The following order of the Governor of Sikkim dated 2nd January, 1986 is published general information:

"No. SKM/GOV/7/86— In exercise of the powers conferred by Article 174 (2) (a) of the Constitution, I, T. V. Rajeswar, Governor of Sikkim, hereby prorogue the Sikkim Legislative Assembly which was summoned to meet on Thursday, 26th December, 1985.

T.V. RAJESWAR
GOVERNOR OF SIKKIM"

By Order,

B. P. S. BUSNETT
Joint Secretary.
As provided under THE SIKKIM (REPEAL AND MISCELLANEOUS) ACT, 1985, the State Government hereby notifies that all persons carrying on trade or business in Melas, aires etc. are required to take out a temporary licence issued by the Local Self Government and Housing Department on payment of fees mentioned hereunder.

Every person who intends to obtain a licence shall apply to the Joint Secretary, Local Government and Housing Department, Gangtok, by submitting an application at least days prior to the beginning of the Melas, Fairs etc.

The licences shall abide by the terms and conditions of the licence printed on overleaf of the licence thus issued.

RATES

<table>
<thead>
<tr>
<th>Particulars of the trade</th>
<th>Rate per day</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Stalls/Shops</td>
<td>Rs. 100/-</td>
</tr>
<tr>
<td>2. Hotels/Restaurants</td>
<td>Rs. 100/-</td>
</tr>
<tr>
<td>3. Entertainments</td>
<td>Rs. 100/-</td>
</tr>
<tr>
<td>4. Fairs/sale of liquor</td>
<td>Rs. 100/-</td>
</tr>
<tr>
<td>5. Miscellaneous</td>
<td>Rs. 25/-</td>
</tr>
</tbody>
</table>

By Order,

P.K. PRADHAN,
Commissioner-Cum-Secretary to the Government of Sikkim.

2
TEMPORARY TRADE LICENCE
(Not transferable)

Sl. No. Date
Temporary Trade Licence No. /LSGD/
NAME OF LICENCEE
RESIDENT OF
TEMPORARY LICENCE FEE Rs
NAME OF ARTICLES

You are hereby authorised to carry on Temporary business in..............................
Bazar only from............19 to………………..........19 in respect of the following
items :
1. 6.
2. 7.
3. 8.
4. 9.
5. 10.

This licence liable to be suspended, cancelled or revoked if you fail to abide by the
following conditions, namely—
1. That you shall not contravene any of the provisions of the Sikkim (Repeal and Miscell-
2. That you shall abide by all instructions given by the Department from time to time;
3. That you shall produce your licence whenever required to do so by any officer of the
Department;
4. That you shall deal only in commodities and at places mentioned in the licence;
5. That you shall not close business without the approval of Local Self Government and
Housing Department;
6. That you shall not sell any adulterant as defined in Prevention of Food Adulteration Act,
1954;
7. That you shall not sublet the licence to another person;
8. That you shall keep the premises neat and clean and free from any sanitary defect;
9. That you shall maintain an empty tin for the disposal of dirt and waste products;
10. That you shall not display your goods/commodities on public throughfares;
11. That you shall pay tax as assessed in the Bazar Contract Licence Agreement;
12. That you shall allow any officer of the Local Self Government and Housing Department
authorized by the authority empowered to issue licence to enter into any premises,
where manufacture and/or sale of commodities is carried on;
13. If the licence, contravenes any of the above terms and conditions, then without prejudice
to any other action that may be taken against him, his licence will be suspended or cance-
led and he will be liable to a penalty not exceeding Rs. 1000/—.

Licensing Authority
Local self Government and Housing Department
Government of Sikkim

PRINTED AT THE SIKKIM GOVERNMENT PRESS,GANGTOK
GOVERNMENT OF SIKKIM
MOTOR VEHICLES DEPARTMENT
ORDER
No. 576/1985/86/M.V.
Dated Gangtok, the 4th January, 1986

Whereas, the Government of Sikkim is satisfied that it is necessary to restrict the parking of vehicles on M.G. Marg, Gangtok from 8.00 A.M. to 7.00 P.M. daily and regulate movement of vehicles on specified roads in the interest of convenience and safety of the general public.

2. Whereas, I, M.M. Rasaily, Secretary, Motor Vehicles Department, Government of Sikkim is satisfied that it is necessary to restrict the parking of vehicles on M.G. Marg, Gangtok from 8.00 A.M. to 7.00 P.M. daily and regulate movement of vehicles on specified roads in the interest of convenience and safety of the general public.

3. Now, therefore, in exercise of powers under sections 65 and 67 of the Sikkim Motor Vehicles Act, 1957, I, M. M. Rasaily, Secretary, Motor Vehicles Department, Government of Sikkim order that parking of vehicles and loading and unloading of goods from trucks on the M.G. Marg, Gangtok and movement of vehicles on specified roads will stand regulated as follows with immediate effect:

(i) Parking of vehicles
   (a) Children's Park Parking area — All Taxi Jeeps and Light Transport Vehicles.
   (b) West Point School Parking Area — Local Taxis having permit for Gangtok bazar.
   (c) Denzong Cinema Parking Area — Local Taxis having permit for Gangtok Bazar,
   (d) Vajra Cinema Parking Area — Local Taxis and light Transport vehicles.
   (e) All other local taxis will be parked as per parking location indicated in the permit issued to them.

(ii) Loading and unloading of goods from trucks.

   All trucks which are required to enter the bazar for loading and unloading of goods shall do so between 7.00 A.M. & 9.00 AM. daily in the morning and from 5.00 P.M. onwards in the evenings. These trucks shall, however, not remain on the M.G. Marg, Gangtok after completion of loading or unloading of goods within the time specified above.

(iii) Movement of vehicles on specified road.

   (a) The road leading from below Sadar PS. to the Children's Park and from Children's Park to Tibet road will only be opened for upcoming vehicles.
   (b) The road leading from the junction of Tibet Road with Majong Road and Kazi Road will also be open for upcoming vehicles only.
   (iv) Violation of the above order will result in permits being withdrawn as per standing rules in vogue.

M. M. RASAILY,
Secretary,
Motor Vehicles Department.
GOVERNMENT OF SIKKIM
ESTABLISHMENT DEPARTMENT


NOTIFICATION

In exercise of the Powers conferred by the proviso to article 309 of the Constitution of India, the Governor hereby makes the following rules further to amend the Sikkim Government Service Rules, 1974, namely:—

1. (1) These rules may be called the Sikkim Government Service (Amendment) Rules, 1986.
   (2) They shall come into force at once.
2. In the Sikkim Government Service Rules, 1974, after proviso to rule 98, the following shall be inserted, namely:—
   "Explanation.-For the purpose of this rule, a government servant whose date of birth falls on the first day of any month shall have attained the fifty-eight years on the afternoon of the last day of the preceding month."

By Order and in the name of the Governor.

T. CHHOPHEL,
Secretary to the Govt. of Sikkim,
Establishment Department.
GOVERNMENT OF SIKKIM
HOME DEPARTMENT

No. 7(8) Home/84/403
Date the 16th January, 1986.


MINISTRY OF SOCIAL & WOMEN'S WELFARE
NOTIFICATION

New Delhi, the 2nd October 1955

S. O. 720(E).—In pursuance of the notification of the Government of India in the Ministry of Home Affairs No. S.O. 529(E), dated the 22nd July, 1983, the Central Government hereby appoints the 2nd October, 1985, as the date on which the Probation of Offenders Act, 1958 (20 of 1958) shall come into force in the State of Sikkim.

F. No. 13-19/75-SD(Vol. II)
C. P. SUJAYA
Joint Secretary.

By Order,

TSEGyal TASHI
Under Secretary,
Home Department.

PRINTED AT THE SIKKIM GOVERNMENT PRESS, GANGTOK.
In exercise of the powers conferred by section 5 of the Sikkim Shops and Commercial Establishments Act, 1983 (6 of 1983), the State Government hereby exempts all Scheduled Commercial Banks being commercial establishments from all the provisions of the said Act.

By Order,

K. SHERAB,
Secretary,
Department of Labour
(File No. DL/32/76-77)
GOVERNMENT OF SIKKIM
HOME DEPARTMENT

NOTIFICATION

Dated the 22nd January, 1986.

The Governor of Sikkim is pleased to re-constitute the Sikkim Rajya Sainik Board as follows with immediate effect:—

1. Shri Nar Bahadur Bhandari, Hon'ble Chief Minister of Sikkim — PRESIDENT
2. Shri Chamla Tshering Bhutia, Hon'ble Minister for Finance, Sikkim — VICE-PRESIDENT
3. Chief Secretary, Govt. of Sikkim
4. Home Secretary, Govt. of Sikkim
5. Finance Secretary, Govt. of Sikkim
6. Establishment Secretary, Govt. of Sikkim
7. Inspector General of Police, Govt. of Sikkim
8. Secretary, Education, Govt. of Sikkim
9. Director of Industries, Govt. of Sikkim — EX–OFFICIO
10. Representative of the GOC not below the rank of Brigadier (Other Head of Department having subjects of the Board will be invited)
11. Shri B.B. Khulal, MLA
12. Managing Director, State Bank of Sikkim. --NON-OFFICIAL MEMBERS
13. Manager, State Bank of India
14. Hony Capt. Ganju Lama, VC MM, South Sikkim
15. Sub. Rajman Rai, West Sikkim —EX-SERVICEMEN MEMBERS
17. Rfn. Akhu Lepcha, North Sikkim
18. Secretary, Rajya Sainik Board —To function as Secretary of the Board.

By Order

M. M. RASAILY,
Home Secretary,
Government of Sikkim.
NOTIFICATION

The following Act of the Sikkim Legislative Assembly having received the assent of the Governor on 21st day of January, 1986, is hereby published for general information:—


(Act No. 1 of 1986)

AN ACT

[21.1.1986]

to amend the Sikkim Court Fees (Exemption and Miscellaneous Provisions) Act, 1983.

Be it enacted by the Sikkim Legislative Assembly in the Thirty-sixth Year of the Republic of India as follows:-

1. (1) This Act may be called the Sikkim Court Fees (Exemption and Miscellaneous Provisions) Amendment Act, 1985.

(2) It shall be deemed to have come into force on the 1st day of May, 1983.

2. In the Sikkim Court Fees (Exemption and Miscellaneous Provisions) Act, 1983 (hereinafter referred to as the principal Act) after section 3, following section shall be inserted, namely:-

3A. (1) A person claiming exemption under section 3 shall satisfy the court by filing an affidavit and if so required by the court by adducing oral or documentary evidence that the annual income of such person from all sources is less than twenty-five thousand rupees.

(2) The court may cancel the exemption granted, at any time before the passing of judgment or final order, on being satisfied that such exemption ought not to have been granted.
3. In the principal Act, after section 5, the following section shall be inserted, namely:

"Grounds on which court fees can be refunded.

6. No court shall refund the court fees paid in suits and appeals except on the following grounds:

(i) (a) Withdrawal of a suit without any hearing,
(b) Settlement or compromise before the commencement of the trial.
(ii) Settlement or compromise in an appeal before the passing of the judgment or final order to the extent of the amount paid as court fees in such appeal.
(iii) On remand in an appeal to the extent of amount paid as court fees in such appeal."

M.M. RASAILY,
Secretary to the Govt, of Sikkim,
Law Department.
F. No. 16 (209) LD/86.

PRINTED AT THE SIKKIM GOVERNMENT PRESS, GANGTOK.
NOTIFICATION

The following Act of the Sikkim Legislative Assembly having received the assent of the Governor on 21st day of January, 1986, is hereby published for general information:

(ACT NO. 2 OF 1986)

An ACT

[21.1.1986]

to amend the Sikkim Cinemas (Regulation) Act, 1978 (No. 20 of 1978).

Be it enacted by the Legislature of Sikkim in the Thirty-sixth Year of the Republic of India as follows:—

1. (1) This Act may be called the Sikkim Cinemas (Regulation) Amendment Act, 1985.
(2) It extends to the whole of Sikkim.
(3) It shall come into force at once.

2. In the Sikkim Cinemas (Regulation) Act, 1978 (hereinafter referred to as the principal Act), in section 2,—
   (a) in clause (e), after the words 'a film on' and before the words 'screen' the word 'television' shall be inserted;
   (b) after clause (e), the following clause shall be inserted, namely:-
      "(f) 'Video Library' means a place, by whatever name called, where the business of selling, letting on hire, distribution, exchange or putting into circulation, in any manner whatsoever, of film for purposes of exhibition is carried on."

3. In the principal Act, after section 3, the following section shall be inserted, namely:

   3. A (1) No person shall keep any Video Library except under and in accordance with a licence granted under sub-section (1) above.
(2) Where a person keeps more than one Video Library, whether in the same town or village or in different towns or villages, he shall obtain a separate licence in respect of each Video Library.

(3) Every person keeping a Video Library under this Act shall, in respect of each film in his possession, produce when demanded by an officer authorised by Government in this behalf, a letter of consent from the person who is the first owner of the Copyright of the Cinematograph film under section 17 of the Copyright Act, 1957 (Act XIV of 1957) and in case such copyright has been assigned under section 18 of the said Act, from the assignee of such copyright.

(4) No person who is granted a licence shall sell, let to hire, distribute, exchange, or put into circulation in any manner whatsoever, any film other than a film which has been certified as suitable for public exhibition by the authority constituted under section 3 of the Cinematograph Act, 1952 (Act 37 of 1952) and which, when exhibited, display the prescribed mark of that authority, and has not been altered or tampered with in any way since such mark was affixed thereto.

5. In the principal Act, in section 4, after the words "proposed to be given" and before the words "is situated", the words "or the Video Library is proposed to be opened" shall be inserted.

6. In the principal Act, in section 4A, after the words 'Video exhibition' and before the word "shall", the words "and for keeping a Video Library" shall be inserted.

7. In the Sikkim Entertainment Tax Act, 1980, after section 3B, the following section shall be inserted, namely:—

**3BB.** Any officer authorised by the Government in this behalf, by notification, may—

(a) 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 exhibition of films on the television screen through Video Cassette Recorder or keeping a Video Library in contravention of the provisions of the Sikkim Cinemas (Regulation) Act, 1978 and the rules made there under;

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

(c) take into custody and produce before the Magistrate mentioned in section 3C, all such persons as are concerned or against whom a reasonable complaint has been made or credible information has been received or a reasonable complaint has been received or a reasonable suspicion exists of their having been concerned with the exhibition of film or keeping a Video Library in contravention of the provisions of the Sikkim Cinemas (Regulation) Act, 1978 and rules made there under;

(d) seize all things found therein which are intended to be used or reasonably suspected to have been used in connection with such exhibition of film or keeping a Video Library.”

M.M. RASAILY,
Secretary to the Govt, of Sikkim,
Law Department.
F. No. 16(65)LD/78.
ELECTION COMMISSION OF INDIA

NEW DELHI

Dated : 24th December, 1985

Agrabayana, 3, 1907(S)

NOTIFICATION

S.O. — Whereas the Election Commission of India is satisfied that as a result of its poll performance at the general election to the Legislative Assembly held in December, 1984, in the Union Territory of Goa, Daman & Diu the Bhausaheb Bandodkar Gomantak Party is entitled for registration and recognition as a State Party in the Union Territory of Goa, Daman & Diu in terms of paragraph 3 and 6 of the Election Symbols (Reservation and Allotment) Order, 1968;

And whereas the Commission has decided to recognise the Bhausaheb Bandodkar Gomantak Party as a State Party in the Union Territory of Goa, Daman & Diu and reserve the symbol 'Peacock' for the said party in that Union Territory; and

Now, therefore, in pursuance of clause (b) and (d) of sub-paragraph (1) and sub-paragraph (2) of paragraph 17 of the Election Symbols (Reservation and Allotment) Order, 1968, the Election Commission hereby makes the following amendments in its notification No. 56/84-XVIII, dated the 13th November, 1984, published in the Gazette of India, Extraordinary, Part II, Section 3(iii), dated the 16th November, 1984, as amended from time to time, namely—

(1) In Table 2 of the said notification, against the Union Territory of Goa, Daman & Diu, under columns 1 and 3 of the Table, the entries "3 Bhausaheb Bandodkar Gomantak Party............Peacock ", shall be added;

(2) In Table 4 of the said notification, against the Union Territory of Goa, Daman & Diu mentioned in Column 1 thereof the entry "11 Peacock" specified in column 2 thereof shall be deleted and the existing entries (12) to (19) shall be renumbered as (II) to (18)

The recognition granted to the above mentioned political party is, subject to the following conditions:

(i) The Party shall communicate to the Commission without delay any change in its name and head office, Office bearers and their addresses and political principles, policies and objectives and any change in any other material matters;
(ii) The party shall intimate the Commission immediately whenever any amendments are issued to party constitution along with the relevant documents like the notice for the meeting, minutes of the meeting where the amendments have been carried etc;

(iii) The party shall maintain all the records like minutes books, accounts books, membership register, receipt books etc. properly;

(iv) The said records shall be open for inspection at any time by the authorised representative(s) of the Commission; and

(v) The recognition granted shall be reviewed by the Commission from time to time.

By Order,

No. 56/84-XVIII

Sd/-

(R. P. BHALLA)
Secretary

(T. WANGCHUK)
Deputy Chief Electoral Officer

Sikkim.

PRINTED AT THE SIKKIM GOVERNMENT PRESS, GANGTOK
GOVERNMENT OF SIKKIM
HOME DEPARTMENT

NOTIFICATION

No. 7(7) Home/80/1/435                      Dated 24th January, 1986

The State Government is pleased to amend the Notification No. 7(7)Home/80/1/362
dated 26th December, 1985 to the effect that the name of the member and Chairman of the
Advisory Board constituted under section 9 of the National Security Act, 1980 (Central Act 65
of 1980) shall always be read as "Shri Justice R. Dayal, Judge, High Court of Sikkim, Gangtok"
instead of "Shri Justice RS. Dayal, Judge, High Court of Sikkim, Gangtok."

By order and in the name of the Governor.

M. M. RASAILY,
Home Secretary,
Government of Sikkim.

PRINTED AT THE SIKKIM GOVERNMENT PRESS, GANGTOK.
The Governor of Sikkim is pleased to provide ceiling in respect of the sanction of Discretionary Grants as follows:—

(a) The Chief Minister may sanction expenditure not exceeding Rs. 1.50 lakhs in each financial year.

(b) A Minister may sanction expenditure not exceeding Rs. 25,000/- in each financial year.

The Sikkim Ministers' Discretionary Grants (Regulation of Expenditure) Rules, 1985 shall govern the manner of making such grants.

M. M. RASAILY,
Home Secretary,
Government of Sikkim.
NOTIFICATION

No. 82/SKM/(I/85)/85. - In pursuance of section 106 of the Representation of the People Act 1951 (43 of 1951), the Election Commission hereby publishes the order dated the 10th October, 1985 of the High Court of Sikkim, in Election Petition No. 1 of 1985.

IN THE HIGH COURT OF SIKKIM
Election Petition No. 1 of 1985:

Date of Decision : 10.10.1985

Mrs. Dawa Lamu .......................... Petitioner

- Versus -

2. Shri Abhay Singh, Gangtok Bazar
3. Shri Anand Prakash Basnet, Gangtok
4. Shri Chyangba Tamang, Pakyong
5. Mrs. Damber Kumari Pradhan, Gangtok
6. Dhan Maya Chhettrini, Gangtok
7. Mrs. Dil Kumari Bhandari, Malbasey
8. Mr. James Basnet, Gangtok
9. Mrs. Kalawati Subba, Gangtok
10. Mr. Kiran Chhetri, Tadong
11. Mr. M.K. Chhetri, Tadong
12. Mr. Passang Obed Pazo, Gangtok
13. Mr. Sonam Gyatso Trateng, Gangtok
14. Returning Officer, 31-Gangtok Constituency, Gangtok

Coram :-

The Hon'ble Mr. Justice R. Dayal, Judge.

Present : Mr. V.J. Rao, Advocate - General with Mr. A.K. Upadhayaya, Advocate for the Petitioner.

Mr. Anup Deb, Senior Advocate with Mr. R.N. Mittal, and Mr. A. Moulik, Advocates for Respondent No. 1.

Mr. B. Sharma, Advocate for Respondent No. 7.

Mr. B.C. Sharma, Advocate for Respondent No. 14.

P. Lamu, attorney of Respondent No. 5 present.

Respondents Nos. 1,2,6,9, and 10 in person.
This election petition was brought for declaration as void the election of respondent No. 1, Shri Balchand Sarda who contested the election as an independent candidate to the Sikkim Legislative Assembly from 31 Gangtok Assembly Constituency, under section read with section 100 (1) (c) of the Representation of the People Act, 1951 (hereinafter referred to as the Act.)

2.

Last general election to the State Legislative Assembly of Sikkim was held on 5th March, 1985 and respondent No. I was declared elected on 6th March 1985. Shri Abhay Singh, respondent No. 2 had, amongst others, filed a nomination; but his nomination was rejected. He did not file any election petition. This election petition was filed by an elector on the allegation that the nomination of respondent No. 2 had been rejected by the Returning Officer on the ground that the age of that respondent indicated in the nomination paper did not tally with that indicated in the electoral roll which discrepancy did not constitute a defect of substantial character; without conducting any inquiry as contemplated under Section 36 (2) of the Act and, therefore, the election of respondent No. I was liable to be set aside under Section 100 (1) (c) of the Act. Respondents Nos. 3 to 13 are the candidates who contested the election from the same constituency, but lost. Respondent No. 14 is the Returning Officer.

