARY PROVISION) AMENDMENT ACT, 1979.

AN ACT
To further amend the Sikkim Cultivators Protection (Temporary Provision) Act, 1975 (Act No.1 of 1975).

WHEREAS it is expedient to amend the Sikkim Cultivators Protection (Temporary Provision) Act, 1975 (Act No. 1 of 1975) in the manner hereinafter appearing:

It is hereby enacted in the Thirtieth Year of the Republic of India by the Legislature of Sikkim as follows:-

1. (1) This Act may be called the Sikkim Cultivators Protection (Temporary Provision) Amendment Act, 1979. Short title and commencement.

(2) It shall come into force at once.

2. In sub-section(3) of section 1of the Sikkim Cultivation Protection (Temporary Provision) Amendment Act, 1979. Amendment of Section 1.

not exceeding two years” the words “a further period not exceeding four years” shall be and shall be deemed always to have been substituted.

3. (1) The Sikkim Cultivators Protection (Temporary Provision) Repeal and Amendment Ordinance, 1979 (Ordinance No. 3 of 1979) is hereby saving repealed.

(2) Notwithstanding such repeal all acts done and action taken Included notification issued and orders passed under the Sikkim Cultivators Protection (Temporary Provisions ) Act, 1975 as amended by the Sikkim Cultivators Protection (Temporary Provisions) Amendment Ordinance, 1979, (Ordinance No. 3 of 1979) shall be deemed to have been validity done, taken, issued and passed duly and properly under the provision of the Sikkim Cultivators Protection (Temporary Provisions) Act, 1975 as amended by this Act.

By Order of the Governor.

B.R. PRADHAN,
Secretary,
Law & Legislative Department.
F.No. 16 (23) LL/77

PRINTED AT THE SIKKIM GOVERNMENT PRESS, GANGTOK
NOTIFICATION NO.2/LL//79.

The following Act of the Sikkim Legislative Assembly having received the assent of the Governor on the 13th day of November, 1979, is hereby published for general information:—

SIKKIM ACT NO. 4 OF 1979


AN ACT
to provide for the Constitution of a Housing and Development Board for Sikkim and for matters connected therewith or incidental thereto;

Whereas it is expedient to make provisions for the constitution of a Housing and Development Board for Sikkim and for matters connected therewith or incidental thereto;

It is hereby enacted in the Thirtieth Year of the Republic of India by the Legislature of Sikkim as follows:—

PRELIMINARY

1. (1) This Act may be called the Sikkim Housing and Development Board Act, 1979. Short title and commen.

(2) It shall come into force at once. Definitions.

2. In this Act unless there is anything repugnant in the subject or context:—

(1) “Board” means the Sikkim Housing and Development Board Constitution under Section 3;

(2) “Board premises” means any premises belonging to or vested in the Board or taken on lease by the Board or entrusted to the Board for management and use for the purpose of this Act;

(3) “Building materials” means such commodities or articles as are specified by the State Government by notification in the Official Gazette to be building materials for the purpose of this Act;
"bye-laws" means bye-laws made by the Board under Section 36;
"Chairman" means the Chairman of the Board;
"Corporation" means the Municipal Corporation of Gangtok;
"housing scheme" means a housing scheme made under this Act;
"land" includes benefits to arise out of land and things attached to the earth or permanently fastened to anything attached to the earth;
"Land Acquisition Act" means the Land Acquisition Act, 1894 or the Sikkim Land (Requisition and Acquisition) Act, 1977.
"member" means a member of the Board and includes the Chairman;
"Municipality" means the Gangtok Municipal Corporation.
"Premises" means any land or building or part of a building and include;
(i) gardens, grounds and out-houses, if any, appurtenant to such building or part of a building, and
(ii) any fittings affixed to such building or part of a building for the more beneficial enjoyment thereof;
"prescribed" means prescribed by rules made under this Act;
"regulations" means regulations made by the Board under Section 35;
"rules" means rules made by the State Government under Section 34;
"Secretary" means the Secretary, Sikkim Housing and Development Board appointed under Section 6;
"year" means the year commencing on the 1st day of April and ending of the 31st day of March.

Chapter II
ESTABLISHMENT OF THE BOARD

The State Government shall, by notification in the official Gazette constitute for the purposes of this Act a Board by the name of the Sikkim Housing and Development Board.

The Board shall be a body corporate having perpetual succession and common seal and may sue and be sued in its corporate name and shall be competent to acquire and hold property both movable and immovable enter into contract and do all things necessary for the purpose of this Act.

For the purposes of this Act and the Land Acquisition Act the Board shall be deemed to be a local authority.

The Board shall consist of a Chairman who shall be the Minister-in-Charge of the Local Self Government and Housing Department of the State Government and the following other member, that is
to say,
(i) Secretary, Finance Department.
(ii) Secretary, Local Self Government & Housing Department;
(iii) Secretary, Panchayat & Rural Works Department.
(iv) Development Commissioner.
(v) Chief Engineer, Sikkim Public Works Department.
(vi) Secretary, Sikkim Housing and Development Board.

Whenever for any reason there is a temporary vacancy in the Office of the Chairman or if the Chairman is, due to infirmity or otherwise unable to carry out his duties, the State Government may appoint a person to act as Chairman for such period as may be necessary and while so acting the person so appointed shall be deemed to be the Chairman for all purposes of the Act.

Every member, other than the Chairman, shall receive such allowances, if any, as may be prescribed.

No disqualification or defect in the appointment of any person acting on Chairman or any other member shall be deemed to vitiate any act or proceeding of the Board, if such proceeding is otherwise in accordance with the provision of this Act.

The Board shall have a Secretary, who shall be the Chief Executive Officer and one or more Assistant Secretaries, and such other officer and employees as the Board may consider necessary for the efficient performance of its function.

The appointment of the Secretary shall be made by the State Government and the appointment of other officers and employees of the Board shall be made by the Board;
Provided that the Board shall not appoint any Officer in a scale of pay the maximum of which exceeds one thousand rupees a month, without obtaining the previous sanction of the State Government.

7. (1) The Secretary and other officers shall perform such duties as may be assigned to them by the Board.

(2) The Board may, from time to time, by order delegate, under such restriction, if any, as it may think fit to impose, any of its powers conferred on it by this Act, to the Secretary and to other officers of the Board specified in the order.

8. (1) The Board shall take over and employ such staff of the State Government in the Housing and other Departments as the State Government may make available and every person so taken over and employed shall be subject to the provision of this Act and the rules and bye-laws made thereunder:

Provided that during the period of such employment any matters relating to the pay, allowance, leave, retirement, pensions, provident fund and all other terms and condition of service of the members of the said staff shall be regulated by the Sikkim Service Rules or such other rules on the subject as may from time to time be made by the State Government.

(2) All permanent Government servants taken over and employed by the Board under section (1) shall have a lien on their posts in the service of the State Government and the period of their service under the Board, shall on their reversion to the service of the Government, be counted for their promotion, increments, pension and other matter relating to their service.

9. The Board shall meet and shall from time to time make such arrangements with respect to the day, time, notice and adjournment of its meetings as it thinks fit, subject to the following conditions, namely—

(a) an ordinary meeting shall be held at least once in every two months;
(b) the Chairman may, whenever he thinks fit, call a special meeting;
(c) the quorum for every meeting shall be four:

Provided that when a meeting has been adjourned to another date for want of quorum, no quorum shall be necessary in the case of the adjourned meeting.

(d) every meeting shall be presided over by the Chairman and in the absence of the Chairman by any member chosen by the members present;

(e) all question at any meeting shall be decided by a majority of the members present and in case of equality of votes, the person presiding shall have and exercise a second or casting vote;

(f) the minutes of the proceedings of each meeting shall be recorded in a book to be provided for the purpose.

10 (1) Every contract made by the Board shall be entered into in such manner and in such form as may be prescribed and be signed by the Chairman on behalf of the Board: -

Provided that -

(a) no contract involving an expenditure of rupees five lakhs or more shall be made without the previous sanction of the State Government;

(b) any contract involving an expenditure upto rupees fifty thousand may, in case of urgency, be made by the Chairman without the previous sanction of the Board but shall be referred to the Board at the earliest opportunity.

(2) Sub-section (1) shall apply to every variation or abandonment of a contract as well as to an original contract.

11. Subject to any rule which the State Government may make in this behalf, the Board may by order direct that the power to sign a contract shall be exercisable also by the Secretary or any other officer specified by it in the order.
12. (1) Subject to the provisions of this Act, the Board may, from time to time, incur expenditure and undertake works for the framing and execution of such housing schemes in relation to lands and buildings vested in or in the possession of the State Government.

(2) The State Government may, on such terms and conditions as it may think fit to impose, entrust to the Board the framing and execution of any housing scheme and the Board shall thereupon undertake the framing and execution of such scheme.

(3) The Board may, on such terms and conditions as may be agreed upon and with the previous approval of the State Government, take over for execution any housing scheme, on behalf of a local authority or co-operative society, or on behalf of an employer, for building house property, mainly for the residence of the employees of such local authority, co-operative society or employer or for the residence of the members of such co-operative society, as the case may be.

13. Notwithstanding anything contained in any other law for the time being in force, a housing scheme may provide for all or any of the following matter namely:

(a) the acquisition by purchase, exchange or otherwise of any property necessary for the scheme;
(b) the construction and reconstruction of buildings;
(c) the sale, letting out or exchange of any property included in the scheme;
(d) the roads, drainage, water-supply, lighting, schools, hospital, dispensaries, market places, parks, play grounds and open spaces within a housing scheme;
(e) the reclamation or reservation of land for markets, gardens, schools, dispensaries, hospitals, and other amenities in a housing scheme;
(f) the letting out, management and use, of the Board premises;
(g) accommodation for any class of inhabitants;
(h) the advancing of money for the purpose of the scheme;
(i) the collection of such information and statistics as may be necessary for successful implementation of the scheme, development of any urban or rural area for successful implementation of housing scheme and for purposes ancilliary or incidental thereto;
(j) any other matter for which, in the opinion of the Board or the State Government, it is expedient to make provision with a view to providing housing accommodation and to improving or developing of any area included in a housing scheme.

14. (1) The Chairman shall, at a special meeting to be held within the fifteenth day of the month of February in each year, lay before the Board, a budget of the Board for the next year;

(2) Every such budget shall be prepared in such form as may be prescribed and shall make provision for—

(i) the housing schemes which the Board proposes to execute whether in part or in whole during the next year;
(ii) the due fulfilment of all the liabilities of the Board; and
(iii) the efficient administration of this Act,

and shall contain a statement showing the estimated receipt and expenditure on capital and revenue accounts for the next years, and such other particulars as may be prescribed.

15. The Board shall consider the budget laid before it and sanction it with or without modification.
Board’s submission of Budget to State Government for approval

16. (i) Every budget sanctioned by the Board shall be submitted to the State Government for approval. Within such time as may be prescribed, the State Government may approve the budget as sanctioned by the Board or return it to the Board:

(2) Where a budget is returned to the Board by the State Government for making any modifications therein, the Board shall forthwith make such modifications and submit the budget so modified to the State Government, which may then approve the same.

17. The Chairman may, at any time during the year for which a budget has been approved by the State Government, lay before the Board a supplementary budget and the provision of Section 14, 15 and 16 shall apply to such supplementary budget.

18. After the budget is approved, the State Government, the Board shall cause the housing scheme, in respect of which provision is made in the budget, to be published in the Gazette in such manner as may be prescribed and proceed to execute such schemes.

19. The Board may at any time vary any housing scheme or any part thereof included in the budget approved by the State Government:

Provided that no such variation shall be made except with the approval of the State Government if it involves an expenditure in excess of ten per cent of the amount as included in the budget approved by the State Government for the execution of any housing scheme.

20. (1) When any open space for the purpose of ventilation or recreation has been provided by the Board in executing any housing scheme, the Board may, as its option by resolution, transfer such open space to the local authority concerned on completion of the scheme and thereupon such open space shall vest in and be maintained at the expense of the local authority:

Provided that the local authority may require the Board before any such open space is so transferred to enclose, level, turf, drain and lay-out such space and provide footpath therein, and if necessary, to provide lamps and other apparatus for lighting it.

(2) If any difference of opinion arises between the Board and the local authority concerned in respect of any matter referred to in sub-section (1) the matter shall be referred to the State Government whose decision thereon shall be final.

21. (1) The Board shall take necessary measures to maintain, allot, lease, sell or otherwise use the Board premises in such manner as it may decide and shall collect rent, price, compensation and damages in respect thereof.

(2) The Board may –

(i) provided technical on advice to the State Government and scrutinize projects under housing schemes when required by the State Government to do so;

(ii) undertake research on various problems connected with housing in general and find out in particular the economical methods of constructing houses suited to local conditions;

(iii) undertake comprehensive surveys on problems of housing;

(iv) do all things for:-

(a) unification, simplification standardisation of building materials,

(b) encouraging pre-fabrication and mass production of House components;

(c) organizing or undertaking the production of building materials for residential or non-residential houses

(d) securing a steady and sufficient supply of workmen trained in the work of construction of buildings and for the manufacture of building materials.

(3) Subject to such rules as may be made in this behalf, the Board may, from time to time, appoint one or more Committees or invest any local or other authority for the purpose of discharging or performing such duties or functions of an executive or administrative nature as it may delegate to such Committee or local or other authority and any such Committee or local or other authority may discharge such duties or may perform such function accordingly.

22. The State Government may, by general or special order published in the Official Gazette, exempt, subject to such conditions, if any, as it may impose Any housing scheme undertaken by the Board from all or any of the provision of this Act or direct that any such provision shall apply to such scheme With such modification as may be specified in the order.

Supplementary budget.

Publication and execution of housing schemes.

Variation of housing schemes.

Transfer of open space to local authority.

Other duties of the Board.

Power to exempt scheme from provision of this Act.
Chapter IV

ACQUISITION AND DISPOSAL OF LAND

23. (1) Where any land is needed for the purpose of a housing scheme or for performing any other duties or functions of the Board, the Board may enter into an agreement with any person for the acquisition by purchase, lease or exchange of his rights and interests in such land either wholly or in part, on payment of an amount proportionate to the loss or deprivation caused to the enjoyment of the land. Provided, that the amount to be paid for the loss or deprivation caused shall not exceed the market value of the land prevailing on the first date of negotiation in respect of the transaction.

(2) The Board may also request the State Government to take steps for the compulsory acquisition under the provisions of the Land Acquisition Act of any land or any interest therein required for the execution of a housing scheme or for performing any other duties or functions of the Board and such acquisition of or any land or any interest therein shall be deemed to be acquisitioned for a public purpose within the meaning of the Land Acquisition Act.

Chapter V

FINANCE, ACCOUNTS AND AUDIT

24. (1) Such assets and liabilities of the State Government which the State Government may decide to transfer to the Board on such terms and conditions as may be prescribed shall, with effect from the date of notification published by the State Government in this behalf, stand vested in and transferred to the Board.

(2) All debts and expenditure incurred, all contracts entered into and all matters and things engaged to be done by, with or for the State Government in respect of the assets and liabilities transferred under sub-section (1) before and upto the date of transfer, shall be deemed to have been incurred, entered into or engaged to be done with or for the Board and all suits and other legal proceeding instituted or which may be instituted by or against the State Government in respect of such assets shall be continued or instituted by or against the Board, as the case may be.

25. (1) The Board shall have a fund to be called the Housing and Development Board Fund.

(2) The Board may accept grants, subventions, donations and gifts from the Central Government or the State Government or a local authority or any individual or body, whether incorporated or not for all or any of the purpose of this Act.

(3) The State Government may every year make a grant to the Board of the amount required to meet the administrative expenses of the Board.

(4) All moneys received by or on behalf of the Board, all proceeds of sales of land or any other property, all rents, betterment charges and all interest, profits and other moneys securing to the Board shall be deposited in the fund of the Board.

(5) Except as otherwise directed by the State Government, all money and receipts specified in the foregoing provisions and forming part of the fund of the Board shall be deposited in the State Bank of Sikkim.

(6) The Bank account or any cash or security of the Board shall be operated or handled by such officers as may be authorised by the Board.

26. All property, fund and all other assets vested in the Board shall be held and applied by it, subject to the provisions and for the purpose of this Act.

27. (1) Where in the opinion of the Board, circumstances of extreme urgency have arisen, it shall be lawful for the Board to make in any year,—

(a) recurring expenditure not exceeding fifty thousand rupees.

(b) non-recurring expenditure not exceeding two lakhs rupees.

(2) Where any sum is expended under circumstance of extreme urgency as provided in sub-section (1), a report thereof indicating the source from which it is proposed to meet the expenditure shall be made by the Board as soon as practicable to the State Government.

28. (1) The State Government may from time to time make subvention to the Board for carrying out the purposes of this Act on such terms and conditions as the State Government may determine.

(2) The State Government may from time to time advance loans to the Board on such terms and conditions not inconsistent with the provisions of this Act as the State Government may determine.
29. (1) The Board may, from time to time, with the previous sanction of the State Government and subject to provisions of this Act and to such conditions as may be prescribed, borrow any sum required for the purposes of the Act.

(2) The rules made by the State Government may empower the Board to borrow by the issue of debentures and to make arrangements with bankers.

(3) All debentures issued by the Board shall be in such form as the Board, with the sanction of the State Government, from time to time determine.

(4) Every debenture shall be signed by the Chairman and one other member of the Board.

(5) Loans borrowed and debentures issued under this section may be guaranteed by the State Government as to the repayment of principal and payment of interest at such rates to be fixed by the State Government.

30. (1) The Board shall cause to be maintained proper books of accounts and such other books as the rules may require and shall prepare in accordance with the rules as annual statement of accounts.

(2) The Board shall cause its accounts to be audited annually by an auditor to be appointed by the State Government. The auditor so appointed shall have the rights to demand the production of books, account, vouchers, documents and other papers and to inspect any of the offices of the Board.

(3) As soon as the accounts of the Board have been audited, the Board shall send a copy thereof together with a copy of the report of the auditor thereon to the State Government and shall cause the accounts to be published in the prescribed manner and place copies thereof on sale at a reasonable price.

(4) The Board shall comply with such directions as the State Government may after perusal of the report of the auditor, think fit to issue.

31. (1) Notwithstanding anything contained in Section 30, the State Government may under that section there shall be a concurrent audit of the accounts of the Board by such person as it thinks fit. The State Government may also direct a special audit to be made by such person as it thinks fit of the account of the Board relating to any particular transaction or a class or series of transactions or to a particular period.

(2) When an order is made under sub-section (1), the Board shall present or cause to be presented for such audit such accounts and shall furnish to the person appointed under sub-section (1) such information as the said person may require for the purpose of audit and remedy or cause to be remedied the defects pointed out by such person unless they are condoned by the State Government.

Chapter VI
MISCELLAIOUS

32. The Chairman or any person either generally specially authorised by the Chairman in this behalf may, or with or without assistance of workmen, enter into or upon any land, in order -

(a) to make any inspection, survey, measurement, valuation or inquiry;
(b) to take levels;
(c) to dig or bore into the sub-soil;
(d) to set boundaries and intended lines of work;
(e) to do any other things;

When it is necessary to do so for any of the purposes of this Act or any rules made or scheme sanctioned thereunder:

Provided that -

(i) no such entry shall be made between sunset and sunrise;
(ii) no dwelling house and no public building which is used as a dwelling Place shall be so entered, unless with the consent of the occupier thereof and without giving the said occupier at least twenty-four hours previous written notice of the intention make such entry;
(iii) sufficient notice shall in every instance given to enable the female inmates to any apartment to remove themselves to sole part of the premises where their privacy will not be disturbed;
(iv) due regard shall always be had, so far as may be compatible with the exigencies of the purpose for which the entry is made, to the social and religious usages of the occupiers of the premises entered.

33. No person shall commence any suit against the Board or against any officer or employees of the Board, or any person acting under the orders of the Board, for anything done or purporting to have been done in pursuance of this Act without giving to the Board, officer or employee or person two months previous notice in writing of the intended suit and of the cause thereof.
34. (1) The State Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing powers such rules may provide for all or any of the following purposes, namely

(a) the allowance of members;
(b) the manner and form in which contract shall be enter into under sub-section (1) of Section 10;
(c) the form of the annual budget to be laid before the Board under Section 14 and the other particulars to be contained therein;
(d) the time within which the State Government may approve or return the budget to the Board under sub-section (1) of Section 16;
(e) the manner of publication of the housing scheme include in the budget under Section 18;
(f) the terms and conditions on which assets of the State Government may be transferred to the Board under Section 24;
(g) the conditions subject to which the Board may borrow any sum under Section 29;
(h) the manner of preparation, maintenance and publication of accounts under Section 30;
(i) any other matter which is to be or may be prescribed under this Act.

35. (1) The Board may, from time to time, with the previous sanction of the State Government make regulations consistent with this Act and with any rule made under this Act.

(2) Such regulations may provide for—

(a) the management and use of buildings constructed under any housing scheme;
(b) the principles to be followed in allotment of tenement and premises;
(c) regulating its procedure and the disposal of its business;
(d) the conditions of service of the employees of the Board other than those taken over and employed under sub-section (1) of Section 8.

(3) If it appears to the State Government that it is necessary or desirable for carrying out the purposes of this Act to make or amend any regulation made under sub-section (1), it may call upon the Board to make or amend such regulation within such time as it may specify. If the Board fails to make such regulation or amendment within the time specified, the State Government may itself make such regulation or amendment and the regulation or the amendment so made shall be deemed to have been made by the Board under sub-section (1).

36. (1) The Board may, with the previous sanction of the State Government make bye laws, not inconsistent with this Act and rules which may be necessary or expedient for the purpose of carrying out its duties and functions under this Act.

(2) A bye law made under this Section may provide that a contravention thereof shall be an offence.

(3) All bye laws made under this Section shall be published in the Official Gazette.

37. Whoever contravenes a bye law made under Section 36 shall, on conviction be punished with imprisonment for a term which may extend to six months or with fine which may extend to one thousand rupees or with both.

38. If any person—

(a) obstructs, or molests any person with whom the Board has entered into a contract, in the performance or execution of his duty or of anything which he is empowered or required to do under this Act, or
(b) removes any mark set up for the purpose of indicating any Level or direction necessary to the execution of works authorised under this Act,

he shall, on conviction, be punished with imprisonment for a term which may extend to three months or with fine which may extend to five hundred rupees or with both.

39. Unless otherwise expressly provided, no Court shall take cognizance of any offence punishable under this Act except on the complaint of or upon information received from the Board or same person authorized by the Board by general or special order in this behalf.
Member, officers and employees of the Board to be public servant.

40. All members, officers and employees of the Board shall be deemed when acting or purporting to act in pursuance of any of the provisions of this Act, to be public servants within the meaning of Section 21 of the Indian Penal Code.

Protection of action taken under this Act.

41. No suit, prosecution or other legal proceedings shall lie against any person for anything which is in good faith done or purported to be done under this Act.

Repeal and Savings

42. (1) The Sikkim Housing and Development Board Ordinance, 1979 (Ordinance No.4 of 1979) is, hereby, repealed.

(2) Notwithstanding such repeal, anything done, or any action taken in the exercise of the powers conferred by or under that Ordinance, shall be deemed to have been done or taken in exercise of the powers conferred by or under this Act as if this Act was in force on the day on which such thing was done or such action was taken.

By Order of the Governor.

B.R. PRADHAN,

Law & Legislative Department,
Government of Sikkim.

F. No. 16 (81)/LL/79.
No. 111   Gangtok, Friday, November 26, 1979

SIKKIM LEGISLATIVE ASSEMBLY SECRETARIAT
GANGTOK

Notification No. 102/SLAS/521.
Dated Gangtok, the 22nd November, 1979.
The following order of the Governor of Sikkim dated 22nd November, 1979 is published for general information:

No. SKM/GOV/1110/79— In exercise of the powers conferred by Article 174(2) (a) of the Constitution, I.B.B. Lal, Governor of Sikkim, hereby prorogue the Legislative Assembly of Sikkim which summoned to meet on Saturday, 20th October, 1979.

By Order

B. B. LAL
Governor of Sikkim.

R. K. GUPTA
Secretary,
Sikkim Legislative Assembly.

PRINTED AT THE SIKKIM GOVERNMENT PRESS, GANGTOK
No. 112   Gangtok, Monday, November 26, 1979

LAW AND LEGISLATIVE- DEPARTMENT
NOTIFICATION No. 3/LL/79.
Dated Gangtok, the 14th November, 1979.

The following Act of the Sikkim Legislative Assembly having received the assent of the Governor
the 13th day of November, 1979, is hereby published for general information.—

SIKKIM ACT NO 5 OF 1979.
The Sikkim Panchayat (Amendment) Act, 1979
AN
ACT
to amend the Sikkim Panchayat Act, 1965.

Whereas it is expedient to Amend the Sikkim Panchayat Act, 1965, in the
manner hereinafter appearing;

Be it enacted in the Thirtieth Year of the Republic of India by the
Legislature of Sikkim as follows;—

1. (1) This Act may be called the Sikkim Panchayat (Amendment) Act, 1979.
(2) It extends to the whole of Sikkim.
(3) It shall come into force at once.

2. In Section 1 of the Sikkim Panchayat Act, 1965 (hereinafter referred
to as the principal Act), in Sub-sections 3 and 4 for the words "Chogyal of Sikkim
the words "Sikkim Government" shall be, and shall be deemed to have been,
substituted with effect from the 26th day of April, 1975.

3. In Section 6 of the principal Act, for Sub-section 4, the following Sub-section
shall be and shall be deemed always to have been, substituted, namely:

"4. Every Block Panchayat shall, unless dissolved or superseded earlier
under Section 19 of the Act, continue for four years from the date of its con-
stitution:

Provided that the said period may be extended by the Government by
notification for a period not exceeding one years”.

4. In Section 14 of the principal Act, in clause (c), for the word “Darbar”, the
word “Government” shall be, and shall be deemed to have been, substituted with
Effect from the 26th day of April, 1975.
Amendment of Section 20. 5. In Section 20 of the principal Act, for the words "Chogyal of Sikkim" in the two places where they occur, the words "Constitution of India" shall be, and shall be deemed to have been, substituted with effect from the 26th day of April, 1975.

Insertion of new Section 22. 6. After section 21 of the principal Act, the following Section shall be, and shall be deemed always to have been, substituted, namely:

Saving and Validation 22. All acts done and actions taken including notifications issued, appointments made, rules framed, expenses incurred and orders passed under the provisions of this Act before the commencement of the Sikkim Panchayat (Amendment) Act, 1979 shall be deemed to have been validly done, taken, issued, made, framed, incurred and passed duly and properly under the provisions of this Act as amended by the Sikkim Panchayat (Amendment) Act, 1979.

Repeal of Ordinance 7. The Sikkim Panchayat (Second Amendment) Ordinance, 1979 (Ordinance No. g of 1979) is hereby repealed.

By Order of the Governor.

B.R. PRADHAN,

Secretary,
Law & Legislative Department,
Government of Sikkim.

F. No. 16 (85)/LL/79.

PRINTED AT THE SIKKIM GOVERNMENT PRESS
Sikkim Act No. 6 of 1979.

The Sikkim Appropriation Act 1979

AN ACT

to authorise payment and appropriation of certain further sum from and out of the Consolidated Fund of the State of Sikkim for the services of the Financial year, 1979-80.

BE it enacted by the Legislature of the State of Sikkim in the Thirtieth year of the Republic of India as follows:

Short title 1. This Act may be called the Sikkim Appropriation Act, 1979.

Issue of Rs.94,51,000

out of the Consolidated Fund of the Sikkim for the Financial year 1979-80 2. From and out of the Consolidated Fund of the State of Sikkim there may be paid and applied sum not exceeding that specified in column 3 of the Schedule amounting to ninety four lakhs fiftyone thousands of Rupees towards defraying the charges which will come in course for payment during the financial year 1979-80, in respect of the services specified in column 2 of the Schedule.

Appropriation 3. The sum authorised to be paid and applied from and out of the Consolidated Fund of the State of Sikkim by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.
### SCHEDULE

(See Section 2 & 3)

<table>
<thead>
<tr>
<th>No of Vote</th>
<th>SERVICES AND PURPOSES</th>
<th>SUMS NOT EXCEEDING Voted by the Legislative Assembly</th>
<th>Charged on the Consolidated Fund</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>5.</td>
<td>Local Self Government</td>
<td>Capital 52,00,000</td>
<td>-</td>
<td>52,00,000</td>
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<tr>
<td>9.</td>
<td>Power and Irrigation</td>
<td>Capital 5,00,000</td>
<td>-</td>
<td>5,00,000</td>
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<td>14.</td>
<td>Other expenditure of the Finance Department</td>
<td>Revenue 90,000</td>
<td>-</td>
<td>90,000</td>
</tr>
<tr>
<td>19</td>
<td>Home Department</td>
<td>Revenue 1, 10,000</td>
<td>-</td>
<td>1,10,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Capital 26,84,000</td>
<td>-</td>
<td>26,84,000</td>
</tr>
<tr>
<td>26.</td>
<td>Planning and Development</td>
<td>Revenue 88,000</td>
<td>-</td>
<td>88,000</td>
</tr>
<tr>
<td>29.</td>
<td>Tourism</td>
<td>Revenue 3,49,000</td>
<td>-</td>
<td>3,49,000</td>
</tr>
<tr>
<td>30.</td>
<td>Trade, Industries and Labour</td>
<td>Revenue 4,30,000</td>
<td>-</td>
<td>4,30,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Total :</td>
<td>94,51,000</td>
</tr>
</tbody>
</table>

By Order of the Governor.

B. R. Pradhan,
Secretary, Law & Legislative Department
Government of Sikkim.
F. No. 16(82)LL/77.

PRINTED AT THE SIKKIM GOVERNMENT PRESS, GANGTOK

262
HOME DEPARTMENT (ELECTION)

NOTIFICATION NO- 86/H.

Dated Gangtok, the 3rd December, 1979.

The following notifications are hereby republished for general information:

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (LEGISLATIVE DEPARTMENT)

New Delhi,
Dated 3rd December, 1979
Agrahayana 12, 1901 (S)

NOTIFICATION

S.O. Whereas the House of the People was dissolved by the President under sub-clause (b) of clause (2) of article 85 of the Constitution on the 22nd August, 1979;

And whereas a general election has to be held for the purpose of constituting a new House.

Now, therefore, in pursuance of sub-section (2) of section 14 of the Representation of the People Act, (43 of 1951), the President is hereby pleased to call upon all the parliamentary constituencies to elect members in accordance with the provisions of the said Act and of the rules and orders made thereunder.

[No.F.13 (7)/79-Leg. II]

(R.V.S. PERI SASTRI)
SECRETARY TO THE GOVERNMENT OF INDIA.
ELECTION COMMISSION OF INDIA

New Delhi,
Agrahayana 12, 1901 (S)

NOTIFICATION

S.O.: - Whereas the President of India has, by notification published in the Gazette of India on the 3rd December, 1979, called upon all parliamentary constituencies to elect member to the House of the People;

Now, therefore, in pursuance of section 30 of the Representation of the People Act, 1951 (43 of 1951), the Election Commission hereby appoints with respect to each of the said elections—

(a) the 10th December, 1979 (Monday), as the last date for making nominations;
(b) the 11th December, 1979 (Tuesday), as the date for scrutiny of nominations;
(c) the 13th December, 1979 (Thursday), as the last date for withdrawal of candidatures;
(d) from each parliamentary constituency specified under each State in column 1 of the schedule below, the date or dates specified against the said parliamentary constituency in column 2 thereof as the date or dates on which a poll shall, if necessary, be taken in that constituency or in the area comprised within the assembly constituency specified in column 3 against each of the dates; and
(e) the 10th January, 1980 (Thursday), as the date before which the election shall be completed.

SCHEDULE

<table>
<thead>
<tr>
<th>Serial No and Name of Parliamentary Constituency</th>
<th>Date of poll</th>
<th>Serial No. and Name of Assembly Constituency</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
</tr>
</tbody>
</table>

18. S1KK1M

Sikkim 3rd January, 1980 (Thursday)

[No.464/79]

By order,

Sd/- (K. GANESAN)
SECRETARY.

264
NOTIFICATION

S.O. :- In pursuance of section 56 of the Representation of the People Act, 1951 (43 of 1951), the election Commission hereby fixes the hours of poll specified in column 2 of the Table as the period during which a poll shall, if necessary, be taken at the election to the House of the People to be held in the State specified in column 1, in pursuance of the President’s notification published in the Gazette of India, Extraordinary, Part II, Section 3 (ii), dated 3rd December, 1979.

TABLE

<table>
<thead>
<tr>
<th>Name of State/Union Territory</th>
<th>Hours of poll</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sikkim</td>
<td>8.00 A.M to 4.00 P.M.</td>
</tr>
</tbody>
</table>

By order

Sd/- (K. GANESAN)
SECRETARY

S.R. SETHI
Deputy Chief Electoral Officer,
Government of Sikkim.

PRINTED AT THE SIKKIM GOVERNMENT PRESS
HOME DEPARTMENT (ELECTION)

NOTIFICATION NO. 87/H.

Dated Gangtok, the 3rd December, 1979.

The following notifications of the Election Commission of India, New Delhi, dated 3rd December, 1979/ Agrahayana 12, 1901 (Saka) are hereby published for general information:

NOTIFICATION

No. 100/SKM-LA/179(1) : - Whereas a vacancy has occurred in the Sikkim Legislative Assembly reason of the resignation of Shri B.B. Gurung, a member elected to that House from 7-Chaking Assembly Constituency in the State of Sikkim;

Now, therefore, in pursuance of the provisions of sub-section (1) of section 150 of the Representation of the People Act, 1951 (43 of 1951), the Election Commission hereby calls upon the said constituency to elected a person to fill the said vacancy before the 10th January, 1980, in accordance with the provision of the said Act and of the Rules and Orders made thereunder.

By Order,

K. GANESAN,
Secretary to the Election Commission of India.

NOTIFICATION

No. 100/SKM-LA/1/79(2) :- In pursuance of the provisions of section 30 of the Representation of the People Act, 1951 (43 of 1951), the Election Commission hereby appoints, with respect to the bye election to be held in 7-Chakung Assembly Constituency in the State of Sikkim in pursuance of its notification No. 100/SKM-LA/1/79(i), dated the 3rd December, 1979—

(a) the 10th December, 1979 (Monday), as the last date for making nominations;

(b) the 11th December, 1979 (Tuesday), as the date for the scrutiny of nominations;

(c) the 13th December, 1979, (Thursday), as the last date for the withdrawal of candidatures;

(d) the 3rd January, 1980 (Thursday), as the date on which a poll shall, if necessary, be taken; and

(e) the 10th January, 1980 (Thursday), as the date before which the election shall be completed.

By Order,

K. GANESAN,
Secretary to the Election Commission of India.
NOTIFICATION

No. 100/SKM-LA/1/79(3):— In pursuance of the provisions of section 56 of the Representation of the People Act, 1951 (43 of 1951), the Election Commission hereby fixes the hours from 8.00 a.m to 4.00 p.m. as the hours during which a poll shall, if necessary, be taken for the bye-election to the Sikkim Legislative Assembly from 7-Chakung Constituency to be held in pursuance of its notification No. 100/SKM-LA/1/79(U), dated the 3rd December, 1979.

By Order,

K. GANESAN,
Secretary to the Election Commission of India

S. R. SETHI,
Deputy Chief Electoral Officer,
Sikkim.

PRINTED AT THE SIKKIM GOVERNMENT PRESS
GOVERNMENT OF SIKKIM
HOME DEPARTMENT

NOTIFICATION


Whereas for the purpose a general election to the Sikkim Legislative Assembly, the Governor had by notification issued under section 15 of the Representation of the People Act, 1951 (43 of 1951) and published in the Sikkim Gazette 12th September, 1979 called upon the assembly constituencies in the State of Sikkim to the said Assembly;

And whereas Shri Bhairab Lamichanay, a contesting candidate from 22-Khamdong (SC) Assembly Constituency, at the said general election, died on the 3rd October, 1979 and in consequence thereof the Returning Officer of the countermanded the poll under and in accordance with section 52 the Representation of the People Act, 1951 and reported the fact to the Election Commission;

And whereas under the said section all proceedings with reference to the said election have to be commenced anew in all respect as if for a new election;

And whereas the Election Commission has recommended the 3rd December, 1979, as the date on which the Governor may be pleased to publish a notification in the Sikkim Gazette calling upon 22-Khamdong (SC) Assembly Constituency to elect a member to the Sikkim Legislative Assembly;

Now, therein, in provisions of the provision contained in section 15 of the Representation of the People Act, 1951 (43 to 1951), the Governor is pleased hereby to call upon 22-Khamdong (SC) Assembly constituency to elect a member to the Sikkim Legislative Assembly in accordance with the provisions of the said Act and of the rules and orders made thereunder.

By Order of the Governor.

T.S.GYALTSEN,
Chief Secretary,
Government of Sikkim
HOME DEPARTMENT (ELECTION)

NOTIFICATION NO. 88/H
Dated, Gangtok, the 3rd December, 1979.

The following notifications of the Election Commission of India, New Delhi, dated 3rd December, 1979/Agrahayana 12, 1901 (Saka) are hereby published for general information:

NOTIFICATION

No. 492/SKM-LA/79(1): - In pursuance of the provisions of section 30 of the Representation of the People Act, 1951 (43 of 1951), the Election Commission hereby appoints, with respect to the election to be held in 22-Khamdong (SC) assembly constituency in the State of Sikkim, in pursuance of the Governor's notification published in the Sikkim Gazette Extraordinary on the 3rd December, 1979—

(a) the 10th December, 1979 (Monday), as the last date for making nominations;
(b) the 11th December, 1979 (Tuesday), as the date for the scrutiny of nominations;
(c) the 13th December, 1979 (Thursday), as the last date for the withdrawal of candidature;
(d) the 3rd January, 1980 (Thursday), as the date on which a poll shall, if necessary, be taken; and
(e) the 10th January, 1980 (Thursday), as the date before which the election shall be completed.

By Order,

(K. GANESAN)
Secretary to the Election Commission of India.

NOTIFICATION

No. 492/SKM-LA/79(2): - In pursuance of the provisions of section 56 of the Representation of the People Act, 1951 (43 of 1951), the Election Commission hereby fixes the hours from 8. a.m. to 4 p.m. as the hours during which a poll shall, if necessary, be taken at the election to the Sikkim Legislative Assembly from 22-Khamdong (SC) Assembly Constituency in the State of Sikkim in pursuance of the Governor's notification published in the Sikkim Gazette Extraordinary dated 3rd December, 1979.

By Order,

(K. GANESAN)
Secretary to the Election Commission of India,

S. R. SETHI,
Deputy Chief Electoral Officer,
Government of Sikkim.
No. 117  
Gangtok, Monday, December 3, 1979

HOME DEPARTMENT (ELECTION;)

Dated Gangtok, the 19th October, 1979.

No. 83/H – In pursuance of the provisions contained in section 67 of the Representation of the People Act, 1951 (43 of 1951), the following declarations containing the names of the candidates elected in the constituencies referred to therein are hereby published for general information:

Declarations of Elections under section 66 of the Representation of the People Act, 1951.

---

Election to the Assembly of Sikkim from 1 YOKSAM Assembly constituency.

In pursuance of the provisions contained in section 66 of the Representation of the people Act, 1951, read with rule 64 of the Conduct of Elections Rules, 1961, I declare that –

Shri Sanchaman Limboo
Hee, West Sikkim.

Has been duly to fill the seat in that House from the above constituency.

Place Jorethang,  
Date 13th October, 1979.  
John Phurba Tshering  
Returning Officer.
Election to the Legislative Assembly of Sikkim from 2 TASHIDING (BL) Assembly constituency.

In pursuance of the provisions contained in section 66 of the Representation of the people Act, 1951, read with rule 64 of the Conduct of Elections Rules, 1961, I declare that –

Shri Dawgyal Pentso Bhutia
Sinek Tashiding

has been duly elected to fill the seat in that House from the above constituency.

Place Jorethang,
Date 14th October, 1979.
John Phurba Tshering
Returning Officer.

Election to the Legislative Assembly of Sikkim from 3 GEYZING Assembly constituency.

In pursuance of the provisions contained in section 66, of the Representation of the people Act, 1951, read with rule 64 of the Conduct of Elections Rules, 1961, I declare that–

Shri Indra Bahadur Limboo
Lingchom, P.O. Geyzing, W. Sikkim

has been duly elected to fill the seat in that House from the above constituency.

Place Jorethang,
Date 13th October, 1979.
John Phurba Tshering
Returning Officer.
Election to the Legislative Assembly of Sikkim from 4 DENTAM Assembly constituency.

In pursuance of the provisions contained in section 66 of the Representation of the people Act, 1951, read with rule 64 of the Conduct of Elections Rules, 1961, I declare that –

Shri Padam Lall Gurung
Maneybong, Uttarey

has been duly elected to fill the seat in that House from the above constituency

Place Jorethang,
Date 14th October, 1979.

John Phurba Tshering
Returning Officer.

Election of the Legislative Assembly Sikkim from 5 BARN-IOK Assembly constituency.

In pursuance of the provisions contained in section 66 of the Representation of the people Act, 1951, read with rule 64 of the Conduct of Elections Rules, 1961, I declare that –

Shri Til Bahadur Limbu
Barmiok, P.O. Hee

has been duly elected to fill the seat in that House from the above constituency

Place Jorethang,
Date 14th October, 1979.

John Phurba Tshering
Returning Officer.
Election to the Legislative Assembly of Sikkim from 6 RINCNENPONG Assembly constituency.

In pursuance of the provisions contained in section 66 of the Representation of the people Act, 1951, read with rule 64 of the Conduct of Elections Rules, 1961, I declare that –

Shri Katuk lhutia
P.O. Rinchcnpong, W. Sikkim

has been duly elected to fill the seat in that House from the above constituency

Place Jorethang, John Phurba Tshering
Date 13th October, 1979. Returning Officer.

Election of the Legislative Assembly Sikkim from 8 SERENG Assembly constituency.

In pursuance of the provisions contained in section 66 of the Representation of the people Act, 1951, read with rule 64 of the Conduct of Elections Rules, 1961, I declare that –

Shri Nar Bahadur Bhandari
Primula Cottage, Gangtok

has been duly elected to fill the seat in that House from the above constituency

Place Jorethang, John Phurba Tshering
Date 14th October, 1979. Returning Officer.
Election to the Legislative Assembly of Sikkim from 9 DARAMDIN Assembly constituency.

In pursuance of the provisions contained in section 66 of the Representation of the people Act, 1951, read with rule 64 of the Conduct of Elections Rules, 1961, I declare that –

Shri Padam Bahadur Gurung
Okhrey, West Sikkim

has been duly elected to fill the seat in that House from the above constituency

Place Jorethang,
Date 13th October, 1979.
John Phurba Tshering
Returning Officer.

Election of the Legislative Assembly Sikkim from 10 JORETHANG NAYABAZAR Assembly constituency.

In pursuance of the provisions contained in section 66 of the Representation of the people Act, 1951, read with rule 64 of the Conduct of Elections Rules, 1961, I declare that –

Shri B.B. Gurung
Chakung, West Sikkim

has been duly elected to fill the seat in that House from the above constituency

Place Karfektar
Date 12th October, 1979.
John Phurba Tshering
Returning Officer.
Election to the Legislative Assembly of Sikkim from 11 RALANG (BL) Assembly constituency.

In pursuance of the provisions contained in section 66 of the Representation of the people Act, 1951, read with rule 64 of the Conduct of Elections Rules, 1961, I declare that –

Shri Chamla Tshering
P.O. Kewzing Bazar S. Sikkim

has been duly elected to fill the seat in that House from the above constituency

Place Karfektar
Date 13th October, 1979.

Sonam Tenzing
Returning Officer.

Election of the Legislative Assembly Sikkim from 12 WAK Assembly constituency.

In pursuance of the provisions contained in section 66 of the Representation of the people Act, 1951, read with rule 64 of the Conduct of Elections Rules, 1961, I declare that –

Shri Garjaman Gurung
P.O. Namthang, S. Sikkim

has been duly elected to fill the seat in that House from the above constituency

Place Karfektar
Date 14th October, 1979.

Sonam Tenzing
Returning Officer.
Election to the Legislative Assembly of Sikkim from 13 DAMTHANG Assembly constituency.

In pursuance of the provisions contained in section 66 of the Representation of the people Act, 1951, read with rule 64 of the Conduct of Elections Rules, 1961, I declare that –

Shri Perdeep Yonzon
Namchi, South Sikkim

has been duly elected to fill the seat in that House from the above constituency

Place Karfektar
Date 13th October, 1979.

Sonam Tenzing
Returning Officer.

Election of the Legislative Assembly Sikkim from 12 WAK Assembly constituency.

In pursuance of the provisions contained in section 66 of the Representation of the people Act, 1951, read with rule 64 of the Conduct of Elections Rules, 1961, I declare that –

Shri Mohan Prasad Sharma
Melli Dara, South Sikkim

has been duly elected to fill the seat in that House from the above constituency

Place Karfektar
Date 13th October, 1979.

Sonam Tenzing
Returning Officer.
Election to the Legislative Assembly of Sikkim from 15 RATEYPAN I-WEST PANDAM (SC) Assembly constituency.

In pursuance of the provisions contained in section 66 of the Representation of the people Act, 1951, read with rule 64 of the Conduct of Elections Rules, 1961, I declare that –

Shri Bir Bahadur Lohar
Dev. Area Gangtok

has been duly elected to fill the seat in that House from the above constituency

Place Karfektar
Date 13th October, 1979.

Sonam Tenzing
Returning Officer.

Election of the Legislative Assembly Sikkim from 16 TEMI-TARKU Assembly constituency.

In pursuance of the provisions contained in section 66 of the Representation of the people Act, 1951, read with rule 64 of the Conduct of Elections Rules, 1961, I declare that –

Shri Nar Bahadur Khatiwada
Tadong, East Sikkim

has been duly elected to fill the seat in that House from the above constituency

Place Karfektar
Date 13th October, 1979.

Sonam Tenzing
Returning Officer.
Election to the Legislative Assembly of Sikkim from 17 CENTRAL PENDAM-EAST PENDAM Assembly constituency.

In pursuance of the provisions contained in section 66 of the Representation of the people Act, 1951, read with rule 64 of the Conduct of Elections Rules, 1961, I declare that –

Shri Bhuwani Prasad Kharel Turung

has been duly elected to fill the seat in the House from the above constituency.

Place Gangtok
Date 13th October, 1979.

Tashi Topden
Returning Officer.

Election of the Legislative Assembly Sikkim from 18 RHENCCK Assembly constituency.

In pursuance of the provisions contained in section 66 of the Representation of the people Act, 1951, read with rule 64 of the Conduct of Elections Rules, 1961, I declare that –

Shri Kharananda Upreti Lingiey

has been duly elected to fill the seat in the House from the above constituency.

Place Gangtok
Date 13th October, 1979.

Tashi Topden
Returning Officer.
Election to the Legislative Assembly of Sikkim from 19 REGU Assembly constituency.

In pursuance of the provisions contained in section 66 of the Representation of the people Act, 1951, read with rule 64 of the Conduct of Elections Rules, 1961, I declare that –

Shri Tulshi Sharma
Chuzachen

has been duly elected to fill the seat in that House from the above constituency

Place Gangtok
Date 13th October, 1979.

Tashi Topden
Returning Officer.

Election of the Legislative Assembly Sikkim from 20 PATHING (BL) Assembly constituency.

In pursuance of the provisions contained in section 66 of the Representation of the people Act, 1951, read with rule 64 of the Conduct of Elections Rules, 1961, I declare that –

Shri Ram Lepcha
Tuning

has been duly elected to fill the seat in that House from the above constituency

Place Gangtok
Date 14th October, 1979.

Tashi Topden,
Returning Officer.
Election to the Legislative Assembly of Sikkim from 21 LOOSING PACHE-KHANI Assembly constituency.

In pursuance of the provisions contained in section 66 of the Representation of the people Act, 1951, read with rule 64 of the Conduct of Elections Rules, 1961, I declare that –

Shri Jagat Bahadur Pradhan
Gangtok

has been duly elected to fill the seat in that House from the above constituency.

Place Gangtok
Date 14th October, 1979.
Tashi Topden
Returning Officer.

Election of the Legislative Assembly Sikkim from 23 DZONGL (BL) Assembly constituency.

In pursuance of the provisions contained in section 66 of the Representation of the people Act, 1951, read with rule 64 of the Conduct of Elections Rules, 1961, I declare that –

Shri Athup Lepcha
P.O. Passingdong uper Dzongu

has been duly elected to fill the seat in that House from the above constituency.

Place Gangtok
Date 13th October, 1979.
B. N. Sharma
Returning Officer.
Election to the Legislative Assembly of Sikkim from 24 LACHEN MANGSHILA (BL) Assembly constituency.

In pursuance of the provisions contained in section 66 of the Representation of the people Act, 1951, read with rule 64 of the Conduct of Elections Rules, 1961, I declare that –

Shri Tenzing Dadul Bhutia
Mahgan

has been duly elected to fill the seat in that House from the above constituency

Place Gangtok
Date 14th October, 1979.
B. N. Sharma
Returning Officer.

---

Election of the Legislative Assembly Sikkim from 25 KABI TINGDA (BL) Assembly constituency.

In pursuance of the provisions contained in section 66 of the Representation of the people Act, 1951, read with rule 64 of the Conduct of Elections Rules, 1961, I declare that –

Shri Sonam Tshering
Gangtok

has been duly elected to fill the seat in that House from the above constituency

Place Gangtok
Date 13th October, 1979.
B. N. Sharma
Returning Officer.
Election to the Legislative Assembly of Sikkim from 26 RAKDONG TINTEK (BL) Assembly constituency.

In pursuance of the provisions contained in section 66 of the Representation of the people Act, 1951, read with rule 64 of the Conduct of Elections Rules, 1961, I declare that –

Shri Dogu Bhutia
Ranipool

has been duly elected to fill the seat in that House from the above constituency

Place Gangtok
Date 14th October, 1979.

Tashi Topden
Returning Officer.

Election of the Legislative Assembly Sikkim from 27 MARTAYI (BL) Assembly constituency.

In pursuance of the provisions contained in section 66 of the Representation of the people Act, 1951, read with rule 64 of the Conduct of Elections Rules, 1961, I declare that –

Shri Samten Tshering
Gangtok

has been duly elected to fill the seat in that House from the above constituency

Place Gangtok
Date 13th October, 1979.

Tashi Topden
Returning Officer.
Election to the Legislative Assembly of Sikkim from 28 RUMTEK (BL) Assembly constituency.

In pursuance of the provisions contained in section 66 of the Representation of the people Act, 1951, read with rule 64 of the Conduct of Elections Rules, 1961, I declare that –

Sha Dadul Bhutia
Tadone

has been duly elected to fill the seat in that House from the above constituency

Place Gangtok
Date 13th October, 1979.

Tashi Topden
Returning Officer.

Election of the Legislative Assembly Sikkim from 29 ASSAM LINGJEY (BL) Assembly constituency.

In pursuance of the provisions contained in section 66 of the Representation of the people Act, 1951, read with rule 64 of the Conduct of Elections Rules, 1961, I declare that –

Shri Sherab Palden
Tathangchen

has been duly elected to fill the seat in that House from the above constituency

Place Gangtok
Date 13th October, 1979.

Tashi Topden
Returning Officer.
Election to the Legislative Assembly of Sikkim from 30 RANKA (BL) Assembly constituency.

In pursuance of the provisions contained in section 66 of the Representation of the people Act, 1951, read with rule 64 of the Conduct of Elections Rules, 1961, I declare that –

Sha Dorjee Tshering Bhutia
Gangtok

has been duly elected to fill the seat in that House from the above constituency

Place Gangtok
Date 13th October, 1979.

Tashi Topden
Returning Officer.

Election of the Legislative Assembly Sikkim from 31 GANGTOK Assembly constituency.

In pursuance of the provisions contained in section 66 of the Representation of the people Act, 1951, read with rule 64 of the Conduct of Elections Rules, 1961, I declare that –

Shri Lall Bahadur Basnet
Gangtok

has been duly elected to fill the seat in that House from the above constituency

Place Gangtok
Date 13th October, 1979.

Tashi Topden
Returning Officer.
Election to the Legislative Assembly of Sikkim from 32 SANGHA constituency.

In pursuance of the provisions contained in section 66 of the Representation of the people Act, 1951, read with rule 64 of the Conduct of Elections Rules, 1961, I declare that –

Shri Lhachen Gonchen Rimpuchhi
P.O. Lhachen

has been duly elected to fill the seat in that House from the above constituency

Place Gangtok
Date 14th October, 1979.

Tashi Topden
Returning Officer.

D. K. MANAVALA
Chief Electoral Officer
Sikkim.

PRINTED AT THE SIKKIM GOVERNMENT PRESS
HOME DEPARTMENT (ELECTION)
NOTIFICATION NO. 85/H
Dated, Gangtok, the 23rd November, 1979.

The following notification dated 19th November, 1979 of the Election Commission of India hereby republished for general information.

NOTIFICATION

S.O. Whereas the Election Commission is satisfied that as a result of its poll performance at the general election of the Legislative Assembly of Sikkim held in October, 1979, the Sikkim Janata Parishad is entitled for registration and recognition as a State Party in the State of Sikkim in terms of paragraphs 6 of the Election Symbols (Reservation and Allotment) order, 1968;

And whereas the Commission has decided to recognise the Sikkim Janata Parishad as a State Party of the State of Sikkim, and reserve the symbol "Horse" for the said party in Sikkim;

Now, thereof, in pursuance of clause (b) of sub-paragraph (1) and sub-paragraph (2) of paragraph 17 and paragraph 18 of the Election Symbols (Reservation and Allotment) Order, 1968, the Election Commission hereby makes the following amendments in its notification No. 56/79, dated the 28th September, 1979, published as S.O. 557(E) in the Gazette of India, Extraordinary, Part II, Section 3 (ii) dated the 28th September, 1979 namely:

(1) In the Table 2 of the said notification, in the entries relating to Sikkim, under columns 2 and 3.
   (a) after the entry "1. Sikkim Congress (R)..................Rising Sun" the entry "2. Sikkim Janata Parishad............Horse" shall be inserted; and
   (b) the existing entry "2" shall be renumbered as "3"; and

(2) In Table 4 of the said notification, in the entries relating to 18-Sikkim, under Column 2.
   (a) Item “10 Horse” shall be deleted; and
   (b) the existing entries 11 to 16 shall be renumbered as 10 to 15, respectively.

By Order.

Sd/- (K. GANESAN)
SECRETARY.

S.R. SETHI,
Deputy Chief Electoral Officer,
Government of Sikkim
OFFICE OF THE SECRETARY, LAND REVENUE
GOVERNMENT OF SIKKIM
GANGTOK

Notification No. 768(495)/L.R. (S) Dated Gangtok, the 30th November, 1979.