3. Respondent No. 1 defended, in his written statement, the rejection of the nomination paper of respondent No. 2, alleging that the Returning Officer noticed a vast difference in age of that respondent as indicated in the nomination paper and as mentioned in the electoral roll and so, in order to satisfy himself whether he was not less than 25 years of age and was so qualified to file the nomination under article 173 (b) of the Constitution, he required that respondent to produce a certificate or any authentic or valid document in proof of his age on the date of the scrutiny of nomination paper i.e., 9.2.1985 and also granted time for that purpose till the start of the withdrawal of the nomination papers on 11th February, 1985, by passing an order of rejection of the nomination paper on 9th February, 1985, subject to the review of the order in case respondent No. 2 would produce a valid document in proof of his correct age subsequently; but that respondent did not assist the Returning Officer in that regard by producing any material in proof of his age either on 9th February, 1985 or thereafter, since that respondent was not interested to contest the election and, therefore, the rejection of the nomination paper was legal and valid.

4. The Returning Officer who is respondent No. 14 supported, in his written statement, the case of respondent No. I, by pleading that in view of the serious discrepancy as regards the age of respondent No. 2, he entertained a genuine doubt as to his correct age and eligibility to contest the election and felt that the nomination paper of that respondent suffered from a defect of substantial character and, therefore, he gave him an opportunity to produce proof regarding his age, but that respondent did not produce any proof and so he rejected the nomination paper.

5. Respondents Nos. 5 to 10 also filed written statements but supporting the petitioner.

6. The election petition was filed on 18th April, 1985 but the security amount of Rs. 2000/- was deposited by the petitioner in the State Bank of Sikkim on 19th April, 1985- and receipt in respect thereof was filed on that date showing the deposit "on account of 214 Adm. Justice Court Fees". On the basis off document an issue was framed as regards the compliance of section 117 of the Act

7. Following issues were framed :-

1. Whether the petitioner complied with the provisions of Section 117 of the Represent- ion of the People Act, 1951?
2. Whether the nomination of Respondent No. 2 was improperly rejected?
3. Relief?

8. At the time of arguments, maintainability of the petition was challenged on an additional ground namely, that the provisions of sub-section (3) of section 81 of the Act had not been complied with by the petitioner, firstly because except for the last page the other pages of the copy of the petition supplied to respondent No. I bore only the petitioner's initials and not her signatures in full, and secondly because the copies of the annexure to the petition were neither signed nor initialed by her. Sub-section (3) of section 81 provides that every election petition shall be accompanied by as many copies thereof as there are respondents mentioned in the petition and every such copy shall be attested by the petitioner under his own signature to be a true copy of the petition. Sub-section (1) of section 83 lays down the requirement of valid petition and provides in clause (c) that the petition shall be signed and verified by the petitioner in the manner laid down in the Code of Civil Procedure. Sub-section (2) of section 83 provides that any scheduled or annexure to the petition shall also be signed by the petitioner and verified in the same manner as the petition. It is contended on behalf of respondent No. I that since the annexure to the petition are also require- to be signed and verified by the petitioner in the same manner as the petition itself, the annexure form an integral part of the petition and, therefore, their copies supplied to respondent No. I must have been signed in fully by the petitioner. As regards the first contention that all the pages of the petition must have been signed in full, I do not find any words in section 81 (3) to support that contention. The object of requi- ring the copy of an election petition to be attested by the petitioner under his own signatures to be a true copy.
3

is that the respondents should have, in their possession, a true copy of the petition for the correctness of which the petitioner should take full responsibility. This purpose was amply served when the last page bore the petitioner's signatures in full and other pages bore her initials.

9. As regards the contention that the annexures form an integral part of the petition, a bare look at the annexures would show that for understanding the contents of the petition, it was not at all necessary to refer to the annexures. One annexure is the photostat copy of the nomination paper of respondent No. 2. The second annexure is the photostat copy of the order dated 9th February, 1985, of the Returning Officer rejecting the nomination of respondent No. 2. The third annexure is the photostat copy of form 7-A showing the list of contesting candidates and the fourth, annexure is the photostat copy of the electoral roll for Assembly Constituency; 31 Gangtok. These documents could not be said to be a part of the pleading. Reliance was, however, placed on behalf of respondent No. 1 on M. Karunanidhi versus H.V. Handa, AIR 1983 SC 558 where a photograph had been held to be a part of the averment contained in paragraph 18 (b) of the petition. But it was so held because in the absence of the photograph the averment contained in paragraph 20 (b) would be incomplete. Since, in the present case averments in the petition would be complete even in the absence of the annexures, this authority is of no avail to respondent No. 1. In A. Madan Mohan versus K. Chandrasekhar A.I.R 1984 SC 871 the copy of the election petition served on the petitioner was not accompanied by the copies of the schedules and it was contended that the schedules formed an integral part of the petition and so the same should have been served on the petitioner before it could be said that the provisions of sections 81 and 82 had been complied with. That contention was repelled by the Supreme Court after referring to Sahodrabai Rai versus Ram Singh Aharwar (AIR 1965 SC 1079) where it had been pointed out that sub-section (2) of section 83 has reference not to a document which is produced as evidence of the averments of the election petition but to averments of the election petition which are put, not in the election petition but in the accompanying schedules or annexures and that it would be stretching the words of that sub-section too far to think that every document produced as evidence in the election petition becomes a part of the election petition proper. Thus, there is no merit in the contention that the annexures formed an integral part of the petition. It was not even necessary to supply the copies of the annexures.

10. Coming to issue No. 1, section 117 of the Act provides:

117. Security for Costs - (1) At the time of presenting an election petition, the petitioner shall deposit in the High Court in accordance with the Rules of the High Court a sum of two thousand rupees as security for the costs of the petition.

(2) During the course of the trial of an election petition, the High Court may, at any time call upon the petitioner to give such further security for costs as it may direct.

Section 86 (1) says that the High Court shall dismiss an election petition which does not comply with the provisions of section 81 or section 82 or section 117. So, if the provisions of section 117 are not complied with, the petition would be liable to be dismissed under section 86 (1). Sub-section (I) of section 117 is in two parts. The first part mandates that a sum of Rs2,000/- must be deposited as security for the costs of the petition at the time of presenting the election petition and the second part provides that the deposit should be made in accordance with the rules of the High Court. As stated earlier, the petition was presented on 18th April, 1985, but the deposit was made on 19th April, 1985 in the State Bank of Sikkim vide receipt Ext. P.I. “on account of 214 Adm. Justice Court Fees”. On an application made by the petitioner on 4.10 1985 , a report was called from the Registrar on the following two points:

1. What is the procedure of filing petitions/Election Petitions in the High Court.

2. What is or what are head or heads of account or accounts for High Court in the Government treasury/State Bank of Sikkim.

In compliance with that order, a report was submitted by the Deputy Registrar, counter-signed by the Registrar, as under:-

"I. For filing petition/Election petition in the High Court, the petitioner will have to deposit the amount of court fee/security deposit in the State Bank of Sikkim, and a B.R. along with the original petition be submitted before the Court.

2. The said amount should be deposited in the Head 214A Admn .of Justice in the State Bank of Sikkim, Gangtok.

Sd/-
Chultim Lepcha
Deputy Registrar
4/10/1985

Registrar
Submitted
Sd/-
Amarjit Chopra
Registrar
4/10/1985
The learned counsel for respondent No. I contends that the report of the Registrar is incorrect and the amount should have been deposited under the major head '065' as indicated on page 9 of "Estimates of Receipts of the Government of Sikkim for the year 1985-86" which, in so far as is material, is as under:-

"Major Head-065-Other Administrative Services

Head of Department - (i) Chief Justice, Sikkim High Court
   (ii) Home Secretary
   (iii) Finance Secretary

A- Administration of Justice
   Services and Service fees (H.C.)
   Fines and forfeitures (H.C.)
   Other receipts (H.C.)
   Total Administration of Justice

B - Election
   Sale proceeds of election
   Fees, Fines & Forfeiture.
   Re - reimbursement of election
   Expenditure from Election Commission

Total - Election"

On the other hand major head 214 is, as it appears from page 6 of the 'Demands for Grants of the Government of Sikkim for the year 1985-86', an expenditure head and sub-head 'A' thereof in respect of the High Court relates to the items (1) Salaries (2) Travel Expenses (3) Office Expenses (4) Rent, Rates & Taxes. Thus head 214 A cannot, possibly be the correct head for deposit of security for costs of election petitions or of court fees. It cannot be said with certainty whether the major head '065' which is the Revenue head would be the proper head for the deposit of security amount. Quite possibly, there may be some other head for such deposit. Whatever may be the proper head for the deposit of the security amount for the costs of an election petition, it is certain that head 214 A cannot possibly be the correct head for that purpose. This shows that the administrative side of the High Court is not aware of the correct head and the report of the Registrar is incorrect in this respect. This is so even when the Registrar had almost six months' notice since the time the petition came up for preliminary hearing, that he might be asked to report on the correct procedure required to be followed for the deposit of the security amount under section 117 of the Act. In this state of affairs it was considered a sheer wastage of time to postpone hearing of arguments in the hope of getting a correct report about the head of deposit within a reasonably short period. Further, it is not necessary for the purpose of the disposal of this case, to know the exact head because it is sufficient to know whether the deposit was made in this case under a wrong head. And this was also the position in respect of the deposit in the other election petition case, file of which was requisitioned on the request of respondent No. 1, viz. election petition No. 2/1985 Lachen Gomchen Rimpu v Namkha Gyaltsen and others where also the deposit was made under head 214 Administration of Justice.

File was also requisitioned of election petition No. 2/79 Durga Prasad Rajalim v S.K. Sakhdar and others where also the deposit was made under head 214 Administration of Justice.

However, the deposit receipt of that case does not indicate any head number. But neither receipt shows the deposit on account of court fees, as in the present case. The receipt of the former case show the deposit on account of 'Security deposit', and of the latter, on account of 'Earnest Money for Election Petition fee'. The Registrars report refers to the procedure for deposit of court fees as well; but it does not imply that security deposit could be made as court fees deposit. Reference to court fees deposit should be treated as made only in respect of the procedure to be adopted for petitions other than election petitions, since report was called in terms of the prayer made by the petitioner in her application and the prayer related to other types of petitions as well.

11. Shri V.J. Rao, learned counsel appearing on behalf of the petitioner contends that as per the provisions of sub-section (1) of section 117, deposit is required to be made in accordance with the rules of the High Court but since the High Court has not made any rules in this regard, the petitioner was at a loss to know how the deposit was to be made, and so the petitioner came to the Court on the date of the present tation of the petition, for depositing the amount of the security as well, and in fact offered the amount to the then Asstt. Registrar, High Court, but he did not accept the same, stating that the amount must be deposited in the bank, and when the petitioner went to the bank, she found the bank already closed for the purpose of the deposit and therefore, the deposit could be made only on the next day entailing a delay of one day. The learned counsel further contends that in the absence of the rules, the petitioner could not know the correct head of the deposit and so for that inaccuracy also, she was not responsible.

According to the learned counsel, legal requirements could not be fulfilled for want of rules and, therefore, impossibility of performance of the obligation imposed by law was a good excuse for its non-performance. In this connection he referred to the evidence of the two witnesses, namely, Mrs. Dawa Lamu, the petitioned (PW. 1) and Sri K.N. Paljor, (PW.2). The petitioner has deposed that she came to the Court on 18.4.1985 and offered a sum of Rs.2,000/- to the then Assistant Registrar of the High Court for deposit, but he replied
that the money could not be accepted in cash and must be deposited in the bank. Further she says, the Assistant Registrar himself wrote the head of the deposit on a chit and then she went with that chit to the State Bank of Sikkim to deposit the amount, but since it was more than 2 P.M., bank was closed and therefore, the amount was deposited the next day on 19th April, 1985. In the cross-examination she deposed that she had come to the Court at about 12 or 1 P.M. with Rs.3,000/- of which 1,000/- belonged to herself and the remaining amount of 1,000/- had been taken by her from the Office Secretary of the Sikkim Sangram Parishad party. She admitted in her cross-examination that she did not file any application along with the deposit receipt on 19th April, 1985 to give reasons why the deposit could not be made on 18th April, 1985. She also admitted that she had not given any receipt to the Office Secretary of the Sikkim Sangram Parishad, vouching the receipt of Rs. 2,000/- since the Secretary was accompanying her. Shri K. N. Paljor (PW 2) who is the Secretary of the Central Office of the Sikkim Sangram Parishad deposed that the petitioner came to his office at about 11.30 on 18th April 1985 and told him that she required Rs.2,000/- in connection with the election petition for deposit in the Court, whereupon he paid that much amount to her and then he along with the petitioner and her counsel came to the Court and presented the election petition to the Registrar and thereafter he and the petitioner went to the Office of the Assistant Registrar and offered to deposit with him a sum of Rs. 2,000/- which he did not accept, stating that the amount should be deposited in the bank and then the Assistant Registrar, after looking into some files, gave him the number of the ‘head’ under which the amount was to be deposited, whereupon he noted the ‘head’ on a piece of paper and then they both went to the bank, but since the bank was already closed, the amount could be deposited only on the next day. Though in the examination-in-chief, the witness categorically stated that he himself had written the number of ‘head’ of deposit on a piece of paper, yet during the cross-examination, on getting hint from Shri A.K. Upadhayaya, one of the learned counsels for the petitioner, he changed his version and stated that it was the Assistant Registrar himself who had written the ‘head’ on the deposit on a chit. This shows that the witness has no regard for the truth and could conveniently change his version by getting hint from Shri A.K. Upadhayaya, one of the learned counsels for the petitioner, he changed his version and stated that it was the Assistant Registrar himself who had written the ‘head’ of the deposit on a chit. This shows that the witness has no regard for the truth and could conveniently change his version by getting the impression that the change would help the petitioner’s case. Later part of his cross-examination shows that he was not present when the amount was deposited, he was only present when the amount was deposited and he did not accept any receipt from the petitioner. He also stated that the General Secretaries of the party had the power to sanction expenditure and he is subordinate to them but neither any General Secretary was present: at the time of making the deposit the petitioner nor any one of them had sanctioned the payment: He went to the extent of saying that prior to the date of the filing of the petition, he did not even know anything about the petition either from the petitioner or any functionary or office-bearer of the party. It is improbable that he would not know about the petition, regarding the deposit of which his party was to provide the funds an he would pay the amount without the sanction of any authorised office bearer of the party, and that too without obtaining a receipt from the petitioner. Besides, the evidence of this witness is contradictory to that of the petitioner inasmuch as, according to the petitioner, the chit giving ‘head of the deposit was prepared by the Assistant Registrar but according to the witness Shri Paljor, ‘head was noted down by him on a chit. Furthermore, whereas this witness Shri Paljor says that the petitioner had come to him for getting the amount of Rs.2,000/- for the purpose of deposit in the Court the petitioner stated in her cross-examination that she even did not know it that a sum of Rs.2,000/- was to be deposited in the Court, since she came to know of that requirement for the first time, only after reaching the Court at 12.00 or 1 P.M., and the amount of Rs.2,000/- had been received from the office of the Sikkim Sangram Parishad only too meet any unforeseen contingency. Shri R.N. Mittal, the learned counsel for respondent No. 1 referred in this regard to the statement of Shri Paljor where he stated that after reaching the High Court on 18th April, 1985, he along with the petitioner and the learned counsel Sri Uapadhava and went straight to the Office of the Registrar to whom the counsel handed over the papers, implying that the election petition was presented to the Registrar, and it was thereafter that he and the petitioner went to the Assistant Registrar for the purpose of the deposit. Shri Mittal contends that it is entirely incredible that: if the petitioner did not know where the amount was to be deposited, she would not have offered the amount to the Registrar or to have made inquiry about the deposit from him and would go to the Assistant Registrar after doing one part of the job of presenting the petition to the Registrar, for doing the remaining part of making the deposit. In reply, Shri V.J. Rao, contends that the Court should take notice of the fact that there is no settled procedure in the High Court regarding the presentation of the petitions much less the election petitions and that the papers are Usually received by the Assistant Registrar and never by the Registrar and it is only subsequently that the Registrar puts up the rubber stamp showing the filing of the petition and even then no mention is made as to who presented the petition and so the statement of the petitioner should be taken to mean that she appeared before the Registrar only for the purpose of attestation of the affidavit which was filed along with the petition. It is true that under Section 81, the petition is required to be presented by any candidate or any elector; and there is nothing on record to show, who presented the present petition.

It is quite possible that the petitioner would have gone to the Registrar only for the attestation of the affidavit which was filed along with petition. But merely for that reason it does not follow that, if the petitioner did not know how the amount was to be deposited, it should not have been natural for her to make an inquir from the Registrar himself, when she appeared before him for the attestation of the affidavit or for the pre-
sentation of the petition. The evidence of both these witnesses is contradictory in material terms and is inherently incredible. Then, the Assistant Registrar to whom the amount was allegedly tendered, was not produced in evidence. The evidence on record fails to prove that any amount was tendered to the Assistant Registrar on 18.4.1985 or that the head of the deposit was given by the Assistant Registrar. Besides, there is no practice of accepting any deposits in cash by the Registrar or the Assistant Registrar. The petitioner did not mention in any application which could be preferred on 19th April, 1985, along with the filing of the deposit receipt, to give reasons why the deposit could not be made on 18th April, 1985. It would, therefore, appear that the petitioner was not prevented from depositing the amount in the Court on 18th April, 1985, for want of rules of the High Court. It would, therefore, appear that either the petitioner did not know on 18th April, 1985 that the amount was required to be deposited at the time of presentation of the petition or she did not have the amount or she did not care to deposit the amount at that time.

12. Besides, even if there was any difficulty in depositing the amount at the time of presentation of the petition, the presentation of the petition could be delayed, to make the deposit simultaneous with or prior to the deposit. For that, there is no explanation. The words "At the time of presenting an election petition" in section 117 imply that either the amount should be deposited at the time of the presentation of the election petition or prior thereto, but not thereafter.

13. Shri V.J. Rao contends that since the amount had been tendered to the Assistant Registrar by the petitioner on the date of the presentation of the petition and since the amount could not be paid on that date because the cash was not accepted by the Assistant Registrar and because the bank was closed by the time the petitioner reached the bank, the amount should have been deposited on the date of the presentation itself, because, according to him, all the events starting from the time of the tender of the money to the Assistant Registrar till the actual deposit in the bank, constituted one transaction of payment. However, I do not see any merit in this contention. The deposit constituted only one event. The tender before the Assistant Registrar, if the tender had been made in fact, could be deemed as a deposit only if the tender had been wrongly refuses. Therefore, if the deposit was to be made in the bank the question whether payment was tendered before the Assistant Registrar, is irrelevant. Since it has been held above that no tender was made before the Assistant Registrar and also because the Assistant Registrar was not expected to receive the payment, there is no doubt that the deposit cannot be deemed to have been made earlier than 19th April, 1985. The fact that the High Court has not framed rules providing for the procedure of deposit under Section 117 of the Act, does not help the petitioner in covering the lapse on the part of the petitioner in complying with the provisions of Section 117.

14. Next submission of Shri V.J. Rao is that under Section 86 (1) the petition is liable to dismissed only where the petition does not comply with the provisions of Section 117. According to him, non-compliance in this context would mean non-deposit and since the deposit was made, though one day late, the petition was not liable to be dismissed for non-compliance of the provisions of Section 117. He argues that the purpose of the deposit is to secure the payment of costs to the other party in the event of the award of costs to that party and this object would be fulfilled even if the payment is made subsequent to the filing of the petition. He seeks to buttress this argument by referring to sub-se cition (2) of Section 117 under which the High Court has the power even during the course of trial of an election petition, to call upon the petitioner to give such further security as it may direct. Accordingly to the learned counsel, if further security can be required to be deposited subsequently, the purpose of law would not be defeated if, even the initial deposit is made subsequently. Further, he refers to the undisputed fact that the deposit was made within the period of limitation prescribed for filing of election petitions since, the period of limitation had not expired in the present case on 18th April, 1985, and the petition could be filed on 19th April, 1985, as well. The learned counsel contends that if the petition had been filed on 19th April, 1985, it would have been maintainable and, so it should not be held liable to be dismissed for non-compliance of section 117 merely because it was filed one day earlier.

15. The argument that the word "non-compliance" means complete non-compliance and partial non-compliance necessarily implies absence of non-compliance, is devoid of merit. Principal question that arises for decision is, to what extent the provisions of sub-section (1) of Section 117 are mandatory. Difference between a mandatory rule and a directory rule is that while the former must be strictly observed, in the case of the latter, substantial compliance may be sufficient to achieve the object regarding which the rule is enacted. In each case, the court has to decide the legislative intent; but while ascertaining the legislative intent, it has to be remembered that an election petition, as has been pointed out again and again, is not an action at law or a suit in equity but is a purely statutory proceeding unknown to the common law and the Court possesses no common law power. A right to be elected is pure and simple, a statutory right. So is the right to dispute an election. Out side the statute, there is no right to be elected and no right to dispute an election. Since they are statutory creations, they are subject to statutory limitations. So to an election petition, neither common law nor the principle of equity applies but apply only those rules which the statute makes and applies. It is a special jurisdiction and a special jurisdiction has always to be exercised in accordance with the statute creating it. The Act is a complete code by itself. The success of a candidate, who has won at an
election, should not be lightly interfered with and a petition seeking such interference must strictly conform to the requirements of law. In Charan Lal Sahu Versus Nandkishore Bhatt (AIR 1973 SC 2464) and Aeltem-e-sh Rek Versus Chandulal Chandrakar (AIR 1981 SC 1199) the petitioners made no security deposit before filing their election petitions. In the former case the petitioner applied for being absolved from making any security deposit or to reduce the amount required to be deposited under the Act. The Supreme Court held that the petitioner had no right to file an election petition except in the manner provided by the Act and there being no provision to absolve the petitioner from payment of security for costs, the petition filed without the payment of security was liable to be dismissed. In the latter case also, no security amount was deposited and, therefore, the petition was held liable to be dismissed. It was urged by the petitioner in that case that sections 86 and 117 of the Act are ultra vires Article 329 (b) of the Constitution and, therefore, the petition was not liable to be dismissed for non-compliance with section 117. It was pointed out that Article 329 (b) provides that no election to either House of Parliament or to the House or either House of the Legislature of a State shall be called in question except by an election petition presented to such authority and in such manner as may be provided for by or under any law made by the appropriate Legislature. It is in pursuance of this provision that the Parliament provided by section 117 of the Act that at the time of presenting an election petition, the petitioner shall deposit in the High Court, in accordance with the rules of the High Court, a sum of Rs. 2,000/- as security for the costs of the respondents. The Supreme Court did not agree with the petitioner's argument that the words in such manner which occur in Article 329 (b) are limited, in their operation to procedural and not substantive requirements. The Constitution, by the aforesaid clause, has conferred authority on the appropriate Legislature to pass a law providing for the authority to which the election petition may be presented and the manner of providing it. The provision of law which prescribes that an election petition shall be accompanied by the payment of security amount pertains to the area covered by the manner of the making of the election petition and is, therefore, within the authority of the Parliament.