(Notice under Section 4 of Land Acquisition Act, 1979).

Whereas it appears to the Governor that the Land is likely to be needed for a public purpose, namely for the purpose of construction of staff Quarter (Power Department) in the block of Temi, South Sikkim District, it is hereby notified that a piece of land comprising cadastral plots 78 & 79 and measuring an area more or less 0.13, bounded on the

EAST Motorable Road
WEST D.F. & P.F. of Dorjee
NORTH Land of Goverdhan Pradhan himself
SOUTH D.F. of Goverdhan Pradhan

is likely to be needed for the aforesaid public purpose at the public expense within the aforesaid block (Temi).

This notification is made, under provision of Section 4 to be read under Section 17 of Land Acquisition Act, 1894 to all to whom it may concern.

A plan of the land being affected thereof may be inspected in the office of the District Collector, South, Namchi or Executive Engineer, Power Department, Gangtok.

In exercise of the powers conferred by the aforesaid section the Governor is pleased to authorized the Officers for the time being engaged in the undertaking, with their servants and workman, to entre upon and survey the land and do all other acts required or permitted by that section.

Any person interested in the above land who has any objection to the acquisition thereof, may, within fifteen day (15) time after the date on which public notice of the substance of this notification is given in the locality, files an objection in writing before the Collector, South District at Namchi.

And, whereas there is an urgency to acquire the land the Governor is further pleased to direct under section 17(4) that the provision of section 5-A of the Act shall not apply.

P.T. WANGDI
Secretary,
Land Revenue Department,
Government of Sikkim.
GOVERNMENT OF SIKKIM
HOME DEPARTMENT
NOTIFICATION

No. 3(12)Home/79                    Dated Gangtok, the 1st December, 1979.

The Governor is pleased to declare the 3rd January, 1980 the date of poll for the ensuing general elections to the House of the people as a public holiday throughout the State.

All factories / plantation /slantations/industrial establishment/public sector undertakings shall also remain closed on 3.1.1980 as a paid holiday to enable the voters working therein to exercise their right of franchise in the election.

By Order

R. K. GUPTA,
Additional Secretary,
Home Department.

PRINTED AT THE SIKKIM GOVERNMENT PRESS
No. 121         Gangtok, Tuesday, December 6, 1979

HOME DEPARTMENT (ELECTION)
NOTHBICAXION.Na.89/H.

Dated Gangtok, the 4th December, 1979.

The following notification No. 56/79-II dated 30th November, 1979 of the Election Commission of India, New Delhi, is republished for general information.

NOTIFICATION

In pursuance of clause (d) of sub-para (1) and sub-para (2) of paragraph 17 of the Election Symbols (Reservation and Allotment) Order, 1968, the Election Commission hereby makes the following amendment in its notification No. 56/79, dated 28 September, 1979 published as S.O. 557 (E) in the Gazette of India, Extraordinary, Part II, Section 3(i) dated 28 September, 1979, namely –

IN TABLE 4 appended to the said notification –

(i) against item 2. Assam, under column 2, insert the entry “19. Ladder”;
(ii) against item 19. Tamil Nadu, under column 2, insert the entry “21. Ladder”; and
(iii) against item 21. Utter Pradesh, under column 2, insert the entry “24. Spade and Stoker”.

[No. 56/79-II]

By Order

Sd/- K. GANESAN,
Secretary to the Election Commission of India.

S.R. SETHI,
Deputy Chief Electoral Officer,
Government of Sikkim

PRINTED AT THE SIKKIM GOVERNMENT PRESS
HOME DEPARTMENT (ELECTION)

NOTHBICAXION.Na.90/H.

Dated Gangtok, the 4th December, 1979.

The following notification No. 56/79-111 dated 1st December, 1979/Agrahayana 10,1901 (S) of the Election Commission of India, New Delhi, is hereby republished for general Information.

NOTIFICATION

S.O. : - Whereas by its order dated 29th November, 1979 the Election Commission of India has directed that (1) the symbol 'Calf and Cow' reserved for the India National Congress shall be frozen; and (2) neither of the two groups shall use the name “India National Congress simplicitor till the final decision in the main dispute arising out of the application of Smt. Indira Gandhi dated the 7th January 1978;

And whereas by its order dated 30th November, 1979 the Commission, in exercise of its power conferred on it by article 324 of the Constitution read with rules 5 and 10 of the Conduct of Election Rules, 1961, paragraphs 3, 6, 7, 8 and 18 of the Election Symbols (Reservation And Allotment ) Order, 1968 and all other powers enabling it in that behalf, ordered that—

(i) the group of the Indian National Congress led by Shri Devaraj Urs be known as "Indian National Congress (U)’;

(ii) the said ‘Indian National Congress (U)’ be recognised as a National Party;

(iii) the symbol “Charkha” be reserved for the said ‘Indian National Congress (U)’; and

(iv) the said symbol "Charkha” be excluded from the list of free symbols for all those States where it is so included;

Now, therefore, in pursuance of clauses (a) and (d) of sub-para (1) and sub-para (2) of paragraph 17 of the election Symbols (Reservation and Allotment) Order, 1968, the Commission hereby makes the following amendments in its notification No. 56/79, dated 28th September, 1979, published so S.O. 557(E) in the Gazette of India, Extraordinary, Part II, Section 3(ii) dated 28th September, 1979, and as amended from time to time, namely—
In TABLE 1 appended to the said notification:

for the existing entry "1. Indian National Congress..................Calf and Cow"

the entry "1. Indian National Congress (U)............Charkha" shall be substituted.

In TABLE 4 appended to the said notification:

(i) against item No. 3. Bihar, under column?2, the entry "7. Charkha" shall be **deleted** and existing entries 8 to 30 shall be **renumbered** as 7 to 29;

(ii) against item No. 8. Karriataka, under column 2, the entry "7. Charkha" shall be **deleted** and existing entries 8 to 26 shall be **renumbered** as 7 to 25;

(iii) against item No. 9. Kerala, under column 2, the entry "4. Charkaa" shall be **deleted** and existing entries 5 to 20 shall be **renumbered** as 4 to 19; and

(iv) against item No. 11. Maharashtra, under column 2, the entry "11. Charkha" shall be **deleted** and existing entries 12 to 50 shall be renumbered as 11 to 49.

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[No. 56/79-III]

By Order,

(K. GANESAN)
SECRETARY.

S. R. SETHI,
Deputy Chief Electoral Officer,
Government of Sikkim.

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PRINTED AT THE SIKKIM GOVERNMENT PRESS
GOVERNMENT OF SIKKIM
LAN AND LEGISLATIVE DEPARTMENT

Dated Ganglok, the 11th December, 1979.


Ordinance No, 6 or 1979.

Promulgated by the Governor in the Thirtieth Year of the Republic of India.

An Ordinance

further to amend the Gangtok Municipal Corporation Act, 1975 (Act IV of 75).

WHEREAS it is necessary and expedient to amend the Gangtok Municipal Corporation Act, 1975 (Act IV of 1975) in the manner hereinafter appearing:

AND WHEREAS the Legislative Assembly of Sikkim is not in session and the Governor is satisfied that circumstances exist which render it necessary for him to take immediate action:

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 213 of the Constitution of India, the Governor is pleased to promulgate the following Ordinance :-

1. (1) This Ordinance may be called the Gangtok Municipal Corporation (Amendment) Ordinance, 1979.

(2) It shall come into force at once.

2. In this Ordinance, unless there is anything repugnant in the subject or context –

(i) “Act” means the Gangtok Municipal Corporation Act 1975 (Act IV of 1975);

(ii) “Corporation” means the Gangtok Municipal Corporation.

Short title & commencement.

Definitions.
3. After sub-section (4) of section 3 of the Act, the following sub-sections shall be added, namely:

"(5) If before the expiry of the term of the first Councillors nominated under sub-section (3); no new Councillors have been elected as required under sub-section (4), the State Government may, by order published in the Gazette, appoint an officer (hereinafter referred to as Administrator) for the Corporation for a period of one year or until the reconstitution of the Corporation, whichever is earlier.

(6) When an order is issued under sub-section (5) the following consequences shall ensue:

(a) all the powers, functions and duties of the Corporation, its Chairman, Vice-Chairman and Committee, if any, shall be exercised, performed and discharged by the Administrator until the reconstitution of the Corporation;

(b) the Administrator shall be deemed in law to be the Chairman, Vice-Chairman or Committee, if any, as the occasion may require;

(c) such salary and allowances as the State Government may, by order, in that behalf fix shall be paid to the Administrator out of the Corporation Fund;

(d) notwithstanding anything in the Act, the Administrator may review any act done or decision taken by the outgoing Corporation, Chairman, Vice-Chairman or Committee in the exercise or performance of their powers and duties under the Act."

Gangtok          B.B. Lal
The 11th December, 1979.  Governor of Sikkim

B.R. Pradhan,
Secretary to the Government of Sikkim
F. No. 16 (6) LL/77.

PRINTED AT THE SIKKIM GOVERNMENT PRESS, GANGTOK
HOME DEPARTMENT (ELECTION)

NOTIFICATION No. 91/H.

Dated Gangtok, the 14th December, 1979.

NOTIFICATION

In pursuance of sub-rule (2) of rule 11 of the Conduct of Elections Rules, 1961, the following is published for general information:—

Bye-Election to the Sikkim Legislative Assembly from 7—CHAKUNG constituency.

<table>
<thead>
<tr>
<th>Serial Number</th>
<th>Name of candidate</th>
<th>Address of candidate</th>
<th>Symbol allotted</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Chandra Bahadur Rai</td>
<td>Chakung Village Chakung, P.O</td>
<td>Rising Sun</td>
</tr>
<tr>
<td>2</td>
<td>Santosh Kumar Rai</td>
<td>Namchi, South Sikkim</td>
<td>Horse</td>
</tr>
<tr>
<td>3</td>
<td>Tika Gurung</td>
<td>P.O. Chakung, W. Sikkim</td>
<td>Bow and Arrow</td>
</tr>
</tbody>
</table>

Place Election Office, Gangtok,  
Date 13th December, 1979  
J. P. TSERING,  
Returning Officer.

S. R. SETHI,  
Deputy Chief Electoral Officer,  
Government of Sikkim  

PRINTED AT THE SIKKIM GOVERNMENT PRESS, GANGTOK
NOTIFICATION

In pursuance of sub-rule (2) of rule 11 of the Conduct of Elections Rules, 1961, the following is published for general information:—

Election to the Sikkim Legislative Assembly from 22—KHAMDONG (SC) constituency.

<table>
<thead>
<tr>
<th>Serial Number</th>
<th>Name of candidate</th>
<th>Address of candidate</th>
<th>Symbol allotted</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Dal Bahadur Damal</td>
<td>Dentam, West Sikkim</td>
<td>Bow and Arrow</td>
</tr>
<tr>
<td>2</td>
<td>Janga Bahadur Khati</td>
<td>Barmiok, West Sikkim</td>
<td>Elephant</td>
</tr>
<tr>
<td>3</td>
<td>Laya Prasad Mohara</td>
<td>Lingjey</td>
<td>Charkha</td>
</tr>
<tr>
<td>4</td>
<td>Man Bahadur Darjee</td>
<td>Rorathang</td>
<td>Rising Sun</td>
</tr>
<tr>
<td>5</td>
<td>Sukman Darjee</td>
<td>Parkha</td>
<td>Scales</td>
</tr>
<tr>
<td>6</td>
<td>Tilochan</td>
<td>Khandong</td>
<td>Horse</td>
</tr>
</tbody>
</table>

Place Gangtok
Date 13th December, 1979.

TASHI TOPDEN,
Returning Officer.

S. R. SETHI,
Deputy Chief Electoral Officer,
Government of Sikkim

PRINTED AT THE SIKKIM GOVERNMENT PRESS, GANGTOK
HOME DEPARTMENT (ELECTION)

NOTIFICATION NO-92/H.

Dated Gangtok, the 17th December, 1979.

The following notification dated 7th December, 1979/Agrahayana 16, 1901 (S) of the Election Commission of India, New Delhi, is hereby republished:

NOTIFICATION

S.O. In pursuance in clause (d) of sub-para (1) and sub-para (2) of paragraph 17 of the India Symbol (Reservation and Allotment) Order, 1968, the Election Commission of India hereby makes the following amendments in its Notification No. 56/79, dated 28 September, 1979 published as SO. 557 (E) in the Gazette of India, Extra-ordinary, Part II, Section 3(ii) dated 28th September, 1979 and as amended from time to time, namely:

In Table 4 of the said notification:

against item No. 4. Gujarat, under column 2, insert the entry “15. Swastik within a circle”;

against item No. 17. Rajksthan, under column 2, insert the entry “21 Swastik within a circle”;

against item No. 27. Delhi, under column 2, insert the entry ”19. Swastilc within a circle “.

[No-56/79-IV]

By order,

K. GANESAN,
Secretary to the Election Commission of India.

S. R. SETHI,
Deputy Chief Electoral Officer,
Government of Sikkim

PRINTED AT THE SIKKIM GOVERNMENT PRESS, GANGTOK
GOVERNMENT OF SIKKIM
HOME DEPARTMENT

NOTIFICATION


In exercise of the power conferred by Section 37 of the Code of Criminal Procedure, 1896, the State Government hereby invests the following officers as Magistrates of the first class with powers to make order under Section 144 of the Code of Criminal Procedure, 1898, for the period from December 31, 1979 to 7th September, 1980 :

1. Shri T.T. Dorji, Executive officer, G.M.C.
2. Shri. B.P. Pradhan, Under Secretary, Law & Legislative.
4. Shri. R.K. Saxena, Deputy Secretary, Law & Legislative.
5. Shri. Dawa Samdup, Under Secretary, Establishment.
6. Shri. Dorji Tshering, Under Secretary, Establishment.
8. Shri. T. Chengppa, Revenue Officer (North), Mangan.
9. Shri. K.K. Pradhen, Revenue Officer (South), Namchi.
10. Shri. D.P. Kaleon, Revenue Officer (Headquarters).
13. Shri. C.M. Chhetri, Under Secretary, State Legislative.

T.S.GYALTSHEN,

Chief Secretary,
Government of Sikkim.

PRINTED AT THE SIKKIM GOVERNMENT PRESS
Sikkim Legislative Assembly Secretariat Gangtok

Notification No. 708/120/SLAS/79

Dated Gangtok, the 4th January, 1979.

The following order of the Governor of Sikkim dated 29th December, 1978 is published for general information:

“No SKM/GOV/950/78—In exercise of the powers conferred by Article 174 (2) (a) of the Constitution, I. B. B. Lai, Governor of Sikkim, hereby prorogue the Legislative Assembly of Sikkim which was summoned to meet on the 19th of September, 1978.

B. B. LAL,
Governor of Sikkim”

R. K. GUPTA,
Secretary, Sikkim Legislative Assembly Secretariat.

PRINTED AT THE SIKKIM GOVERNMENT PRESS
Whereas the function of the Central Government under the Land Acquisition Act, 1894 (1 of 1894), in relation to the acquisition or land few the purposes of the Union have been entrusted to the State Government by notification No. F 12018/12/76- LRO elated 10.1.1978 issue by the Government of India in the Ministry of Agriculture and Irrigation under Clause (i) of Article 258 of the constitution of India;

And whereas it appears to the Governor that land is likely to be needed for a public purpose being a purpose of the Union, namely for the establishment of Army in the Block of Aritar Elakha Renock District East it is hereby notified that a piece of land compromising cadastral survey plots noted under the Schedule of properties below and measuring more or less 2.48 acres, bounded on the

NORTH - Private Land
SOUTH - " "
EAST - " "
WAST - " "
is likely to be needed for aforesaid public purpose at the public expense within the aforesaid block of

This notification is made, under the provision of Section 4 of the Land Acquisition Act, 1894 read with the said notification to all whom it may concern.

A plan of land may be inspected in the office of the District Collector, East district Gangtok or Land Record Officer, Land Revenue Department, Government of Sikkim, Gangtok.

In exercise of the power conferred by the said notification, the Governor is pleased to authorise the officer for the time being engaged in the undertaking, with their servants and workman to enter upon and survey the land and all other acts required or permitted by that Section.

And person interested in the above land, who has any objection to the acquisition thereof, may within thirty days after the date on which public notice of the substance of this notification is given in the locality, file an objection in writing before the Collector of East, District at Gangtok.

SCHEDULE OF PROPERTIES
Cadstral Survey Plot No. 848 847 858,1105,1106,1108,1109,1112, ; - part.

BY ORDER OF THE GOVERNOR.

P.T. WANGDIIAS
SECRETARY,
LAND REVENUE DEPARTMENT,
GOVERNMENT OF SIKKIM
Whereas the function of the Central Government under the Land Acquisition Act, 1894 (1 of 1894), in relation to the acquisition of land for the purposes of the Union have been entrusted to the State Government by notification No.F12018/12/76-I RO dated 10.1.1978 issued by the Government of India in the Ministry of Agriculture and Irrigation under Clause (1) of Article 258 of the constitution of India;

And whereas it appears to the Governor that land is likely to be needed for a public purpose being a purpose of the Union, namely for the establishment of Army in the Block of Sangtur Tacking Elakha Tadung District East it is hereby notified that a piece of land comprising cadastral survey plots noted under the Schedule of properties below and measuring more or less 26.36 acres, bounded on the,

NORTH - Contonment Area.
SOUTH - Vir Rock.
EAST - Svari Block.
WEST - D.F. Pachan Lepcha P.P. D.P. Tashi Govt, Khas.

is likely to be needed for the aforesaid public purpose at the public expense within the aforesaid block of

This notification is made, under the provision of Section 4 of the Land Acquisition Act, 1894 read with the said notification, to all whom it may concern.

A plan of land may be inspected in the office of the District Collector, East District, Gangtok or Land Record Officer, Land Revenue Department, Government of Sikkim, Gangtok.

In exercise of the powers conferred by the said notification, the Governor is pleased to authorise the officers for the time being engaged in the undertaking, with their servants and workman, to enter upon and survey the land and all other acts required or permitted by that Section.

Any person interested in the above land, who has any objection to the acquisition thereof, may within thirty days after the date on which public notice of the substance of this notification is given in the locality, file an objection in writing before the Collector of East, District at Gangtok.

SCHEDULE OF PROPERTIES.  

BY ORDER OF THE GOVERNOR.

P. T. WANGDI, IAS
SECRETARY,
LAND AND REVENUE DEPARTMENT
GOVERNMENT OF SIKKIM, GA
Whereas the function of the Central Government under the Land Acquisition Act, 1894 (1 of 1894), in relation to the acquisition of land for the purposes of the Union have been entrusted to the State Government of notification No. F 12018/12/76-LRD dated 10.1.1978 issued by the Government, of India in the Ministry of Agriculture and Irrigation under Clause (1) of Article 258 of the constitution of India;

And Whereas it appears to the Governor that land is likely to be needed for a public purpose being a purpose of the Union, namely for the establishment of Army in the Block of Samdur Elakha Tadong District East it is hereby notified that a piece of land compromising cadastral survey plots noted under the Schedule of properties below and measuring more or less 4.40 acres, bounded on the,

| NORTH  | Cantonment Area. |
| SOUTH  | "            "   |
| EAST   | "            "   |
| WAST   | "            "   |

is likely to be needed for the aforesaid public purpose at the public expense within the aforesaid block of

This notification is made, under the provision of Section 4 of the Land Acquisition Act, 1894 read with the said notification, to all whom it may concern.

A plan of land may be inspected in the office of the District Collector, East District, Gangtok or Land Record Officer, Land Revenue Department, Government of Sikkim, Gangtok.

In exercise of the powers conferred by the said notification, the Governor is pleased to authorise the officers for the time being engaged in the undertaking, with their servants and workman, to enter upon and survey the land and all other acts required or permitted by that Section.

Any person interested in the above land, who has any objection to the acquisition thereof, may within thirty days after the date on which public notice of the substance of this notification is given in the locality, file an objection in writing before the Collector of East, District at Gangtok.

SCHEDULE OF PROPERTIES.

Cadastral Plot No. 270, 281/ in full.

BY ORDER OF THE GOVERNOR.

P. T. WANGDI, IAS
SECRETARY,
LAND AND REVENUE DEPARTMENT
GOVERNMENT OF SIKKIM,
Whereas the function of the Central Government under the Land Acquisition Act, 1894 (1 of 1894), in relation to the acquisition of land for the purposes of the Union have been entrusted to the State Government of notification No. F 12018/12/76-LRD dated 10.1.1978 issued by the Government, of India in the Ministry of Agriculture and Irrigation under Clause (1) of Article 258 of the constitution of India;

And Whereas it appears to the Governor that land is likely to be needed for a public purpose being a purpose of the Union, namely for the establishment of Army in the Block of Aritar Elakha Renock District East it is hereby notified that a piece of land compromising cadastral survey plots noted under the Schedule of properties below and measuring more or less 22.71 acres, bounded on the,

| NORTH  | Private Land |
| SOUTH  | -do- Rashi Rongli Road. |
| EAST   | Budha Lepcha, Harka Bahadur Gurung. |
| WEST   | Water point, Kazi Khoti Area Private Land. |

is likely to be needed for the aforesaid public purpose at the public expense within the aforesaid block of

This notification is made, under the provision of Section 4 of the Land Acquisition Act, 1894 read with the said notification, to all whom it may concern.

A plan of land may be inspected in the office of the District Collector, East District, Gangtok or Land Record Officer, Land Revenue Department, Government of Sikkim, Gangtok.

In exercise of the powers conferred by the said notification, the Governor is pleased to authorise the officers for the time being engaged in the undertaking, with their servants and workmen, to enter upon and survey the land and all other acts required or permitted by that Section.

Any person interested in the above land, who has any objection to the acquisition thereof, may within thirty days after the date on which public notice of the substance of this notification is given in the locality, file an objection in writing before the Collector of East, District at Gangtok.

**SCHEDULE OF PROPERTIES.**

Cadastral Plot No. 1303,192,74,48 ,1302, 191, 193, 189, 185, 490, 39, 40, 190,45,44,77,76,42,81,82 in Full. 83,84,506,211,43,80,80P,85,86P.80 in part.

**BY ORDER OF THE GOVERNOR.**

P. T. WANGDI, IAS
SECRETARY,
LAND AND REVENUE DEPARTMENT
GOVERNMENT OF SIKKIM,
Whereas the function of the Central Government under the Land Acquisition Act, 1894 (1 of 1894), in relation to the acquisition of land for the purposes of the Union have been entrusted to the State Government of notification No. F 12018/12/76-LRD dated 10.1.1978 issued by the Government, of India in the Ministry of Agriculture and Irrigation under Clause (1) of Article 258 of the constitution of India;

And Whereas it appears to the Governor that land is likely to be needed for a public purpose being a purpose of the Union, namely for the establishment of Army in the Block of Renock Elakha Aritar District East it is hereby notified that a piece of land compromising cadastral survey plots noted under the Schedule of properties below and measuring more or less 4.58 acres, bounded on the,

NORTH - Sonam Dadul Kazi and Renzing Lepchani.
SOUTH - Bachu, Tayun, Thinlay, Nim Tsering, Passang Tsering.
EAST - Galli.
WEST - Sonam Dadul Kazi.

is likely to be needed for the aforesaid public purpose at the public expense within the aforesaid block of

This notification is made, under the provision of Section 4 of the Land Acquisition Act, 1894 read with the said notification, to all whom it may concern.

A plan of land may be inspected in the office of the District Collector, East District, Gangtok or Land Record Officer, Land Revenue Department, Government of Sikkim, Gangtok.

In exercise of the powers conferred by the said notification, the Governor is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workman, to enter upon and survey the land and all other acts required or permitted by that Section.

Any person interested in the above land, who has any objection to the acquisition thereof, may within thirty days after the date on which public notice of the substance of this notification is given in the locality, file an objection in writing before the Collector of East, District at Gangtok.

SCHEDULE OF PROPERTIES.
Cadestral Plot No. 574,486 and 487 in Full.
38, in part.

BY ORDER OF THE GOVERNOR.

P. T. WANGDI, IAS
SECRETARY,
LAND AND REVENUE DEPARTMENT
GOVERNMENT OF SIKKIM,
LAND REVENUE DEPARTMENT
GOVERNMENT OF SIKKIM
GANGTOK.

Notification No. LA (4) 902 (7)/L.R. (S)                                                                                  Dated 7.11.78.

Whereas the function of the Central Government under the Land Acquisition Act, 1894 (1 of 1894), in relation to the acquisition of land for the purposes of the Union have been entrusted to the State Government of notification No. F 12018/12/76-LRD dated 10.1.1978 issued by the Government of India in the Ministry of Agriculture and Irrigation under Clause (1) of Article 258 of the constitution of India;

And Whereas it appears to the Governor that land is likely to be needed for a public purpose being a purpose of the Union, namely for the establishment of Army in the Block of Changggey Launh Rongli Elakha Renock District East it is hereby notified that a piece of land compromising cadastral survey plots noted under the Schedule of properties below and measuring more or less 10.31 acres, bounded on the,

NORTH - Kamal Das, Man Bir, Dal Bir, Road.     N. Mule Track
SOUTH - Jang Bdr, Geyehulal, Gayley lama.     S. Road
WEST - Road & Sowa Khola.                      W. Dal Bdr.

is likely to be needed for the aforesaid public purpose at the public expense within the aforesaid block of

This notification is made, under the provision of Section 4 of the Land Acquisition Act, 1894 read with the said notification, to all whom it may concern.

A plan of land may be inspected in the office of the District Collector, East District, Gangtok or Land Record Officer, Land Revenue Department, Government of Sikkim, Gangtok.

In exercise of the powers conferred by the said notification, the Governor is pleased to authorise the officers for the time being engaged in the undertaking, with their servants and workman, to enter upon and survey the land and all other acts required or permitted by that Section.

Any person interested in the above land, who has any objection to the acquisition thereof, may within thirty days after the date on which public notice of the substance of this notification is given in the locality, file an objection in writing before the Collector of East, District at Gangtok.

SCHEDULE OF PROPERTIES.
Cadastral Plot No. 41,40,22 in Full.

BY ORDER OF THE GOVERNOR.

P. T. WANGDI, IAS
SECRETARY,
LAND AND REVENUE DEPARTMENT
GOVERNMENT OF SIKKIM,
LAND REVENUE DEPARTMENT
GOVERNMENT OF SIKKIM
GANGTOK.

Notification No. LA (4) 903 (8)/L.R. (S) Dated 7.11.78.

Whereas the function of the Central Government under the Land Acquisition Act, 1894 (1 of 1894), in relation to the acquisition of land for the purposes of the Union have been entrusted to the State Government of notification No. F 12018/12/76-LRD dated 10.1.1978 issued by the Government of India in the Ministry of Agriculture and Irrigation under Clause (1) of Article 258 of the constitution of India;

And Whereas it appears to the Governor that land is likely to be needed for a public purpose being a purpose of the Union, namely for the establishment of Army in the Block of Phadamchen Elakha Chujachen District East it is hereby notified that a piece of land compromising cadastral survey plots noted under the Schedule of properties below and measuring more or less 3.60 acres, bounded on the,

NORTH - Mule Track Reserve Forest.
SOUTH - Dak Banglaw.
EAST - Govt. Land.
WEST - Mule Track.

is likely to be needed for the aforesaid public purpose at the public expense within the aforesaid block of

This notification is made, under the provision of Section 4 of the Land Acquisition Act, 1894 read with the said notification, to all whom it may concern.

A plan of land may be inspected in the office of the District Collector, East District, Gangtok or Land Record Officer, Land Revenue Department, Government of Sikkim, Gangtok.

In exercise of the powers conferred by the said notification, the Governor is pleased to authorize the officers for the time being engaged in the undertaking, with their servants and workmen, to enter upon and survey the land and all other acts required or permitted by that Section.

Any person interested in the above land, who has any objection to the acquisition thereof, may within thirty days after the date on which public notice of the substance of this notification is given in the locality, file an objection in writing before the Collector of East, District at Gangtok.

SCHEDULE OF PROPERTIES.

Cadastral Plot No. 54.

BY ORDER OF THE GOVERNOR.

P. T. WANGDI, IAS
SECRETARY,
LAND AND REVENUE DEPARTMENT
GOVERNMENT OF SIKKIM,
No. 198      Gangtok, Wednesday, January 17, 1979

LAND REVENUE DEPARTMENT
GOVERNMENT OF SIKKIM
GANGTOK.

Notification No. LA (4) 904 (5)/L.R. (S) Dated 7.11.78.

Whereas the function of the Central Government under the Land Acquisition Act, 1894 (1 of 1894), in relation to the acquisition of land for the purposes of the Union have been entrusted to the State Government of notification No. F.12018/12/76-LRD dated 10.1.1978 issued by the Government of India in the Ministry of Agriculture and Irrigation under Clause (1) of Article 258 of the constitution of India;

And Whereas it appears to the Governor that land is likely to be needed for a public purpose being a purpose of the Union, namely for the establishment of Army in the Block of Aritar Elakha Renock District East it is hereby notified that a piece of land compromising cadastral survey plots noted under the Schedule of properties below and measuring more or less 44.58 acres, bounded on the,

NORTH - Govt. Khas and Private land.
SOUTH - Rashi, Rongely Road.
EAST - Private Land.
WEST - Forest, Private land Rashi Rongley Road.

is likely to be needed for the aforesaid public purpose at the public expense within the aforesaid block of

This notification is made, under the provision of Section 4 of the Land Acquisition Act, 1894 read with the said notification, to all whom it may concern.

A plan of land may be inspected in the office of the District Collector, East District, Gangtok or Land Record Officer, Land Revenue Department, Government of Sikkim, Gangtok.

In exercise of the powers conferred by the said notification, the Governor is pleased to authorise the officers for the time being engaged in the undertaking, with their servants and workmen, to enter upon and survey the land and all other acts required or permitted by that Section.

Any person interested in the above land, who has any objection to the acquisition thereof, may within thirty days after the date on which public notice of the substance of this notification is given in the locality, file an objection in writing before the Collector of East, District at Gangtok.

SCHEDULE OF PROPERTIES.

BY ORDER OF THE GOVERNOR.

P. T. WANGDL, IAS
SECRETARY,
LAND AND REVENUE DEPARTMENT
GOVERNMENT OF SIKKIM,
No. 199    Gangtok Monday, January 22, 1979

HOME DEPARTMENT
NOTIFICATION
NO. 220 (Home) 79
Dated Gangtok, the 18th January, 1979.

Whereas by Notification No. 479(E) dated the 29th July, 1978 issued by the President of India in exercise of the power conferred by clause (n) of Article 371 F of the Constitution of India, the Police Act, 1861 (act 5 of 1861) has been extended to the State of Sikkim;

Now, therefore, by virtue of the authority under sub-section (1) of Section 46 of the Police Act, 1861 (Act 5 of 1861), the State Government does hereby extend the whole of the Police Act, 1861 (Act 5 of 1861) in the State of Sikkim and the said Act (Act 5 of 1861) shall come into force with effect from the date of publication of this Notification.

By order of the Governor

T. S. GYALTSHEN,
Chief Secretary,
Government of Sikkim.
OFFICE OF THE DIVISIONAL COMMISSIONER
NOTIFICATION
No. 2(31)-DC/76

Dated Gangtok, (he 22nd January, 1979.

In partial modification of Notification no. 7 (46) Home/76 dated 6.12.77 published in the Extra Ordinary Gazette No. 135 dated 22.12.77, the State Government in exercise of the powers conferred by sub-section (2) of section 4 of the Registration of Births and Deaths Act, 1969 (Act No 18 of 1969) hereby appoints the Deputy Director, Bureau of Economics and Statistics, Department of Planning and Development, to be the Assistant Chief Registrar for the State in place of Statistical Officer, Department of Cooperation.

(D.K. Manavalan)
Divisional Commissioner & Chief Registrar of Births and Deaths.

PRINTED AT THE SIKKIM GOVERNMENT PRESS
The following order by the Governor of Sikkim dated 5th February, 1979 is published for general information.

ORDER

“No. SKM/GOV/135/79— In exercise of the powers conferred on me by Article 174(1) in Part VI of the Constitution of India, I, B. B. Lal, Governor of Sikkim, hereby summon the Legislative Assembly of Sikkim to meet on Tuesday 20th February, 1979 at 11.00 A.M in the Assembly House in Gangtok.

I further direct the Secretary, Legislative Assembly, shall notify the Members accordingly.

B. B. LAL, Governor of Sikkim.”

By Order

R.K. GUPTA, Secretary, Sikkim Legislative Assembly.
BILL No. 1 of 1979

THE SIKKIM APPROPRIATION BILL OF 1979

A BILL

to authorize appropriation of certain further sum from and out of the Consolidated Fund of the State of Sikkim for the services of the Financial year, 1978-79.

BE it enacted by the Legislature of the State of Sikkim in the Thirtieth year of the Republic of India as follows:—

1. This Act may be called the Sikkim Appropriation Act, 1979.

2. From and out of the Consolidated Fund of the State of Sikkim there may be paid and applied sum not exceeding that specified in column 3 of the Schedule arounting to three crores eleven lakhs fiftyfive thousands of Rupees towards defraying the charges which will come in course of payment during the financial year 1978-79, in respect of the services specified in column 2 of the Schedule.

3. The sum authorised to be paid and applied from and out of the Consolidated Fund of the State of Sikkim by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.
<table>
<thead>
<tr>
<th>No. of Vote</th>
<th>SERVICES AND PURPOSE</th>
<th>SUM NOT EXCEEDING</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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<td>Voted by the le-</td>
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<td></td>
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<td>gislative Assembly</td>
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<td></td>
<td></td>
<td>Rs.</td>
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<tr>
<td>Governor</td>
<td>Revenue</td>
<td>-</td>
</tr>
<tr>
<td>2.</td>
<td>Cabinate</td>
<td>Revenue 2,33,000</td>
</tr>
<tr>
<td>3.</td>
<td>Agriculture</td>
<td>Revenue 8,92,000</td>
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<tr>
<td>5.</td>
<td>Local Self Government</td>
<td>Revenue 3,16,000</td>
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<tr>
<td>6.</td>
<td>Co-operation</td>
<td>Revenue 62,000</td>
</tr>
<tr>
<td>7.</td>
<td>Ecclesiastical</td>
<td>Revenue 1,53,000</td>
</tr>
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<td>8.</td>
<td>Education</td>
<td>Revenue 51,29,000</td>
</tr>
<tr>
<td>9.</td>
<td>Power and Irrigation</td>
<td>Revenue 14,25,000</td>
</tr>
<tr>
<td>10.</td>
<td>Establishment</td>
<td>Revenue 1,00,000</td>
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<tr>
<td>11.</td>
<td>Excise (Abkari)</td>
<td>Revenue 83,000</td>
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<tr>
<td>14.</td>
<td>Other expenditure of the Finance Department</td>
<td>Revenue -</td>
</tr>
<tr>
<td>15.</td>
<td>Food &amp; Civil Supplies</td>
<td>Revenue 54,000</td>
</tr>
<tr>
<td>16.</td>
<td>Forest, Fisheries &amp; Soil Conservation</td>
<td>Revenue 27,70,000</td>
</tr>
<tr>
<td>17.</td>
<td>Motor Vehicles</td>
<td>Revenue 1,27,000</td>
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<tr>
<td>18.</td>
<td>Sikkim Nationalised Transport Revenue 3,00,000</td>
<td>-</td>
</tr>
<tr>
<td>19.</td>
<td>Home Department</td>
<td>Revenue 13,68,000</td>
</tr>
<tr>
<td>21.</td>
<td>Police</td>
<td>Revenue 31,000</td>
</tr>
<tr>
<td>22.</td>
<td>Land Revenue</td>
<td>Revenue 4,07,000</td>
</tr>
<tr>
<td>23.</td>
<td>Law Department</td>
<td>Revenue 4,000</td>
</tr>
<tr>
<td>24.</td>
<td>Medical &amp; Public Health</td>
<td>Revenue 12,70,000</td>
</tr>
<tr>
<td>25.</td>
<td>Panchayat, Rural Works &amp; Social Welfare</td>
<td>Revenue 1,22,000</td>
</tr>
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<td>26.</td>
<td>Planning and Developmen</td>
<td>Revenue 8,000</td>
</tr>
<tr>
<td>27.</td>
<td>Press Publicity and Culture Affairs Revenue 4,69,000</td>
<td>-</td>
</tr>
<tr>
<td>28.</td>
<td>Public Works,Roads, Bridges and Water Supply</td>
<td>Revenue 80,23,000</td>
</tr>
<tr>
<td>29.</td>
<td>Tourism</td>
<td>Revenue 9,05,000</td>
</tr>
<tr>
<td>30.</td>
<td>Industries and Labour</td>
<td>Revenue 1,26,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Total 2,89,36,000</td>
</tr>
</tbody>
</table>

STATEMENT OF OBJECTS AND REASONS

This Bill is introduced in pursuance of Article 204 (1) of the Constitution of India, read with Article 205 thereof to provide for the appropriation out of the Consolidated Fund of the State Sikkim of the moneys required to meet the expenditure charged on the Consolidated Fund of the Government of Sikkim for the financial year 1978-79.

KAZI LHENDUP DORJEE KHANGSARPA
Chief Minister of Sikkim
Minister-in-Charge.
THE SIKKIM APPROPRIATION Bill OF 1979

A Bill to authorize payment and appropriation of certain sum from and out of the Consolidated fund of the State of Sikkim for the services of the Financial year, 1979-80.

BE it enacted by the Legislature of the State of Sikkim in the Thirtieth year of the Republic of India as follows:

Short titles

1. This Act may be called the Sikkim Appropriation Act, 1979.

Issue of Rs.40,15,000 out of the Consolidated Fund of the State of Sikkim for the Financial year 1979-80.

2. From and out of the Consolidated Fund of the State of Sikkim there may be paid and applied sums not exceeding those specified in column 3 of the Schedule amounting to the sum of forty crores forty-four lakhs and fifteen thousand Rupees towards defraying the several charges which will come in course for payment during the financial year 1979-80, in respect of the services specified in column 2 of the Schedule.

Appropriation.

The sums authorised to be paid and applied from and out of the Consolidated Fund of the State of Sikkim by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.
# SCHEDULE

(See Section 2 & 3)

<table>
<thead>
<tr>
<th>No. of SERVICE &amp; PURPOSE</th>
<th>SUM NOT EXCEEDING</th>
<th>Vote</th>
<th>Charged on the Consolidated Fund</th>
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<tr>
<td></td>
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<td>Rs.</td>
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<td>1. State Legislature</td>
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<td>Governor</td>
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<td>4. Local Self Government</td>
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<td>5. Co-operation</td>
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<td>7. Education</td>
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<td>10. Excise (Abkari)</td>
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<td>11. Finance Department</td>
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<td>12. Income Tax &amp; Sales Tax</td>
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<td>13. Other Expenditure of the Finance Department</td>
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<td>14. Food &amp; Civil Supplies</td>
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<td>Capital</td>
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<td>15. Forest, Fisheries &amp; Soil Conservation</td>
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<td>16. Motor Vehicles</td>
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<td>19. Administration of Justice</td>
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<td>20. Police</td>
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<td>No. of SERVICE &amp; PURPOSE</td>
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<td>SUM NOT EXCEEDING Charged on the Consolidated Fund</td>
<td>Total</td>
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<tr>
<td>-------------------------</td>
<td>---------------------------------</td>
<td>---------------------------------------------------</td>
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<td>Rs.</td>
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<td>22. Land Revenue</td>
<td>Revenue 51,15,000</td>
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<td>Capital 3,24,000</td>
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<td>23. Law Department</td>
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<td></td>
<td>Capital 49,50,000</td>
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<td>25. Panchayat, Rural Works and Social Welfare</td>
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<td>Capital 1,38,000</td>
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<td>26. Planning &amp; Development Deptt</td>
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<td></td>
<td>Capital 9,000</td>
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<td>9,000</td>
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<td>27. Press, Publicity &amp; Culture Affairs</td>
<td>Revenue 35,30,000</td>
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<td></td>
<td>Capital 8,32,000</td>
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<td>28. Public Works, Roads Bridges &amp; Water Supply</td>
<td>Revenue 7,76,53,000</td>
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<td></td>
<td>Capital 4,09,60,000</td>
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<td>29. Tourism</td>
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<td>Capital 8,65,000</td>
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<td>8,65,000</td>
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<td>30. Industries &amp; labour</td>
<td>Revenue 79,90,000</td>
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<td></td>
<td>Capital 66,95,000</td>
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<td><strong>Total:</strong></td>
<td>19,77,26,000</td>
<td>66,89,000</td>
<td>40,44,15,000</td>
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</tbody>
</table>

**STATEMENT OF OBJECTS AND REASONS**

This Bill is introduced in pursuance of Article 204(1) of the Constitution to provide for the appropriation out of the Consolidated Fund of the State of Sikkim of the moneys required to meet the expenditure charged on the Consolidated Fund of the State of Sikkim and the grants made by the Legislative Assembly for expenditure of the Government of Sikkim for the financial year 1979-80.

Kazi Lhendup Dorjee Khangsarpa  
Chief Minister of Sikkim  
Minister-in-Charge.

PRINTED AT THE SIKKIM GOVERNMENT PRESS
The Sikkim Legislative Assembly deeply mourns the sad demise of Shri C. S. Roy, Member, Legislative Assembly and Ex-Speaker of this august House at 17.12 hours on 21st February, 1979, and expresses its profound sorrow.

As a mark of respect to the departed soul the Sikkim Legislative Assembly adjourned at 10.20 hours after obituary reference made followed by two minutes silence observed in the House by all the Members standing on 27nd February, 1979.

R. K. Gupta,
Secretary,
Sikkim Legislative Assembly.
LAND REVENUE DEPARTMENT
GOVERNMENT OF SIKKIM
GANGTOK.

Notification No. 1197(635)/L.R. (S)                           Dated Gangtok, the 21st February, 1979.

Whereas the function of the Central Government under the Land Acquisition Act, 1894 (I of 1897), in relation to the acquisition of land for the purposes of the Union have been entrusted to the State Government by notification No. H2018/12/76-LRD dated 10.1.1978 issued by the Government of India in the Ministry of Agriculture and Irrigation under Clause (1) of Article 258 of the constitution of India;

And whereas it appears to the Governor that land is likely to be needed for a public purpose being a purpose of the Union, namely for the establishment of Satellite communication earth Station in the Block of Penlong Elakha Tadung District East it is hereby notified that a piece of land compromising cadastral survey plots noted under the Schedule properties below and measuring more or less 1.29 acres, less home stead areas, if any, in any of the C.S. Plots and covered by the following boundaries,

NORTH - North Sikkim Road
SOUTH - do-
EAST - Holding of Yuthok family.
WEST - N.S Road and approach of Takchi Palace.

Is likely to be needed for the aforesaid public purpose at the public expense within the aforesaid block of East District.

This notification is made, under the provision of Section 4 of the Land Acquisition Act, 1894 read with the said notification to all whom it may concern.

A plan of land may be inspected in the office of the District Collector, East District, Gangtok or Secretary, Land Revenue Department, Government of Sikkim, Gangtok.

In exercise of the powers conferred by the said Section read with the said Notification, the Governor is pleased to authorise the officers for the time being engaged in the undertaking, with their servants and workman, to enter upon and survey the land and all other Act required or permitted by that Section.

And whereas there is urgency to acquire the land the Governor is further pleased to direct under Section 17(4) that the provision of Section 5-A of the Act shall not apply.

Part of Block Penlong. Elakha Tadung. Police Station Gangtok, East District.

SCHEDULE OF PROPERTIES.

Cadstral Survey Plots No. 30 Area 0.43 acres.
"  "  "  31 Area 0.86 acres.

BY ORDER OF THE GOVERNOR.

(P.T.WANGDI) IAS
SECRETARY,
LAND REVENUE DEPARTMENT
GOVERNMENT OF SIKKIM.
The Constitution (Amendment) Bill, 1977 by Shri Y.P. Shastri, M.P. is republished below for eliciting public opinion:—

"Be it enacted by Parliament in the Twenty-Eighth year of the Republic of India as follows: -

(1) This Act may be called the Constitution (Amendment) Act, 1977

(2) It shall come into force:—

i) in the Union territories within a period of six months from the date on which it receives the assent of the President, and

ii) the State on such dates as the respective State Government may, by notification in their Official Gazettes, appoint.

Insertion of new 2, article 23A, article 23B, and 23C Right to Employment.

"23A (1) All citizens shall have the right to work and shall be entitled to adequate means of livelihood.

(2) Failing to procure such means as referred to in Clause (1) every citizen shall be entitled to an unemployment allowance to be paid by the State.

Right to free and Compulsory Education.

23B. (1) All children until they complete the age of fourteen years shall have the right to free education.

(2) Education shall be compulsory for all children until they have completed the age of fourteen years.

Monetary assistance to old, sick and disabled

23C. The State shall provide monetary assistance to every citizen who has completed the age of sixty years, or remain sick, or is permanently incapacitated or disabled and has nothing to fall back upon and is unable to fend for himself.

STATEMENT OF OBJECTS AND REASON

Article 39 of the Constitution state among other things “The State shall, in particular, direct its policy towards securing (a) that the citizen, men and women equally have right to an adequate means of livelihood “. Article 41 of the Constitution enjoins upon the State to make effective provision for securing the right to work, to education and to public assistance in case of unemployment, old, age, sickness and disablement. Similarly article 45 of the Constitution enjoins upon the State to provide for free and compulsory education for all children until they complete the age of fourteen years.

GOVERNMENT OF SIKKIM
HOME DEPARTMENT
NOTIFICATION

No. 7(20) Home /78 Dated the 17th October, 1978.

No. 206 Gangtok, Friday, February 23, 1979
But these rights are only in the nature of Directive Principles of State Policy. They are not justiciable and there is no legal sanction behind them. The focal point of the State activity, in the economic sphere, ought to have been the achievement of these objectives. Whereas enough lip sympathy has been showered on those condemned to remain unemployed, the measures taken to combat unemployment have proved far from effective. Employment has come everyone's birthright in Swaraj. Nothing can shake our people's faith in the democratic system than the nation's failure to provide employment to all able bodied citizens. Failing this, the minimum the state should do is to provide for unemployment insurance.

The State cannot, in fairness and good conscience, by its neglect, inaction or omission allow the dilution or diminution of Directive Principles which it has been directed to preserve and forbidden to infringe.

The Bill seeks to give legal effect to what is contained in articles 41 and 45 and make these rights justiciable and Fundamental Rights. Unless these rights are clothed with legal sanction, they will remain nugatory and of no significance as hitherto they have been,

New Delhi.
The 7th October, 1977
Y.P. SHASTRI

The above bill is republished, as the Lok Sabha has extended the time for eliciting opinion on the proposed bill. Any person or public body desiring to submit an opinion on the bill should write only to the undersigned by July, 31, 1979 and not direct to the Lok Sabha Secrett. or any Ministry of the Govt, of India.

Sd/-
Deputy Secretary,
Home Department.

PRINTED AT THE SIKKIM GOVERNMENT PRESS
GOVERNMENT OF SIKKIM
INCOME & SALES TAX DEPARTMENT

The West Bengal Govt. Notification No. 7127-F.T. dated 28th Dec, 1978 and No. 7226-F.T 28th Dec, 1978 are republished for general information:—

Government of West Bengal
Finance (Taxation) Deptt.
NOTIFICATION
No. 7126-F.T. dated 28th Dec, 1978
WHEREAS the Governor is satisfied that it is necessary so to do in the public interest;
NOW, THEREFORE, in exercise of the power conferred by sub-section (5) of section 8 of the Central Sales Tax Act, 1956 (74 of 1956), the Governor is pleased hereby to make the following amendment in this department notification No. 2787- F.T. dated 13th June, 1975, published at page 1228 of Part I of the Calcutta Gazette Extraordinary, dated the 18th June, 1975, as subsequently amended hereinafter referred to as the said notification.

AMENDMENT
In the said notification, for the words and figures "31st December, 1978", substitute the words and figures "31st March, 1979".

By order of the Governor,
Sd. T.N. Mookerji,
Dy. Secy, to the Govt, of West Bengal.

Government of West Bengal
Finance (Sales Tax) Act, 1941 (Bon. Act VI of 1941), the Governor is pleased hereby to make the following amendments in the Bengal Sales Tax Rules, 1941, as subsequently amended (hereinafter referred to as the said rules):—

AMENDMENTS
In the said rules, in rule 3,—
(1) in clause (12),—
(a) in sub-clause (b), for the words & figures "31st Dec, 1978", substitute the words & figures "31st March, 1979".
(b) in sub-clause (c), for the words & figures "31st Dec, 1978", substitute the words & figures 1st March, 1979.
(2) in clause (13), in sub-clause (b), for the words & figures "31st Dec, 1979", substitute the words & figures "31st March, 1979"

By Order of the Governor.
Sd. T.N Mookerji,
Dy. Secy- to the Govt. of West Bengal.
T.S.GYALTSHEN,
Chief Secretary,
Government of Sikkim.
6 (6) Home /78

PRINTED AT THE SIKKIM GOVERNMENT PRESS.
No. 208         Gangtok, Monday, February 26, 1979

LEGISLATIVE DEPARTMENT

Notification No. 21/LL/RC/78.

Dated Gangtok, the 22nd January, 1979.

The following Act of Parliament having received the assent of the President on 7th September, 1978 and published in Extraordinary Gazette of India, part II, Section 1 on 8th September, 978, is hereby published for general information.

THE PRESS COUNCIL ACT, 1978

(Act No. 37 of 1978)

AN ACT

To establish a Council for the purpose of preserving the freedom of the Press and of Maintaining and improving the standards of newspapers and news agencies in India.

BE it enacted by Parliament in the Twenty-ninth Year of the Republic of India as follows : -

CHAPTER I

PRELIMINARY

1. (1) This Act may be called the Press Council Act, 1978. Short title and extent.

(2) It extends to the whole of India.

2. It this Act, unless the context otherwise requires,— Definitions.

(a) “Chairman” means the Chairman of the Council;

(b) “Council” means the Press Council of India established under section 4;

(c) “Member” means a member of the Council and includes its Chairman;

(d) “prescribed” means prescribed by rules made under this Act;
(e) the expressions "editor" and "newspaper" have the meanings respectively assigned to them in the Press and Registration of Books Act, 1867, and the expression "working journalist" has the meaning assigned to it in the Working Journalists and other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions Act, 1955.

3. Any reference in this Act to a law which is not in force in the State of Jammu and Kashmir or Sikkim shall, in relation to that State, be construed as a reference to the corresponding law if any, in force in that State.

CHAPTER II
Establishment of the Press Council

4. (1) With effect from such date as the Central Government may, by notification in the Official Gazette, appoint, there shall be established a Council by the name of the Press Council of India.

(2) The said Council shall be a body corporate having perpetual succession and a common seal and shall by the said name sue and be sued.

5 (1) The Council shall consist of a Chairman and twenty-eight other members.

(2) The Chairman shall be a person nominated by a Committee consisting of the Chairman of the Council of State (Raiya Sabha), the Speaker of the House of the People (Lok Sabha) and a person elected by the members of the Council Under sub-section (6) and the nomination so made shall take effect from the date on which it is notified by the Central Government in the Official Gazette.

(3) Of the other members—

(a) thirteen shall be nominated in accordance with such procedure as may be prescribed from among the working journalists, of whom six shall be editors of newspapers and the remaining seven shall be working journalists other than editor, so, however, that the number of such editors and working journalists other than editors in relation to newspapers published in Indian languages shall be not less than three and four respectively;

(b) six shall be nominated in accordance with such procedure as may be prescribed from among persons who own or carry on the business of management of newspapers, so, however, that there shall be two representatives from each of the categories of big newspapers, medium newspapers and small newspapers;

(c) one shall be nominated in accordance with such procedure as may be prescribed from among persons who manage news agencies;
(d) three shall be persons having special knowledge or practical experience in respect of education and science, law, and literature and culture of whom respectively one shall be nominated by the University Grants Commission, one by the Bar Council of India and one by the Sahitya Academy;

(e) five shall be members of Parliament of whom three shall be nominated by the Speaker from among the member of the House of the People (Lok Sabha) and two shall be nominated by the Chairman of the Council of State (Rajya Sabha) from among its members:

Provided that no working journalist who owns, carries on the business of management of, any newspaper shall be eligible for nomination under clause (a):

Provided further that the nominations under clause (a) and clause (b) shall be so made that among the persons nominated there is not more than one person interested in any newspaper or group of newspapers under the same control or inangement.

Explanation.—For the purposes of clause (b), a "newspaper" shall be deemed to be—

(i) "big newspaper" if the total circulation of all its editions exceeds fifty thousand copies for each issue;
(ii) "medium newspaper" if the total circulation of all its edition exceeds fifteen thousand copies but does not exceed fifty thousand copies for each issue;
(iii) "small newspaper" if the total circulation of all its editions does not exceed fifteen thousand copies for each issue.

4. Before making any nomination under clause (a), clause (b) clause (c) of sub-section (3), the Central Government in the case of the first Council and the retiring Chairman of the previous Council in the case of any subsequent Council shall, in the prescribed manner, invite panels of names comprising twice the number of members to be nominated from such associations of persons of the categories referred to in the said clause (a), clause (b) or clause (c) as may be notified in this behalf by the Central Government in the case of the first Council and by the Council itself in the case of subsequent Councils:

Provided that where there is no association of persons of the category referred to in the said clause (c), the panels of names shall be invited from such news agencies as may be notified as aforesaid.

(5) The Central Government shall notify the names of persons nominated as members under sub-section (3) in the Official Gazette and every such nomination shall take effect from the date on which it is notified.

(6) The members of the Council notified under sub-section (5) shall elect from among themselves in accordance with such procedure as may be prescribed, a person to be a member of the Committee referred to in sub-section (2) and a meeting of the members of the Council for the purpose of such election shall be presided over by person chosen from among themselves.
6. (1) Save as otherwise provided in this section, the Chairman and other members shall hold office for a period of three years:

Provided that the Chairman shall continue to hold such office until the Council is reconstituted in accordance with the provisions of section 5 or for a period of six months whichever is earlier.

(2) Where a person nominated as a member under clause (a), clause (b) or clause (c) of sub-section (3) of section 5 is censured under the provisions of sub-section (1) of section 14, he shall cease to be a member of the Council.

(3) The term of office of a member nominated under clause (e) of sub-section (3) of section 5 shall come to an end as soon as he ceases to be a member of the house from which he was nominated.

(4) A member shall be deemed to have vacated his seat if he is absent without excuse, sufficient in the opinion of the Council, from three consecutive meetings of the Council.

(5) The Chairman may resign his office by giving notice in writing to the Central Government, and any other member may resign his office by giving notice in writing to the Chairman, and upon such resignation being accepted by the Central Government, or as the case may be, the Chairman, the Chairman or the member shall be deemed to have vacated his office.