In M. Karunanidhi Versus H.V. Handa (AIR 1983 SC 559), first part of sub-section (1) of section 117, which provides that at the time of presenting an election petition, the petitioner shall deposit in the High Court a sum of Rs. 2,000/- as security for the costs of the petition, was held to be mandatory. That was not a case of non-deposit or late deposit and was concerned with the question whether the later part of section 117 (I), according to which the deposit is required to be made in accordance with the rules of the High Court, had been complied with; and that part was held to be directory. But while deciding the question falling under the later part, it became necessary to examine the whole sub-section in details, since it had been argued that no distinction can be drawn between the requirement as to the making of the deposit under sub-section (1) and the manner of making such deposit, and the sub-section cannot be dissected into two parts, one part being treated as mandatory and the other as directory. So, the question for determination is whether the late deposit, late in the sense that it did not accompany the presentation of the petition though was made within the period of limitation prescribed for presentation of petitions, makes so substantial a difference in law from non-deposit as to exclude the applicability of these three authorities to the present case. Expeditious disposal of an election petition is one of the objectives of the Act and, therefore, the Legislature made all the safeguards against delay. Section 86 (6) provides that trial of an election petition shall, so far as is practicable consistently with the interests of justice in respect of the trial, be continued from day to day until its conclusion, unless the High Court finds the adjournment of the trial beyond the following day to be necessary for reasons to be recorded. Sub-section (7) of Section 86 says that every election petition shall be tried as expeditiously as possible and endeavour shall be made to conclude the trial within six months, from the date on which the election petition is presented to the High Court for trial. Expedient disposal is riot merely a pious wish of the Legislature but a clear legislative mandate. This very objective of expeditious trial will be defeated if the presentation of the election petition should be treated causally and the mandate of the Legislature is left at the option of the petitioner to be fulfilled. It is with a view to ensure expeditious disposal that sub-section (3) of section 81 provides that even election petition shall be accompanied by as many copies thereof as there are respondents mentioned in the petition and even, such copy shall be attested by the petitioner under his own signature to be a true copy. The purpose is that there is no delay in the trial at the initial stage. It is again the same purpose that sub-section (1) of section 117 provides that the deposit shall be made at the time of presenting an election petition. It would be incongruous to hold that the period of 6 months will start running from the date of the presentation of the petition but the Court would wait for the deposit till the expiry of the period of limitation. It is open to the petitioner to wait till the last day of limitation; but it is not open to him or her to do the several acts connected with the presentation of the petition piecemeal till the last day of limitation. The power conferred on the Court by sub-section (2) of section 117 to call upon the petitioner to give additional security, does not entitle the petitioner to disobey the legislative command to make the initial deposit, as required under sub-section (1), at the time of the presentation of the petition. To hold that the security deposit can be made subsequent to the presentation of petition would be inconsistent with the clear provision of section 86 (1) according to which the petition is liable to be dismissed in limine for non-compliance with the provisions of section 117; since otherwise it would mean that the Court will have to wait for dismissal till the last day of limitation.
16. Furthermore, section 117 requires the amount of Rs.2,000/- to be deposited as security of the costs of the petition. It is no compliance if the deposit is made indicating it to be for any other purpose. The purpose of election law is that needless confusion should be avoided in order to avoid unnecessary delay. When law says that money should be deposited as security for the costs of the petition but the petitioner deposits the amount as Court fees, the mandate of law is not complied with. Deposit of security amount is not the same thing as the deposit of Court fees. Court fees amalgamate with the general revenue of the State, whereas the security amounts do not so amalgamate, with the result that on the former deposits, the High Court does not have the same control as it has on the latter.

17. Shri V.J. Rao referred to M. Karunanidhis case (supra) in support of his contention. But that authority does not help him in any manner. In that case, the petition had been filed on 14th July, 1980, and the deposit had been made in the bank three days earlier on 11th July, 1980. The election petition was accompanied by a pre-receipted challan prepared by the Accounts Department of the High Court on the basis of a lodgement schedule intimated by the Assistant Registrar (II), High Court, showing that a sum of Rs.2,000/- had been credited on 11th July, 1980 to the account of the Registrar, High Court, Madras. Rule 8 of the Madras High Court (Electio Petitions) Rules, 1967, framed by the High Court under Article 225 of the Constitution, provided that an election petitioner before presenting the election petition shall deposit in the High Court in cash a sum of Rs.2,000/- towards the security for costs as provided for under section 117 of the Act and shall produce the receipt to the Registrar for the same time of presentation of the petition. Compliance of section 117 (1) was disputed on the ground that it was not in accordance with the aforesaid rule 8 inasmuch as the deposit had not been made with the Registrar but had been made with the Bank. The Supreme Court observed in paragraph 23:-

".................A literal and mechanical interpretation of Rule 8 would lead to manifest absurdity as it would imply that in every case the election petitioner shall have to pay to the Registrar a sum of Rupees 2000/- in cash towards security for costs as required by sub-sec. (1) of Sec.117 of the Act and obtain a receipt from him therefor. Rule 8 is silent as to how the cash is to be handled. It cannot-ordinarily be, expected that the Registrar of a High Court would accept the amount of security deposit in cash. The procedure adopted by II Asstt. Registrar in directing that the money be deposited to the credit of the Registrar of the High Court in the Reserve Bank of India was in conformity with the requirements of Rule 8 of the Election Petitions Rules. Inasmuch as Rule 8 does not lay down the procedure regulating the manner of deposit of cash, the matter falls to be governed by Rule 2 of Order 31 of the Madras High Court (Original Side) Rules, 1956 by reason of Rule 12 of the Election Petitions Rules. Although Order 31, Rule 2 does not in terms apply because Order 31 relates to ‘Payment into court of moneys to the credit of civil court deposits and account of suitors’, money, and though no lodgement schedule can be prepared under Rule 2 except in pursuance of a decree or order passed by the High Court i.e. in relation to some proceeding pending, or disposed of, by the High Court, still by virtue of Rule 12 of Election Petitions Rules that is the procedure to be adopted for deposit of Rs.2,000/- in the High Court in cash i.e. by crediting the amount on the strength of pre-receipted challan prepared by the Accounts Department on the basis of a lodgement schedule, That was the only procedure applicable and there was nothing wrong in the procedure adopted in making the deposit. When that amount was so deposited with a pre-receipted challan issued by the Accounts Department to the credit of the Registrar of the High Court and the Reserve Bank of India made the endorsement ‘Received in Cash’ it must be regarded that the payment was made in High Court and the pre-receipted challan bearing the endorsement of the Reserve Bank of India must be treated as the receipt of the Registrar in terms of R.8, the Reserve Bank acting as an agent of the High Court. .......

Thus, despite the words used in sub-section (1) of section 117 that the deposit shall be made in the High Court, and in the aforesaid rule 8 that the amount shall be deposited in the High Court in cash and a receipt of the Registrar for the same shall be produced at the time of the presentation of the petition, deposit in the bank was held to be in accordance with that sub-section. This authority, instead of helping the petitioner, helps respondent No.1 inasmuch as it shakes the foundation of the case of the petitioner that in the absence of any rules of the High Court providing for the procedure for deposit under sub-section (1) of section 117, the petitioner was justified in first tendering amount to the Assistant Registrar, and was, therefore, not responsible for one day's delay, even when there was no practice in the High Court of the Assistant Registrar accepting any amount in cash. Shri V.J. Rao also referred to K. Kamaraja Nadar versus Kunju Thavar (AIR 1958 SC 687) and O.P. Jain versus Gian Chand (AIR 1959 SC 837). Both these cases related to the provisions of section 117, as it stood then, according to which the amount of security was required to be deposited in favour of the Secretary, Election Commission. In the former case deposit was made in favour of the Election Commission and not in Labour of the Secretary Election Commission. it was held that the words “in favour of the Secretary to the Election Commission” used in section 117 are directory and not mandatory in their character and the amount was at the disposal of the Election Commission to be utilized by
it in the manner authorised by law and was under its control and payable on a proper application being made in that behalf to the Election Commission or to any person duly authorised by it to receive the same, be he the Secretary to the Commission or any one else. In the latter case the deposit receipt showed in the column meant for giving the name of the person on whose behalf the money was paid, "Secretary to the Election Commission". The contention raised was that the receipt showed that the money had been paid by the respondent acting for the Secretary to the Election Commission and not by him in favour of the latter. The Supreme Court repelled this contention and held that the entry in the receipt was intended to indicate the person in whose favour the money had been paid, since the form of the receipt contained no other heading for indicating the person in whose favour the money was paid and of course it was paid in favour of somebody. It was pointed out that it would be absurd to think that the respondent had paid the money into the Treasury as security for the costs of the election petition acting as the agent of the Secretary, Election Commission. Both these decisions show that a minor misdescription in the receipt would not invalidate the payment, because despite the misdescription the deposit would be as for security for the costs of the petition. In the present case amongst other faults, was the misdescription as to the head under which the amount was deposited. Such a misdescription had occurred in the other two election cases also referred earlier. When the administrative side of the High Court was not aware of the correct position in this regard, the petitioner could not be besaid since the error did not have, by itself, the effect of altering the nature of the deposit. Moreover, the error undoubtedly fell within the second part of sub-section (1) of section 117 which is directory in character and so the rule of substantial compliance would help the petitioner in this respect. But the other defects have to be judged entirely on a different footing. Late deposit by one day, though within the period prescribed for limitation of presentation of election petitions, and the deposit as Court fees instead of as security of the costs of the petition, violate the first part of sub-section (1) of section 117 which provides the requirement as to the deposit of security for the costs of the petition at the time of presenting an election petition, which is mandatory in character, falling squarely within the dictum of law laid down in Charan Lal Sahu, Aftemesh Rein and M. Karunanidhi (Supra). So, Issue No. 1 is decided in the negative.

18. On the question whether nomination of respondent No. 2 was improperly rejected, which is the subject-matter of issue No. 2, Exhibit P-2 is the copy of the order dated 9.2.1985 made by the Returning Officer, rejecting the nomination of respondent No. 2 in the following terms :-

"I have examined this nomination paper in accordance with section 36 of the Representation of the People Act, 1951 and decide as follows :-

The nomination stands rejected as the age of the candidate indicated in the nomination paper does not tally with that indicated in the Electoral Roll.

Date : 9.2.1985
Sd/- T.T. Dorji
Returning Officer."

Exhibit R 14/2 is the record of the proceedings prepared by the Returning Officer on 9th February, 1985 and nth February, 1985. This document shows that Abhay Singhi, respondent No. 2 was present, amongst others, at the time of scrutiny on 9th February, 1985. After stating some preliminary facts and recording the presence of the candidates, their agents and nominators on 9th February, 1985, the proceedings state as under :-

"Altogether 19 candidates filed their nomination from 31st Gangtok Assembly Constituency. All reasonable facilities were granted to the candidates and those present for examining all the nomination papers. Thereafter, the detailed scrutiny of nomination paper was taken up by me one by one. While examining the nomination paper of Shri Abhay Singhi of Gangtok Bazar, I noticed a vast difference in age indicated in the nomination paper and that mentioned in the Electoral Rolls. This difference in age was immediately brought to the notice of Shri Abhay Singhi of Gangtok Bazar. While examining the nomination paper I found that no certificate or any authentic or valid document was attached in support of the age indicated in the nomination paper. This was brought to the notice of Shri Abhay Singhi of Gangtok Bazar, for the reason that even though age is not an important factor for an elector, it is an important factor for a candidate for any Legislative Assembly in view of the requirement of Article 173 (b) of the Constitution which clearly stipulates that the candidates should not be less than 25 years of age. Since Shri Abhay Singhi had deviated from the age indicated in the Electoral Roll, his nomination paper should have been supported by a certificate or an authentic or valid document to show that he was not less than 25 years of age at the time of filing his nomination. In the circumstances, I have rejected his nomination paper on the grounds that the age indicated in the nomination paper does not tally with that in the Electoral Roll. However, he is being given time till the start of the withdrawal which begins on 11th February 1985 to submit any proof of document in support of his declaration. My orders are subject to review in case Abhay Singh is able to produce a valid document indicating his correct age.

Date : 9.2.1985
Sd/- T.T. Dorji
Returning Officer."
This step is being taken to ensure that Shri Abhoy Singhi is above 25 years of age and thereby confirms with the requirement of Article 173 (b) of the Constitution of India so as to enable him to be eligible to stand as a candidate for the Selections from 31 Gangtok Assembly Constituency. The nomination papers of all other candidates were found to be in order and after detailed scrutiny, the nomination papers were accepted. 

Sd/- T.T. Dorji, IAS
Returning Officer, 31 Gangtok Assembly Constituency.

11th February 1985.

Shri Abhoy Singhi of Gangtok Bazar has appeared before me as per my directions given on 9th February, 1985 on the day the nomination papers were taken up for scrutiny. Shri Abhoy Singhi has not submitted any documents a proof to certify his correct age. Shri Abhoy Singhi has applied for a copy of the orders passed and as such, copy is being given stating that his nomination paper has been rejected as the age indicated in the nomination paper do not tally with that of the Electoral Roll.

Sd/- T.T. Dorji, IAS
Returning Officer, 31 Gangtok Assembly Constituency.

Electoral Roll, 1985 for Assembly Constituency 31 Gangtok Block 4-B Gangtok Bazar shows the name of respondent No. 2 Abhoy Singhi at Serial number 163 giving his age as 36 years. The nomination paper (a copy of which is Exhibit P-3) of respondent No. mentioned his age as 27 years. Thus there was a difference of 9 years as regards his age as mentioned in the nomination paper and as recorded in the electoral Roll. A simultaneous reading of Exhibits P:2 and R 14/2 would show that on noticing this vast difference in age, the Returning Officer entertained a genuine doubt whether respondent No. 2 had completed the age of 25 years which was a pre-requisite to qualify him to be a candidate as per the requirement of Article 173 (b) of the Constitution. This doubt was entertained by the Returning Officer suo-motu. It is no doubt true to that this difference in age was hot material as regards the right of respondent No. 2 to be an elector; but it was important as regards his right to be a candidate for the Legislative Assembly seat since the deviation, as regards age in the nomination paper, was so substantial and proximated the minimum age prescribed under Article 173 (b), there was nothing unusual on the part of the Returning Officer having entertained a doubt whether the actual age was still less, so less as below 25 years, and since respondent No. 2 had not tiled any document in proof of his age along with the nomination paper, there was nothing wrong on the part of the Returning Officer in bringing to the notice of, respondent No. 2 about his doubt so that he might clear the doubt by producing relevant evidence; but since respondent No. 2 did not produce any such evidence the Returning Officer rejected the nomination paper subject to review on respondent No.2 furnishing proof in that regard till the start of the withdrawal of nominations which was to begin on 11th February, 1985. The petitioner deposed as PW I that no opportunity was given to respondent No 2 to produce evidence in proof of his age but when she was asked whether the order Exhibit R 14/2 was also passed by the Returning Officer on the same date, she preferred to express ignorance by saying that she was sitting in the rear line and, therefore, she could not say whether that order was also passed on that day. The explanation given by her for his ignorance is utterly unreliable and is indicative of the fact that she felt no choice except to feign ignorance about his order because acceptance of the passing of that order would imply her admission that the opportunity was given. Respondent No.2 deposed PW 3 that Returning Officer told him at the time of the scrutiny that his nomination paper was rejected since his age as given in the nomination paper did not tally with that given in the Electoral Roll. He further deposed that no injury was made by the Returning Officer into the matter. In his cross-examination, he stated that on 9th February, 1984" itself, he had tried to show to the Returning Officer one college certificate and one School certificate in proof of his age, but the Returning Officer did not look into these documents, stating that these documents were not material since what was material was the age recorded in the electoral roll and the nomination paper. He admitted in his cross-examination that before filing the nomination paper, he had himself noticed the difference of 9 years in age and since he knew that the question of age might be raised at the time of scrutiny, he carried the above-referred documents on the date of the scrutiny. Since he had himself noticed the vast difference in age, it could be expected of him that he would have attached both these documents to his nomination paper; and, for not so attaching these documents, he gave the reason that it was not necessary to file the documents because he had mentioned the correct age in his nomination paper. The reason given is so absurd that it amounts to no reason; and his statement that he tendered the two documents in proof of his age at the time of the scrutiny but the Returning Officer did not look into these documents, is entirely improbable. Not only the document Exhibit R-14/2 shows that an opportunity
was given on 9th February, 1985, itself but also that an opportunity was given to produce evidence on 11th February, 1985 as well. The very fact that the opportunity was given to produce documents even on 11th February, 1985 constitutes intrinsic evidence of the fact that the opportunity was given on 9th February, 1985, also. It would be wholly absurd to think that the evidence produced on 9th February, 1985 would not be looked into and even then an opportunity would be provided to produce evidence on 11th February, 1985. Even respondent No. 2 admitted in his cross-examination that he appeared before the Returning Officer on 11th February, 1985. This admission he had to make because his presence was recorded by the Returning Officer in his order dated 11th February, 1985. But even then he had the audacity to deny that he had appeared before the Returning Officer in pursuance of the order dated 9.2.1985. The reason given by him for his appearance before the Returning Officer on 11th February, 1985, is that he wanted to know in writing why his nomination paper had been rejected/ On that date also he did not file any proof of his age, and giving the reason for not doing so, he said that the Returning Officer had not asked him for it. The evidence produced by him is contrary to the proceedings recorded by the Returning Officer, but otherwise also totally incredible. Though he appeared as a witness on behalf of the petitioner, he was not prepared even to admit this simple fact. He is one of the respondents; but se never appeared before the Court in any day prior to the date on which his evidence was recorded. 'Even then he stated that nobody asked him to be a witness. To give reason for his present in the Court on the date of evidence, he richly drew on his imagination, as he stated that the came to the Court on his own, thinking' that he might be required by the Court since the case related to the rejection of his nomination paper His cross-examination shows him to be an Untruthful witness. It is not proved from the evidence of this witness or from the evidence of the Petitioner that no opportunity was given to respondent No. 2 to produce evidence to prove his age. The document Exhibit R-14/2 furnishes complete and reliable evidence that sufficient opportunity was given to respondent No. 2 to produce Evidence in that respect.  

19. Shri V.J. Rao, contends that this documents Exhibit R-14/2 cannot be looked into, since this does not constitute any statutory order. According to him, the statue required the Returning Officer to make an order of the character of Exhibit P-2 and, therefore, the details given by the Returning Officer in a separate document which is Exhibit R-14/2 are not relevant. In support of his contention, he referred to the following observations of the Supreme Court in Mohinder Singh Versus Chief Election Commissioner (AIR 1978 SC 851):-

"8. The second equally relevant matter is that when a statutory functionary makes an order based on certain grounds, its validity must be judged by the reasons so mentioned and cannot be supplemented by fresh reasons in the shape of affidavit or otherwise. Otherwise, an order bad in the beginning may, by the time it comes to court on account of a challenge, get validated by additional groundslater brought out,"  

This decision does not, however, support the contention raised on behalf of the petitioner. This only lays down that the validity of an order must be judged by the reasons mentioned in the order and not by the reasons which may be given subsequently because public orders made by public authorities are meant to have public effect and intended to affect the acting and conduct of those to whom they are addressed and must be construed objectively with reference to the language used in the order itself. It does not support the contention that if the reasons are recorded simultaneously in a separate documents, which constitutes the proceedings, the proceedings cannot be looked into, to know the full reasons for the passing of the order and its legal effect. It is true that the brief order, Exhibit P-2 could be worded in better words to completely accord with the proceedings, Exhibit R 14/2, but merely because this was not so worded, it does not compel the conclusion that the proceedings could not be looked into to ascertain the factual position. When the validity of nomination papers was examined in the presence and hearing of the candidates, no one had asked him for that evidence produced on 9th February, 11th February, 9th February, 1985 consitutes intrinsic evidence of the fact that the opportunity was given on 9th February, 1985, itself but also that an opportunity would be provided to produce evidence on 11th February, 1985. The very fact that the opportunity was given to produce documents even on 11th February, 1985 constitutes intrinsic evidence of the fact that the opportunity was given on 9th February, 1985, also. It would be wholly absurd to think that the evidence produced on 9th February, 1985 would not be looked into and even then an opportunity would be provided to produce evidence on 11th February, 1985. Even respondent No. 2 admitted in his cross-examination that he appeared before the Returning Officer on 11th February, 1985. This admission he had to make because his presence was recorded by the Returning Officer in his order dated 11th February, 1985. But even then he had the audacity to deny that he had appeared before the Returning Officer in pursuance of the order dated 9.2.1985. The reason given by him for his appearance before the Returning Officer on 11th February, 1985, is that he wanted to know in writing why his nomination paper had been rejected/ On that date also he did not file any proof of his age, and giving the reason for not doing so, he said that the Returning Officer had not asked him for it. The evidence produced by him is contrary to the proceedings recorded by the Returning Officer, but otherwise also totally incredible. Though he appeared as a witness on behalf of the petitioner, he was not prepared even to admit this simple fact. He is one of the respondents; but se never appeared before the Court in any day prior to the date on which his evidence was recorded. 'Even then he stated that nobody asked him to be a witness. To give reason for his present in the Court on the date of evidence, he richly drew on his imagination, as he stated that the came to the Court on his own, thinking’ that he might be required by the Court since the case related to the rejection of his nomination paper His cross-examination shows him to be an Untruthful witness. It is not proved from the evidence of this witness or from the evidence of the Petitioner that no opportunity was given to respondent No. 2 to produce evidence to prove his age. The document Exhibit R-14/2 furnishes complete and reliable evidence that sufficient opportunity was given to respondent No. 2 to produce Evidence in that respect.  

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in view of Article 173 (b) of the Constitution. Returning Officer himself stated in the proceedings Exhibit R 4 / 2 that the age is not an important factor for an elector. But it is an important factor for a candidate for a Legislative Assembly seat in view of Article 173 (b). Under sub-section (2) (a) of section 36 of the Act, it is the duty of the Returning Officer to reject a nomination paper, if he thinks, either on an objection raised by any person present at the time of the scrutiny, or on his own motion, after such inquiry, if any, as he think necessary, that on the date fixed for the scrutiny of the nomination, the candidate is not qualified inter alia under the provisions of Article 173 (b) of the Constitution. Sub-section (4) of that section provides that the Returning Officer shall not reject any nomination paper on the ground of any defect which is not of a substantial character. Sub-section (c) says that the Returning Officer shall hold the scrutiny on the date fixed for that purpose under clause (b) of section 30 and shall not allow any adjournment of the proceedings except when the proceedings are interrupted or obstructed by riot or open violence or causes beyond his control. The proviso to that sub-section provides that in case an objection is raised by the Returning Officer or is made by any other person, the candidate concerned may be allowed time to rebut it not later than the next day out one following the date fixed for scrutiny, and the Returning Officer shall record his decision on the date to which the proceedings have been adjourned. Sub-section (7) lays down that for the purposes of this section, a certified copy of an entry in the electoral roll for the time being in force of a constituency shall be conclusive evidence of the fact that the person referred in that entry is an elector for that constituency, unless it is proved that he is subject to a disqualification mentioned in section 16 of the Act of 1950. As observed in Charanjit Lal Versus Lehri Singh (AIR 1958 Punjab 433), under sub-section (4) of section 36, the Returning Officer shall not reject any nomination paper on the ground of any defect which is not of a substantial character. But under sub-section (2) (a), it is incumbent on the Returning Officer at the time of scrutiny to examine the nomination papers and to consider and inquire into all objections which may be raised or which he may discover himself and if the candidate is not qualified under the requirements of clause (a) of sub-section (2) of section 36, the nomination paper has to be rejected. The want of qualification under that clause must be considered a defect of a substantial character to which the provisions of sub-section (4) of section 36 would not be applicable. Whether a nomination has been improperly rejected or not, has to be considered in relation to the state of evidence before the Returning Officer at the time of scrutiny. It was pointed out in Badrivishal Versus Narsing Rao (AIR 1959 Andhra Pradesh 116), the purpose of scrutiny is to see whether a candidate suffers from any disability or disqualification or is disqualified to stand for election. If a candidate is not qualified, the Returning Officer has no Alternative except to reject his nomination. The Returning Officer is directed by sub-section (2) of section 36 to reject the nomination of the candidate who is disqualified for being chosen to fill the seat. In Berijendralal Versus Jwala prasad (AIR 1960 SC 1049) the Supreme Court pointed out in paragraph 9:-

"An enquiry which is necessary under S.36 (2) (a) may and can be held for instance in case where the nomination paper shows the age of the candidate as above 25, but an objection has been raised that in fact he is below 25 and as such, incompetent to and for election under Art 173 of the Constitution; in other words, the impugned nomination has complied with the provisions of S. 33 and as such does not fall under S. 36 (2) (b) at all, nevertheless the validity of the nomination can be challenged on the ground that in fault Art. 173 is not complied with."

21. It is no doubt true that the relevant entry in the electoral roll shows the age of respondent No. 2 as 36 years, but there is no presumption under Section 36 (7) about the person concerned having attained the age recorded in the entry, because the presumption is limited, as regards age, to the extent that the person concerned has completed the age of 21 years which is the age prescribed for a person to be an elector. The Supreme Court observed in Brijendralal Versus Jawalaprasad (Supra) :-

"12. In this connection it is relevant to consider the effect of the presumption which is raised under S. 36 (7) of the Act and its effect. As we have already noticed, under S. 36 (7) a certified copy of entry in the electoral roll shall be conclusive evidence of the fact: that the person referred to in that entry is an elector for that constituency; but it must be remembered that this presumption is raised for the purposes of this section and it is made expressly subject to the last clause of this sub-section, that is to say, the presumption can arise unless it is proved that the person in question is subject to any of the disqualifications mentioned in S.16 of the Act of 1950...........................................

"13. It is also significant that in regard to the conclusive character of the relevant evidence the material provision as it stood originally has been subsequently amended by Act 27 of 1956. Originally the provision was that the relevant entry shall be conclusive evidence right of any elector named in that entry to stand for election or to subscribe the nomination paper as the case may be. The Legislature apparently thought that the presumption authorize by these words was unduly wide, and so, by the amendment, the prima facie and rebuttable presumption is now limited to the capacity of the person concerned to be treated as an elector and nothing more, and that too unless it is proved that he suffers from any disqualification mentioned in S. 16................."
"15.................Thus when a presumption is raised under S. 36 (7) it may mean prima facie that the person concerned is not less than 21 years of age and is ordinarily resident in that constituency; but for the validity of the nomination paper it has to be proved that the candidate have completed 25 years of age ............

Confining ourselves to the requirement about age it is obvious that the presumption raised under S. 36 (7) would not be enough to justify the plea about the validity of the nomination paper because the said presumption only tends to show that the person concerned has completed 21 years of age. It is clear that in regard to persons between 21 to 25 years of age their names would be registered in the electoral roll and so they would be electors if otherwise qualified and yet they would not be entitled to stand for election to the State Legislature. Thus it would not be correct to assume that a reference to the certified copy of the electoral roll would in every case decisively show that the age of the candidate satisfied the test prescribe by Art.173 of the Constitution; in other words, the requirement about the completion of 2 years of age is outside the presumption under S. 36 (7) and that must be the reason why the prescribed nomination form requires that the candidate in signing the said form must make declaration about his age. This consideration supports our conclusion that the declaratio about the age is a matter of importance and failure to comply with the said requirement can not be treated as defect of an unsubstantial character."

22. It would thus appear that, since there is no presumption about the correctness of the entry in the electoral roll as regards the qualification of a person to be a candidate for election to the Legislative Assembly and since the Returning Officer entertained genuine doubt as to the eligibility of respondent No. 2 to be a candidate on account of the vast difference in age as mentioned in the electoral roll and that mention ed in the nomination paper and also because the age mentioned in the nomination was quite close to the age which is a pre-requisite to be a candidate, there was nothing wrong on the part of the Returning Officer to have entertained doubt suo motu about the eligibility of respondent No. 2 to be a candidate and so it became the undoubted duty of the Returning Officer to be satisfied under section 36 (2)

(a) that respondent No. 2 was qualified for being chosen to fill the seat in the Legislative Assembly as per the requirement of Article 173. The Returning Officer was right in furnishing an opportunity to respondent No2 to produce the proof on the date of the scrutiny itself, i.e., on the 9th February, 1985, and on his failure to do so, there was nothing wrong on his part to give further opportunity to proposer andduce evidence till the start of withdrawal of the nominations on 11th February, 1980. As pointed out by the Supreme Court in Brij Mohan Versus Sat Pal (AIR 1980 SC 847) the “candidate and the proposer and always expected to go fully prepared to meet any objection that may be raised by any candidate or even by the Returning Officer himself suo motu at the time of the scrutiny and they cannot be expected to go any theless prepared merely because the Returning Officer had received the nomination paper without raising any objection. 11 is at the time of scrutiny which is done in the presence of all concerned that the nomination papers come up for more detailed consideration at the hands of the Returning Officer against whom there is no estoppel in regard to the statutory duty of scrutiny.” Since respondent No. 2 did not assist the Returning Officer in arriving at the decision that he had completed the age of 25 years there was no option open to the Returning Officer except to reject the nomination. Therefore, it cannot be said that the nomination was improperly rejected by the Returning Officer.

23. Shri V.J. Rao contends that the order of the Returning Officer was illegal in so far as it provided time to respondent No. 2 to produce evidence till the start of withdrawal of the nomination which began on 11th February, 1985, because the order of rejection was passed subject to review in case respondent No. 2 was able to produce any document indicating his correct age, for the reason that once the nomination paper was rejected, no power of review was left in the Returning Officer no power of review having been conferred on him by the Statute. It is true, as pointed out in P.N. Thakershi Versus Pradyumansingh (AIR 1970 SC 1273) that the power of review is not an inherent power and it must be conferred by law either specifically or by necessary implication. It is so, because after passing an order, the authority concerned becomes functus officio, and to be competent to alter that order, another power must be there. The argument overlooks an important feature of the instant case that the order of rejection was itself passed such ject to the qualification of review on condition of respondent No. 2 being able to produce satisfactory evidence in proof of his age. As such the order of rejection, passed on 9th February, 1985, was not a peremptory order but a conditional one and so the Returning Officer did not become functus officio after passing to order on 9th February, 1985. The conditional order such as passed in the instant case on 9th February 1985, had the same effect as a Van order would have had which would have been passed on 11th February, 1985 after adjourning the matter on 9th February, 1985, without passing the order of rejection on the latter date Furthermore, even if the order was illegal, it shows that opportunity was given to respondent Mo. 2 to produce evidence on 9th February, 1985 itself. At best, respondent No. 2 could treat the order either as legal or illegal. If he had treated the order legal he could have produced evidence by the start of the withdrawal of nominations on 9th February, 1985. But if he considered the order granting him time till the start of the withdrawal of the nominations on 11th February, 1985 illegal, he must have produced the proof on 9th
February, 1985 itself, particularly when he himself has stated that he was having the documents in proof, at the time of the scrutiny. Crux of the matter is that respondent No. 2 was given an opportunity which he did not avail. The reason must have been that either he was not 25 years of age or he was not interested in contesting the election and would have fled the nomination only to provide a basis for a future challenge of the election of a successful candidate. In this connection, it would be relevant to refer to the Photostat copy (Exhibit R-1/2) of a declaration on rationing enquiry form given by the father of the respondent No. 2 wherein on 20th March, 1978, the age of respondent No. 2 was declared as 17 years which means that respondent No. 2 had completed only 24 years of age in March, 1980. If it was so, respondent No. 2 was clearly not qualified to be a candidate for the election.

24. Shri V.J. Rao referred to a few decisions in support of his contention. One is Viveka NAND Giri Versus Naval Kishore Sahi (AIR 1984 SC 856) where the concerned candidate had declared in the nomination paper his age as 33 years whereas age mentioned in the electoral roll was 37 years. Thus there was a difference of 4 years and the age shown in the nomination paper was not in the proximity of the minimum age of 25 years prescribed in Article 173 (b). The Returning Officer rejected the nomination on the ground of difference in the age in the two documents. It was nobody's case that the Returning Officer found any difficulty regarding the identity of the candidate on account of this difference in the age mentioned in the electoral roll and the nomination paper. The eligibility of the candidate as per the requirement of Article 173 (b), was also not in question. It was in these circumstances, that it was held that the difference in the age would fall under the category of 'inaccurate description' mentioned in the proviso to section 33 (4) of the Act. and that it was obligatory on the part of the Returning Officer to have it corrected or to overlook it having regard to the language of the proviso. This authority, therefore, is of no avail.

25. Shri Rao also referred to Rangilal Versus Dhau Sao (AIR 1962 SC 1248), Harcharan Singh Versus Mohinder Singh (AIR 1968 SC 1500) and Ram Awadesh Singh Versus Sumitra Devi (AIR 1972 SC 580) in support of his contention that defect in reason the instant case was of substantial character. If it is held that the nomination of respondent No. 2 was rejected merely because of difference in the given in the nomination paper and the electoral roll, then the rejection was undoubtedly improper. But if the rejection was due to the failure of respondent No. 2 to satisfy the Returning Officer about his eligibility to be the candidate as was in fact the real position, these authorities are of no help to the determination of the controversy in the instant case since none concerned the question of eligibility under Article 173 or any other similar provision of law. Eligibility to be chosen to fill a seat is undoubtedly a matter of substantial character and therefore, the Returning Officer has no other duty except to reject a nomination paper when the concerned candidate does not assist the former regarding the eligibility requirement of law. For these, reasons rejection of nomination paper of respondent No. 2 in the instant case was not improper. Issue No. 2 decided in the negative.

26. In the result, the petition is dismissed with costs of Rs.2,000/- to respondent No. i Shri Balchand Sarda.

Sd/-
(R. Dayal)
Judge.

Dated : 10.10.1985

By order

Sd/-

(BALWANT SINGH)
UNDER SECRETARY
ELECTION COMMISSION OF INDIA
GOVERNMENT OF SIKKIM
FOOD & CIVIL SUPPLIES DEPARTMENT
GANGTOK.

No. 6/4(70)80-8/WM/FCS  Dated : 1/2/86

NOTIFICATION

In exercise of the powers conferred by sub-section (1) of section 5 of the Sikkim Weight and Measures Act, 1980, (4 of 1980), the State Government hereby appoints, with immediate effect, Joint Secretary to the Government of Sikkim in the Food and Civil Supplies Department as the Ex-officio Joint Controller of Legal Metrology for the entire State for the pose of said Act.

This supersedes this Department's Notification No. 4 (70)80-81/5/WM/FCS dated the 1st October, 1984 published in the Sikkim Government Gazette, Extraordinary No. 126 date the 10th October, 1984, except as respects things done or Omitted to be done before such supersession.

By Order of the Governor.

K.M.L CHHABRA,
Chief Secretary,
Government of Sikkim.
The following draft of certain rules which the State Government propose to make in exercise of the powers conferred by section 32 of the Workmen’s Compensation Act, 1923 (VIII of 1923), is published as required by Sub-Section (1) of section 34 of the said Act for the information’s of all persons likely to be affected thereby and notice is hereby given that the said draft rules will be taken into consideration on or after the expiry of 90 days from the date of publication of this Notification in the Official Gazette.

Any objection or suggestions which may be received from any person with respect to the said draft rules before the expiry of the period so specified will be taken into consideration by the State Government.
short title, extent and commencement
1.(1) These rules may be called the Sikkim workmen’s Compensation Rules, 1985.

(2) They shall extend to the whole of the State of Sikkim.

(3) They shall come into force on the date of their publication in the Official Gazette.

Definition.
2. In these rules unless the subject or context otherwise requires:—

(a) 'Act' means the Workmen's Compensation Act, 1923.

(b) 'Form' means a form appended to these rules.

(c) 'Section' means a section of the Act;

(d) 'Commissioner' means the Commissioner for Workmen's Compensation appointed under section 20 of the Act;

(e) 'Workman' means any person as defined in Section 2 (1) (n) of the Act.

PART I

Review of half-monthly payments and commutation thereof.

3. When application may be made without medical certificate:

Application for review of a half-monthly payment under Section 6 may be made without being accompanied by a medical certificate:—

(a) by the employer, on the ground that since the right to compensation was determined the workmen's wages have increased;

(b) by the workman, on the ground that since the right to compensation was determined his wages have diminished;
(c) by the workman, on the ground that the employer, having commenced to pay compensation, has ceased to pay the same, notwithstanding the fact that there has been no change in the workmen's condition such as to warrant such cessation,

(d) either by the employer or by the workman, on the ground that the determination of the rate of compensation being in force was obtained by fraud or undue influence or other improper means;

(e) either by the employer or by the workman on the ground that in the determination of compensation there is a mistake or error apparent on the face of the record,

4. Procedure on application for review:- If, on examining an application for review by an employer in which the reduction or discontinuance of half-monthly payments is sought, it appears to the Commissioner that there is reasonable ground for believing that the employer has a right to such reduction or discontinuance, he may, at any time issue an order withholding the half-monthly payments in whole or in part pending his decision on the application.

5. Procedure on application for commutation:- (1) where application is made to the Commissioner under section 7 for the redemption of a right to receive half-monthly payments by the payment of a lump sum, the Commissioner shall form an estimate of the probable duration of the disablement, and shall award a sum equivalent to the total of the half-monthly payments which would be payable for the period during which he estimates that the disablement will continue, less one-half per cent of that total for each month comprised in that period:

Provided that fractions of a rupee included in the sum so computed shall be disregarded.

(2) When, in any case to which sub-rule (1) applies, the Commissioner is unable to form an approximate estimate of the probable duration of the disablement, he may from time to time postpone a decision on the application for a period not exceeding two months at any one time.

PART II
Deposit of Compensation

6. Deposit under section 8(1)-(l) An employer depositing compensation with The Commissioner under sub-section (1) of Section 8, in respect of a work.
man whose injury has resulted in death shall furnish therewith a statement in Form A, and shall be given a receipt in Form C. In other cases of deposits with the Commissioner under sub-section (1) of Section 8, the employer shall furnish a statement in Form B, and shall be given a receipt in Form C.

(2) If, when depositing compensation in respect of fatal accidents, the employer indicates in the statement referred to in sub-rule (1) that he desires to be made a party to the distribution proceedings, the Commissioner shall, before allotting the sum deposited as compensation, afford to the employer an opportunity of establishing that the person to whom he proposes to allot such sum is not a dependant of the deceased workman or, as the case may be, that no one of such person is a dependant.

(3) The statement of disbursements to be furnished on application by the employer under sub-section (4) of section 8 shall be in Form D.

7. Publication of lists of deposits.—The Commissioner shall cause to be displayed in a prominent position outside his office an accurate list of the deposits received by him under sub-section (1) of section 8, together with the names and addresses of the depositors and of the workmen in respect of whose death or injury the deposits have been made.

8. Application by dependants for deposit of compensation.—(1) A dependant of a deceased workman may apply to the Commissioner for the issue of an order to deposit compensation in respect of the death of the workman. Such application shall be made in Form I.

(2) If compensation has not been deposited, the Commissioner shall dispose such application in accordance with the provisions of part V of these rules:

Provided that —

(a) the Commissioner may, at any time before issues are framed, caused notice to be given in such manner as he thinks fit to all or any of the dependants of the deceased workman who have not joined in the application, requiring them, if they desire to join therein, to appear before him on a date specified in this behalf.

(b) any dependant to whom such notice has been given, and, who fails to appear and to join in the application on the date specified in the notice shall not be permitted thereafter to claim that the employer is liable to deposit compensation unless he satisfies the Commissioner that he was prevented by any sufficient cause from appearing when the case was called on for hearing.

(3) If, after completing the enquiry into the application, the Commissioner issues an order requiring the employer to deposit compensation in accordance with sub-section (1) of section 8, nothing in sub-rule (2) shall be deemed
to prohibit the allotment of any part of the sum deposited as compensation to a dependant of the deceased workman who failed to join the application.

9. Deposit-under, section 8 (2). - An employer depositing compensation in accordance with sub-section (2) of section 8 of the Act shall furnish there with a statement in Form E and shall be given a receipt in Form F.

10. Investment of money.- Money in the hands of Commissioner may be invested for the benefit of the dependants of deceased workman in the State Bank of Sikkim or State Bank of India.

**PART III**

**Report of Accidents**

11. Report of fatal accidents. – The report required" by section 10 B of the Act shall subject to such rules, if any, as may be made by the State Government, be in Form G.

12. Right of employer to present memorandum when information received.- (1) Any employer who has received information of an accident may at any time, notwithstanding the fact that no claim for compensation has been instituted in respect of such accident, present to the Commissioner memorandum, supported by an affidavit made by himself or by any person subordinate to him having knowledge of the facts stated in the memorandum embodying the results of any investigation or inquiry which has been made into the circumstances or cause of the accident.

(2) A memorandum presented" under sub-rule (1) shall, subject to the payment" of such fee as may be prescribed, be recorded by the Commissioner.

**PART IV**

**Medical Examination**

13. Workman not to be required to submit to medical examination save in accordance with rules.-A workman who is required by sub-section (1) of section 11 to submit himself for medical examination shall be bound to do so in accordance with the rules contained in this part and not otherwise.

14. Examination when workman and medical practitioner both on premises.- when such workman is present at the employer's premises, and the employer offers to have him examined free of charge by a qualified medical practitioner who is so present, the workman shall submit himself for examination forthwith.

15. Examination in other cases.- In cases to which Rule 14 does not apply, the employer may –
(a) send the medical practitioner to the place where the workman is residing for the time being in which case the workman shall submit himself for medical examination on being requested to do so by the medical practitioner, or

(b) send to the workman an offer in writing to have him examined free of charge by a qualified medical practitioner, in which case the workman shall submit himself for medical examination at the employer's premises or at such other place in the vicinity as is specified in such offer and at such time as is so specified:

Provided that —

(i) the time so specified shall not, save with the express consent of the workman, be between the hours of 7 p.m. and 6 a.m. and

(ii) in case where the workman's condition renders it impossible or inadvisable that he should leave the place where he is residing for the time being, he shall not be required to submit himself for medical examination save at such place.

16. Restriction on number of examinations.- A workman who is in receipt of a half-monthly payment shall not be required to submit himself for medical examination elsewhere than at the place where he is residing for the time being more than twice in the first month following the accident or more than once in any subsequent month.

17. Examination after suspension of right to compensation: If a workman whose right to compensation has been suspended under sub-section (2) or sub-section (3) of section 11 of the Act, subsequently offers himself for medical examination, his examination shall take place on the employer's premises or at such other place in the vicinity as may be fixed by the employer, and at a time to be fixed by the employer not being, save with the express consent of the workman, more than 72 hours after the workman has so offered, himself.

18 Examination of -women.- (1) No women shall, without her consent be medically examined by a male practitioner, save in the presence of another women.