(6) Any vacancy arising under sub-section (2), sub-section (3), sub-section (4) or sub-section (5) or otherwise shall be filled, as soon as may be, by nomination in the same manner in which the member vacating office was nominated and the member so nominated shall hold office for the remaining period in which the member in whose place he is nominated would have held office.

(7) A retiring member shall be eligible for re-nomination for not more than one term.

7. (1) The Chairman shall be a whole-time office and shall be paid such salary as the Central Government may think fit, and the other members shall receive such allowances or fees for attending the meeting of the Council, as may be prescribed.

(2) Subject to the provisions of sub-section (1), the conditions of service of members shall be such as may be prescribed.

(3) It is hereby declared that the office of a member of the Council shall not disqualify its holder for being chosen as or for being, a member of either House of Parliament.

8. (1) For the purpose of performing its functions, under this Act, the Council may constitute from among its members such committees for general or special purposes as it may deem necessary and every committee so constituted shall perform such functions as are assigned to it by the Council.
(2) The Council shall have the power to co-opt as members of any com-
mittee constituted under sub-section (1) such other number of persons, not being member of the Council, as it thinks fit,

(3) Any such member shall have the right to attend any meeting of the Commtittee on which he is so co-opted and to take part in the discussions thereat, but shall not have the right to vote and shall not be a member for any other purpose.

9. The Council or any committee thereof shall meet at such times and places and shall observe such rules of procedure in regard to the transaction of business at its meetings as may be provided by regulations made under this Act.

10. No act or proceeding of the Council shall be deemed to be invalid by reason merely of the existence of any vacancy in, or any defect in the Constitution of, the Council.

11. (1) Subjects to such rules as may be made by the Central Government in this behalf, the Council may appoint a Secretary and such other employees as it may think necessary for the efficient performance of its function under this Act.

(2) The terms and conditions of service of the employees shall be such as may be determined by regulations.

12. All orders and decisions of the Council shall be authenticated by the signature of the Chairman or any other member authorised by the Council in this behalf and other instruments issued by the Council shall be authenticated by the signature of Secretary or any other officer of the Council authorised in like manner in this behalf.

CHAPTER III
POWERSS AND FUNCTIONS OF THE COUNCIL

13. (1) The objects of the Council shall be to preserve the freedom of the Press and to maintain and improve the standards of newspapers and news agencies in India.

(2) The Council may, in furtherance of its objects, perform the following function, namely:

(a) to the newspapers and news agencies to maintain their independence;
(b) to build up a code of conduct for newspapers, news agencies and journalists in with high professional standards;
(c) to ensure on the part of newspapers, news agencies and journal-
Lists, the maintenance of high standards of public taste and foster a due sense of both the rights and responsibilities of citizenship;
(d) to encourage the growth of a sense of responsibility and public service among all those engaged in the profession of journalism;

(e) to keep under review any development likely to restrict the supply and dissemination of news of public interest and importance;

(f) to keep under review cases of assistance received by any newspaper or news agency in India from any foreign source including such cases as are referred to it by the central Government or are brought to its notice by the individual association of persons or any other organisation:

Provided that nothing in this clause shall preclude the Central Government from dealing with any case of assistance received by a newspaper or news agency in India from any foreign source in any other manner it thinks fit;

(g) to undertake studies of foreign newspapers, including those brought out by any embassy or other representative in India of a foreign State, their circulation and impact.

Explanation.—For the purposes of this clause, the expression "foreign State" has the meaning assigned to it in section 87A of the Code of Civil Procedure, 1908;

(h) to promote a proper functional relationship among all classes of persons engaged in the production or publication of newspapers or in news agencies;

Provided that nothing in this clause shall be deemed to confer on the Council any functions in regard to disputes to which the Industrial Disputes Act, 1947, applies;

(i) to concern itself with developments such as concentration of or other aspects of ownership of newspapers and news agencies which may affect the independence of the press,

(j) to undertake such studies as may be entrusted to the Council and to express its opinion in regard to any matter referred to it by the Central Government.

(k) to do such other acts as may be incidental or conducive to the discharge of the above functions,

Power to Censure.

14. (1) Where, on receipt of a complaint made to it or otherwise, the Council has reason to believe that a newspaper or news agency has offended against the standards of journalistic ethics or public taste or that an editor or a working journalist has committed and professional misconduct, the Council may after giving the newspaper, or news agency, the editor or journalist concerned an opportunity of being heard, hold an inquiry in such manner as may be provided by regulations made under this Act and, if it is satisfied that it is necessary so to do, it may, for reasons to be recorded in writing, warn, admonish or censure the newspaper, the news agency, the editor or the journalist or disapprove the conduct of the editor or the journalist, as the case may be;

Provided that the Council may not take cognizance of a complaint if in the opinion of the Chairman, there is no sufficient ground for holding an inquiry.

(2) If the Council is of the opinion that it is necessary or expedient in the public interest so to do, it may require any newspaper to publish.
therein in such manner as the Council thinks fit, any particulars relating to any inquiry under this section against a newspaper or news agency, an editor or a journalist working therein, including the name of such newspaper, news agency, editor or journalist.

(3) Nothing in sub-section (1) shall be deemed to empower the Council to hold an inquiry into any matter in respect of which any proceeding is pending in a court of law.

(4) The decision of the Council under sub-section (1), or sub-section (2), as the case may be, shall be final and shall not be questioned in any court of law.

15. (1) For the purpose of performing its functions or holding any inquiry under this Act, the Council shall have the same powers throughout India as are vested in a civil court while trying a suit under the Code of Civil Procedure, 1908, in respect of the following matters, namely:

(a) summoning and enforcing the attendance of persons and examining them on oath;
(b) requiring the discovery and inspection of documents;
(c) receiving evidence on affidavits;
(d) requisitioning any public record or copies thereof from any court or office;
(e) issuing commissions for the examination of witnesses or documents; and;
(f) any other matter, which may be prescribed.

(2) Nothing in sub-section (1) shall be deemed to compel any newspaper, news agency, editor or journalist to disclose the source of any news or information published by that newspaper or received or reported by that news agency, editor or journalists.

(3) Every inquiry held by the Council shall be deemed to be a judicial proceeding within the meaning of sections 193 and 228 of the Indian penal Code.

(4) The Council may, if it considers it necessary for the purpose of carrying out its objects or for the performance of any of its functions under this Act, make such observation, as it may think fit, in any of its decisions or reports, respecting the conduct of any authority, including Government.

16. (1) The Council may, for the purpose of performing its function under this Act, levy such fees, at such rates and in such manner, as may be prescribed, from registered newspapers and news agencies and different rates may be prescribed for different newspapers having regard to their circulation and other matter.

(2) Any fees payable to the Council under sub-section (1) may be recovered as an arrear of land revenue.

17. The Central Government may, after due appropriation made by Parliament by law in this behalf, pay to the Council by way of grants such sums of money as the Central Government may consider necessary for the performance of the functions of the Council under this Act.
18. (1) The Council shall have its own fund; and the fees collected by it, all such sums as may, from time to time, be paid to it be the Central Government and all grants and advances made to it by any other authority or person shall be credited to the Fund and all payments by the Council shall be made therefrom.

(2) All moneys belonging to the Fund shall be deposited in such banks or invested in such manner as may, subject to the approval of Central Government, be decided by the Council.

(3) The Council may spend such sums as it thinks fit for performing its functions under this Act, and such sums shall be treated as expenditure payable out of the Fund of the Council.

19. The Council shall prepare, in such form and at such time each year as may be prescribed, a budget in respect of the financial year next ensuing showing the estimated receipts and expenditure, and copies thereof shall be forwarded to the Central Government.

20. The Council shall prepare once every year, in such form and at such time as may be prescribed, an annual report, giving a summary of its activities during the previous year, and giving an account of the standards of newspapers and news agencies and factors affecting them, and copies thereof, together with the statement of accounts audited in the manner prescribed under section 22 shall be forwarded to the Central Government and the Government shall cause the same to be laid before both Houses of Parliament.

21. Without prejudice or the provisions of section 20, the Council may prepare at any time during the course of a year, a report giving a summary of such of its activities during the year as it considers to be of public importance and copies thereof shall be forwarded to the Central Government and the Government shall cause the same to be laid before both Houses of Parliament.

22. The accounts of the Council shall be maintained and audited in such manner as may, in consultation with the Comptroller and Auditor General of India, be prescribed.

CHAPTER IV
MISCELLANEOUS

23. (1) No suit or other legal proceeding shall lie against the Council or any member thereof or any person acting under the direction of the Council in respect of anything which is in good faith done or intended to be done under this Act.

(2) No suit or other legal proceeding shall lie against any newspaper in respect of the publication of any matter therein under the authority of the Council.

24. Every member of the Council and every officer or other employee appointed by the Council shall be deemed to be a public servant within the meaning of section 12 of the Indian Penal Code.

25. (1) The Central Government may, by notification in the Official Gazette, make rules to carry out the purposes of this Act:

Accoun- uts and audit

Interim re- port.

Annual re- port.

Protection of action taken in good faith.
Provided that when the Council has been established, no such rules shall be made without consulting the Council.

(2) In particular, and without prejudice to the generality of the foregoing power, say rules may provide for all or any of the following matters, namely:-

(a) The procedure for nomination of members of the Council under clause (a), (b) and (c) of sub-section (3) of section 5;

(b) the manner in which panels of names may be invited under sub-section (4) of section 5;

(c) the procedure for election of a member of the Committee referred to in sub-section (2) of section 5 under sub-section (6) of that section;

(d) the allowances or fees to be paid to the members of the Council for attendings the meeting of the Council, and other conditions of service of such members under sub-sections (1) and (2) of section 7;

(e) the appointment of the Secretary and other employees of the Council under section 11;

(f) the matter referred to in clause (f) of sub-section (1) of section 15;

(g) the rates at which fees may be levied by the Council under section 16 and the manner which such fees may be levied;

(h) the form in which, and the time within which, the budget and annual report are to be prepared by the Council under sections 19 and 20 respectively;

(i) the manner in which the accounts of the Council are to be maintained and audited under section 22.

(3) Every rule made under this section shall be laid, as soon as may be after it is made, before each House of parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified from or be of no effect, as the case may be; so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

26. The Council may make regulations not inconsistent with this Act and the rules made thereunder, for-

(a) regulating the meetings of the Council or any committee thereof and the procedure for conducting the business thereat under section 9;

(b) specifying the terms and conditions of service of the employees, appointed by the Council, under sub-section (2) of section 11;
(c) regulating the manner of holding any inquiry under this Act;
(d) delegating to the Chairman or the Secretary of the Council, subject to such conditions as it may think fit to impose, any of its powers under sub-

otion (3) of section 18;

(e) any other matter for which provision may be made by regulations rider this Act;

Provided that the regulations made under clause (b) shall be made only with the prior approval of the Central Government.

Amendment of Act, 1867. 27. In sub-section (1) of section 8C of the Press and Registration of Books Act 25 of 1867, for the words "consisting of a Chairman and another member to be appointed by the Central Government", the words and figures "consisting Chairman and another member to be nominated by the Press Council of India, established under section 4 of the Press Council Act, 1978, from among its members" shall be substituted.

S. HARIHARA IYER
Secretary to the Government of India.

By Order,

B. R. PRADHAN,
Secretary to the Government of Sikkim
Law and Legislative Department
F. 11(115) LL/78.
THE PRESS COUNCIL ACT. 1978
ARRANGEMENT OF SECTIONS

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2. Definitions.

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6. Term of office and retirement of members.
7. Conditions of service of members.
8. Committees of the council.
9. Meeting of the Council and committees.
10. Vacancies among members or defect in the constitution not to invalidate Acts and proceedings of the Council.
11. Staff of the Council.
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14. Power to censure.
16. Levy of fees.
17. Payments to the Council.
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20. Annual report.
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23. Protection of action taken in good faith.
24. Members, etc., to be public servants.
27. Amendment of Act 25 of 1867.

POINf AT THE SIKKIM GOVT. PRESS
LEGISLATIVE DEPARTMENT
NOTIFICATION
NO. 22/LL/RC/78.

Dated Gangtok, the 22nd, January, 1979.

The following Act of Parliament having received the assent of the President on 18th August, 1978 and published in Extraordinary Gazette of India, part II, Section 1, dated 18th August, 1978, is hereby published for general information.

PASSPORTS (AMENDMENT) ACT, 1978
(Act No. 31 of 1978)

AN

ACT

to amend the Passports Act, 1967.

BE it enacted by Parliament in the Twenty-ninth Year of the
Republic of India as follows:—

1. This Act may be called the passports (Amendment) Act, 1978. Short title,

2. In section 5 of the Passports Act, 1967 (hereinafter referred to as the principal Act),—

(a) for sub-section (1), the following sub-sections shall be substituted namely:—

(1) Any application for the issue of a passport under this Act for visiting such foreign country or countries (not being a named foreign country) as may be specified in the application may be made to the passport authority and shall be accompanied by a fee of rupees fifty.

Explanation—In this section, "named foreign country" means such foreign country as the Central Government may, by rules made under this Act, specify in this behalf.

(1A) An application for the issue of—

(i) a passport under this Act for visiting a named foreign country; or
(ii) a travel document under this Act, for visiting such foreign country or countries (including a named foreign country) as may be specified in the application or for an endorsement on the passport or travel document referred to in this section,
may be made to the passport authority and shall be accom-
panied by such fee (if any) not exceeding rupees fifty, as may be
prescribed.

(1B) Every application under this section shall be in such
form and contain such particulars as may be prescribed.

(b) in sub-section (2), in the opening paragraph, after the words
"an application", the words "under this section" shall be inserted.

3. In section 13 of the principal Act, in sub-section (2), for the
words and figures "section 61 of the Code of Criminal Procedure,
898", the words and figures "section 57 of the Code of Criminal
Procedure, 1973" shall be substituted.

4. In section 14 of the principal Act, in sub-section J (2), for the
words and figures "Code of Criminal Procedure, 1898", the words
and figures "Code of Criminal Procedure, 1973" shall be substituted.

5. In section 23 of the principal Act,—

(a) the words and figures "the Foreign Exchange Regulation
Act, 1947" shall be omitted;

(b) after the words, brackets and figures "the Foreigners Law
(Application and Amendment) Act, 1962", the words and figures
"the Foreign Exchange Regulation Act, 1973" shall be inserted.

6. In section 24 of the principal Act,—

(a) in sub-section (2)—

(i) after clause (e), the following clause shall be inserted,

"(ee) specifying the foreign country for the purposes of the
Explanation to sub-section (1) of section 5;";

(ii) in clause (f), for the words "issue or renewal of a pass-
port", the words, brackets, figures and letter "issue or renewal
of a passport for visiting a foreign country referred to in sub-
section (1A) of section 5" shall be substituted;

(b) in sub-section (3), for the words "in two successive sessions,
and if, before the expiry of the session in which it is so laid or
the session immediately following", the words "in two or more
successive sessions and if, before the expiry of the session
immediately following the session or the successive sessions
aforesaid" shall be substituted.

7. Where any application for the issue or renewal of a passport is
made to the passport authority on or after the date of introduction
of the Passports (Amendment) Bill, 1978 in Parliament but before
the date on which the Bill as passed by the Houses of Parliament
receives the assent of the President, the applicant shall be required
as from the commencement of this Act to pay in respect of such
application the difference between the fee payable under section 5
of the principal Act, as amended by this Act and the amount already
paid by him towards fee under the said section as it stood imme-
diately” before such amendment.

S. HARIHARA IYER,
Secretary to the Government of India.

By Order,

B.R. PRADHEN,
Secretary to the Government of Sikkim
Law and Legislative Department.
F. 11 (121) LL/78.

PRINTED AT THE SIKKIM GOVERNMENT PRESSS

Transitional Provision.
LEGISLATIVE DEPARTMENT

NOTIFICATION

NO. 23/LL/RC/78.

Dated Gangtok, the 22nd January, 1979.

The following Act of Parliament having received the assent of the President on 3rd August, 1978 and published in Extraordinary Gazette of India, part II, Section 1, dated 3rd August, 1978, is hereby published for general information.

THE MAINTENANCE OF INTERNAL SECURITY

(REPEAL) ACT, 1978

(Act No. 27 of 1978)

AN

ACT

to repeal the Maintenance of Internal Security Act, 1971.

Be it enacted by Parliament in the Twenty-ninth Year of the Republic of India as follows:—

1. This Act may be called the Maintenance of Internal Security (Repeal) Act, 1978.

2. The maintenance of Internal Security Act, 1971, is hereby repealed.

S. HARIHARA IYER,
Secretary to the Government of India.

By Order.

B.R. PRADHEN,
Secretary to the Government of Sikkim
Law and Legislative Department.
F. 11 (124) LL/78.

PRINTED AT THE SIKKIM GOVERNMENT PRESSS
No. 211   Gangtok, Monday, March 5, 1979

LAND REVENUE DEPARTMENT
GOVERNMENT OF SIKKIM
Notification No. 22/L.R.
Dated the 27th January, 1979.


In exercise of the powers conferred by Section 36 of the Sikkim Agricultural Land Ceiling And Reform Act, (Act 14 of 1978) the State Government hereby makes the following rules under Chapter VI, V of the said Act to amend the Sikkim Agricultural Land Ceiling And Reforms Rules, 1978, namely :

1. (2) These rules may be called the Sikkim Agricultural Land Ceiling And Reforms Amendment Rules, 1979.

(2) They shall come into force at once.

2. In the Sikkim Agricultural Land Ceiling And Reforms Rules, 1978 after rule 23, the following shall be added, namely :-

“24 Section 23 (A) The District Collector shall settle the excess land with a person who is a citizen of India in the following order of preference :

(1) An Adhiadar/Kutiadar who is in cultivatory possession of the excess land and who does not possess more than three standard acres of land either as owner or in the capacity of an Adhiadar/Kutiadar or both :

Explanation— The entitlement of an Adhiadar/Kutiadar to allotment of surplus land under this Rules shall be limited to the area under his cultivatory possession on the date of vesting and shall not extend to any other area even if the total area held by him (including the area held in the capacity of an owner) is less than three standard acres.

(2) A landless agricultural labour residing in the Block and belonging to a Schedule Tribe/Schedule Caste :

(3) A landless person residing in the Block who belongs to a Schedule Tribe/Schedule Caste and intends to bring the land under cultivation;

(4) A person residing in the Block who possesses as owner or cultivates as Adhiadar/Kutiadar less than three standard acres of land and belongs to a Schedule Tribe/Schedule Caste;

(5) Any other landless agricultural labour residing in the Block :

(6) A landless heir of a person who was resident of the Block and who has lost his Life in enemy action while in active service of the Armed Forces of the union :

(7) A landless person residing in the Block who has become disabled in enemy action while in active service of the Armed Forces of the union;

(8) A landless person residing in the block who is retired, released or discharge from service in the Armed Forces of the under;

(9) Any other agricultural labour belonging to scheduled Tribes/Scheduled Caste and residing in the adjoining Block;
(10) Any other landless person residing in the adjoining Block;
(11) Any other landless person residing within the District, and
(12) Any other landless person of other Districts in the State.

Provided that where an Adhiadar/Kutiadar is not an indian Citizen, he will not become on
and from the date of vesting a Bustiwalla on the excess land to be retained by him but will
continue in the capacity of an Adhiadar/Kutiadaras lessee on Government land.

Provided further that excess land of a person Belonging to a Scheduled Tribe/ Scheduled
Caste, except where it is in possession of an Adhiadar/Kutiadar, shall be settled with landless
persons belonging to the Scheduled Tribe/Scheduled Caste residing in the Block or the ad-
joining Blocks or other Blocks of the Districts. Where no such person is available the land
shall be settled with other persons in the order of preference given above.

Provided further that preference shall be given to those among the eligible persons in each
catagory who form themselves into a Co-operating Farming Society.

Provided further that where more than one persons are available in a certain catagory and
the land is not sufficient for allotment to all, the District Collector shall decide the allotment
by lot.

Explanation 1. The term “Landless” means a person who or whose spouse (other than
judicially separated wife or husband) or minor sons or unmarried daughters held no land
as Bustiwalla or cultivated no land as Adhiadar/Kutiadar immediately preceding the1st

Explanation 2. ‘Agricultural labour’ means a person whose main source of livelihood is
agricultural labour.

(B) The area of the land to be settled with a person shall be subject to the following minimum
and maximum limit namely :-

(i) minimum one third of an acre (0.1549 hectre) and
(ii) maximum such area as together with the land already held or cultivated by a person
does not exceed three standard acres.

Provided that the Collector may at his discretion relax the minimum or the maximum limit in the following circumstances:—

(i) where the relaxation of the minimum and maximum limit is necessary to avoid plitting
up a small plot of land in fragments.

(ii) where the land available in a locality is not sufficient for settlement with all the persons
who are residents of the locality and who intend to bring the land under personal cultivation
and own no land or less than one acre of land, and

(iii) where the land at the disposal of the State Government in a locality is more than sufficient
for settlement with all the persons who are residents of the locality and who intend
to bring the land under personal cultivation and own no land or less than one acre of land.

Provided that the land settled under clause (iii) shall no exceed the ceiling limit applicable to the person with whom the land is settled.

Provided further that the area of land settled for the purpose of homestead
with a person having no homestead of his own shall not in any case exceed 200 sq. vds.
(0.0167 hectre).

(C) The deed of settlement shall be executed by the Collector as in L.C.Form XX.

(D) Where, however, the State Government is satisfied that it is necessary to retain or reserve
any vested land for any public purpose, it may do so, but shall take into consider-
ation the following :—

(i) the land to be retained or reserved shall as far as possible be ‘banzo’ land,
(ii) the land to be retained or reserved shall not, as far as possible, exceed fifteen acres
in a block, and
(iii) the land so retained or reserved shall be put in use for such public purpose, as far as
Practicable, within a period of two years.

25. Section23

(1) Subject to any contract to the contrary in writing the following terms and condition shall
deemed to be included in the case of every settlement referred to in Rule 24.:-
(a) The lessee shall have hereditary rights in the land;
This indenture made this....................... day of....................... one thousand nine hundred and seventy.............................between the Governor through the District Collector (North/South/ East/West) hereinafter referred to as the Government (which expression shall include its successor in office and assign) of the ONE PART AND Sri. ........................................... sort of……………………….. .R/O block......................................District …………............ hereinafter referred to as the Bustiwalla (which expression shall unless excluded by or repugnant to the context be deemed to include his heirs, executors, administrators, representatives and assigns) of the OTHER PART.

Whereas the Busti walla has approached the Government of Sikkim (hereinafter referred to as the “Government”) or granting and demising unto him the land ; referred to in the Schedule hereunder written as a Bustiwalla under the Sikkim Agricultural Land Ceiling and Reforms Act, 1977, (Act 14 of 1978) for agriculture purposes;

An whereas the Collector of District. . . . . . . . . . has been satisfied as to the eligibility of the said Bustiwalla to have and hold the said land and described in the Schedule hereunder written and the Government have decided to demise and grant unto the Bustiwalla the said land subject to the terms and conditions hereinafter expressed;

1. The Bustiwalla shall have hereditary rights in the land;
2. The Bustiwalla shall utilise the land for cultivation or for other purposes connected with agriculture within one year of the allotment;
3. Subject to the provisions of clause (4) the Busti walla shall not transfer or sub-let the land;
4. The Bustiwalla shall be entitled to mortgage without delivery of possession off the land, his interest in the land, as security for a loan taken from the State Government or a Co-operative Society or the State Bank of India or any other Banks as may be notified by the State Government from time to time.
5. The Bustiwalla shall pay annually to the State Government land revenue as may be fixed from time to time at the revenue rate for the time being in force and.
6. If the Bustiwalla commits a breach of any of the terms and conditions of the lease, it shall terminate and the land shall revert to the State Government and the District Collector may evict him or possession therefrom even by using such force as may be necessary.

**SCHEDULE**

<table>
<thead>
<tr>
<th>District</th>
<th>Block</th>
<th>Details of land</th>
<th>Annual land Revenue pay-able</th>
<th>Remark</th>
</tr>
</thead>
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<tr>
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<td></td>
<td>Plot Area</td>
<td>Area</td>
<td>Class</td>
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<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
</tbody>
</table>

Signature of the Bustiwalla.  
Date............................  
WITNESSES :

Signature of District Collector  
for and on behalf of the Governor of Sikkim  
Date............................

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### L.C. FORM XXI
(Rule 27)

List of persons who apply for allotment of excess land in block..............District..................

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Names of persons who desire to be allotted land with their parentage and address in order of preference given in Rule 24 (A).</th>
<th>Details of land, if any, held by the applicant or other members of his family.</th>
<th>As owner/ cultivator</th>
<th>Block</th>
<th>Plot No.</th>
<th>Area</th>
<th>Land Revenue rent</th>
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</table>

Details of land wanted

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<th>Block</th>
<th>Plot No.</th>
<th>Area</th>
<th>Remarks:</th>
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<tr>
<td>8</td>
<td>9</td>
<td>10</td>
<td>11</td>
</tr>
</tbody>
</table>

Certified that the particular given are correct.

J.L.R.O

Chairman of the Land Allotment Committee.

### L.C. FORM XXII
(Rule 27)

List of persons selected for settlement of excess land in block........................................ in the meeting of the Land Allotment Committee held on..............................

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Name of the applicant with parentage and address.</th>
<th>Plot No. to Be allotted</th>
<th>Area</th>
<th>Land Revenue</th>
<th>Catagory of the allottee as per rule 24 (A).</th>
</tr>
</thead>
<tbody>
<tr>
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Certified that the details given in column 3,4,5, and 6 are Correct.

Signature of the members of the Land Allotment Committee.

J.L.R.O

PTINTED AT THE SIKKIM GOVT. PRESS
GOVERNMENT OF SIKKIM
OFFICE OF THE COMPETENT AUTHORITY, EAST DISTRICT, GANGTOK.

Notification No. 1

In pursuance of the provisions of sub-section (1) of Section 11 of the Sikkim Agriculture land Ceiling and Reforms Act, 1977, (Act 14 of 1978) I, Tashi Topden, Competent Authority East District notify the excess land of the person determined under Section 10 of the agriculture Act as in the Schedule given below.

(Tashi Topden, I.A.S)
Competent Authority,
District East, Gangtok.

<table>
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L.C Form XI

(See rule 15)

Notification No. 1

Dated : 5th February 1979.

In pursuance of the provisions of sub-section (1) of Section 11 of the Sikkim Agriculture land Ceiling and Reforms Act, 1977, (Act 14 of 1978; I R.S. Basnet, Competent Authority notify the excess land of the person determined under Section 10 of the aforesaid act as in the Schedule annexed.

Sd/- R.S. Basnet,
5/2/79,

Competant Authority, South District Namchi.
GOVERNMENT OF SIKKIM
LOCAL SELF GOVERNMENT DEPARTMENT
GANGTOK

NOTIFICATION NO.1/26(25)lsc/79  Dated 9th March, 1979

In exercise of the power conferred by sub-section (3) of section I of the Sikkim Cinemas (Regulation) Act, 1978, the State Government hereby appoints the first day of April 1979 as the date on which the said Act shall come into force.

P. K. Pradhan
Secretary
Local Self Government Department

GOVERNMENT OF SIKKIM
LOCAL SELF GOVERNMENT DEPARTMENT
GANGTOK

NOTIFICATION No. 2/2 (41)/LSG/ 79  Dated 9th March, 1979

In exercise of the powers conferred by the proviso to section 4 of the Sikkim Cinemas (Regulation) Act, 1978(20 of 1978), the State Government hereby constitutes the Secretary to the Government of Sikkim in the Local Self Government Department as the licensing authority for the whole of the State for the purpose of the said Act.