(2) No women shall be required to be medically examined by a male practitioner if she deposits a sum sufficient to cover the expenses of examination by a female practitioner.

PART V
Procedure

19. Introductory.- Save as otherwise provided in these rules, the procedure to be followed by commissioner in the disposal of cases under the Act or these rules and by the parties in such cases shall be regulated in accordance with the rules contained in this part.
20. **Application.**-(1) Any application of the nature referred to in section 22 may be sent to the Commissioner by registered post or may be presented to him or to any of his subordinates authorised by him in this behalf and, if so sent or presented, shall, unless the Commissioner otherwise directs, be made in duplicate in the appropriate Form, if any, and shall be signed by the applicant.

(2) There shall be appended to every such application a certificate, which shall be signed by the applicant, to the effect that the statement of facts contained in the application is to the best of his knowledge and belief accurate.

21. **Production of documents.**-(1) When the application for relief is based upon a document, the document shall be appended to the application.

(2) Any other document which any party desires to tender in evidence shall be produced at or before the first hearing.

(3) Any document which is not produced at or within the time specified in sub-rule (1) or (2) as the case may be, shall not, without the sanction of the Commissioner, be admissible in evidence on behalf of the party who should have produced it.

(4) Nothing in this rule applies to any document which is produced for the purpose of cross-examining a witness or is handed to a witness to refresh his memory.

22. **Application presented to wrong Commissioner.**-(1) If it appears to the Commissioner on receiving application that it should be presented to another Commissioner, he shall return it to the applicant after endorsing upon it the date of the presentation and return, the reason for returning it and designation of the Commissioner to whom it should be presented.

(2) If it appears to the Commissioner at any subsequent stage that an application should have been presented to another Commissioner, he shall send the application to the Commissioner empowered to deal with it and shall inform the applicant (and the opposite-party, if he has received a copy of the application under rule 26), accordingly.

(3) The Commissioner to whom an application is transferred under sub-rule (2) may continue the proceedings as if the previous proceedings or any part of them had been taken before him, if he is satisfied that the interest of the parties will not thereby be prejudiced.

23. **Examination of applicant.**-(1) Can receiving an application of the nature referred to in section 22, the Commissioner may examine the applicant on oath, or may send the application to any officer authorised by the state Government in this behalf and direct such officer to examine the applicant and his witnesses and forward the record thereof to the Commissioner.
(2) The substance of any examination made under sub-rule (1) shall be recorded in the manner provided for the recording of evidence in section 25.

24. Summary -dismissal of application. - (1) The Commissioner may, after considering the application and the result of any examination of the applicant under rule 23, summarily dismiss the application, if for reasons to be recorded, he is of opinion that there are not sufficient ground for proceeding thereon.

(2) The dismissal of the application under sub-rule (1) shall not of itself preclude the applicant from presenting a fresh application for the settlement of the same matter.

25. Preliminary inquiry into application.- If the application is not dismissed under rule 24, the Commissioner may, for reasons to be recorded call upon the applicant to produce evidence in support of the application before calling upon any other party, and, if upon considering such evidence the Commissioner is of opinion that there is no case for the relief claimed, he may dismiss the application with a brief statement of his reasons for so doing.

26. Notice to opposite party. - If the Commissioner does not dismiss the application under rule 24 or rule 25, he shall send to the party from whom the applicant claims relief (hereinafter referred to as the opposite party) a copy of the application together with a notice of the date on which he will dispose of the application, and may call upon the parties to produce upon that date any evidence which they may wish to tender.

27. Appearance, and examination of opposite party.—
   (1) The opposite party, may, and if so required by the Commissioner, shall, at or before the first hearing or within such time as the Commissioner may permit, file a written statement dealing with the claims raised in the application, any such written statement shall form part of the record.

(2) If the opposite party contests the claim, the Commissioner may, and, if no written statement has been filed, shall proceed to examine him upon the claim, and shall reduce the result of examination to writing.

28. Framing of issues.—(1) After considering any written statement and the result of any examination of the parties, the Commissioner shall ascertain upon what material propositions of fact or of law the parties are at variance and shall thereupon proceed to frame and record the issues upon which the right decision of the case appears to him to depend.

(2) In recording the issues, the which Commissioner shall distinguish between those issues which in his opinion concern points of facts and those which concern points of law.
29. Power to postpone trial of issues of facts where issues of law arise.—When issues both of law and of fact arise in the same case, and the Commissioner is of opinion that the case may be disposed of on the issues of law only, he may try those issues first, and for that purpose may, if he thinks fit, postpone the settlement of the issues of fact until after the issues of law have been determined.

30. Diary.—The Commissioner shall maintain under his hand a brief diary of the proceedings on an application.

31. Reasons for postponement to be recorded.—If the Commissioner finds it impossible to dispose of an application at one hearing, he shall record the reasons which necessitate a postponement.

32. Judgment.—(1) The Commissioner, in passing orders, shall record concisely a judgment, his finding on each of the issues framed and his reasons for such finding.

(2) The Commissioner, at the time of signing and dating his judgment, shall pronounce his decision, and thereafter no addition or alteration shall be made to the judgment other than the correction of a clerical or arithmetical mistake arising from any accidental slip or omission.

33. Summoning of witnesses.—If an application is presented by any party to the proceedings for the citation of witnesses, the Commissioner shall on payment of the prescribed expenses and fees, issue summonses for the appearance of such witnesses unless he considers that their appearance is not necessary for the just decision of the case.

34. Exemption from payment of costs.—If the Commissioner is satisfied that the applicant is unable, by reason of poverty, to pay the prescribed fees, he may remit any or all of such fees. If the case is decided in favor of the applicant, the prescribed fees which, had they not been remitted, would have been due to be paid, may be added to the costs of the case and recovered in such manner as the Commissioner in his order regarding costs may direct.

35. Right of entry for local inspection.—A Commissioner before whom any proceeding relating to an injury by accident is pending may at any time enter the place where the workman was injured, or where the workman ordinarily performed his work, for the purpose of making a local inspection or of examining any persons likely to be able to give information relevant to the proceedings.

Provided that the Commissioner shall not enter any premises of any industrial establishment except during the ordinary working hours of that establishment, save with the permission of the employer or of some person directly responsible to him for the management of the establishment.
36. Procedure in connection with local inspection:-

(1) If the Commissioner proposes to conduct a local inspection with a view to examining on the spot the circumstances in which an accident took place, he shall give the parties or their representatives notice of his intention to conduct such inspection, unless in his opinion the urgency of the case renders the giving of such notice impracticable.

(2) Such notice may be given orally or in writing, and, in the case of an employer, may be given to any person upon whom notice of a claim can be served under sub-section 2) of Section 10, or the representative of any such person.

(3) Any party, or the representative of any party, may accompany the Commissioner at a local inspection.

(4) The Commissioner, after making a local inspection, shall note briefly in a memorandum any facts observed, and shall show the memorandum to any party who desires to see the same, and, on payment of the prescribed fee shall supply any party with a copy thereof.

(5) The memorandum shall form part of the record.

37. Power of summary examination:- (1) The Commissioner during a local inspection or at any other time, save at a formal hearing of a case pending before him, may examine summarily any person likely to be able to give information relating to such case, whether such person has been or is to be called as a witness in the case or not and whether any or all of the parties are present or not.

(2) No oath shall be administered to a person examined under sub-rule (1).

(3) Statements made by persons examined under sub-rule (1), if reduced to writing, shall not be signed by the person making the statement, nor shall they, except as hereinafter provided, be incorporated in the record or utilised by the Commissioner for the purpose of arriving at a decision in the case.

(4) If a witness who has been examined under sub-rule (1) makes in evidence any material statement contradicting any statement made by him in such examination and reduce to writing, the Commissioner may call his attention to such statement, and shall in that case direct that the parties be furnished with the relevant part of such statement for the purpose of examining or cross examining the witness.

(5) Any statement or part of a statement which is furnished to the parties under sub-rule (4) shall be incorporated in the record.

(6) Where a case is settled by agreement between the parties, the Commissioner may incorporate in the record any statement made under sub-rule (1)
and may utilize such statement for the purpose of justifying his acceptance of, or refusal to accept, the agreement reached.

38. Agreement to abide by Commissioner's decision:- If a party states in writing his willingness to abide by the decision of the Commissioner, the Commissioner shall inquire whether the other party is willing to abide by his decision.

(2) If the other party agrees to abide by the Commissioner's decision the fact of his agreement shall be recorded in writing and signed by him.

(3) If the other party does not agree to abide by the Commissioner's decision, the first party shall not remain under an obligation so to abide.

39. Procedure where indemnity claimed under Section 12 (2):-

(1) Where the opposite party claims that if compensation is recovered against him he will be entitled under sub-section (2) of section 12 to be indemnified by a person not being a party to the case, he shall, when first called upon to answer the application present a notice of such claim to the Commissioner accompanied by the prescribed fee, and the Commissioner shall thereupon issue notice to such person in Form 'K'.

(2) If any person served with a notice under sub-section (1) desires to contest the applicant's claim for compensation or the opposite party's claim to be indemnified, he shall appear before the Commissioner on the date fixed for the hearing of the case or on any date to which the case may be adjourned and, if he so appears, shall have all the rights of a party to the proceedings; in default of so appearing he shall be deemed to admit the validity of any award made against the opposite party and to admit his own liability to indemnify the opposite party for any compensation recovered from him:

Provided that, if any person so served appears subsequently and satisfies the Commissioner that he was prevented by any sufficient cause from appearing, the Commissioner shall, after giving notice to the aforesaid opposite party, hear such person, and may set aside or vary any award made against such person under this rule upon such terms as may be just.

(3) If any person served with a notice under sub-rule (1) whether or not he desires to contest the applicant's claim for compensation or the opposite party's claim to be indemnified; claims that being a contractor he is himself a principal and is entitled to be indemnified by a person standing to him in the relation of a contractor, from whom the workman could have recovered compensation, he shall on or before the date fixed in the notice under sub-rule (1) present a notice of such claim to the Commissioner accom-
panied by the prescribed fee and the Commissioner shall thereon issue notice to such person in Form L.

(4) If any person served with a notice under sub-rule (3) desires to contest the applicant's claim for compensation, or the claim under sub-rule (3) to be indemnified he shall appear before the Commissioner on the date fixed in the notice in Form L or on any date to which the case may be adjourned and, if he so appears, shall have all the rights of a party to the proceedings: in default of so appearing he shall be deemed to admit the validity of any award made against the original opposite party or the person served with a notice under sub-rule (1) and to admit his own liability to indemnify the party against whom such award is made for any compensation recovered from him.

Provided that, if any person so served appears subsequently and satisfies the Commissioner that he was prevented by any sufficient cause from appearing, the Commissioner shall, after giving notice to all parties on the record, hear such person, and may set aside or vary any award made against such person under this rule upon such terms as may be just.

(5) In any proceeding in which a notice has been served on any person under sub-rule (1) or sub-rule (3) the Commissioner shall, if he awards compensation, record in his judgement a finding in respect of each of such persons whether he is or is not liable to indemnify any of the opposite parties and shall specify the party, if any, whom he is liable to indemnity.

40. Procedure in connected cases:— (1) Where two or more cases pending before a Commissioner arise out of the same accident, and any issue involved is common to two or more such cases, such cases may, so far as the evidence bearing on such issue is concerned, be heard simultaneously.

(2) Where action is taken under sub-rule (1) the evidence bearing on the common issue or issues shall be recorded on the record of one case, and the Commissioner shall certify under his hand on the record of any such other case, the extent to which the evidence so recorded applies to other case, and the fact that the parties to such other case had the opportunity of being present, and, if they were present, of cross-examining the witnesses.

41. Certain provisions of Code of Civil Procedure, 1908, to apply—Save as otherwise expressly provided in the Act or these rules the following provisions of the First Schedule to the Code of Civil Procedure, 1908, namely, those contained in Order V, rules 9 to 13 and 15 to 30; Order IX; Order XIII, rules 3 to 10; Order XVI, rules 2 to 21; Order XVII; and Order XXIII, rules 1 and 2, shall apply to proceedings before Commissioners, in so far as they may be applicable thereto:

(11)
Provided that—

(a) for the purpose of facilitating the application of the said provisions the Commissioner may construe them with such alterations not affecting the substance as may be necessary or proper to adapt them to the matter before him;

(b) the Commissioner may, for sufficient reasons proceed otherwise than in accordance with the said provisions, if he is satisfied that the interests of the parties will not thereby be prejudiced.

42. Provision regarding signature of forms — Any form, other than a receipt for compensation, which is by these rules required to be signed by a Commissioner may be signed under his direction and on his behalf by any officer subordinate to him appointed by him in writing for this purpose.

43. Apportionment of compensation among dependants :—The provisions of this part, except those contained in rules 26, 27 and 39 shall, as far as may be, apply in the case of any proceedings relating to the apportionment of compensation among dependants of a deceased workmen.

**PART VI**

**Transfer**

44. Transfer for report: — (1) A Commissioner transferring any matter to another Commissioner for report in accordance with sub-section (2) of section 21 shall, along with the documents referred to in that sub-section, transmit to such other Commissioner a concise statement, in the form of questions for answer, of the matter on which report is required.

(2) A Commissioner to whom a case is so transferred for report shall not be required to report any question of law.

45. Transmission of money : — Money transmitted by one Commissioner to another in accordance with sub-section (2) of Section 21 shall be transmitted either by remittance transfer receipt, or by money order, or by messenger or by such other method as the Commissioner transmitting the money may direct.

**PART VII**

**Appointment of Representatives**

46. When representative must be appointment :— Where any party to a proceeding is under the age of 15 years or is unable to make an appearance, the Commissioner shall appoint some suitable person, who consents to the appointment, to represent such party for the purposes of the proceeding.
47. When new representative to be appointed. - If the Commissioner considers that the interests of any party for whom a representative has been appointed under rule 46 are not being adequately protected by that representative or if a person appointed to act as representative dies or becomes incapable of acting, or otherwise ceases to act as such, the Commissioner shall appoint in his place another person who consents to the appointment.

PART VIII
Record of Memoranda of Agreement

48. Form of memorandum :- Memoranda of agreement sent to the Commissioner under sub-section (1) of section 28, shall, unless, the Commissioner otherwise directs, be in duplicate, and shall be in as close conformity as the circumstances of the case admit with Form M or Form O or Form P, as the case may be.

49. Procedure where Commissioner does not consider that he should refuse to record memorandum :-
   (1) On receiving a memorandum of agreement, the Commissioner shall; unless he considers that there are grounds for refusing to record the memorandum, fix a date for recording the same, and shall issue a notice in writing in Form O to the parties concerned that in default of objections he proposes to record the memorandum on the date so fixed;

   Provided that notice may be communicated orally to any parties who are present at the time when notice in writing would otherwise issue.

   (2) On the date so fixed, the Commissioner shall record the memorandum unless, after hearing any of the parties who appear and desire to be heard, he considers that it ought not to be recorded;

   Provided that the issue of a notice under sub-rule (1) shall not be deemed to prevent the Commissioner from refusing to record the memorandum on the date so fixed even if no objection be made by any party concerned.

   (3) If on such date the Commissioner decides that the memorandum ought not to be recorded, he shall inform the parties present of his decision and of the reasons therefore, and, if any party desiring the memorandum to be recorded is not present, he shall send information to that party in Form R.

50. Procedure where Commissioner considers that he should refuse to record memorandum :-
   (1) If, on receiving a memorandum of agreement, the Commissioner considers that there are grounds for refusing to record the same, he shall fix a date for hearing the party or parties desiring the memorandum to be recorded, and shall inform such party or parties and, if he thinks fit, and any other party concerned of the date so fixed and of the grounds on which he considers that the memorandum should not be recorded.
**FORM A**

(See Rule 6 (1))

Deposit of Compensation for Fatal Accident.

(Section 8(1) of the Workmen’s Compensation Act, 1923)

To

The Commissioner for Workman’s Compensation,
Department of Labour,
Government of Sikkim,
Gangtok.

It is, hereby, submitted that the death of the workman, whose particulars are given below, occurred on..............

<p>| | |</p>
<table>
<thead>
<tr>
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</thead>
<tbody>
<tr>
<td>1.</td>
<td>Name............................</td>
</tr>
<tr>
<td>2.</td>
<td>Name of father/husband...............................</td>
</tr>
<tr>
<td>3.</td>
<td>Date of birth... ..........................</td>
</tr>
<tr>
<td>4.</td>
<td>Temporary Address..........................</td>
</tr>
<tr>
<td>5.</td>
<td>Permanent address..........................</td>
</tr>
<tr>
<td></td>
<td>.......................................................................................................</td>
</tr>
<tr>
<td>6.</td>
<td>* Average monthly wage..........................</td>
</tr>
<tr>
<td>7.</td>
<td>Relevant factor..........................</td>
</tr>
<tr>
<td>8.</td>
<td>Gross Compensation payable..........................</td>
</tr>
<tr>
<td>9.</td>
<td>*Total payments made/Advance paid..........................</td>
</tr>
<tr>
<td>10.</td>
<td>Net Compensation payable..........................</td>
</tr>
<tr>
<td>11.</td>
<td>Mode of payment..........................</td>
</tr>
</tbody>
</table>

Therefore, Rs........................... (Rupees...........................)
onis as compensation is presented.

Further, I do*/do not desire to be made a party to the proceeding for distribution of the aforesaid compensation.

Date.........................

Signature of Employer

Name............................

Designation....................

Name of establishment

Address............................

*Details to be submitted separately.

*Strike out which is not applicable.
FORM B
(See Rule 6 (1))

Deposit of Compensation for Non-fatal Accident to a woman or Person under Legal Disability

(Section C(1) of the Workmen's Compensation Act, 1923);

To

The Commissioner for Workman's Compensation,
Department of Labour,
Government of Sikkim,
Gangtok.

It is, hereby, submitted that the injuries sustained by the Workman, whose particulars are given below occurred on...................................................... resulting in the loss of/temporary disablement.

1. Name..................................................................................................
2. Father's/Husband's name...................................................................
3. Date of birth.....................................................................................
4. Temporary Address...........................................................................
5. Permanent address ..........................................................................
6. * Average monthly wage..................................................................
7. Relevant factor................................................................................
8. Gross compensation payable............................................................
10. Net Compensation payable..............................................................
11. Mode of payment..........................................................................

Therefore, Rs......................... (Rupees...........................................) only as compensation is presented.

Date................................. Signature of Employer

Name............................................
Designation...................................
Name of establishment............
Address........................................

*Details to be submitted separately.
*Strike out whichever is not applicable.
FORM C
(See Rule 6)

Receipt for Compensation

(Deposited under section 8(1) of the Workmen’s Compensation Act, 1923)

Office of the Commissioner for Workmen’s Compensation
Department of Labour
Government of Sikkim
GANGTOK

Receipt of the Compensation as per details below is, hereby, acknowledged.

1. Name/designation of the depositor......................................................
2. Name of establishment...........................................................................
3. Name of the deceased/injured workman..............................................
4. Date of deposit....................................................................................
5. Amount deposited................................................................................

____________________
Commissioner.

*Strike out whichever is not applicable.
FORM D
(See Rule 6)

Statement of disbursements
(Section 8(4) of the Workmen's Compensation Act, 1923)

1. Name/designation of the depositor..............................................................
2. Name of the establishment...........................................................................
3. Amount deposited........................................................................................
4. Amount deducted and repaid to the employer under the proviso to section 8(1)

5. Funeral expenses paid....................................................................................
6. The Compensation has been paid' to the following dependants:

<table>
<thead>
<tr>
<th>Name</th>
<th>Relationship</th>
<th>Amount paid</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td></td>
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<tr>
<td>3.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td></td>
<td></td>
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<tr>
<td>5.</td>
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</tbody>
</table>

Total Rs......................................

Dated..............................             Commissioner

(18)
FORM -E
(See Rule 9)

Deposit of Compensation for Non-fatal Accidents other than a woman or person under legal disability
(Section 8(20 of the Workmen’s Compensation Act 1923)

To

The Commissioner for Workman’s Compensation,
Department of Labour,
Government of Sikkim,
Gangtok.

It is, hereby, submitted that the permanent/temporary injuries sustained by the Workman, whose particulars are given below, occurred on....................

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Name..................................................................................................................</td>
</tr>
<tr>
<td>2.</td>
<td>Father’s/Husband’s name.....................................................................................</td>
</tr>
<tr>
<td>3.</td>
<td>Data of birth.......................................................................................................</td>
</tr>
<tr>
<td>4.</td>
<td>Temporary Address...............................................................................................</td>
</tr>
<tr>
<td>5.</td>
<td>Permanent address...............................................................................................</td>
</tr>
<tr>
<td>6.</td>
<td>* Average monthly wage.....................................................................................</td>
</tr>
<tr>
<td>7.</td>
<td>Relevant factor.....................................................................................................</td>
</tr>
<tr>
<td>8.</td>
<td>Gross Compensation payable..............................................................................</td>
</tr>
<tr>
<td>9.</td>
<td>*Total payments made/Advance paid....................................................................</td>
</tr>
<tr>
<td>10.</td>
<td>Net Compensation payable..................................................................................</td>
</tr>
<tr>
<td>11.</td>
<td>Mode of payment.................................................................................................</td>
</tr>
</tbody>
</table>

Therefore, Rs.......................... (Rupees....................................................) only as compensation is presented.

Date........................................... Signature of Employer

Name...........................................

Designation.................................

Name of establishment.......................

Address...........................

..............................................................

_______________________________________________________________________________

*Strike out whichever is not applicable.
FORM. F
(See Rule 9)

Receipt for Compensation

( Deposited under section 8(2) of the Workmen's Compensation Act, 1923)

Office of the Commissioner for Workmen’s Compensation,
Department of Labour,
Government of Sikkim,
GANGTOK.

Receipt of the Compensation as per details below is hereby acknowledged.

1. Name and designation of the depositor....................................................
   ................................................................................................................................
2. Name of the establishment..................................................................................
3. Name of the Workman....................................................................................
4. Date of deposit..................................................................................................
5. Amount deposited............................................................................................

____________________
Commissioner.

Dated………………………………….(20)
To

The Commissioner for Workmen’s Compensation,
Department of Labour,
Government of Sikkim,
Gangtok.

Sir,

I have the honour to submit the following report of an accident which resulted in the death of the workman*/workmen, the particulars of whom are given in the statement annexed.

2. The circumstances leading to the death of the workman*/workmen and other details are as follows:

i. Date of accident.................................................................

ii. Premises where the accident took place.................................

iii. Time of the accident ...........................................................

iv. Manner in which deceased was*/were employed at the time.................

........................................................................................................

v. Cause of accident.................................................................

vi Any other relevant particulars ..................................................

........................................................................................................

Yours faithfully,

Signature and designation,
of person making the report.

Enc: Statement.

*Strike out whichever is not applicable.

(21)
1. Name of the deceased ..............................................................................................................
2. Sex ...........................................................................................................................................
3. Age ...........................................................................................................................................
4. Nature of employment ...............................................................................................................
5. Designation .............................................................................................................................
6. Full Postal address ....................................................................................................................

(22)
FORM H
(See Rule 20 )

Application for Compensation by Workman,

To

The Commissioner of Workman's Compensation,
Department of Labour,
Government of Sikkim,
Gangtok.

It is submitted that –

(1) The applicant, a workman employed by the contractor............................................
.................................................in his establishment named below...................................................received personal injury by accident arising out of and in the course of his
employment as per details below:

(2) Name of establishment.-............................................................................................
(i) Date on which injury was sustained...........................................................................
(ii) Details of injury so sustained....................................................................................
(iii) *Average monthly wages of the applicant.............................................................
(iv) Age of the applicant on the date when the injury was sustained.............................
........................................................................................................................................
........................................................................................................................................

(3)*l(a) Notice of the accident was served on the day of..............................................
........................................................................................................................................
(b) Notice was served as soon as practicable................................ ..........................
(c) Notice of accident was not served ( in due time ) by reason, of
........................................................................................................................................
........................................................................................................................................
........................................................................................................................................

(4)*1 The applicant is, therefore, entitled to receive the compensation as
follow -
(a) half monthly payment of Rs............................................from the
day of............................................to..............................................................
(b) a lump sum payment of Rs.....................................................................................

(5) The applicant has taken steps (as per details enclosed ) to secure a
settlement by agreement but it has proved impossible to settle the case/
question in dispute on the grounds mentioned therewith.

(23)
It is, therefore, requested for kindly realizing the compensation award the same,

*1
Or

Claim of the applicant may therefore, kindly be determined as provisions and be intimated/awarded accordingly.

Yours faithfully

Dated............................                                                  ( Applicant)

______________________________________________________________________________

* Details to be submitted separately.
*1 Strike out whichever not applicable.

(24)
FORM I
(See Rule 20)

Application for Order to Deposit Compensation.

The Commissioner for Workman’s Compensation,
Department of Labour,
Government of Sikkim,
Gangtok.

Sir,

It is hereby submitted that (1) late deceased...............................................
...........................................a workman employed by the Contractor. ..........in his/her establishment named below received personal injury as per details below by accident arising out of and in the course of his/her employment resulting in his/her death;

(i) Date of accident. ..................................................................................

(ii) Date when the deceased succumbed to his/her injuries

(iii) The cause of the injury was (details to be enclosed separately)

(2) The applicant(s) is a/are dependant(s) of the deceased workman being his/her..........................................................................................................

(3) The average monthly wages of the deceased amount to Rs.................

(4) The deceased was...................................................years old at the time of his/her death.

(5) Relevant factor

(6) Gross compensation payable ..................................................

(7) Total payments made/advance paid..................................................

(8) Net Compensation payable.............................................................

(9) (a) Notice of the accident was served on the day of

..........................................................
(b) Notice was served as soon as practicable...........................................

......................................................................................................................

(c) Notice of the accident was not served (in due time)
by reason, of...........................................

It is, therefore, requested to award to the applicant the said compensation or any other compensation to which he/she may be entitled.

Yours faithfully,

Dated………………………….. Applicant

*1 Details to be submitted separately.
* Strike out whichever not applicable.
Application for Commutation (under section 7 of the workmen's Compensation Act, 1923)

To
The Commissioner for workmen's Compensation,
Department of Labour,
Government of Sikkim,
Gangok.

Sir,

It is hereby submitted that-

(1) The applicant has been in receipt of half-monthly payments from ................................................... to .................................................. in respect of temporary disablement by accident arising out of and in the course of his/her employment as per details below:
   (a) Name of the employer .................................................................
   (b) Name of the establishment ......................................................
   (c) Date of accident ........................................................................

(2) The applicant is desirous that the right to receive half-monthly payments should be redeemed.

(3)* (a) The opposite party is unwilling to agree to the redemption of the right to receive half-monthly payments.
   (b) The parties have been unable to agree regarding the sum for which the right to receive half-monthly payments should be redeemed.

(4) *It is, therefore, requested to pass orders—
   (a) directing that the right to receive half-monthly payments should be redeemed.
   (b) fixing a sum for the redemption of the right to receive half-monthly payments.

Yours faithfully,

Dated ............................................................ Applicant.

*Strike out the clauses which are not applicable.
FORM K
(See Rule 39)

Office, of the Commissioner for Workmen's Compensation,
Department of Labour,
Government of Sikkim.

NOTICE

To
.............................................................................
.............................................................................
.............................................................................

Whereas a claim for compensation has been made by , the applicant, against and the said has claimed that you are liable under section 12 (2) of the Workmen's Compensation Act, 1923, to indemnity him against any compensation which he may be liable to pay in respect of the aforesaid claim, you are hereby informed that you may appear before me on and contest the claim for indemnity made by the said applicant of the claim for indemnity made by the opposite party. In default of your appearance you will be deemed to admit the validity of any award made against the opposite party and your liability to indemnify the opposite party for any compensation recovered from him.

Commissioner

Dated.................................
FORM: L
(See Rule 39)

Office of the Commissioner for workmen's Compensation,
Department of Labour,
Government of Sikkim,

NOTICE

To

.......................................................................
.......................................................................
.....................................................................

Whereas a claim for compensation has been made by
, the applicant, against

and

the said

has claimed that

is

liable under section 12 (2) of the Workmen's Compensation Act, 1923, to

indemnity him against any compensation which he may be liable to pay in

respect of the aforesaid claim, and whereas the said

on notice served has claimed that you

stand to him in the relation of a contractor from whom the

applicant

could have recovered compensation, you

are hereby informed that you may appear before me on

and contest the claim for compensation made by the said applicant or the

claim for indemnity made by the opposite party

in default of your appearance you will be deemed to admit the validity of

any award made against the opposite party

and your

liability to indemnity the opposite party

for any compens-

sion recovered from him.

Dated

Commissioner

(29)
To The Commissioner for Workmen's Compensation,
Department of Labour,
Government of Sikkim,
G AN GT 0 K.

Sir,

it is Hervey submitted that on the day of personal injury was caused to of by accident arising out of and in the course of employment in my establishment named

The said injury has resulted in temporary disablement to the said workmen whereby it estimated that he will be prevented from earning more than of his previous* any wages for a period of months. The said workman has been in receipt of half-monthly payments which have been continued from the day of until the day of amounting to Rs. in all.

* The said workman's average monthly wages are estimated at Rs.

His date of birth is

It is further submitted that the employer of the said workman's has agreed to pay, and the said workman has agreed to accept the sum of Rs. in full settlement of all and every claim under the Workmen's Compensation Act, 1923, in respect of all disablement of a temporary nature arising out of the said accident, whether now or hereafter to become manifest. It is therefore requested that this memorandum be duly recorded.

Yours faithfully,

Signature of employer

Dated

Witness

1. 

2. 

Signature or Workmen

Witness :

1. 

2. 

*Strike out whichever not applicable.

1* Details to be submitted separately.

(Note 1 : An application to register an agreement can be presented under the signature of one party, provided that the other party has agreed to the terms. But both signatures should be appended, whenever possible).

(Note 2 : This form may be varied to suit special cases, e.g. injury by occupational disease, agreement when workman is under legal disability, etc.)
FORM N
(See Rule 39)

Receipt

In accordance with the agreement dated..............................................

I have this day received a sum of Rs......................................................(Rupees ................................................) only.

Workman
(Signature in stamped)

Dated

The money has been paid and this receipt signed in my presence.

Witness

(31)
To

The Commissioner for Workmen's Compensation,
Department of Labour,
Government of Sikkim.

Sir,

It is hereby submitted that on the day of , personal injury was caused to of * by accident arising out of and in the course of his/her employment in my establishment named .

2. The said injury has resulted in permanent disablement to the said workmen of the following nature, namely—

3. 1 * The said workman's monthly average wages are estimated at Rs.

4. The date of birth of the workman is

5. The said workman has, prior to the date of this agreement, received the following payments, namely,-

Rs.....................................................on.............................................

Rs.....................................................on.............................................

Rs.....................................................on.............................................

It is further submitted that the employer of the said workman has agreed to pay, and the said workman has agreed to accept, a sum of Rs. in full settlement of all and every claim under the Workmen's Compensation Act, 1923, in respect of the disablement stated above and all disable now manifest. It is, therefore, requested that this memorandum be duly recorded.

Yours faithfully,

Signature of employer*

Dated......................

Signature of workman

Witness :

Witness :

* Strike out whichever is not applicable.

1 * Details to be given separately.

Note : An application to register an agreement can be presented under the signature of one party, provided that the other party has agreed to the term. But both signatures should be appended, whenever possible.
FORM P
(See Rule 48)

Memorandum of Agreement

To

The Commissioner for Workmen's Compensation,

Department of Labour,
Government of Sikkim,

Sir,

It is hereby submitted that on the day of personal injury was caused to of by accident arising out of and in the course of employment in my establishment named ......................

2 The said injury has resulted in temporary disablement to the said workman.

3. *The said workman is at present in receipt of wages amounting to Rs. per month/no wages

4. *The said workman's monthly average wages prior to the accident are estimated at Rs.

5. The said workman is subject to a legal disability by reason of

It is further submitted that the employer of the workman has agreed to pay and on behalf of the said workman has agreed to accept half-monthly payments at the rate of Rs. for the period of the said temporary disablement. This agreement is subject to the condition that the amount of the half-monthly payments may be varied in accordance with the provisions of the said Act on account of an alteration in the earnings of the said workman during disablement. It is further stipulated that all rights of commutation under section 7 of the said Act are unaffected by this agreement.

It is, therefore, requested that this memorandum be duly recorded.

Yours faithfully,

Signature of employer
Witness:

Signature of workman

Dated
Witness:

*Strike out whichever is inapplicable.
1* Details to be given separately.
FORM Q
(See Rule 49)

Office of the Commissioner for Workmen’s Compensation
Department of Labour,
Government of Sikkim.

Whereas an agreement to pay compensation is said to have been reached between has/have applied for registration of and whereas the agreement under section 28 of the Workmen’s Compensation Act, 1923, notice is hereby given that the said agreement will be taken into consideration on , and that any objections to the registration of the said agreement should be made on or before that date. In the absence of valid objections, it is my intention to proceed to the registration of the said agreement.

Dated.................................................. Commissioner

(34)
FORM R
(See Rules 49 and 50)
Office of the Commissioner for Workmen's Compensation,
Department of Labour,
Government of Sikkim.

To

.............................................................................................................
.............................................................................................................
.............................................................................................................

Take notice that registration of the agreement to pay compensation
said to have been reached between you and
on the has been refused
for the following reasons, namely: -

Dated.................... Commissioner

(35)
Office of the Commissioner for Workmen's Compensation.
Department of Labour,
Government of Sikkim,
Gangtok.

To,

........................................................................
........................................................................
........................................................................

Whereas an agreement to pay Compensation is said to have been reached between.............................................and...........................................and whereas..................................................has/have applied for registration of the agreement under section 28 of the Workmen's Compensation Act, 1923, and whereas it appears to me that the said agreement ought not to be registered for the following reasons, namely...................................................................................................................

an opportunity will be afforded to you of showing cause on ........................................
........................................................................, why the said agreement should be registered. If no adequate cause is shown on that date, registration of the agreement will be refused.

Dated.......................... ..... Commissioner.

(36)
FORM T
(See Rule 50)

Office of the Commissioner for Workmen's Compensation
Department of Labour,
Government of Sikkim,

To

..................................................................
..................................................................
..................................................................

Whereas an agreement to pay Compensation is said to have been reached between................................................................. and................................................................. and whereas ................................................................. has/have applied for registration of the said agreement under section 28 of the Workmen's Compensation Act, 1923, and whereas it appears to me that the said agreement ought not to be registered for the following reasons, namely —

.................................................................................................................................

an opportunity will be afforded to the said................................................................. of showing cause on................................................................. why the said agreement should be registered. Any representation which you have to make with regard to the said agreement should be made on or before that date. It adequate cause is then shown, the agreement shall be registered.

Dated..............................................

Commissioner
FORM U

(See Rule 52)

Register of Agreements for the year

<table>
<thead>
<tr>
<th>Serial number</th>
<th>Date of agreement</th>
<th>Date of registration</th>
<th>Employer</th>
<th>man</th>
<th>Initials of Commissioner</th>
<th>Reference to orders rectifying the register</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>
</tr>
</tbody>
</table>
GOVERNMENT OF SIKKIM
LOCAL SELF GOVERNMENT & HOUSING DEPARTMENT

No. 67(207) LSG&HD/86/ Dated 20th February, 1986.

NOTIFICATION

In exercise of the powers conferred by Sub-section (1) of Section 9 of the Sikkim Public Premises (Eviction of Unauthorised Occupants and Rent Recovery) Act, 1980 (9 of 1980) and in suppression of Notification No.664/F30 dated the 12th January, 1984, the State Government hereby appoints the Legal Remembrances and Secretary to the Government in the Law Department as the Appellate Authority for the purpose of this Act.

K.M.L. CHHABRA,
Chief Secretary,
Government of Sikkim.
NOTIFICATION

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

THE SIKKIM GOVERNMENT SERVICES (REVISED PAY) RULES 1986

1. Short title and commencement:

(1) These rules may be called the Sikkim Government Services (Revised Pay) Rules, 1986

(2) They shall be deemed to have come into force on the first day of April, 1985 except where otherwise specifically provided in these rules.

2. Categories of Government servants to whom the rules apply:

(1) Save as otherwise provided by or under these rules and unless otherwise specified, these rules shall apply to all persons, other than members of All India Services, appointed to State Services posts in connection with the affairs of the State and whose pay is debatable to the Consolidated Fund of the State

(2) These rules shall not apply to:

(a) Persons not in whole time employment of the Government;
(b) Government servants on consolidated rates of pay;
(c) Persons paid out of contingencies;
(d) Persons paid otherwise than on a monthly basis including those paid only on a piece rate basis;
(e) Persons whose services have been obtained on deputation; and
(f) Persons specifically excluded wholly or in part by the Governor of Sikkim from the operation of these rules.

Note:-

(1) These rules apply to members of the work charged establishment holding posts carrying regular pay scales as admissible to members of corresponding categories of the regular establishment or where there is specific entry in the schedule relating to such state.

(2) These rules shall also apply to persons appointed on contract pay scales connected with the affairs of the State and drawing increments in such pay scales except where otherwise provided in these rules.
3. **Definitions:**— In these rules, unless there is anything repugnant in the subject or context:

(i) 'Basic Pay' means the pay including personal pay, other than special pay or pay granted in view of personal qualification, which has been sanctioned for a post held by a Government servant substantively or in an officiating capacity, or to which he is entitled by reason of his position in a cadre plus any other emoluments which may be specially classed as pay by the Governor.

(ii) 'Existing Scale' means scale of pay applicable to a Government servant but for the Coming into effect of these rules, in respect of a post held by him on the 1st April, 1985 substantively or in officiating capacity.

1. Scales of pay which are personal to certain incumbents will also be treated as 'Existing Scale' for the purpose of these rules.

2. In case of a Government servant on deputation out of India or on leave or on foreign service, 'Existing Scale' includes the scale applicable to the post which he would have held but for his being on deputation out of India or on leave or on foreign service or but for officiation in a higher post.

3. 'Existing Government Servant' means a Government servant who is in service on 1st April, 1985 and drawing pay in an existing scale.

4. 'Existing Emoluments' means emoluments of a Government servant in relation to the existing scale on the date on which he becomes entitled, under these rules to draw pay in the revised scale and includes:
   (a) Basic pay, as on 1st April, 1985 of a Government Servant in the 'existing scale.
   (b) Dearness Allowance admissible as on 1st April, 1985 of a Government Servant in the existing scale, vide Appendix I.

5. Revised Scale means the scale of pay prescribed in column 2 of Appendix II and column 4 of the Schedules.

6. 'Service' means all service rendered in a temporary, officiating, substantive or probationary capacity whether continuous or non-continuous and includes periods spent on leave other than extraordinary leave, joining time deputation, foreign service, officiating promotion or temporary transfer to another Department of the State Government or Government of India or any other State Government in India.

7. 'Appendix' means appendix attached with these rules.

8. 'Schedule' means schedule annexed to these rules.

4. **Scales of pay of posts:**

1. As from the date of commencement of these rules altogether twenty, scales have been prescribed, as per list at Appendix II to these rules.

2. Existing scales and revised scales for posts common to all or many of the departments and those specific to individual departments have been incorporated in the Schedules attached to these rules.

3. Unless otherwise provided in these rules, the period of probation and confirmation in the revised scales will be regulated as provided in the respective service rules or as laid down by competent authority under general or special orders.

5. **Drawal of pay in revised scales:**

1. Save as otherwise provided in these rules, a Government servant who is in service on the 1st April, 1985, shall draw pay in the revised scale applicable to the post/service which he has been holding or to which he may have been appointed, as the case may be.

2. Sikkim Government Services (Revised Pay) Rules, 1986 shall be applicable to all Government servants of eligible categories without option.

**Explanation**

Reappointment after a break in service to a post/service on or after 1st April, 1985 Shall in all cases, be treated as first appointment for the purpose of these rules.

**Fixation of initial pay in the Revised Scales:**

1. The initial pay of a Government servant governed by the revised pay scales with effect from 1.4.1985 shall, unless in any case the Governor by special order or otherwise directs, be fixed in the following manner, namely:-
(a) An amount representing 10% of the existing pay (whether substantive, officiating or acting) subject to a minimum of Rs. 70/- and maximum of Rs. 150/- should be added to the existing emoluments. If this results in a fraction of a rupee, the fraction of 50 paise and above should be rounded off to the next higher rupee and that below 50 paise should be ignored.

Where the normal date of increment in the existing scale falls on 1.4.1985, the pay in the revised scale shall be fixed on the pay admissible in the existing scale on 1.4.1985 excluding the increment. Increment shall then be granted on the same date in the revised scale.

(b) After the emoluments have been worked out in accordance with (a) above the pay should be fixed in the revised scale at the stage equal to the emoluments so computed if there happens to be one, otherwise at the stage next above the emoluments so computed.

(c) If the minimum of the revised scale is more than the emoluments arrived at in (a) above the pay should be fixed at the minimum of the revised scale.

(d) If the emoluments work out to more than the maximum of the revised scale, the pay should be fixed at the maximum of that scale and the balance should be allowed as personal pay and such personal pay shall be treated as part of pay for purpose of allowances which are based on pay, pension, leave salary etc. and merged only when pay is fixed on promotion to a higher revised scale of pay.

(2) The initial pay of a re-employed Government Servant who retired with a pension or any other retirement benefit and whose pay was fixed on re-employment with reference to those benefits or ignoring a part thereof, shall be fixed as under.

The existing emoluments should take into account;

(a) i. Basic pay as on 1.4.1985.
ii. That quantum of pension and/or pension equivalent of gratuity or other retirement benefits taken into account while fixing pay at the time of re-employment;
iii. Dearness Allowance appropriate to the pay and pensionary benefits as detailed in (i) and (ii) above admissible as on 1.4.1985 under the relevant existing orders.

(b) Ten percent of basic pay plus quantum of pension and/or pension equivalent of gratuity or other retirement benefits taken into account while fixing pay on re-employment subject to a minimum of Rs.70/- and maximum of Rs. 150/- should be added to the existing emoluments and rounded off to the nearest rupee. Pay in the revised scale should then be fixed at the stage, if any, equal to the amount so computed or at the stage next above, if there be no such stage.

(c) i. If the amount so computed is less than the minimum of the revised scale, pay should be fixed at the minimum;
ii. Where the amount so computed is more than the maximum of the revised scale, pay should be fixed at the maximum.

(d) From the pay thus fixed, the quantum of pension and/or pension equivalent of gratuity or other retirement benefits taken into account while fixing pay on re-employment should be deducted and the balance should be allowed as actual

(e) The total amount of initial pay of a re-employed person as fixed above plus the gross amount of pension and/or the pension equivalent of other forms of retirement benefits viz. gratuity etc. should not exceed the pre-retirement pay or Rs.4,000/- which ever is less.

(f) After pay in the revised scale is fixed in the manner indicated above, increments will be admissible at rates appropriate to the stage at which pay was fixed before deduction of pension or pension equivalent of gratuity or other retirement benefits.

(3) Pay of persons who retired or quit service between 1.4.1985 and the date of issue of these orders or were on leave preparatory to retirement on 1.4.1985, would also be fixed in the revised scales in accordance with these rules.

(4) Where the pay of the senior employee drawing higher rate of pay in the existing scale and of a junior employee drawing lower rate of pay is fixed at the minimum or at the same higher stage of the revised scale in accordance with the formula prescribed above, the senior employee may be given one increment over the minimum or that higher stage.
Note:- Typical examples of pay fixation in the Revised Scales have been incorporated in Appendix III

(5) In the case of Government servant on leave, joining Time, or deputation etc. his pay in the existing scale, Dearness Allowance should be taken into account for purpose of pay fixation at the rates to which he would have been entitled but for proceeding on leave, on deputation, on joining time etc.