P. K. Pradhan
Secretary
Local Self Government Department

GOVERNMENT OF SIKKIM
LOCAL SELF GOVERNMENT DEPARTMENT
GANGTOK

NOTIFICATION No. 3/8(41)LSG/79  Dated 9th March, 1979

In exercise of the powers conferred by sub-section (4) of section 5 and sub-section (2) of section 8 of the Sikkim Cinemas (Regulation) Act, 1978 (20 of 1978), the State Government specifies the Chief Secretary, Government of Sikkim, as the officer to whom appeals against the decisions or orders of the licensing authority shall be.

P. K. Pradhan
Secretary
Local Self Government Department
GOVERNMENT OF SIKKIM
LOCAL SELF GOVERNMENT DEPARTMENT
GANGTOK

NOTIFICATION No. 4/1(41)/LSG/79 Dated 9th March, 1979

In exercise of the powers conferred by section 9 of the Sikkim Cinemas (Regulation) Act, 1978 (No, 20 of 1978), the State Government makes the following rules for the regulation of cinemas in Sikkim namely:

1. (i) These rules may be called the Sikkim Cinemas (Regulation) Rules, 1979.
(ii) They shall come into force with effect from April 1, 1979.
(iii) They shall apply to all cinemas in Sikkim.

2. In these rules unless there is anything repugnant in the subject or context-
(i) "Act" means the Sikkim Cinemas (Regulation) Act, 1978;
(ii) "auditorium" means that portion of the licensed premises where accommodation is provided for the public to view the exhibition of cinemas from time to time;
(iii) "cinema" means the entire place licensed for cinematograph exhibition and includes all appurtenances, plant and apparatus located therein;
(iv) "Government" means the Government of the State of Sikkim;
(v) "licence" means a licence granted under the provisions of the Act and the rules in the form set out in Appendix I to these rules;
(vi) "licensing authority" means the authority referred to in or constituted under section 4 of the Act;
(vii) "licensee" means a person who has been granted a licence in accordance with these rules and includes his agent appointed for the purpose under a power of attorney and whose appointment has been intimated in writing to the licensing authority;
(viii) "permanent building" means a building which is constructed for permanent use with stone, mud, bricks, mortar, cement or other non-inflammable material;
(ix) "temporary building" means a building which is not a permanent building and includes a booth, tent or similar structure;
(x) "temporary enclosure" means that portion of a place licensed for special cinematograph exhibition or of a travelling cinema where cinematograph apparatus is kept or erected or where films are stored and wound.

3. (1) A person desirous of obtaining a licence for cinematograph exhibition shall first submit an application specifying the site on which the cinema building is to be constructed together with a plan and specifications thereof to the Government.
(2) The plan mentioned in sub-rule (1) shall contain the elevations and sections of the building, the proposed electrical installations, arrangements for ventilation, sanitation and parking of vehicles and the position of the premises in relation to adjacent premises and public thoroughfares on which the building abuts, within a radius of two hundred metres.
(3) The Government may, if it is satisfied that the site, plan and specification fully conform to the requirements of the rules, grant to the applicant a certificate signifying its approval thereto. The period within which the construction of the building shall be completed shall also be stated in the certificate.

4. An application for the grant of a licence for cinematograph exhibition shall be made to the licensing authority and shall contain full particulars of the ownership of the premises and his interests therein and shall be accompanied with the following documents—
(a) the order of approval of plan under sub-rule (3) of rule 3;
(b) plan of the building and premises containing the specifications mentioned in
THE SIKKIM GAZETTE, EXTRAORDINARY  

(c) plan of seating arrangements for each class separately;
(d) a certificate from the Power Department of the Government that the electric installation conform to the required standards and existing rules;
(e) a certificate from the Chief Fire Officer that the arrangements for fire fighting application provided and the precautions taken against fire conform to the requirements of the existing rules.
(f) a certificate from the Gangtok Municipal Corporation in respect of areas within the limits of the Corporation and the Chief Medical Officer of the District in all other cases, that the arrangements for sanitation conform to the requirement of the existing rules.

5. A licence for cinematograph exhibition may be granted by the licensing authority in respect of permanent buildings for a period not exceeding one year, renewable on expiry for a similar period of not more than one year at a time.

6. Every licence granted prior to the coming into force of these rules, shall be deemed to have been granted with all the conditions and restrictions prescribed by these rules until a new licence is granted.

7. (1) Nothing in the rules shall affect the discretion of the licensing authority to refuse a licence to any applicant if, for reasons to be recorded in writing, the licensing authority considers it necessary so to do in the public interest.

(2) An order of the licensing authority refusing a licence under sub-rule (1) shall be appealable. The appeal shall lie to the Government or any other officer appointed by the Government for this purpose and shall be entertained only if it is filed within thirty days of the communication of the order of refusal to the applicant.

8. (1) No licence shall be granted or renewed in favour of any person unless—
   (a) he or his agent pointed for the purpose and referred to in rule 2(vii), is residing in the town bazar or area within whose limit the cinematograph exhibition is intended to be given, and
   (b) the licensing authority is satisfied that the requirements of these rules have been fully complied with.

(2) No building, except one already licensed for cinematograph exhibition before the coming into force of these rules, shall be so licensed—
   (a) If it is situated within a radius of 100 metres from the Raj Bhawan, the State Secretariat, the High Court; or
   (b) If it is situated within a radius of 50 metres from—
      (i) any recognized educational institution or any residential institution attached thereto; or
      (ii) a public hospital with indoor patients; or
      (iii) a place of worship, a cremation ground, a graveyard, a cemetery; or
      (iv) any building housing an office of a head of the department of the Central or the State Government or any Court of law;
      (v) any other institution which the Government may consider necessary in public interest to declare an institution to which this clause shall apply; or
   (c) If for any other sufficient reason to be recorded the licensing authority is satisfied that the location of a cinema at the site of that building is not in public interest:

Provided that the licensing authority shall not refuse a licence under clause (c) except with the prior approval of the Government.

Explanation: For the purpose of this sub-rule, the licensing authority shall, subject to the general control of the Government, determine what is a public hospital or a recognized education institution and its decision shall be final.

9. The licensee shall not, during the currency of the licence, make any alteration or addition in the auditorium except with the consent in writing of the licensing authority for permanent building. Licence for permanent building.

Power of licensing authority to refuse licence.

Conditions for granting and renewing a licence.

Restrictions, alterations and additions.
Temporary licence.

10. Subject to rule 11 the licensing authority may, with the approval of the State Government, grant temporary licence for the regular exhibition in a structure other than a temporary structure or occasionally in the open air or in buildings not regularly used for exhibition of films, on such conditions as may be deemed necessary to secure the safety of the public.

Conditions for temporary licences.

11. No temporary licence shall be granted—

(a) unless an application is made to the licensing authority at least two weeks before the date on which it is proposed to give the first exhibition;

(b) for a period exceeding one month at a time;

(c) for any exhibition for the purpose of which electrical energy is generated or used for lighting the auditorium or operating the projector unless an officer deputed by the Power Department of the Government has inspected the electrical apparatus and the fees are paid in accordance with the relevant provisions; and

(d) unless adequate precautions have been taken against outbreak of fire to the satisfaction of the licensing authority.

Exemption of special cinematograph exhibition from the provisions of the rules.

12. Where a special cinematograph exhibition is to be given in an institution, club or other place and it is not practicable to provide therefor a fireproof enclosure, the licensing authority may, for reasons to be recorded, dispense with the requirement of any of these rules by specifying the same in the licence. A space of six feet shall however, be railed off round the cinematograph apparatus, if the conditions applicable to temporary enclosure are relaxed. No drapery and no unprotected combustible material other than film or that composed by the floor, shall be within six feet of the cinematograph apparatus. Before granting any such licence the licensing authority shall ensure that adequate precautions are taken against a probable outbreak of fire and for the safety of the film.

Travelling cinemas.

13. (i) The licensing authority may grant a licence for a period not exceeding six months to a travelling cinema for cinematograph exhibition on such terms and conditions as may be deemed necessary.

No travelling cinema shall exhibit film in any local area for a period exceeding three months at a stretch.

(ii) A person desirous of obtaining a licence for a travelling cinema shall apply to the licensing authority attaching to his application a plan and description of the building or structure in which films shall be screened. The plan shall show the seating arrangement in the auditorium with exits, gangways, passages and the projection place.

(iii) If a licence is granted, the plan and description aforesaid duly corrected or amplified where necessary and certified by the licensing authority, shall be attached to the licence. The terms and conditions of the licence shall be liable to modification by the licensing authority at any time and this fact shall be stated in the licence which along with the plan and description shall be produced on demand by any person authorised to inspect the cinema.

(iv) The licensing authority may refuse a licence to a travelling cinema if in its opinion any portion of the building or structure is in dangerous proximity to any other building.

Fees for cinematograph licence.

14. The fee payable by the licence for the grant or renewal of a permanent or temporary licence under the Act or for the issue of a duplicate copy thereof shall be credited to the revenues of the State and shall be levied at the following scales, namely:

(i) For the grant or renewal of a licence for a permanent cinema for a period -

(a) not exceeding one month . . . . . Rs. 100

(b) exceeding one month but not exceeding six months . . Rs. 600

(c) exceeding six months but not exceeding one year . . Rs. 1,200
(ii) For the grant or renewal of a licence for temporary or travelling cinemas for a period –
   (a) not exceeding one month . . . . . Rs. 75
   (b) exceeding one month but not exceeding three months . . Rs. 225
   (c) exceeding three months but not exceeding six months . . Rs. 450

(iii) Fee for the issue of a duplicate copy of a licence to the licencee shall be 75 per cent of the respective fee for the original licence as prescribed above.

15. A application for renewal of licence shall be made one month before the date of expiry of the licence, failing which a penalty of Rs. 5 shall be leviable in addition to the renewal fee.

16. (1) The licensing authority may at its discretion revoke or suspend the licence granted to any cinema within its jurisdiction if it is satisfied—
   (a) that the licensing is responsible for a breach of any of the provisions of the Act or of the rule or any condition of the licence, or
   (b) that any unauthorised alteration is made in the building or the seating arrangement or enclosure, or
   (c) that the building and installation are not maintained in proper order, or
   (d) that the licence has failed without sufficient cause to comply with any provision of the Act or the rules, or
   (e) that the cinema is used or conducted in a manner prejudicial to the public interest.

   (2) A licencee aggrieved by an order passed under sub-rule (1) may appeal to the State Government or any other officer appointed by the Government for this purpose, within a period of thirty days of the communication of the order of revocation or suspension.

   (3) The order shall be deemed to be duly served if it is tendered to the licensee, or, where in the opinion of the licensing authority personal service cannot be effected, if a copy of the order is affixed at a prominent place on the premises owned or controlled by the suspension.

17. The licensee shall comply with the conditions relating to electrical requirements as are given in Appendix II to these rules.

18. (1) Every permanent building with electric installation shall be inspected by an officer deputed by the Power Department of the Government once every year and if at any such inspection any defect in the installation is noticed he may make further inspection subsequently at any other time of the year to satisfy himself that the management has removed the defect satisfactorily.

   (2) The following fee for inspections made under sub-rule (1) shall be payable by the management and shall be credited to the revenues of the State:

   (a) for the initial inspection . . . . . . . Rs. 75
   (b) for annual inspection . . . . . . . Rs 50
   (c) for any subsequent inspection rendered necessary by the existence of defect at the initial or annual inspection . . Rs 25

19. The licensing authority shall cause notice to be given to the licensee required him to remove the defectascertained ascertained within a period which shall be prescribed in the notice.

20. When granting or renewing licence the licensing authority may prescribe the distance beyond which sound shall not travel from the cinema. Licencees shall not cause noise outside cinemas by the use of loudspeakers, gramophones, trumpets and drums etc.

21. Booking office shall be so situated as not cause any overcrowding in the side verandahs and main entrance. If necessary, a separate window with sufficient standing space protected by rail for the use of ladies only may be provided if so required by the licensing authority.
Ventilation

22. (1) All parts of a permanent building shall be properly and sufficiently ventilated.

(2) Unless the auditorium of a permanent building is air-conditioned, it shall in addition to natural ventilation be provided with sufficient number of power-driven exhaust fans suitably located and of adequate size, at least one large size exhaust fan being provided for every 150 persons.

The number and size of such fans shall be approved by the licensing authority and shall be entered in the licence. All exhaust fans shall be kept working during performances except when the air-conditioning plant, if any, is working.

(3) When windows or sky lights which provide internal ventilation have to be darkened or obscured, free permanent ventilation shall also be provided through ridge or ceiling ventilators. The clear opening of such ventilation shall be not less than one square foot for every ten persons accommodated:

Provided that the licensing authority may relax the condition in the case of buildings already constructed and having sufficient ventilation otherwise, if the extra ventilation is likely to prove very expensive.

(4) Except in the case of air-conditioned buildings, ceiling and bracket fans in such numbers and of such size as may be approved by the licensing authority, shall be provided in addition to exhaust fans.

(5) If more than one exhibition is given on any day, the entire auditorium shall be flushed with air for at least fifteen minutes before each exhibition and shall be aired thoroughly. No spectator shall be permitted to be present in the auditorium during this period.

Sanitation

23. (i) The premises shall be kept clean and the auditorium shall be swept and cleaned before each exhibition.

(ii) Latrines and urinals separately for men and women, at different places, and of a suitable type and design shall be provided.

(iii) There shall be not less than one latrine seat for every 100 persons or less and not less than one place for urinating for every 50 persons or less of the total seating accommodation:

Provided that at least two latrine seats and five places for urinating shall be provided for women.

(iv) The latrines shall be cleaned and flushed immediately before and after each exhibition and shall be properly washed with a disinfectant at least twice a day.

(v) In the case of a water-flushed latrine or urinal a separate water reservoir of adequate capacity shall be provided for flushing.

(vi) The management may subject to the direction issued in this behalf by the licensing authority refuse admission to or eject persons known to be suffering from a contagious, loathsome or infectious disease.

(vii) The rooms, passages and staircases of all permanent buildings shall be lime-washed and all iron and woodwork of such a building shall be cleaned or varnished at least once every year and shall at all times be kept clean and free from dirt.

(viii) The doors and windows of the halls of the building shall be left open for at least three hours every morning and for half an hour between shows. During the half-hour intervals between the two shows the auditorium shall be disinfected with an aerosol approved by the Chief Medical Officer of the district. The auditorium shall be swept, cleaned and disinfected every morning.

(ix) The Gangtok Municipal Corporation for cinemas within the limits of the Corporation and the Chief Medical Officer of the district for cinemas in
other areas shall be responsible for periodical inspections of the cinemas see that sanitary conveniences and arrangements for making the premises clean as provided under the rules are being complied with and any instructions given in this regard and as laid down in the rules shall be complied with by the management within the time specified.

24 (i) The licensing authority shall determine the maximum number of seats for each class separately and the same shall be specified in the licence and prominently displayed near the entrance door to every class in the cinema.

(ii) Except ground floor and first floor no other floor for seating shall be permitted in permanent cinema buildings.

(iii) The sitting shall be so arranged as to leave free access to the exits.

(iv) The sitting space assigned to each person shall be not less than 18" by 18", seats shall have backs supports and armrests for each person.

(v) The row of seats shall be so arranged as to leave a clear space of not less than 15 inches between the back of one seat and the foremost portion of the seat in the row behind measured between perpendiculars.

(vi) All seats except in the boxes shall be securely fixed to the floor or shall be firmly secured together in complete lengths; the complete line shall be firmly attached to the floor. Seating on the floor shall not be allowed in permanent building.

(vii) The distance between the front row of the seats and the screen shall be not less than 18 feet.

25. (i) A clear gungway not less than three feet wide shall be kept all round and not less than four feet wide in the centre; and shall be so arranged that no seat shall be more than 10 feet away from a gungway; Provided that in an auditorium of less than 30 feet in width the centre gungway may be omitted. Temporary seats must on no account be placed in the gungways.

(ii) The licensing authority may, having regard to the large number of seats in an Auditorium, required that a gungway or gungways, of a specific width, shall be provided parallel for exits the rows of seats to secure direct access to exits.

(iii) An adequate number of clearly indicated exit doors as may be determined by the licensing authority, shall be provided to afford safe and speedy egress of the audience.

(iv) All door through which the public must pass in using any stairway, corridor or other passage for exit shall remain unbolted during the entire period of the exhibition.

(v) Passage, gungway, corridors, landings and lobbies shall be kept free from all obstruction at all times to enable quick egress.

(vi) Walls of passages, gungways or corridors shall not have any recess nor shall there be any projection therefrom within 6 feet of the ground. Lights shall not to huge to a height less than 7 feet above floor level. Fire appliances are not included within the purview of this sub-rule.

(vii) Not stairway shall discharge into a passage or corridor against or across the direction of the exit.

26. In regard to precaution against out-break of fire in the Cinema the licencee shall provided such fire extinguishing appliances, equipment and other facilities and also observe such condition given in Appendix III to these rules.

27. No portion of a cinema shall be used as a restaurant, boarding house, shop, factory, workshop or manufactory, or for the purposes of storage or for the preparation or sale of food and drink except with the sanction of the licensing authority and subject to such condition and restrictions as may be imposed and specified by it in this behalf nor shall any portion of the cinema be used for residential purpose by day or night.
Entry into projection room or winding room.

28. No person other than the licensed operator, the engineer-in-charge of the installation or the licensee shall be permitted to enter the projection room or the winding room during a performance.

Prohibition of naked Light and smoking in projection and winding rooms.

29. No matches and candles or any other naked light shall be used nor shall smoking be permitted within the projection room or winding room. A notice bearing in red letters the words "smoking strictly prohibited" shall be prominently displayed in each of these rooms.

Cinematograph machine.

30. The cinematograph machine shall be placed on firm supports of fire-resisting material fixed to the floor of the projection room. Only standard and fireproof machines shall be used and the following sub-clauses may serve as a guide, where necessary;

(i) The body of the cinematograph machine shall be constructed of metal or lined with metal and asbestos; in the latter case there shall be an air space between metal and asbestos lining. The bottom of the cinematograph machine must form a metal tray which shall be surrounded by a verticle edge at least one foot in depth.

(ii) The cinematograph machine shall be provided with a metal shutter which can be readily inserted between the source of light and the film gate.

(iii) The shutter shall be immediately dropped in the event of any accident to the cinematograph machine or stoppage of the film and shall only be raised when the film is in motion for the purpose of projection.

(iv) The film gate shall be of massive construction and provided with ample heat radiating surface and the passage for the film shall be sufficiently narrow to prevent film travelling upwards or downwards from the light opening.

(v) All cinematograph projectors shall be fitted with two metal film boxes of substantial construction not more than 18 inches in diameter inside measurement, to and from which the films shall travel;

Provided that where only one film is used for the purpose of exhibition, the film box may not be more than 20 inches in diameter.

Winding room

31. (1) The winding room shall be constructed entirely of fire-resisting material and shall be large enough to allow the winder to operate freely. It shall be situated apart from the projection room and auditorium but in the case of cinemas already licensed or the construction of which has started before these rules came into force, the licensing authority may, for reasons to be recorded, permit the winding room to adjoin the projection room. The winding room shall have no openings in the wall so as to permit communication with the auditorium or public passages:

(2) The winding room shall be closed by a closely fitting self-closing door or fire-resisting material which shall only be opened for ingress and egress and shall remain closed during the entire period that the entertainment is in progress. Suitable arrangements shall be made for ventilation in the winding room and one or more electric fans of suitable dimensions shall be provided by the licensee.

(3) Only electric light shall be used in the winding room and any lamps in proximity to the film shall be closed in a stout fitting designed to prevent breakage of the bulb.

(4) Spools shall be chain or gear driven and films shall be so wound up on spools that the wound film shall not at any time reach or project beyond the edges of the flanges of the spool.

(5) The winding of films shall not be carried out in the projection room while an exhibition is in progress.

(6) All films which are not in use shall be kept in containers specified in the Cinematograph Film Rules, 1948, made by the Central Government under the Petroleum Act, 1934 (XXX of 1934).

(7) Excepting a film which is being wound or stored, no inflammable article shall unnecessarily be taken into or be allowed to remain in the winding room.
(8) All cinemas in permanent buildings shall, without exception, be required to provide and use a winding room in accordance with the above requirements.

32. For the isporage and transport of cinematograph films having a nitro-cellulose base, Film storage, the Cinematograph film Rules, 1948 shall apply.

33. (1) At least two operators and one additional operator for every additional machine valid permits, shall be engaged in manipulating each projector and no other person shall be allowed within ten feet of the machine during the exhibition except licence himself or any the technician authorised in writing by the licensor. It shall be the sole duty of one of the operators to take charge of the films after they have passed through the machines. The other operators shall be in charge of the machine and the projection room or operating box.

(2) An operator’s permit shall be granted by the licensing authority in the form set out in Appendix IV to these rules, and a fee of Rs. 10 shall be chargeable for each such permit. No fee shall, however, be charged in respect of permits issued to operators in Government employ.

(3) A permit shall not be granted to any operator unless he—

(a) possesses a working knowledge of cinematograph machine and in particular a working knowledge of the type of machine which he is to operate;

(b) is thoroughly conversant with the rules and conditions regarding precautions against fire;

(c) is conversant with the speedy and effective method of dealing with an outbreak of fire;

(d) is proficient in the handling, winding, repairing, and cleaning of films.

34. No licensee shall screen or allow to be screened any film which has not been certified by the Board of Film Censors constituted by the Central Government under Section 3 of the Cinematograph Act, 1952 (Act No. 37 of 1952). Films shall be shown in the same form in which they have been certified by the Board. Films with censor certificate the validity of which has expired shall not be screened.

35. If the Central Board of Film Censors has granted an ‘A’ certificate in respect of a film. Which means that its exhibition is to be restricted to adults (persons who have completed their eighteenth year) only, due publicity shall be given to this fact. No fee shall, however, be charged in respect of permits issued to operators in Government employ.

36. No obscenity, immodest or objectionable poster, placard, hoarding or pictorial material shall be display at the show windows or lobbies of the Cinema house or at any other place within the licensed premises or anywhere within the town, Bazar or area where the cinematograph exhibition is given.

37. In order to ensure that the conditions mentioned in rules 34, 35 and 36 are duly observed, the Secretary of the Government in the Information Department and any officer authorized by him in this behalf, shall have power to make surprise checks of the Cinema and licensee shall ensure that they are allowed to do so without any hinderance.

38. The Secretary of the Government in the Department dealing with the subject of Cinemas and responsible for the implementation of the Act and the rules made thereunder, shall have the power to inspect any Cinema, or authorise any officer to do so, at any time, for the purpose of ensuring that the provisions of the Act, rules and direction issue thereunder are duly complied with by the licensee.

39. An inspection book shall be maintained by the licensee in which all inspection notes under rules 18, 37 and 38 shall be recorded.

40. The State Government shall have power to issue necessary directions as it deems fit from time to time for proper implementation of the provisions of the Act and the rules framed thereunder and also to amend or to modify the terms of the licence granted by the licensee authority and also any other order passed in connection with the exhibition of films in the interest of the public.
FORM OF LICENCE

The..................................................................................Cinema situated at........................................in................;............................

within District........................................of Sikkim is licensed under section 5 of the Sikkim Cinemas (Regulation) Act, 1978,
(20 of 1978) as a place where exhibition by means of a cinematograph may be given from................:...................19...................
to..................19..................both days inclusive.

This licence has been granted to.................................................

This licence is granted subject to the conditions set forth in the rules framed by the Government and to the following further conditions:—

(1) that the licensee shall not exhibit, or permit to be exhibited, in the said Cinema any film which has been
certified as suitable for unrestricted public exhibition or suitable for public exhibition restricted to adults under section 5-A of
the Cinematograph Act, 1952 and which when exhibited, displays the prescribed mark "U" or "A", and has not been altered or
tampered with in any way since such mark was affixed thereto.

(2) that the licensee shall not exhibit or permit to be exhibited in the said Cinema to any person who is not an adult any
film which has been certified as suitable for public exhibition restricted to adults only.

(3) that the licensee shall cause to be exhibited at each performance in the said Cinema one or more approved films and shall
comply with any direction which the Government may, by general or special order, give as to the manner in which a proved films shall be exhibited in the course of any performance.

(4) that the licensee shall not exhibit or cause to be exhibited at any performance in the said Cinema—

(a) any advertisement regarding sexual diseases and medicines to correct sexual disorders or purporting to assist the
childless in begetting children etc; and

(b) any indecent, obscene, immoral or suggestive advertisement, pictures or posters on the premises of the said Cinema.

(5) that the licensee shall give a preview of the film to the licensing authority or any other officer or officers deputed by that authority if it is reported or comes to the notice of the said authority that the exhibition of the film or any portion thereof is liable to cause breach of peace,

(6) that the licensee shall, if so required by the licensing authority, send to it previous information of every film proposed for
exhibition together with a synopsis at least three days before its exhibition is proposed;

(7) that the licensee shall allow any officer authorised under the rules to inspect the said Cinema in order to see that the said
rules are being observed,

(8) that the total number of seats in the auditorium and the seats fixed for each class shall not exceed the number specified in
the Schedule appended to this licence nor shall the number and description of fire appliances, exhaust fans, electric fans or
sanitary requirements be less than specified therein;

(9) that the total number of performances in the said Cinema shall not exceed the number specified in the Schedule appended
to this licence nor shall the timings given in the Schedule for each performance be changed without prior permission in writing of the licensing authority.

(10) that the licensee shall not display or cause to be displayed any photograph, pictures or posters which depict or represent
or purport to represent a scene or shot which has been excised from any film under the orders of the Central Board of Film
Censors or the Central Government.

GANGTOK

Licensee Authority

Dated the........................................19.....

Government of Sikkim
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**GANGTOK**

**Licensing Authority**

**Dated the**..................19......
Appendix—II

[See Rule 17]

ELECTRICAL REQUIREMENTS

1. The electric installations in general shall conform to the Indian Electricity Rules, 1956, framed under the Indian Electricity Act, 1910 (IX of 1910) so far as they are applicable.

2. No illuminant other than electricity shall be used in a cinematograph projector or taken into or allowed to remain in the projection room.

3. Where a cleat wiring or leading in wires of feeding fans or pendant lights runs over woodea beams, or other inflammable material, they shall run in conduit so as to resist fire in the event of a short circuit.

4. Wiring shall be done in the manner specified hereunder.

(A) Projection Room—

(i) Cables for projectors shall be taken as separate circuit.; from the supply side of the main fuse in general lighting circuit;

(ii) An efficient double pole iron clad switch shall be fitted within the projection room in the projector's circuit;

(iii) Within the projection room the insulating material of all electric cables including the leads of the pendant lights and fans shall be covered with fire-resisting material;

(iv) The wiring in the projection room shall be in seamless screwed conduit with efficient bushes. Lead covered cables shall not be used unless enclosed in such conduits;

(v) All switchgears, fuses etc. shall be iron clad;

(vi) The body of the projections, switchgears, conduit, etc. shall be connected to the earth by means of not less than No. 8 standard wire guage copper wire;

(vii) All resistances, with the exception of resistance for regulating purposes, shall be placed outside the projection room and winding room and if reasonably practicable also outside the auditorium. If placed inside the projection room or auditorium such resistance shall be protected by a guage wire guard or other efficient means of preventing accidental contact with films;

(viii) Where switch boards are installed in the projection room the space between any switchboard and the wall shall be enclosed with fireproof material in such a manner that the fire cannot spread to the wiring at the back of the switchboard.