(6) The pay of the Government servant who is under suspension on 1.4.1985, shall on termination of suspension be regulated as follows:-

(a) If he is dismissed, there is no question of fixation of pay in the revised scale.
(b) If the period of suspension is treated as spent on duty or leave other than leave without pay, fixation of pay may be done in accordance with this Rule.
(c) If the period of suspension is treated as leave without pay, pay in the revised scale may be fixed only with effect from the date of joining the duty.

7. Date of next increment in the revised scale :-

(1) Except in cases where pay is fixed at the minimum of the revised scale under rule 6 (I) (c) or rule 6 (2) (c) (i) the next increment of a Government servant whose pay has been fixed in the revised scale shall become due on the date on which he would have drawn the increment he had continued in the existing scale.

(2) In the excepted cases where pay is fixed under rule 6(1) (c) or rule 6(2) (c) (i), the next increment in the revised scale shall become due only on completion of the full incremental period of one year.

(3) If by drawing next increment in the revised scale a Government servant becomes eligible for higher pay than his senior whose next increment falls due at a later date, the senior shall be allowed to have his pay refixed equal to the pay of his junior from the date on which the junior becomes entitled to the higher pay.

(4) Increments under these rules shall continue to be granted in all cases from the first of the month in which they become due.

8. Manner of operation of Efficiency Bars –

After the pay of a Government servant is fixed according to the above rules, efficiency bars will become operative only with reference to the revised scale of pay irrespective of whether the Government servant had crossed or not crossed or had been held up at the efficiency bar in the existing scale.

9. Creation of posts in, revised Scales –

As the revised scales take effect from 1.4.1985, all new posts to be created on or after that date should be on the revised pay scales sanctions to the continuance of existing temporary posts, where becoming due on or after that date should be on the revised pay scales. Sanctions to the creation of posts already agreed from 1.4.1985 till the date of publication of these rules, shall also be deemed to have made on the revised scales from the relevant dates.

10. Creation of different grades in certain departments –

Where two or more different grades have been prescribed for the same post drawl of pay in the grades higher than those corresponding to the existing scale of the employee concerned will be subject to finalization of rules relating to promotion from lower to higher grades.

11. Advancement grades –

(a) Pay scales of the advancement grades to which non-gazetted Government servants may move on completion of 15 years of service in lower scale if they do not get any promotion during that period are given in Appendix IV. Admissibility of the advancement grades shall, however, be subject to

(i) Clearance by departmental promotion committee;
(ii) Non-appearance of any adverse entry in Confidential Reports during 3 years prior to consideration for advancement.

Explanation- Attainment of higher scale/grade under any existing rules/orders shall be regarded as promotion for the purpose of this rule.
5
(b) Grant of advancement scale of pay would not involve any change in the designation of the employee concerned and pay in such scales shall be fixed on the basis that advancement does not involve assumption of duties and responsibilities of greater importance.

12. Re-classification –

Classification of posts in accordance with these rules shall be as under –

Non-Gazetted.- Class IV - All posts in the scales the maximum of which is Rs.900/- or below
Class III - All posts in the scales the maximum of which is Rs.1850/- or below but above Rs.900/-
Gazetted Class II - All posts in the scales the maximum of which is Rs.2500/- or below but above Rs.1850/-
Class I - All posts in the scales the maximum of which is above Rs.2500/-.

13. Dearness Allowance –

(1) As the exiting Dearness Allowance has been fully merged in the Revised Scales, no Dearness Allowance will be admissible as on 1.4.1985 on the revised pay fixed in the Revised Pay Scales.
(2) In future the allowance will be admissible at the following rates for every 8 point increase in average Consumer Price Index beyond 576-

<table>
<thead>
<tr>
<th>Pay Range</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Up to pay of Rs. 1800/-</td>
<td>1.4 per cent of revised pay subject to maximum of Rs.20/- per month.</td>
</tr>
<tr>
<td>Beyond Rs. 1800/-</td>
<td>1.1 per cent of revised pay subject to a minimum of Rs.20/- and maximum of Rs.30/- per month.</td>
</tr>
</tbody>
</table>

14 House Rent Allowance –

House rent allowance under Revised Pay Rules would be regulated in the manner indicated below :

(a) Employees posted within Sikkim –

Category

<table>
<thead>
<tr>
<th>Pay range</th>
<th>Rate of House Rent Allowance</th>
</tr>
</thead>
<tbody>
<tr>
<td>i. Govt. servants drawing pay up to Rs.1600/- in the revised scales</td>
<td>15% of revised pay subject to a minimum of Rs.100/- per month for non-gazetted government servants and Rs.200/- per month for gazetted government servants respectively.</td>
</tr>
<tr>
<td>ii. Government servants drawing revised pay above Rs.1600/-</td>
<td>12 1/2% of revised pay subject to a minimum of Rs.240 and a maximum of Rs.450/- per month.</td>
</tr>
</tbody>
</table>

(b) In the case of Government employees including local appointees posted at Delhi, Calcutta, Siliguri and Darjeeling the allowance would be admissible at the rate of 20 per cent of pay subject to a maximum of Rs.450/- per month.

Provided that where the application of the revised rate results in a loss to an existing employee posted at the above mentioned stations the present amount of allowance drawn by him would be protected so long as he continues to be posted to the same station or another station at which the same amount of allowance is admissible under the existing orders.

15 Hill Compensatory Allowance-

Hill Compensatory Allowance will be admissible @ 8% of revised pay subject to a minimum of Rs.55/- per month and a maximum of Rs.125/- per month to all Government employees posted within the State. The amount will be rounded off to the nearest ten paise.

Government employees posted at Siliguri, Calcutta, Delhi or other places outside the State will not be entitled to this allowance.
16. **Siliguri Compensatory Allowance**

All Government servants posted at Siliguri shall be entitled to Siliguri Compensatory Allowance @ 8% of revised pay subject to a minimum of Rs. 55/- per month and maximum of Rs. 125/- per month irrespective of their pay.

17. **Delhi/Calcutta Compensatory Allowance**

Compensatory Allowance to Government employees posted at Delhi/Calcutta would be admissible at the rate of 10 per cent of pay.

Provided that where an existing employee is in receipt of higher amount of compensatory allowance on the basis of present orders such higher amount shall continue to be admissible to the employee concerned so long as he holds the same, equivalent or higher post.

18. **Difficult Area Allowance**

(i) Difficult Area Allowance for Government servants posted at following places would be admissible @ 10% of revised pay subject to a maximum of Rs. 125/- per month to all employees irrespective of their pay —

(a) Karchi  
(b) Labdong  
(c) Kongri  
(d) Gangyab  
(e) Sindrangpong  
(f) Sokpay  
(g) Lingi  
(h) Nizermcng  
(i) Ramong  
(j) Dodochen (East)

(2) Employees posted at the under mentioned places in Tsunghang and Dzongu will also be entitled to the allowance —

(a) Barfok  
(b) Passingdong  
(c) Gor  
(d) Paneng  
(e) Gnon-Samdong  
(f) Ramon  
(g) Hee-Gyathang  
(h) Sangtok  
(i) Lum  
(j) Sakyong  
(k) Lingdong  
(l) Salin  
(m) Lingthem  
(n) Ship-Gyer  
(o) Lingzayah  
(p) Tingbong  
(q) Lingdhem  
(r) Tarang  
(s) Leek  
(t) Gnon  
(u) Leven  
(v) Mangnam (West)  
(w) Pentong
High Altitude Allowance —

High Altitude Allowance will be admissible in the manner indicated below —

<table>
<thead>
<tr>
<th>Altitude</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lachen, Lachung and areas above 8000 feet</td>
<td>12 1/2% of revised pay subject to a maximum of Rs. 150/- per month for all employees.</td>
</tr>
<tr>
<td>Areas above 12000 feet</td>
<td>20% of revised pay subject to a maximum of Rs.200/- per month for all employees.</td>
</tr>
</tbody>
</table>

Special Allowance —

Special Allowance shall continue to be drawn at the existing rates with the Revised Pay scales as Appendix V. Cases, if any, where special allowance is being drawn and is omitted from Appendix V immediately be brought to the notice of Pay Cell in Establishment Department.

Non-Practicing Allowance —

Non-Practicing Allowance on Revised pay scales would be admissible @ 30% of pay subject to minimum of Rs. 600/- per month.

Qualification allowance to Medical Specialists —

(1) Special Allowance for possessing higher professional qualifications, will continue to be on revised pay scales at the existing rates —

(a) Post Graduate Degree/FRCS/MRCP or equivalent qualification .. Rs.120/-p.m.
(b) Diploma Rs. 80/- p.m.
(c) Certificate of not less than six months duration Rs. 40/- p.m.

(2) The Allowance will be admissible only if the incumbents are actually performing the in hospitals as specialists for which special allowance for higher qualifications is granted.

(3) Officers who are at present drawing special allowance for higher qualifications but not totally performing duties as specialists in hospitals may continue to draw the allowance at the same rate.

Posts not covered under prescribed schedules —

It may be possible that some posts have been excluded from the schedules attached with these rules. Processes of such omission should immediately be brought to the notice of the Pay Cell with relevant particulars for Notification.

Procedure for fixation of Pay in Revised Scales —

(1) As provided in these rules, pay of all eligible employees should be fixed in the revised scales the prescribed manner. A proforma for fixation of pay in the Revised Scales is attached with these rules Appendix VI.

(2) In the case of non-gazetted Government servants fixation of pay in the revised scales may done by the respective Departments and for the gazetted officers by the Establishment Department. Pay Taxation statements duly filled in both the cases should be sent to Pay Cell in the Establishment Department. appears will be drawn only after the pay fixation has been approved by the Pay Cell.

(3) For the non-gazetted employees the Head of Department concerned and for gazetted officers, the Establishment Department would arrange to prepare six copies of pay fixation statement of each government servant in the prescribed proforma and send the same to the Pay Cell in Establishment Department. After approval of pay fixation, three copies in the case of non-gazetted employees and two in the case of gazetted officers would be returned to the concerned Head of Department for drawl of arrears and pasting in the service book of the non-gazetted employees. In respect of Gazetted officers, third copy would be sent to Establishment Department for similar pasting in the service book. The fourth copy shall be sent to the Accountant General, Sikkim and the fifth to Pay and Accounts office. The last copy would be retained in the Pay Cell.
The Head of Department would arrange to ensure that a copy of the approved fixation of pay in the revised scale is pasted in the service book and entries with respect to such fixation are made in the service book of the employee under proper attestation.

The Pay fixation statement rechecked and thus approved will be subject to test check by the Accountant General either in central or local audit as may be deemed convenient by him. For this purpose and also for convenient future reference, a copy of approved pay fixation statement should be kept pasted in the Service Book of each individual employee as already provided above.

**25 Payment of arrears out of fixation of pay in the Revised Scale.**

(1) All arrears pay bills shall be pre-checked before payment by the Pay and Accounts Office. Fifth copy of the approved pay fixation statement sent under rule 24 (3 ) of these rules shall be used for the purpose.

(2) In order to provide immediate benefit, the Government has sanctioned interim relief at the rate of Rs. 70/- per month to all classes of employees with effect from 1st April, 1985 In addition, the Government had granted ad-hoc payment of Rs.135/- subject to adjustment from the arrears which would be admissible on fixation of pay in the revised pay scales.

(3) On fixation of pay in the revised scale, interim relief shall cease to be admissible and in payment of arrears on account of such fixation, interim relief of Rs. 70/- and ad-hoc payment of Rs. 135/- wherever applicable, shall be deducted.

Every employee whose pay is fixed in the Revised Scale under these rules shall give an undertaking in the prescribed form (Appendix VII) to the effect that overpayments, if any, made on account of incorrect fixation of pay will be refunded by him to Government.

**27. Over-riding effect of rules —**

The provisions of the Sikkim Government Service Rules and Amendments and other orders issued by Government on matters covered under these rules, shall not, save as otherwise regulated under these rules, apply to cases where pay is regulated under these rules to the extent they are inconsistent with these rules.

**28. Relaxation of Rules —**

Where the Governor is satisfied that the operation of any of these rules causes undue hardship in any particular case, he may, by order, relax the requirements of that rule to such extent and subject to such conditions as he may consider necessary for dealing with the case in a just and equitable manner.

**29. Power of Interpretation —**

If any question arises relating to the interpretation of these rules, it shall be referred to the Government in the Establishment Department whose decision thereon shall be final.

T. CHHOPHEL,
SECRETARY
ESTABLISHMENT DEPARTMENT.
### APPENDIX I

(See Rule 3)

**RATES OF DEARNESS ALLOWANCE (AS ON 1.4.1985)**

<table>
<thead>
<tr>
<th>Pay Range</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Up to Rs.900/-</td>
<td>99.5% of pay subject to a minimum of Rs.313.50 per month.</td>
</tr>
<tr>
<td>Above Rs.900/- and up to Rs.1120.50</td>
<td>Amount by which pay plus D.A. falls short Rs.1795.50</td>
</tr>
<tr>
<td>Rs.1120/50 and above</td>
<td>Rs.675/-</td>
</tr>
</tbody>
</table>

(Finance Department Circular No.10Bud/Fin. dated 13th June, 1985)

### APPENDIX 11

(See Rule 3)

**REVISED SCALES**

<table>
<thead>
<tr>
<th>Sl. no.</th>
<th>Revised Scale</th>
<th>Span (years)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>635-7-712-8-800</td>
<td>22</td>
</tr>
<tr>
<td>2</td>
<td>650-7-727-8-815</td>
<td>22</td>
</tr>
<tr>
<td>3</td>
<td>660-8-740-IO-900</td>
<td>26</td>
</tr>
<tr>
<td>4</td>
<td>690-II-800-EB-13-930-EB-14-1000</td>
<td>25</td>
</tr>
<tr>
<td>5</td>
<td>72-840-EB-14-980-EB-15-1055</td>
<td>25</td>
</tr>
<tr>
<td>7</td>
<td>810-14-950-EB-16-1110-EB-18-1200</td>
<td>25</td>
</tr>
<tr>
<td>8</td>
<td>830-20-1050-EB-25-1400</td>
<td>25</td>
</tr>
<tr>
<td>9</td>
<td>920-20-1060-EB-25-1210-EB-30-1600</td>
<td>26</td>
</tr>
<tr>
<td>10</td>
<td>970-20-1110-EB-25-1210-EB-30-1660</td>
<td>25</td>
</tr>
<tr>
<td>11</td>
<td>1030-25-1280-EB-30-1550-EB-35-1755</td>
<td>25</td>
</tr>
<tr>
<td>12</td>
<td>1100-25-1350-EB-30-1650-EB-40-1550</td>
<td>25</td>
</tr>
<tr>
<td>13</td>
<td>1320-30-1650-EB-40-2050-EB-50-2300</td>
<td>26</td>
</tr>
<tr>
<td>15</td>
<td>1800-45-2 250-EB-50-2700</td>
<td>19</td>
</tr>
<tr>
<td>16</td>
<td>1900-50-2400-EB-55-2620-EB-60-2800</td>
<td>17</td>
</tr>
<tr>
<td>17</td>
<td>2100-65-2425-EB-75-3025</td>
<td>13</td>
</tr>
<tr>
<td>18</td>
<td>2300-75-2900-EB-80-3220</td>
<td>12</td>
</tr>
<tr>
<td>19</td>
<td>2500-90-2950-EB-100-3650</td>
<td>12</td>
</tr>
<tr>
<td>20</td>
<td>3000-100-4000</td>
<td>10</td>
</tr>
</tbody>
</table>
APPENDIX III
(See Rule 6)

TYPICAL EXAMPLES OF PAY FIXATION IN THE REVISED SCALES

Example I

Existing Scale : Rs. 300-4-340-5-380
Revised Scale : Rs. 635-7-712-8-800

(a) Existing Emoluments : 
Pay : Rs. 300.00
D.A. : Rs. 313.50
Total : Rs. 613.50

Amount to be added at 10 % of Rs.300/- subject to a minimum of Rs.70/-

Total : Rs. 70.00

Total : Rs. 683.50 , rounded to Rs. 684/-

Pay to be fixed in the revised scale at Rs. 684/- per month.

(b) Existing Emoluments : 
Pay : Rs. 340.00
D.A. : Rs. 338.30
Total : Rs. 678.30

Amount to be added at 10 % of Rs.340/- subject to a minimum of Rs.70/-

Total : Rs. 70.00

Total : Rs. 748.30 , rounded to Rs. 748/-

Pay to be fixed in the revised scale at Rs.752/- per month.

Example II

Existing Scale : Rs. 320-5-390-6-450
Revised Scale : Rs. 660-8-740-10-900

(a) Existing Emoluments : 
Pay : Rs. 320.00
D.A. : Rs. 318.40
Total : Rs. 638.40

Amount to be added at 10% of Rs.320/- subject to a minimum of Rs.70/-

Total : Rs. 70.00

Total : Rs. 708.40 , rounded to Rs. 708/-

Pay to be fixed in the revised scale at Rs.708/- per month.

(b) Existing Emoluments : 
Pay : Rs. 420.00
D.A. : Rs. 417.90
Total : Rs. 837.90

Amount to be added at 10 % of Rs.420/- subject to a minimum of Rs.70/-

Total : Rs. 70.00

Total : Rs. 907.90 , rounded to Rs. 908/-

Pay to be fixed in the revised scale at Rs.900/- and the balance of Rs.8/- to be allowed as personal pay.

Example III

Existing Scale : Rs. 350-6-410-7-550
Revised Scale : Rs. 720-12-EB-840-14-980-EB-15-1055

(a) Existing Emoluments : 
Pay : Rs. 380.00
D.A. : Rs. 378.10
Total : Rs. 758.10

Amount to be added at 10 % of Rs.380/- subject to a minimum of Rs.70/-

Total : Rs. 70.00

Total : Rs. 828.10 , rounded to Rs. 828/-
Pay to be fixed in the revised scale at Rs.828/- per month.

(b) **Existing Emoluments**

<table>
<thead>
<tr>
<th>Pay</th>
<th>Rs. 501.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>D.A.</td>
<td>Rs. 498.50</td>
</tr>
</tbody>
</table>

**Total** : Rs. 999.50

Amount to be added at 10% of Rs.510/- subject to a minimum of Rs.70/-

<table>
<thead>
<tr>
<th>Pay</th>
<th>Rs. 70.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>Rs. 1069.50 rounded to Rs. 1070/-</td>
</tr>
</tbody>
</table>

Pay to be fixed in the revised scale at Rs.1055/- and the balance of Rs.1/- to be allowed as personal pay.

---

**Example IV**

Existing Scale :

| Rs. 450-12-570-EB-15-720-EB-20-800 |

Revised Scale :

| Rs. 920-20-1060-EB-25-1210-EB-30-1600 |

(a) **Existing Emoluments**

<table>
<thead>
<tr>
<th>Pay Rs.</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>D.A. Rs. 567.20</td>
<td></td>
</tr>
</tbody>
</table>

**Total** : Rs. 1137.20

Amount to be added at 10% of Rs.570/- subject to a minimum of Rs.70/-

<table>
<thead>
<tr>
<th>Pay</th>
<th>Rs. 70.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>Rs. 1207.20 rounded to Rs. 1207/</td>
</tr>
</tbody>
</table>

Pay to be fixed in the revised scale at Rs.1210/- per month, if there is no anomaly.

---

**Example V**

Existing Scale :

| Rs. 660-25-910-EB-30-1240-40-1400 |

Revised Scale :

| Rs. 1320-30-1650-EB-40-2050-EB-50-2300 |

Existing Emoluments :

<table>
<thead>
<tr>
<th>Pay Rs.</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>D.A. Rs. 706.50</td>
<td></td>
</tr>
</tbody>
</table>

**Total** : Rs. 1416.50

Amount to be added at 10% of Rs.710/-

<table>
<thead>
<tr>
<th>Pay</th>
<th>Rs. 71.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>Rs. 1487.50 rounded to Rs.1488/-</td>
</tr>
</tbody>
</table>

Pay to be fixed in the revised scale at Rs.1500/- per month.

---

**Example VI**

Existing Scale :

| Rs. 1200-60-1440-EB-70-2000 |

Revised Scale :

| Rs. 2100-65-2425-EB-75-302J |

(a) **Existing Emoluments**

<table>
<thead>
<tr>
<th>Pay Rs.</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>D.A. Rs. 675.00</td>
<td></td>
</tr>
</tbody>
</table>

**Total** : Rs. 1875.00

Amount to be added at 10% of Rs.1200/-

<table>
<thead>
<tr>
<th>Pay</th>
<th>Rs. 120.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>Rs. 1995.00</td>
</tr>
</tbody>
</table>

Pay to be fixed in the revised scale at Rs.2100/- per month.

(b) **Existing Emoluments**

<table>
<thead>
<tr>
<th>Pay Rs.</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>D.A. Rs. 657.00</td>
<td></td>
</tr>
</tbody>
</table>

**Total** : Rs. 1935.00

Amount to be added at 10% of Rs.1260/-

<table>
<thead>
<tr>
<th>Pay</th>
<th>Rs. 126.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>Rs. 2061.00</td>
</tr>
</tbody>
</table>

Pay to be fixed in the revised scale at Rs.2100/- per month if there is no anomaly. If there is a junior was drawing pay of Rs. 1200/- per month in the existing scale and whose pay is fixed at Rs. 2100/- per month the revised scale, then the pay of the senior drawing pay of Rs. 1260/- per month in the existing scale will fixed at Rs. 2165/- per month, in the revised scale.
Example VII

Existing Scale :
          Rs. 1350-75-1800-EB-100-2400
Revised Scale :
          Rs. 2500-90-2950-EB-100-365

Existing Emoluments :
          Pay Rs. 1800.00
          D.A. Rs.675.00

Amount to be added at 10% of Rs.1800/-
subject to a maximum of Rs. 150/-
          : Rs. 150.00

Total :
          : Rs. 2625.00

Pay to be fixed in the revised scale at Rs.1680/- per month if there is no anomaly.