(ix) No electric current, except with the written permission of an officer, not below the rank of an Executive Engineer especially authorised by the Power Department, shall be at a pressure higher than 250 volts within the projection room, at any time.

(x) Not more than one-third of the general lighting shall be controlled from the projection room.

(B) Winding Room—

The above requirements for the wiring in the projection room shall apply to wiring to be provided in the winding room also.

(C) Emergency Light—

(i) No illuminant other than electricity shall be used for emergency lights which shall have—

(a) an independent source of supply such as batteries, or

(b) separate main fuses where supply is generated in the premises and a separate line with a separate pole fuse where the installation is fed by the town supply and metered separately.

(ii) Emergency lights shall consist of—

(a) not less than two lights of 200 watts each in the auditorium;

(b) exit lights;

(c) lights in the doorways, lobbies, verandahs, staircases, corridors and passages for all portions of the premises to which the public has access either generally or in emergency and on the extension of the building facing thoroughfares.
NOTE – (a), (b) and (c) may each be controlled by independent switches or (i) (a may have an independent switch while (ii) (b) may be controlled by the second switch. All or both switches shall be fixed side by side.

(iii) All emergency lights shall be controlled from a switchboard installed in a convenient and easily accessible place in front of the building. None of the circuits of the emergency light shall on any account enter or be carried through the projection room or winding room;

(iv) (a) Boxes bearing word "EXIT" painted (red) in three inch letters on translucent glass with dark black background shall be mounted over each emergency exit door and shall be either connected with the emergency light circuit or fed independently by means of a battery or lighted either with at least two oil lamps, or with at least one gas burner. Such exit signs shall be kept continuously alight during the entire period of a performance.

(b) There shall be “NO EXIT” signs of the same dimensions as the 'exit' signs enclosed in dark background and in white letters.

(v) An efficient portable electric battery or torch with a fully protected bulb shall be kept available in one particular space in the enclosure and also in the place used for winding films throughout the performance and during all winding or rewinding operation.

(vi) Beside the normal lighting system installed in the premises, such other lights as may be required by the Power Department hall be provided for safe exit of the audience in emergency. Each member of the staff controlling admission to the auditorium and each operator shall be provided with an electric torch in working condition.

(D) Motor room.

(i) The wiring in the motor room shall conform to the requirements of the Indian Electricity Rules, 1956.

(ii) A shock restoration chart which may be obtained on payment from the Power Department, shall be provided and hung in a conspicuous place on the premises.

5. All switchboards shall be constructed wholly of durable non-inflammable and non-absorbent material.

6. All fuses shall be provided with a suitable incombustible and insulating carrier of such form as to protect a person handling it from shock and burns contacts shall be provided on the carrier to which the ends of the fuse can be readily attached.
Appendix—III

PRECAUTIONS AGAINST FIRE

[See Rule 26]

1. Tanks:
In every permanent or temporary cinema there shall be provided on the top of the proscenium wall or in some other place to be approved by the Chief Fire Officer, Sikkim Fire Service, two cisterns (connected with fire service in the Cinema) which shall always be kept filled with water. Each cistern shall be capable of containing at least, 1,135 litres of water for every 100 individuals of the public to be accommodated in the cinema. These cisterns shall be fitted with an outside indicator suitably placed so as to show clearly the depth of water therein. The water shall be kept clean and free from sediment and covered over with properly fitting covers so as to be mosquito-proof. The cisterns shall be cleaned once every year:

Provided that nothing in this clause shall apply to touring cinemas.

2. Hydrants/Hose Reels:
(i) All cinemas shall be provided with such number of hydrants/hose reels (not less than two) as may be determined by the licensing authority. These shall be fixed at such sites as may be approved by the Chief Fire Officer.
(ii) The hydrants/hose reels shall be connected to the cisterns provided for in Clause 1 by taking separate mains of 7.5 cm diameter from each cistern and joined together by a single main not less than 7.5 cm diameter.
(iii) Hose pipes with jet nozzles and required accessories shall also be provided as directed by the Chief Fire Officer.

3. Fire Buckets:
(i) Fire buckets of approved design with a conical base shall be provided in such numbers as the licensing authority may direct and shall be kept at all times full of water which shall be changed regularly twice every week. Fire buckets shall be kept in stands specially designed for the purpose. A pinch of lime shall be added to such water to prevent the breeding of mosquitoes. Buckets of dust or dry sand shall also be provided in such numbers as the licensing authority may direct and the attention of the public shall be drawn to the water and sand buckets by placards legibly painted and fixed immediately above them.
(ii) At least one bucket filled with dry sand shall be kept in some accessible position on the stage in readiness for use in dealing with an electric fire.

4. Portable fire extinguishers:
(i) Portable fire extinguishers of an approved type shall be provided in such numbers as the licensing authority may direct and shall be kept at all times full of water. Directions for using them shall be prominently painted on the extinguisher or on a card placed on it. The attention of the public shall be directed to them by placards legibly painted and fixed immediately above them.
(ii) Portable extinguishers shall be filled or well cleaned and recharged every 12 months, a record of which shall be kept for inspection.

5. Fire Extinguishers etc. for enclosure:
Two pressure type fire extinguishers, two buckets of water, one bucket of sand and a blanket shall always be kept inside the projection room or enclosure. A large sponge shall be kept in one of the buckets of water and one fire extinguisher shall also be kept immediately outside the projection room or enclosure.

6. Curtains:
All curtains covering the doors and passages shall be hung so as not to trail on the floor.

7. Telephone:
In places where there is a public telephone system, the cinema building shall be connected by telephone with the nearest fire brigade station at the cost of the licensee.

8. Firemen:
(i) In every cinema including a touring cinema, the employees shall be trained in the use of appliances and shall for such purposes be drilled periodically at least once in every month.
(ii) During an exhibition all fire extinguishing appliances shall be in charge of some person or persons specially appointed for this purpose. Such persons need not be employed exclusively in looking after the fire appliances but they must not be given any other work during an exhibition which would take them away from the building or otherwise prevent them from being immediately available in case of danger or alarm of fire.
(iii) The instructions to be followed in case of fire shall always be displayed in some conspicuous place so that all people connected with the cinema may be acquainted with them.
(iv) A report of any fire or alarm of fire, however slight, shall at once be sent to the nearest fire brigade.

9. Lightning Conductors:
Lightning conductors shall be provided in each cinema building.

10. No smoking shall at any time be permitted within the projection room, winding room or the auditorium. A placard shall be prominently exhibited both inside and outside the premises to the effect that smoking is prohibited.

11. In addition to the requirements mentioned above the licensee shall provide such other facilities for fighting fire as may be required by the licensing authority from time to time.
Appendix—IV

[ See Rule 33 (2) ]

FORM OF PERMIT FOR CINEMATOGRAPH OPERATORS

Permit No........................

Whereas ...................................................................whose address is...........................................................................

has been examined and found qualified to perform the duties of an operator he is hereby permitted under rule 33 (2) of the Sikkim Cinemas (Regulation) Rules, 1979 to operate a Cinematograph machine within Sikkim, for a period of three years ending…………………………19........

The licence fee of Rs. 10/- (Rupees ten) only payable for this permit has been realised and credited to the State revenues.

Place……………………………………….. Licensing Authority
Dated……………………………………. Government of Sikkim

P. K. Pradhan
Secretary
Local Self Government Department
OFFICE OF THE SECRETARY, LAND REVENUE
GOVERNMENT OF SIKKIM
GANGTOK
NOTIFICATION UNDER SECTION 4, LAND ACQUISITION ACT, 1894 (I OF 1894)


Whereas it appears to the Governor that land is likely to be needed for a public purpose, not being a purpose of the Union, namely for establishment of Central School in the block of Syari, East District, Gangtok it is hereby notified that a piece of land comprising cadastral plots as shown in the schedule of properties below and measuring more or less 16.37 acres (sixteen acres thirty seven decimals) only bounded on the,

East — Holding of Shri S. Topden Kazi
West— Land of Late Dr. T. Thondup & Syari Primary School
North—Land of S/Shri Ledup, Nim Tsering, Khituk Lepcha and others
South—Khasmahal (Rock),

is likely to be needed for the aforesaid public purpose at the public expense within the aforesaid block.

This notification is made, under the provision of section 4 of Act I of 1894 to all to whom it may concern.

A plan of the land may be inspected in the office of the District Collector East District, Gangtok.

In exercise of the powers conferred by the aforesaid section the Governor is pleased to authorize the officers for the time being engaged in the undertaking, with their servants and workmen to enter upon and survey the land and do all other acts required or permitted by that section.

Any person interested in the above land who has any objection to the acquisition thereof, may, within thirty days after the date on which public notice of the substance of this notification is given in the locality, files an objection in writing before the District Collector, East District, Gangtok.
## SCHEDULE OF PROPERTIES.

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(P.T. WANGDI) IAS
SECRETARY,
LAND REVENUE DEPARTMENT.

PRINTED AT THE SIKKIM GOVERNMENT PRESS.
GOVERNMENT OF SIKKIM
DIRECTORATE OF SURVEY AND SETTLEMENT

Notification No. 22/D.S.&S
Dated Gangtok, the 8th March, 1979.

It is hereby notified that for the purpose of the current Survey and Settlement Operation, the State Government have declared Settlement Circles for the 14 blocks of Dzongu, Lachen and Lachung in North District and Gnathang block in East District of Sikkim State which have not been covered by Notification No. 815/LR. Dated 20/6/1978, as shown below.

1. DZONGU (North District)
   (i) LINGDEM, LINGTHEM, HEE-GYATHANG and LINGDONG - Circle “B”
   (ii) TINGBONG, BARFOK, GHON-SANGDONG, GOR-TARYANG
        SANGTOK-SHIAGYONG and LINGZAH - Circle “C”
   (iii) SHIP-GYER, SLIM-PAKYAL, SAKYONG-PENTONG and
        LUM-LINKYANG - Circle “C” Special.

   LACHAN and LACHUNG in North District - Circle “C” Special.
   GHATHANG in East District - Circle “C” Special.

BY ORDER.

Director and Secretary,
Survey and Settlement Department,
Government of Sikkim.

PRINTED AT THE SIKKIM GOVT. PRESS
In pursuance of the provisions of sub-section (1) of Section 11 of the Sikkim Agricultural land Ceiling and Reforms Act, 1977, (Act 14 of 1978) I, N. Tshering, Competent Authority notify the excess land of the person determined under Section 10 of the aforesaid act as in the Schedule annexed.

Sd/-N- Tshering
28/2/79

Competent Authority, South District Namchi.
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Sd/- N. Tshering  
Competent Authority,  
South District, Namchi,

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Sd/- N. Tshering
Competent Authority,
South District, Namchi

PRINTED AT THE SIKKIM GOVT. PRESS
NOTIFICATION NO. 1

DATED : 26/2/7

In pursuance of the provisions of Sub-Section (1) of Section 11 of the Sikkim Agricultural Land Ceiling & Reforms Act, 1977, (Act 14 of 1978) I, J. P. Tshering Competent Authority notify the excess land of the persons determined under Section 10 of the aforesaid Act as in the schedule given below or annexed.

J. P. Tshering,
Competent Authority,
District: West, Gyalshing.

Schedule :
(Details of land)

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Name of the person</th>
<th>District</th>
<th>Block</th>
<th>Plot</th>
<th>Area : Real Acre</th>
<th>Remark Std- Ac</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Mr. Pema Rinzing Bhutia</td>
<td>Gyalshing</td>
<td>Chinthang</td>
<td>486 512 488 M177</td>
<td>6.72 12.45 3.20 0.03</td>
<td>2.04 3.77 0.97 0.01</td>
</tr>
</tbody>
</table>

22.44       6.79

J. P. Tshering,
Competent Authority,
District: West, Gyalshing

PRINTED AT THE SIKKIM GOVERNMENT PRESS
LAND REVENUE DEPARTMENT
NOTIFICATION UNDER SECTION 6 OF LAND ACQUISITION
ACT, 1894(1 OF 1894).

Notification No. 1269 (530)/L.R. (S)

Dated Gangtok, the 22nd March, 1979.

Whereas the functions of the Central Government under the Land Acquisition Act, 1894 (I of 1894) in relation to the acquisition of land for the purposes of the Union have been entrusted to the State Govt, by Notification No. F 12018/12/76-LRD dated 10.1.1978 issued by the Government of India in the Ministry of Agriculture and Irrigation under Clause (I) of Article 258 of the Constitution of India. ..

And whereas the Governor is satisfied that land is needed for a public purpose of the Union (Key Location Plan) for about Rs. 8,000.00 in the block of Paham Elakha Pam-Singtam, East District, Gangtok it is hereby declared that pieces of land comprising cadastral plots specified in the schedule of properties below measuring, more or less 2.17 acres, bounded in :—

North— Part of Namong block acquired for K.L.P.
South — Naitam blocks
East _ Gangtok-Bhusuk-Pakyong Road
West — Rorotsu

is needed for the aforesaid public purposes at the public expenses within the aforesaid blocks.

This declaration is made under the provision of section 6 of the Land Acquisition Act 1894 (I of 1894) read with the said Notification to all whom it may concern.

A plan of the land may be inspected in the office of the Secretary, Land Revenue Department, Government of Sikkim, Gangtok.
(2).

SCHEDULE OF PROPERTIES.
PA HAM BLOCK

Cadastral survey plot Nos. (in full) 120, 121 and 124.
Block — Paham
Elakha — Pam-Singtam.
Police Station— Gangtok, East District.

By Order of the Governor.

P. T. WANGDI, IAS

Secretary,
Land Revenue Department,
Government of Sikkim,
Gangtok.

PRINTED AT THE SIKKIM GOVT. PRESS
NOTIFICATION NO. 2  

In pursuance of the provisions of Sub-Section (1) of Section 11 of the Sikkim Agricultural Land Ceiling & Reforms Act, 1977 (Act 14 of 1978) I, J. P. Tshering Competent Authority notify the excess land of the person determined under Section 10 of the aforesaid Act as in the Schedule given below or annexed.

J. P. Tshering,  
Competent Authority,  
District : West, Gyalshing

Schedule :  
(Details of land)

<table>
<thead>
<tr>
<th>Sl.No</th>
<th>Name of the person</th>
<th>District</th>
<th>Block</th>
<th>Plot No</th>
<th>Area</th>
<th>Class of Land</th>
<th>Std Acre</th>
<th>Remark</th>
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</thead>
<tbody>
<tr>
<td>1</td>
<td>La-Tshering</td>
<td>West</td>
<td>Hee</td>
<td>(M) 972</td>
<td>3.43</td>
<td>D.F.II</td>
<td>1.25</td>
<td>Circle “B”</td>
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<tr>
<td></td>
<td></td>
<td>District</td>
<td></td>
<td>551</td>
<td>1.50</td>
<td>D.F.II</td>
<td>0.45</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Gyalshing</td>
<td></td>
<td></td>
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<td></td>
<td></td>
</tr>
</tbody>
</table>

Total: -

|       |         | 2       | 4.93   | -       | 1.70 | -             |         |

J. P. Tshering,  
Competent Authority,  
District : West, Gyalshing
In pursuance of the provisions of Sub-Section (1) of Section 11 of the Sikkim Agricultural Land Ceiling & Reforms Act, 1977 (Act 14 of 1978) I, J. P. Tshering Competent Authority notify the excess land of the person determined under Section 10 of the aforesaid Act as in the Schedule given below or annexed.

J. P. Tshering,
Competent Authority,
District: West, Gyalshing.

Schedule:-
(Details of land)

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Name of the person</th>
<th>District</th>
<th>Block</th>
<th>Plot</th>
<th>Area in Std. Acre</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Ganga Singh Gurung of Dentam</td>
<td>Gyalshing West District'</td>
<td>Mangmoo</td>
<td>370 374 375 M384 279</td>
<td>0.66 Banjo 0.33D.F.III 0.10 Banjo 1.30 &quot; 0.16D.F.III</td>
<td></td>
</tr>
<tr>
<td></td>
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<td></td>
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</tr>
</tbody>
</table>
LAW AND LEGISLATIVE DEPARTMENT
NOTIFICATION
No. l/LL/79
Dated Gangtok, the 27th March, 1979.

The following Act of the Sikkim Legislative Assembly having received the assent of the Governor the 27th day of March, 1979, is hereby published for general information.

ACT No. 1 of 1979

THE SIKKIM APPROPRIATION ACT, 1979

AN

ACT

to authorise payment and appropriation of certain further sum from and out of the Consolidated Fund of the State of Sikkim for the services of the Financial year, 1978-79,

BE it enacted by the legislature of the State of Sikkim in the Thirtieth year of the Republic of India as follows:

Short title

1. This Act may be called the Sikkim Appropriation Act, 1979,

Issue of Rs.3,11,55,000
out of the Consolidated Fund of the State of Sikkim for the financial year 1978-79.

2. From and out of the Consolidated Fund of the State of Sikkim there may be paid and applied sum not exceeding that specified in column 3 of the Schedule amounting to three crores eleven lakhs fifty-five thousands of Rupees towards defraying the charges which will come in course for payment during the financial year 1978-79, in respect of the services specified in column 2 of the Schedule.

Appropriation.

3. The sum authorised to be paid and applied from and out of the Consolidated Fund of the State of Sikkim by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.
## SCHEDULE

(See Section 2 & 3 )

<table>
<thead>
<tr>
<th>No. of SERVICES AND PURPOSE</th>
<th>SUM NOT EXCEEDING</th>
</tr>
</thead>
<tbody>
<tr>
<td>Voted by the Legislative Assembly the Consolidated Fund</td>
<td>Rs.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Vote</th>
<th>Services and Purpose</th>
<th>Revenue</th>
<th>Charged on Capital</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Governor</td>
<td>Revenue</td>
<td>-</td>
<td>18,000</td>
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<tr>
<td>2.</td>
<td>Cabinet</td>
<td>Revenue</td>
<td>2,33,000</td>
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<tr>
<td>3.</td>
<td>Agriculture</td>
<td>Revenue</td>
<td>8,92,000</td>
<td>-</td>
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<tr>
<td>5.</td>
<td>Local Self Government</td>
<td>Revenue</td>
<td>3,16,000</td>
<td>-</td>
</tr>
<tr>
<td>6.</td>
<td>Co-operation</td>
<td>Revenue</td>
<td>62,000</td>
<td>-</td>
</tr>
<tr>
<td>7.</td>
<td>Ecclesiastical</td>
<td>Revenue</td>
<td>1,53,000</td>
<td>-</td>
</tr>
<tr>
<td>8.</td>
<td>Education</td>
<td>Revenue</td>
<td>51,29,000</td>
<td>-</td>
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<tr>
<td>9.</td>
<td>Power and Irrigation</td>
<td>Revenue</td>
<td>14,25,000</td>
<td>1,97,000</td>
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<td></td>
<td>Capital</td>
<td>10,00,000</td>
<td>1,50,000</td>
</tr>
<tr>
<td>10.</td>
<td>Establishment</td>
<td>Revenue</td>
<td>1,00,000</td>
<td>-</td>
</tr>
<tr>
<td>11.</td>
<td>Excise (Abkari)</td>
<td>Revenue</td>
<td>83,000</td>
<td>-</td>
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<tr>
<td>14.</td>
<td>Other expenditure of the Finance Department</td>
<td>Revenue</td>
<td>-</td>
<td>8,27,000</td>
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<td>Capital</td>
<td>10,00,000</td>
<td>9,96,000</td>
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<td>15.</td>
<td>Food &amp; Civil Service</td>
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<td>54,000</td>
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<td>16.</td>
<td>Forest, Fishers &amp; Civil Conservation</td>
<td>Revenue</td>
<td>27,70,000</td>
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<td></td>
<td></td>
<td>Capital</td>
<td>-</td>
<td>31,000</td>
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<tr>
<td>17.</td>
<td>Motor Vehicle</td>
<td>Revenue</td>
<td>1,27,000</td>
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<tr>
<td>18.</td>
<td>Sikkim Nationalised Transport</td>
<td>Revenue</td>
<td>3,00,000</td>
<td>-</td>
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<tr>
<td>19.</td>
<td>Home Department</td>
<td>Revenue</td>
<td>13,68,000</td>
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<td>21.</td>
<td>Police</td>
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<tr>
<td>22.</td>
<td>Land Revenue</td>
<td>Revenue</td>
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<td>23.</td>
<td>Law Department</td>
<td>Revenue</td>
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<td>24.</td>
<td>Medical &amp; Public Health</td>
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<td>25.</td>
<td>Panchayat, Rural Works &amp; Social Welfare</td>
<td>Revenue</td>
<td>1,22,000</td>
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<td>26.</td>
<td>Planning and Development</td>
<td>Revenue</td>
<td>8,000</td>
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<td>27.</td>
<td>Press Publicity and Cultural Affairs</td>
<td>Revenue</td>
<td>4,69,000</td>
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<td>28.</td>
<td>Public Works, Roads, Bridges and Water Supply</td>
<td>Revenue</td>
<td>80,23,000</td>
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<td>Tourism</td>
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<td>Industries and Labour</td>
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Total: 2,89,36,000 22,19,000 3,11,55,000

By Order of the Governor

B.R.PRADHAN
Secretary to the Government of Sikkim, Law & Legislative Department
F.16/79/LL/79

PRINTED AT THE SIKKIM GOVERNMENT PRESS.
LAW AND LEGISLATIVE DEPARTMENT
NOTIFICATION
No. 2/LL/79
Dated Gangtok, the 27th March, 1979.

The following Act of the Sikkim Legislative Assembly having received the assent of the Governor on the 27th day of March, 1979, is hereby published for general information.

ACT No. 2 of 1979

THE SIKKIM APPROPRIATION ACT 1979

AN ACT
to authorise payment and appropriation of certain sum from and out of the Consolidated Fund of the State of Sikkim for the services of the Financial year, 1979-80.

BE it enacted by the Legislature of the State of Sikkim in the Thirtieth year of the Republic of India as follows :—

1. This Act may be called the Sikkim Appropriation Act, 1979.

2. From and out of the Consolidated Fund of the State of Sikkim there may be paid and applied sums not exceeding those specified in column 3 of the Schedule amounting to the sum of forty crores fortyfour lakhs and fifteen thousands Rupees towards defraying the several charges which will come in course for payment during the financial year 1979-80, in respect of the services specified in column 2 of the Schedule.

3. The sums authorised to be paid and applied from and out of the Consolidated Fund of the State of Sikkim by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.
<table>
<thead>
<tr>
<th>No. of SERVICES AND PURPOSE</th>
<th>SUM NOT EXCEEDING</th>
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<tr>
<td>Vote</td>
<td>Voted by the Legislative Assembly</td>
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<td></td>
<td>Rs.</td>
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<tr>
<td>1. State Legislature</td>
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<td>Governor</td>
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<td></td>
<td>Capital</td>
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<tr>
<td>2. Cabinet</td>
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<td>Capital</td>
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<td>3. Agriculture</td>
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<td>4. Animal Husbandry &amp; Dairy Development</td>
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<td>5. Local Self Government</td>
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<td>6. Co-operation</td>
<td>Revenue</td>
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<td>Capital</td>
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<td>7. Ecclesiastical Department</td>
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<td>Capital</td>
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<td>8. Education</td>
<td>Revenue</td>
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<td>Capital</td>
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<tr>
<td>9. Power and Irrigation</td>
<td>Revenue</td>
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<td></td>
<td>Capital</td>
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<td>10. Establishment Department</td>
<td>Revenue</td>
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<td></td>
<td>Capital</td>
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<tr>
<td>11. Excise (Abkari)</td>
<td>Revenue</td>
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<td></td>
<td>Capital</td>
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<tr>
<td>12. Finance Department</td>
<td>Revenue</td>
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<td></td>
<td>Capital</td>
</tr>
<tr>
<td>13. Income Tax &amp; Sales Tax</td>
<td>Revenue</td>
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<tr>
<td></td>
<td>Capital</td>
</tr>
<tr>
<td>14. Other expenditure of the Finance Department</td>
<td>Revenue</td>
</tr>
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<td></td>
<td>Capital</td>
</tr>
<tr>
<td>15. Food &amp; Civil Service</td>
<td>Revenue</td>
</tr>
<tr>
<td></td>
<td>Capital</td>
</tr>
<tr>
<td>16. Forest,Fishers &amp; Civil Conservation</td>
<td>Revenue</td>
</tr>
<tr>
<td></td>
<td>Capital</td>
</tr>
<tr>
<td>17. Motor Vechicla</td>
<td>Revenue</td>
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<tr>
<td></td>
<td>Capital</td>
</tr>
<tr>
<td>18. Sikkim Nationalised Transport</td>
<td>Revenue</td>
</tr>
<tr>
<td></td>
<td>Capital</td>
</tr>
<tr>
<td>19. Home Department</td>
<td>Revenue</td>
</tr>
<tr>
<td></td>
<td>Capital</td>
</tr>
<tr>
<td>20. Administration of Justice</td>
<td>Revenue</td>
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<td></td>
<td>Capital</td>
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<td>21. Police</td>
<td>Revenue</td>
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<td>Capital</td>
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<tr>
<td>No.</td>
<td>SERVICES AND PURPOSE</td>
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<tr>
<td>22.</td>
<td>Land Revenue</td>
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<tr>
<td>23.</td>
<td>Law Department</td>
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<td>24.</td>
<td>Medical &amp; Public Health</td>
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<tr>
<td>25.</td>
<td>Panchayat, Rural Works &amp; Social Welfare</td>
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<td>26.</td>
<td>Planning and Development</td>
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<tr>
<td>27.</td>
<td>Press Publicity and Cultural Affairs</td>
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<td>28.</td>
<td>Public Works, Roads, Bridges</td>
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<tr>
<td>29.</td>
<td>Tourism</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>30.</td>
<td>Industries and Labour &amp; Water Supply</td>
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<tr>
<td></td>
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</tbody>
</table>

Total: 39,77,26,000       66,89,000       40,44,15,000

By Order of the Governor

B. R. PRADHAN,
Secretary to the Government of Sikkim,
Law & Legislative Department F. 16(79)LL/79.

PRINTED AT THE SIKKIM GOVT.PRESS
LAND REVENUE DEPARTMENT

Notification No. LA (4)/69 (35)/L.R. (S)

Dated Gangtok, the 21st March, 1979.

Whereas the function of the Central Government under the Land Acquisition Act, 1894 (1 of 1894), in relation to the acquisition of land for the purposes of the Union have been entrusted to the State Govt, by Notification No. F 12018/12/76-LRD dated 10.1.1978 issued by the Government of India in the Ministry of Agriculture and Irrigation under Clause (1) of Article 258 of the Constitution of India:

And whereas it appears to the Governor that land is likely to be needed for a public purpose being a purpose of the Union, namely for the establishment of Army in the Block of Samdor Elakha Tadung District East it is hereby notified that a piece of land compromising cadastral survey plot noted under the Schedule of properties below and measuring more or less 1.30 acres, bounded on the:

North — New Cant,
South — Army P. O. L. Depot Area
East — New Cant.
West — Lal Bahadur Chettri.

Is likely to be needed for the aforesaid public purpose at the public expense within the aforesaid block of

This notification is made, under the provision of section 4 of the Land Acquisition Act, 1894 read with the said Notification, to all whom it may concern.

A plan of land may be inspected in the office of the District Collector, East District, Gangtok or Land Record Officer, Land Revenue Department, Government of Sikkim, Gangtok.

In exercise of the powers conferred by the said notification the Governor is pleased to authorise the officers for the time being engaged in the undertaking, with their Servants and workman, to enter upon and survey the land and all others acts required or permitted by that section.

Any person interested in the above land, who has any objection to the acquisition thereof, may within thirty days after the date on which public notice of the substance of this notification is given in the locality, file an objection in writing before the Collector of East District at Gangtok.
( 2. )

SCHEDULE OF PROPERTIES.

Cadastral survey plot in full : 137.

By Order of the Governor.

P. T. WANGDI, IAS
Secretary,
Land Revenue Department,
Government of Sikkim,
Gangtok.
SIKKIM LEGISLATIVE ASSEMBLY SECRETARIAT

Notification No. SLAS/940/102/79

Dated Gangtok, the 29th March, 1979.

The following order of the Governor of Sikkim dated 28th March, 1979 is published for general information.

"No. SKM/GOV/295/79 — In exercise of the powers conferred by Article 174 (2) (a) of the Constitution, I, B. B. Lai, Governor of Sikkim, hereby proogue the Legislative Assembly of Sikkim which was summoned to meet on Tuesday, 20th February, 1979.

B. B. LAL,
Governor of Sikkim"

R. K. GUPTA,
Secretary,
Sikkim Legislative Assembly Secretariat.
GOVERNMENT OF SIKKIM

LAW AND LEGISLATIVE DEPARTMENT GANGTOK

ORDINANCE No. 1 of 1979

Dated 29th March, 1979

THE SIKKIM HOUSING AND DEVELOPMENT BOARD ORDINANCE, 1979

WHEREAS it is necessary and expedient to provide for the constitution of a Housing and Development Board for Sikkim and for matters connected therewith or incidental thereto;

AND WHEREAS the Legislative Assembly of Sikkim is not in session and the Governor is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 213 of the Constitution of India, the Governor is pleased to make and promulgate the following Ordinance, namely:—

Chapter I
PRELIMINARY

1. This Ordinance may be called the Sikkim Housing and Development Board Ordinance, 1979.

2. In this Ordinance unless there is anything repugnant in the subject or context:—

   (1) "Board" means the Sikkim Housing and Development Board constituted under Section 3.

   (2) "Board Premises" means any premises belonging to or vested in the Board or taken on lease by the Board or entrusted to the Board for management and use for the purpose of this Ordinance.

   (3) "Building materials" means such commodities or articles as are specified by the State Government by notification in the Official Gazette to be building materials for the purposes of this Ordinance.

   (4) "Bye-laws" means bye-laws made by the Board under Section 36.

   (5) "Chairman" means the Chairman of the Board.

   (6) "Corporation" means the Municipal Corporation of Gangtok.

   (7) "Housing Scheme" means a Housing Scheme made under this Ordinance,

   (8) "Land" includes benefits to arise out of land and things attached to the earth or permanently fastened to anything attached to the earth;

   (9) "Land Acquisition Act" means the Land Acquisition Act, 1894 or the Sikkim Land (Requisition and Acquisition) Act, 1977.

   (10) "Member" means a member of the Board and includes the Chairman;

   (11) "Municipality" means the Gangtok Municipal Corporation.
"Premises" means any land or building or part of a building and includes:

(i) gardens, grounds and out-houses, if any, appurtenant to such building or part of a building, and
(ii) any fittings affixed to such building or part of a building for the more beneficial enjoyment thereof;

"Prescribed" means prescribed by rules made under this Ordinance;

"Regulations" means regulations made by the Board under Section 35.

"Secretary" means the Secretary, Sikkim Housing and Development Board appointed under Section 6.

"Year" means the year commencing on the 1st day of April and ending on the 31st day of March.

Chapter II

ESTABLISHMENT OF THE BOARD


(1) The State Government shall, by notification in the official Gazette, constitute for the purposes of this Ordinance a Board by the name of the Sikkim Housing and Development Board.

(2) The Board shall be a body corporate having perpetual succession and a common seal and may sue and be sued in its corporate name and shall be competent to acquire and hold property both movable, and immovable, enter into contract and do all things necessary for the purposes of this Ordinance.

(3) For the purposes of this Ordinance and the Land Acquisition Act the Board shall be deemed to be a local authority.

Members of the 4. Board.

(1) The Board shall consist of a Chairman who shall be the Minister-in-Charge of the Local Self Government and Housing Department of the State Government and the following other members, that is to say,

(i) Secretary, Finance Department,
(ii) Secretary, Local Self Government and Housing Department,
(iii) Secretary, Rural Works Department,
(iv) Development Commissioner,
(v) Chief Engineer, Sikkim Public Works Department,
(vi) Secretary, Sikkim Housing and Development Board.

(2) Every member excluding the Chairman shall receive such allowances as may be prescribed.

Proceedings presumed 5 to be good and valid.

No disqualification or defect in the appointment of any person acting as Chairman or any other member shall be deemed to vitiate any act or proceeding of the Board, if such proceeding is otherwise in accordance with the provisions of this Ordinance.

Officers and other staff.

6. (1) The Board shall have a Secretary, who shall be the Chief Executive Officer and one or more Assistant Secretaries, and such other officers and employees as the Board may consider necessary for the efficient performance of its functions.

(2) The appointment of the Secretary shall be made by the State Government and the appointment of other officers and employees of the Board shall be made by the Board;

Provided that the Board shall not appoint any Officer in a scale of pay the maximum of which exceeds one thousand rupees a month, without obtaining the previous sanction of the State Government.

Powers and duties of the Secretary and other officers.

7. (1) The Secretary and other officers shall perform such duties as may be assigned to them by the Board.

(2) The Board may, from time to time, by order delegate, under such restriction, if any as it may think fit to impose, any of its powers conferred on it by this Ordinance, to the Secretary and to other officers of the Board specified in the order.
8. (1) The Board shall take over and employ such staff of the State Government in the Housing and other Departments as the State Government may make available and every person so taken over and employed shall be subject to the provisions of this Ordinance and the rules and bye-laws made thereunder.

Provided that during the period of such employment any matters relating to the pay, allowances, leave, retirement, pensions, provident fund and all other terms and conditions of service of the members of the said staff shall be regulated by the Sikkim Service Rules or such other rules on the subject as may from time to time be made by the State Government.

(2) All permanent Government servants taken over and employed by the Board under sub-section (1) shall have a lien on their posts in the service of the State Government and the period of their service under the Board, shall, on their reversion to the service of the State Government, be counted for their promotion, increments, pension and other matters relating to their service.

9. The Board shall meet and shall from time to time make such arrangements with respect to the day, time, notice and adjournment of its meetings as it thinks fit, subject to the following conditions, namely—

(a) an ordinary meeting shall be held at least once every month;
(b) the Chairman, may, whenever he thinks fit, call a special meeting;
(c) the quorum for every meeting shall be four;

Provided that when a meeting has been adjourned to another date for want of quorum, no quorum shall be necessary in the case of adjourned meeting;

(d) every meeting shall be presided over by the Chairman and in the absence of the Chairman by any member chosen by the members present;
(e) all questions at any meeting shall be decided by a majority of the members present and in case of equality of votes, the person presiding shall have and exercise a second or casting vote;
(f) the minutes of the proceedings of each meeting shall be recorded in a book to be provided for the purpose.

10. (1) Every contract made by the Board shall be entered into in such manner and in such form as may be prescribed and be signed by the Chairman on behalf of the Board:

Provided that—

(a) no contract involving an expenditure of rupees five lakhs or more shall be made without the previous sanction of the State Government.
(b) any contract involving an expenditure upto rupees fifty thousand may, in case of urgency, be made by the Chairman without the previous sanction of the Board but shall be referred to the Board at the earliest opportunity.

(2) Sub-section (1) shall apply to every variation or abandonment of a contract as well as to an original contract.

11. Subject to any rule which the State Government may make in this behalf, the Board may by order direct that the power to sign a contract shall be exercisable also by the Secretary or any other Officer specified by it in the order.

Chapter III

HOUSING SCHEMES

12. (1) Subject to the provisions of this Ordinance the Board may, from time to time incur expenditure and undertake works for the framing and execution of such housing schemes in relation to lands and buildings vested in or in the possession of the State Government.

(2) The State Government may, on such terms and conditions as it may think fit to impose, entrust to the Board the framing and execution of any housing scheme and the Board shall thereupon undertake the framing and execution of such scheme
(3) The Board may, on such terms and conditions as may be agreed upon and with the previous approval of the State Government, take over for execution any housing scheme, on behalf of a local authority or co-operative society, or on behalf of an employer, for building house property, mainly for the residence of the employees of such local authority, co-operative society or employer or for the residence of the members of such co-operative society, as the case may be.

13. Notwithstanding anything contained in any other law for the time being in force, a housing scheme may provide for all or any of the following matters, namely:

(a) the acquisition by purchase, exchange or otherwise of any property necessary for the scheme;
(b) the construction and reconstruction of buildings;
(c) the sale, letting out or exchange of any property included in the scheme;
(d) the roads, drainage, water-supply, lighting, schools, hospitals, dispensaries, market places, parks, play grounds and open spaces within a housing scheme;
(e) the reclamation or reservation of land for markets, gardens, schools, dispensaries, hospitals, and other amenities in a housing scheme;
(f) the letting out, management and use, of the Board premises,
(g) accommodation for any class of inhabitants,
(h) the advancing of money for the purpose of the scheme,
(i) the collection of such information and statistics as may be necessary for successful implementation of the scheme, development of any urban or rural area for successful implementation of housing schemes and for purposes ancillary or incidental thereto.
(j) any other matter for which, in the opinion of the Board or the State Government, it is expedient to make provision With a view to providing housing accommodation and to improving or developing of any area included in a housing scheme.

14. (1) The Chairman shall, at a special meeting to be held within the fifteenth day of the month of February in each year, lay before the Board, a budget of the Board for the next year.

(2) Every such budget shall be prepared in such form as may be prescribed and shall make provision for—

(i) the housing schemes which the Board proposes to execute whether in part or in whole during the next year,
(ii) the due fulfilment of all the liabilities of the Board, and
(iii) the efficient administration of this Ordinance, and shall contain a statement showing the estimated receipts and expenditure on capital and revenue accounts for the next year, and such other particulars as may be prescribed.

15. The Board shall consider the budget laid before it and sanction it with or without modifications.

16. (1) Every budget sanctioned by the Board shall be submitted to the State Government for approval. Within such time as may be prescribed, the State Government may approve the budget as sanctioned by the Board or return it to the Board,

(2) Where a budget is returned to the Board by the State Government for making any modifications therein, the Board shall forthwith make such modifications and submit the budget so modified to the State Government, which may then approve the same.

17. The Chairman may, at any time during the year for which a budget has been approved by the State Government, lay before the Board a supplementary budget and the provisions of Sections 14, 15 and 16 shall apply to such supplementary budget.

18. After the budget is approved by the State Government, the Board shall cause the housing scheme, in respect of which provision is made in the budget, to be published in the official Gazette in such manner as may be prescribed and proceed to execute such schemes.

19. The Board may at any time vary any housing scheme or any part thereof included in the budget approved by the State Government.
Provided that no such variation shall be made except with the approval of the State Government if it involves an expenditure in excess of 10 per cent of the amount as included in the budget approved by the State Government for the execution of any housing scheme.

20 (1) When any open space for the purpose of ventilation or recreation has been provided by the Board in executing any housing scheme, the Board may, at its option by resolution, transfer such open space to the local authority concerned on completion of the scheme and thereafter such open space shall vest in and be maintained at the expense of the local authority:

Provided that the local authority may require the Board before any such open space is so transferred to enclose, level, turf, drain and lay-out such space and provide foot-paths therein, and if necessary, to provide lamps and other apparatus for lighting it.

(2) If any difference of opinion arises between the Board and the local authority concerned in respect of any matter referred to in sub-section (1) the matter shall be referred to the State Government whose decision thereon shall be final.

21. (1) The Board shall take necessary measures to maintain, allot, lease, sell or otherwise use the Board premises in such manner as it may decide and shall collect rent, price, compensation and damages in respect thereof.

(2) The Board may —
(i) provide technical advice to the State Government and scrutinize projects under housing schemes when required by the State Government to do so;
(ii) undertake research on various problems connected with housing in general and find out in particular the economical methods of constructing houses suited to local conditions,
(iii) undertake comprehensive surveys on problems of housing;
(iv) do all things for —
(a) unification, simplification and standardisation of building materials,
(b) encouraging pre-fabrication and mass production of house components;
(c) organising or undertaking the production of building materials for residential or non-residential houses;
(d) securing a steady and sufficient supply of workmen trained in the work of construction of buildings and for the manufacture of building materials.

(2) Subject to such rules as may be made in this behalf the Board may, from time to time, appoint one or more Committees or invest any local or other authority for the purpose of discharging such duties or performing such functions as it may be delegated to them and any such Committee or local or other authority may discharge or may perform such functions accordingly.

22. The State Government may, by general or special order published in the Official Gazette, exempt any housing scheme undertaken by the Board from all or any of the provisions of this Ordinance subject to such conditions, if any, as it may impose or may direct that any such provision shall apply to such scheme with such modifications as may be specified in the order.

Chapter IV
ACQUISITION AND DISPOSAL OF LAND

23. (1) Where any land is needed for the purpose of a housing scheme or for performing any other duties or functions of the Board, the Board may enter into an agreement with any person for the acquisition by purchase, lease or exchange of his rights and interests in such land either wholly or in part, on payment of an amount proportionate to the loss or deprivation caused to the enjoyment of the land.

Provided, however, that the amount to be paid for the loss or deprivation caused shall not exceed the market value of the land prevailing on the first date of negotiation in respect of the transaction.

(2) The Board may also request the State Government to take steps for the compulsory acquisition under the provisions of the Land Acquisition Act of any land or any interest therein required for the execution of a housing scheme or for performing any other duties or functions of the Board and such acquisition of any land or any interest therein shall be deemed to be acquisitioned for a public purpose within the meaning of the Land Acquisition Act.
Chapter V
FINANCE, ACCOUNTS AND AUDIT

Transfer of assets to Board.

24. (1) Such assets and liabilities of the State Government which the State Government may decide to transfer to the Board on such terms and conditions as may be prescribed shall, with effect from the date of notification made by the State Government in this behalf, stand vested and transferred to the Board.

(2) All debts and expenditure incurred, all contracts entered into and all matters and things engaged to be done by, with or for the State Government in respect of the assets and liabilities transferred under sub-section (1) before and upto the date of transfer, shall be deemed to have, been incurred, entered into or engaged to be done with or for the Board and all suits and other legal proceedings instituted or which may be instituted by or against the State Government in respect of such assets shall be continued or instituted by or against the Board, as the case may be.

Board's Fund.

25. (1) The Board shall have a fund to be called the Housing and Development Board Fund.

(2) The Board may accept grants, subventions, donations and gifts from the Central or the State Government or a local authority or any individual or body, whether incorporated or not for all or any of the purposes of this Ordinance.

(3) The State Government may every year make a grant to the Board of the amount required to meet the administrative expenses of the Board.

(4) All moneys received by or behalf of the Board, all proceeds of sale of land or any other property, all rents, betterment charges and all interest, profits and other moneys securing to the Board shall be deposited in the fund of the Board.

(5) Except as otherwise directed by the State Government, all moneys and receipts specified in the foregoing provisions and forming part of the fund of the Board shall be deposited in the State Bank of Sikkim.

(6) The Bank account or any cash or security of the Board shall be operated or handled by such officers as may be authorised by the Board.

Application of the Fund.

26. All property, fund and all other assets vested in the Board shall be held and applied by it, subject to the provisions and for the purpose of this Ordinance.

Expenditure in case of urgency.

27. (1) Where in the opinion of the Board, circumstances of extreme urgency have arisen it shall be lawful for the Board to make in any year,—

(a) recurring expenditure not exceeding fifty thousand rupees.

(b) non-recurring expenditure not exceeding two lakhs of rupees.

(2) Where any sum is expended under circumstances of extreme urgency as provided in sub-section (1), a report thereof indicating the source from which it is proposed to meet the expenditure shall be made by the Board as soon as practicable to the State Government.

Subvention and loan to the Board.

28. (1) The State Government may from time to time make subventions to the Board for carrying out the purpose of this Ordinance on such terms and conditions as the State Government may determine.

(2) The State Government may from time to time advance loans to the Board on such terms and conditions not inconsistent with the provisions of this Ordinance as the State Government may determine.

Power of Board to borrow.

29. (1) The Board may from time to time, with the previous Sanction of the State Government and subject to the provisions of this Ordinance and to such conditions as may be prescribed in this behalf, borrow any sum required for the purpose of this Ordinance.

(2) The rules made by the State Government may empower the Board to borrow by the issue of debentures and to make arrangements with bankers.

(3) All debentures issued by the Board shall be in such form as the Board, with the sanction of the State Government, may from time to time determine.

(4) Every debenture shall be signed by the Chairman and one other member of the Board.

(5) Loans borrowed and debentures issued under this section may be guaranteed by the State Government as to the repayment of interest at such rate as may be fixed by the State Government.
30. (1) The Board shall cause to be maintained proper books of accounts and such other books as the rules may require and shall prepare in accordance with the rules an annual statement of accounts.

(2) The Board shall cause its accounts to be audited annually by an auditor to be appointed by the State Government. The auditor so appointed shall have the right to demand the production of books, accounts, vouchers, documents and other papers, and to inspect any of the offices of the Board.

(3) As soon as the accounts of the Board have been audited, the Board shall send a copy thereof together with a copy of the report of the auditor thereon to the State Government and shall cause the accounts to be published in the prescribed manner and place copies thereof on sale at a reasonable price.

(4) The Board shall comply with such directions as the State Government may after perusal of the report of the auditor, think fit to issue.

31. (1) Notwithstanding anything contained in section 30, the State Government may order that there shall be a concurrent audit of the accounts of the Board by such person as it thinks fit. The State Government may also direct a special audit to be made by such person as it thinks fit of the accounts of the Board relating to any particular transaction or a class or series of transactions or to a particular period.

(2) When an order is made under sub-section (1), the Board shall present or cause to be presented for audit such accounts and shall furnish to the person appointed under sub-section (1) such information as the said person may require for the purpose of audit and remedy or cause to be remedied the defects pointed out by such person, unless they are condoned by the State Government.

Chapter VI
MISCELLANEOUS

32. The Chairman or any person either generally or specially authorised by the Chairman in this behalf may, with or without assistance of workmen, enter into or upon any land, in order—

(1) to make any inspection, survey, measurement, valuation or inquiry;
(2) to take levels;
(3) to dig or bore into the sub-soil;
(4) to set boundaries and intended lines of work;
(5) to do any other things;
when it is necessary to do so for any of the purposes of this Ordinance or any rules made or scheme sanctioned thereunder.

Provided that —
(i) no such entry shall be made between sunset and sunrise;
(ii) the dwelling house and no public building which is used as a dwelling place, shall be so entered, unless with the consent of the occupier thereof, and without giving the said occupier at least twenty-four hours previous written notice of the intention to make such entry;
(iii) sufficient notice shall in every instance be given to enable the female inmates of any apartment to remove themselves to some part of the premises where their privacy will not be disturbed.
(iv) due regard shall always be had, so far as may be compatible with the exigencies of the purpose for which the entry is made, to the social and religious usages of the occupiers of the premises entered.

33. No person shall commence any suit against the Board or against any officer or employee of the Board, or any person acting under the orders of the Board, for anything done or purporting to have been done in pursuance of this Ordinance, without giving to the Board, officer or employee or person two months previous notice in writing of the intended suit and of the cause thereof.
34. (1) The State Government may, by notification in the official Gazette, make rules for carrying out the purposes of this Ordinance.

(2) In particular and without prejudice to the generality of the foregoing powers such rules may provide for all or any of the following purposes, namely:

(a) the allowances of members;
(b) the manner and form in which contract shall be entered into under sub-section (1) of Section 10;
(c) the form of the annual budget to be laid before the Board under section 14 and the other particulars to be contained therein;
(d) the time within which the State Government may approve or return the budget to the Board under sub-section (1) of section 16;
(e) the manner of publication of the housing scheme included in the budget under section 18;
(f) the terms and conditions on which assets of the State Government may be transferred to the Board under section 24;
(g) the conditions subject to which the Board may borrow any sum under section 29;
(i) the manner of preparation, maintenance and publication of accounts under section 30;
(i) any other matter which is to be or may be prescribed under this Ordinance.

35. (1) The Board may from time to time, with the previous sanction of the State Government make regulations consistent with the Ordinance and with any rule made under this Ordinance.

(2) Such regulations may provide for —

(a) the management and use of buildings constructed under any housing scheme;
(b) the principles to be followed in allotment of tenements and premises;
(c) regulating its procedure and the disposal of its business;
(d) the conditions of service of the employees of the Board other than those taken over and employed under sub-section (1) of section 8.

(3) If it appears to the State Government that it is necessary or desirable for carrying out the proposes of this Ordinance to make or amend any regulation made under sub-section (1), it may call upon the Board to make or amend such regulation within such time as it may specify. If the Board fails to make such regulation or amendment within the time specified, the State Government may itself make such regulation or amendment and the regulation or the amendment so made shall be deemed to have been made by the Board under sub-section (1).

36 (1) The Board may, with the previous sanction of the State Government, make bye-laws not inconsistent with this Ordinance and rules which may be necessary or expedient for the purpose of carrying out its duties and functions under this Ordinance.

(2) A bye-law made under this section may provide that a contravention thereof shall be an offence.

(3) All bye-laws made under this section shall be published in the Official Gazette.

37 Whoever contravenes a bye-law made under section 36 shall, on conviction, be punished with imprisonment for a term which may extend to six months or with fine which may extend to one thousand rupees or with both.

38. If any person—

(a) obstructs, or molests any person with whom the Board has entered into a contract, in the performance or execution of his duty or of anything which he is empowered or required to do under this Ordinance, or

(b) removes any mark set up for the purpose of indicating any level or direction necessary to the execution of works authorised under this Ordinance, he shall on conviction, be punished with imprisonment for a term which may extend to three months or with fine which may extend to five hundred rupees or with both.
39. Unless otherwise expressly provided no Court shall take cognizance of any offence punishable under this Ordinance except on the complaint of or upon information received from the Board or some person authorised by the Board by general or special order in this behalf.

40. All members, officers and employees of the Board shall be deemed, when acting or purporting to act in pursuance of any of the provisions of this Ordinance, to be public servants within the meaning of section 21 of the Indian Penal Code.

41. No suit, prosecution or other legal proceedings shall lie against any person for anything which is in good faith done or purported to be done under this Ordinance.

Gangtok
Dated the 29th March, 1979.

B. B. Lal
Governor of Sikkim

B. R. Pradhan
Secretary to the Government of Sikkim
LOCAL SELF GOVERNMENT DEPARTMENT
GOVERNMENT OF SIKKIM

Notification No. 17
Dated Gangtok, the 20th February, 1979.

NOTIFICATION

In exercise of the powers conferred by section 82A of the Gangtok Municipal Corporation Act, 1975 (No. 4 of 1975), the State Government hereby makes the following rules, namely:-

1. (i) These rules may be called the Gangtok Municipal Corporation Imposition of Surcharge Rules, 1979. (ii) They shall come into force on the date of their publication in the Official Gazette.

2. In these rules, unless the context otherwise requires,-
   (a) "Act" means the Gangtok Municipal Corporation Act, 1975;
   (b) "Chairman", "Vice-chairman", "Councillor", "Officer" and "Servant" means persons who for the time being are, or in the past were, Chairman, Vice-chairman, Councillor, Officer, and Servant of the Corporation;
   (c) "Government" means the government of the State of Sikkim.

3. In case where the auditors appointed to audit the accounts of the Corporation consider that there has been a loss, waste or misapplication of any money or other property belonging to the Corporation as a direct consequence of the neglect or misconduct of the Chairman, Vice-chairman, Councillor, Officer or servant of the Corporation while acting as such they may report the matter to the Government, who may, if necessary, call upon the Chairman, Vice-chairman, Councillor, Officer or Servant, to explain in writing why he should not be surcharged with the amount in respect of which the loss, waste or misapplication has been caused to the Corporation or its property and such explanation should be furnished within two months of the date such requisition is communicated to the person concerned.
Provided that no explanation shall be called from any Chairman, Vice-chairman, or Councillor who is recorded in the proceedings of the Corporation as having been absent from the meeting at which the expenditure objected to was sanctioned or who voted against such expenditure.

**Furnishing of information to auditors.**

4. Any information required by the auditors for preliminary enquiry before submission of report to the Government shall be furnished by the Executive Officer within fifteen days from the date of such requisition.

**Cases which may be reported to Government.**

5. Without prejudice to the generality of the provisions contained in rule 3 the auditors may make a report to the Government in the following cases:

(a) where expenditure has been incurred in contravention of the provisions of the Act or bye-laws made thereunder;

(b) where loss has been caused to the Corporation by acceptance of a higher tender without sufficient recorded reasons;

(c) where any sum due to the Corporation has been remitted in contravention of the Act or the rules or bye-laws made thereunder;

(d) where the loss has been caused to the Corporation by neglect to realise its dues;

(e) where loss has been caused to the funds or other property of the Corporation on account of want of reasonable care for the custody of such money or property.

**Inspection of record.**

6. On the written requisition of the Chairman, Vice-chairman, Councillor, Officer or Servant from whom an explanation has been called for, the Executive Officer shall give him necessary facilities for the inspection of the record connected with the requisition for surcharge.

**Extention of time**

7. On an application from the person concerned the Government may allow a reasonable extension of time for submission of his explanation if it is satisfied that he has been unable to consult the record for reasons beyond his control.

**Bonafide Discharge of Duties.**

8. No Chairman, Vice-chairman, Councillor, Officer or Servant of the Corporation shall be liable to surcharge, if from the explanation or otherwise, the Government is satisfied that the loss to the money or other property belonging to the Corporation was caused by an act in the bonafide discharge of his duties.

**Surcharge in case of resolution of Corporation.**

9. In case of loss, waste or misapplication occurring as a result of a resolution of the Corporation, the amount of surcharge shall be divided equally among all the Councillors including Chairman, Vice-chairman and Councillors who are recorded in the minutes of the Corporation as having voted for or remained neutral in respect of such resolution.

**Surcharge.**

10. After considering the explanation, if received within time, the Government may surcharge the Chairman, Vice-Chairman, Councillor, Officer or Servant as the case may be, with the whole or part of the sum for which such Chairman, Vice-chairman, Councillor, Officer or Servant in its opinion is liable.

**Order of Surcharge to be final.**

11. Subject to rule 13 the order of surcharge passed by the Government under rule 10 shall be final.

**Recovery of Surcharge.**

12. (1) A Chairman, Vice-chairman, Councillor, Officer or Servant who has been surcharged shall pay the amount within three months from the date of communication to him of the order of surcharge passed by the Government.

(2) If the amount of surcharge is hot paid within the period specified in sub-rule (1) it shall be recoverable as arrears of land revenue,
13. Nothing in these rules shall affect the right of an aggrieved person from seeking his remedy in a Civil Court by filing within three months a suit against an order of surcharge passed against him and in the event of any such suit, if the decree of the court varies or rescinds the order of surcharge, the order shall be deemed to have been so varied or rescinded.

14. Where a suit is instituted to question an order of surcharge and the Government is a defendant in such a suit, all costs incurred in defending the suit shall be paid by the Corporation and it shall be the duty of the corporation to make such payment without any delay.

P. K. Pradhan
Secretary to the
Government of Sikkim.