Example VIII

Existing Scale :
          Rs. 1800-100-2500
Revised Scale :
          Rs. 3000-100-4000

Existing Emoluments :
          Pay Rs. 2500.00
          D.A. Rs.675.00

Amount to be added at 10% of Rs.1500/-
subject to a maximum of Rs. 150/-
          : Rs. 150.00

Total :
          : Rs. 3325.00

Pay to be fixed in the revised scale at Rs.3400/- per month if there is no anomaly.

APPENDIX IV

(See Rule 11)

ADVANCEMENT GRADES

REVISIRED PAY SCALE

<table>
<thead>
<tr>
<th>Grade</th>
<th>Pay Scale</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>635-7-712-8-800</td>
</tr>
<tr>
<td>2.</td>
<td>650-7-727-8-815</td>
</tr>
<tr>
<td>3.</td>
<td>660-8-740-10-900</td>
</tr>
<tr>
<td>4.</td>
<td>690-11-800-EB-13-930-EB-14-1000</td>
</tr>
<tr>
<td>5.</td>
<td>720-12-840-EB-14-980-EB-15-1055</td>
</tr>
<tr>
<td>7.</td>
<td>810-14-950-EB-16-1110-EB-18-1200</td>
</tr>
<tr>
<td>8.</td>
<td>830-20-1050-EB-25-1400</td>
</tr>
<tr>
<td>9.</td>
<td>920-20-1060-EB-25-1210-EB-30-1600</td>
</tr>
<tr>
<td>10.</td>
<td>970-20-1110-EB-25-1210-EB-30-1660</td>
</tr>
<tr>
<td>11.</td>
<td>1030-25-1280-EB-30-1580-EB-35-1755</td>
</tr>
<tr>
<td>12.</td>
<td>1100-25-1350-EB-30-1650-EB-40-1850</td>
</tr>
</tbody>
</table>

PAY SCALE OF THE ADVANCEMENT GRADE TO WHICH EMPLOYEES MAY MOVE ON COMPLETION OF 15 YEARS OF SERVICE IN LOWER SCALE IF THEY DO NOT GET PROMOTION IN THAT PERIOD

<table>
<thead>
<tr>
<th>Rs.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. 660-8-740-10-900</td>
</tr>
<tr>
<td>2. 660-8-740-10-900</td>
</tr>
<tr>
<td>3. 690-11-800-EB-13-930-EB-14-1000</td>
</tr>
<tr>
<td>4. 720-12-840-EB-14-980-EB-15-1055</td>
</tr>
<tr>
<td>5. 810-14-950-EB-16-1110-EB-18-1200</td>
</tr>
<tr>
<td>6. 810-14-950-EB-16-1110-EB-18-1200</td>
</tr>
<tr>
<td>7. 830-20-1050-EB-25-1400</td>
</tr>
<tr>
<td>8. 920-20-1060-EB-25-1210-EB-30-1600</td>
</tr>
<tr>
<td>9. 970-20-1110-EB-25-1210-EB-30-1660</td>
</tr>
<tr>
<td>10. 1030-25-1280-EB-30-1580-EB-35-1755</td>
</tr>
<tr>
<td>11. 1100-25-1350-EB-30-1650-EB-40-1850</td>
</tr>
</tbody>
</table>
### APPENDIX V
### SPECIAL ALLOWANCE

<table>
<thead>
<tr>
<th>Sl.No.</th>
<th>Name of Department</th>
<th>Designation of post</th>
<th>Amount per Month Rs.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Home</td>
<td>Private Secretary to Chief Minister, Ministers, Speaker and Deputy Speaker, if member of State Civil Service or a Gazetted Officer</td>
<td>200/-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Private Secretary to Chief Minister, Speaker and Deputy Speaker, if belonging to Ministerial Staff.</td>
<td>150/-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Under Secretary to Chief Minister</td>
<td>200/-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Private Secretary to Chief Secretary</td>
<td>200/-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>P.A. to Chief Secretary 175/-</td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>Home</td>
<td>Asstt. Resident Commissioner, New Delhi</td>
<td>100/-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Supdt. of Police</td>
<td>150/-</td>
</tr>
<tr>
<td>3.</td>
<td>Home</td>
<td>Under Secretary to Chief Minister</td>
<td>200/-</td>
</tr>
<tr>
<td>4.</td>
<td>Home</td>
<td>Inspector</td>
<td>75/-</td>
</tr>
<tr>
<td>5.</td>
<td>Home</td>
<td>Sub-Inspector</td>
<td>50/-</td>
</tr>
<tr>
<td>6.</td>
<td>Sikkim House, New Delhi</td>
<td>Inspector (Head Constable)</td>
<td>15/-</td>
</tr>
<tr>
<td>7.</td>
<td>Home (Vigilance)</td>
<td>Driver (Constable)</td>
<td>100/-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Superintendent of Police</td>
<td>10/-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Naik</td>
<td>5/-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Writer Constable</td>
<td>100/-</td>
</tr>
<tr>
<td>8.</td>
<td>Police (Civil)</td>
<td>Superintendent of Police</td>
<td>75/-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Deputy Superintendent of Police</td>
<td>50/-</td>
</tr>
<tr>
<td>9.</td>
<td>Police (Armed)</td>
<td>Sub-Inspector</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Coy. Havildar/Coy. Quarter Master</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Havildar/Platoon 2 1/C H/C/Section</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Commander (Naik)/Second Commander</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>2 I/C(L. Naik)/Constables/Drivers followers</td>
<td>40/-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Superintendent of Police</td>
<td>150/-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Additional Superintendent of Police</td>
<td>100/-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Deputy Superintendent of Police</td>
<td>100/-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Inspector</td>
<td>75/-</td>
</tr>
<tr>
<td>10.</td>
<td>Police (Intelligence)</td>
<td>Sub-Inspector</td>
<td>50/-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Head Constable</td>
<td>35/-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Constable</td>
<td>15/-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Superintendent of Police</td>
<td>150/-</td>
</tr>
<tr>
<td>11.</td>
<td>Police (Crime)</td>
<td>Deputy Superintendent of Police</td>
<td>100/-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Inspector</td>
<td>75/-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Sub-Inspector</td>
<td>50/-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Assistant Sub-Inspector</td>
<td>35/-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Head Constable</td>
<td>35/-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Constable Driver</td>
<td>15/-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Assistant Sub-Inspector</td>
<td>35/-</td>
</tr>
<tr>
<td>12.</td>
<td>Police (Wireless)</td>
<td>Inspector</td>
<td>75/-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Sub-Inspector</td>
<td>50/-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Assistant Sub-Inspector</td>
<td>35/-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Head Constable</td>
<td>35/-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Constable Driver</td>
<td>15/-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Assistant Sub-Inspector</td>
<td>35/-</td>
</tr>
<tr>
<td>13.</td>
<td>Police (Cryptography)</td>
<td>Inspector</td>
<td>22/-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Sub-Inspector</td>
<td>50/-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Assistant Sub-Inspector</td>
<td>40/-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Inspector</td>
<td>75/-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Sub-Inspector</td>
<td>50/-</td>
</tr>
<tr>
<td>14.</td>
<td>Police (Finger Print)</td>
<td>Assistant Sub-Inspector</td>
<td>35/-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Head Constable</td>
<td>35/-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Constable Driver</td>
<td>15/-</td>
</tr>
<tr>
<td>15.</td>
<td>Police (Photography)</td>
<td>Inspector</td>
<td>75/-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Sub-Inspector</td>
<td>50/-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Assistant Sub-Inspector</td>
<td>35/-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Constable</td>
<td>15/-</td>
</tr>
<tr>
<td>16.</td>
<td>Police (Motor Transport)</td>
<td>Foreman</td>
<td>70/-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Junior Foreman</td>
<td>50/-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Grade I Fitter</td>
<td>40/-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Grade II Fitter</td>
<td>35/-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Grade III Fitter</td>
<td>25/-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Grade IAAV Fitter</td>
<td>20/-</td>
</tr>
<tr>
<td>17.</td>
<td>Education</td>
<td>Headmaster Junior High School</td>
<td>50/-</td>
</tr>
<tr>
<td>18.</td>
<td>Education</td>
<td>Headmaster Primary School</td>
<td>40/-</td>
</tr>
<tr>
<td>19.</td>
<td>Education</td>
<td>Assistant Education Officer</td>
<td>50/-</td>
</tr>
<tr>
<td>20.</td>
<td>Education</td>
<td>Hostel Superintendent.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>for 20 boarders or less</td>
<td>35/-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>More than 20 boarders</td>
<td>50/-</td>
</tr>
<tr>
<td>21.</td>
<td>Land Revenue</td>
<td>District Collector</td>
<td>150/-</td>
</tr>
<tr>
<td>22.</td>
<td>Health &amp; Family Welfare</td>
<td>Doctors working as specialists with-Certificate</td>
<td>40/-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Diploma</td>
<td>80/-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Degree</td>
<td>120/-</td>
</tr>
<tr>
<td>23.</td>
<td>Health &amp; Family Welfare</td>
<td>Senior Radiographer</td>
<td>100/-</td>
</tr>
<tr>
<td>24.</td>
<td>Health &amp; Family Welfare</td>
<td>Assistant Matron</td>
<td>60/-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Staff Nurse</td>
<td>60/-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Auxiliary Nurse-cum-Midwife</td>
<td>60/-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Compounded</td>
<td>40/-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>X-Ray Technician</td>
<td>40/-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Laboratory Technician</td>
<td>40/-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Treatment Organizers</td>
<td>40/-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Statistical Assistant</td>
<td>40/-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Female Ward Attendant</td>
<td>30/-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Male Ward Attendant</td>
<td>30/-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Safai Karmachari</td>
<td>30/-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Dhobi</td>
<td>30/-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Mali</td>
<td>30/-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Cook</td>
<td>20/-</td>
</tr>
<tr>
<td>25.</td>
<td>Forest</td>
<td>Ward Attendant (Post-mortem)</td>
<td>50/-</td>
</tr>
<tr>
<td>26.</td>
<td>Finance</td>
<td>Wild Life Guards</td>
<td>15/-</td>
</tr>
<tr>
<td>27.</td>
<td>High Court</td>
<td>Budget Officer</td>
<td>100/-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Registrar</td>
<td>200/-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Deputy Registrar</td>
<td>150/-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Secretary to Chief Justice</td>
<td>150/-</td>
</tr>
<tr>
<td>28.</td>
<td>Raj Bhavan &amp; Others</td>
<td>Driver to Governor/Chief Minister/Minister/Speaker/Deputy Speaker/Chief Justice</td>
<td>40/-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Driver to Chief Secretary</td>
<td>30/-</td>
</tr>
<tr>
<td>29.</td>
<td>S.P.W.D.</td>
<td>Engineer Officer</td>
<td>150/-</td>
</tr>
<tr>
<td>30.</td>
<td>Gestetner Operator in departments if performing additional duties provided not more than one person in a department/office is appointed as Gestetner Operators. (Persons appointed as full time Gestetner Operators will not be entitled to this allowance)</td>
<td>25/-</td>
<td></td>
</tr>
</tbody>
</table>
STATEMENT OF FIXATION OF PAY IN REVISED PAY SCALES, 1986

Name of the Department/Office : 

Headquarters : 

1. Name of Government Servant : 

2. Designation of the post in which pay is to be fixed on 1.4.85 : 

3. Substantive or Officiating : 

4. Existing Scale : 

5. Revised Pay Scale : 

6. Existing emoluments on 1.4.1985 - 

   i) Basic Pay : 
   
   ii) Dearness Allowance 

   Total : 

7. 10% of basic pay (subject to a minimum of Rs. 70/- and maximum of Rs. 150/-) : 

8. Total (6) + (7) rounded to the nearest rupee. 

   (Fractions of 50 paise or more to be rounded to next rupee and those less than 50 paise to be ignored) : 

9. Pay fixed under Rule 6 (1) (b) or 6 (1) (c) or 6 (1) (d) : 

10. i) Add one increment on the basis of revised pay fixed for the junior, if admissible under the Rule 6(4) : 

    ii) Particulars of the junior : 

        Name and designation of the junior : 

        Pay in the existing scale : 

        Pay as fixed in the Revised Scale : 

11. i) Final pay fixed under Sikkim Government Service (Revised Pay) Rules on 1. 4. 1985 :

ii) Allowances admissible on

(i) above –

(a) House Rent Allowance if not allotted with Government accommodation :

(b) Hill Compensatory Allowance :

(c) Special Allowance :

(d) Other Allowances :

12. Date of next increment :

13. Any other relevant information/remarks :

Certified that –

(i) Particulars furnished above are correct as per official record:

(ii) Undertaking has been obtained from the employee to refund over payment, if any, on account of incorrect fixation of pay which may be subsequently detected.

Place : Head of Office/Department

Date : Designation :

Pre-checked and approved.

Date :

SECRETARY
PAY CELL
ESTABLISHMENT DEPARTMENT
I hereby agree to refund the over-payment, if any, made to me on account of incorrect fixation of my pay in the revised Pay Scales, 1986.

**Date:**

**Station:**

**Signature of Government servant**

**APPENDIX VII**

**UNDERTAKING**

(See Rule 26)

<table>
<thead>
<tr>
<th>Sl.No.</th>
<th>Name of the post</th>
<th>Existing Scale Rs.</th>
<th>Revised Scale Rs.</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Peon, Chowkidar, Sweeper, Cleaner, Messenger, Watchman, Helper, Telephone Attendant.</td>
<td>300—380</td>
<td>635—800</td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>Mali, Dhobi</td>
<td>310—400</td>
<td>650—815</td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>Cook, Bearer</td>
<td>320—45</td>
<td>660—900</td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>Head Sweeper, Head Mali, Daftary</td>
<td>320—45</td>
<td>660—900</td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td>Gesterner Operator, Senior Daftary</td>
<td>300—500</td>
<td>690—1000</td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td>Driver Grade I</td>
<td>410—700</td>
<td>830—1400</td>
<td>Subject to prescribed qualified conditions</td>
</tr>
<tr>
<td>Grade II</td>
<td>Grade III</td>
<td>380—550</td>
<td>770—1100</td>
<td></td>
</tr>
<tr>
<td>Grade III</td>
<td></td>
<td>350—550</td>
<td>720—1055</td>
<td></td>
</tr>
<tr>
<td>7.</td>
<td>Head Cook</td>
<td>350—350</td>
<td>720—1055</td>
<td></td>
</tr>
<tr>
<td>8.</td>
<td>Lower Division Clerk, Accounts Clerk, Junior Store Keeper, Typist, Despatcher, Record Keeper, Diarist</td>
<td>380—550</td>
<td>770—1100</td>
<td></td>
</tr>
<tr>
<td>9.</td>
<td>Upper Division Clerk, Junior Accountant, Cashier, Senior Store-Keeper</td>
<td>410—700</td>
<td>830—1400</td>
<td></td>
</tr>
<tr>
<td>10.</td>
<td>Head Assistant, Accountant, Chief Cashier</td>
<td>450—800</td>
<td>920—1600</td>
<td></td>
</tr>
<tr>
<td>11.</td>
<td>Office Superintendent, Senior Accountant</td>
<td>550—1100</td>
<td>1100—1850</td>
<td></td>
</tr>
<tr>
<td>12.</td>
<td>Stenographer Grade I</td>
<td>550—1100</td>
<td>1100—1850</td>
<td>Subject to prescribed qualified</td>
</tr>
<tr>
<td>Grade II</td>
<td></td>
<td>480—850</td>
<td>970—1660</td>
<td></td>
</tr>
<tr>
<td>Grade III</td>
<td></td>
<td>450—800</td>
<td>920—1600</td>
<td></td>
</tr>
</tbody>
</table>
S.O. - Whereas the Election Commission of India has considered the application of Jagrat Orissa for registration of that Association under paragraph 3 of the Election Symbols (Reservation and Allotment) Order, 1968, as a political party, and the documents produced in support of the prayer contained in the said application, and has decided to register that Association under the name and style of 'JAGRAT ORISSA' as an un-recognised political party in respect of the State of Orissa under the provision of paragraph 3 of the said symbols order, subject to the following conditions:

(i) The Party shall communicate to the Commission without delay any change in its name, head office, office bearers and their address, political principals, policies, aims and objectives and any change in any other material matters;

(ii) The Party shall intimate the Commission immediately whenever any amendments are issued to Party Constitution along with the relevant documents like the notice for the meeting to consider amendments, agenda for the meeting, minutes of the meeting where the amendments (s) has/ have been carried;

(iii) The Party shall maintain all the records like minutes books, accounts books, membership registers, receipt books etc. properly;

(iv) The said record shall be open for inspection at any time by the authorized representative (s) of the Commission; and

(v) The registration granted shall be reviewed by the Commission from time to time.
Now, therefore, in pursuance of the provision contained in clause (c) of sub-Para (1) and sub-paragraph (2) of paragraph 17 of the Election Symbols (Reservation and Allotment Order, 1968, the Election Commission of India hereby makes the following amendment to its Notification No. 56/34-I, dated the 13th November, 1984, as amended from time to time:-

In Table 3 appended to the said Notification, under column 1 and 2 after the entry "14 Nagaland People Party Nagaland" the entry "15. Jagrat Orissa-Orissa" shall be inserted.

No. 56/84-XIX

By Order,

Sd/-

(R. P. BHALLA)

Secretary

T. WANGCHUK

Deputy Chief Elector Officer

Sikkim.

PRINTED AT THE SIKKIM GOVERNMENT PRESS, GANGTOK
SIKKIM LEGISLATIVE ASSEMBLY SECRETARIAT
GANGTOK

NOTIFICATION

No.SLAS/85-86/18/988 February 21, 1986.

The following order made by the Governor of Sikkim is hereby published for general information:-

"No.SKM/GOV/110/86 Dated February,21, 1986.

ORDER

In exercise of the powers conferred on me by Article 174(1) of the Constitution of India, I.T.V. Rajeswar, Governor of Sikkim, hereby summon the Sikkim Legislative Assembly to meet on Monday, 17th March, 1986 at 11.00 A.M., in the Assembly House at Gangok.

I further direct that the Secretary, Sikkim Legislative Assembly, shall notify the Members accordingly.

T.V. RAJESWAR
GOVERNOR OF SIKKIM"

SONAM WANGDI,
Secretary,
Sikkim Legislative Assembly.

PRINTED AT THE SIKKIM GOVERNMENT PRESS, GANGTOK.
Notification No. 9/DL/DCA/1985

In exercise of the powers conferred by sub-section (1) of section 21 of the Drugs and Cosmetics Act, 1940 read with second proviso to rule 49 of the Drugs and Cosmetics Rules 1945 the State Government hereby appoints with immediate effect Shri C. N. Sharma, Pharmacist-cum- Senior Store Keeper, Central Medical Stores, Gangtok as Drug Inspector for the purpose of said Act and Rules made there under for the whole of Sikkim.

JIGMI DORJEE,
Secretary to the Govt, of Sikkim.
NOTIFICATION

The following Act of the Sikkim Legislative Assembly having received the assent of Governor on 25th day of February, 1986 is hereby published for general information:—

THE SIKKIM AGRICULTURAL LAND CEILING AND REFORMS (AMENDMENT) ACT 1985

(Act No. 3 of 1986)

AN ACT

[25.2.1986]

to amend the Sikkim Agricultural Land Ceiling and Reforms Act, 1977.

Be it enacted by the Legislative Assembly of Sikkim in the Thirty-sixth Year of the Republic of India as follows:—

Short title and Commencement.

1. (1) This Act may be called the Sikkim Agricultural Land Ceiling and Reforms (Amendment) Act, 1985.

(2) It shall come into force at once,

Amendment of Section 7.

2. In the Sikkim Agricultural Land Ceiling and Reforms Act, 14 of 1978, to section 7, the following proviso shall be added, namely:—

"Provided that a transfer by any person holding land in excess of ceiling limit in favour of landless person or persons having land below the ceiling limit and not exceeding the ceiling limit with the prior permission of the State Government shall not be deemed to be null and void."

B. R. PRADHAN,
Secretary to the Govt, of Sikkim,
Law Department.
F. No. 16 (16) LD/78.
GOVERNMENT OF SIKKIM
ELECTION DEPARTMENT

Notification No. 38/H.

Dated 17 February, 1986.

Election Commission of India's notification No. 429/SKM/86 (1) dated 23th January, 1986 is hereby republished for general information.

ELECTION COMMISSION OF INDIA

Nirvachan Sadan,
Ashok Road,
New Delhi—1.

Dated : 28th January, 1986
8 Magha 1907 (S)

NOTIFICATION

No. 429/SKM/86(1):— In exercise of the powers conferred by sub-section (1) of the section 13 C of the RP. Act, 1950 (43 of 1950) and in supersession of its notification No. 429/SKM/75(2) dated 26th September, 1975, the Election Commission hereby appoints each of the Officers of Government as specified in column 2 of the Table below as Assistant Electoral Registration Officer to assist the Electoral Registration Officer of the Assembly Constituency in the State of Sikkim as specified in column 1 of the said Table against such officer, in the performance of the functions of such Electoral Registration Officer.
<table>
<thead>
<tr>
<th>Serial number and name of Constituency</th>
<th>Assistant Electoral Registration Officer(S)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2. Sub-Divisional Magistrate II, Gyalshing.</td>
</tr>
<tr>
<td></td>
<td>4. Deputy District Officer, West, Gyalshing.</td>
</tr>
<tr>
<td></td>
<td>5. Revenue Officer, West District, Gyalshing.</td>
</tr>
<tr>
<td></td>
<td>6. Assistant Electoral Officer, Election Department, Gangtok</td>
</tr>
<tr>
<td></td>
<td>2. Sub-Divisional Magistrate II, Gyalshing.</td>
</tr>
<tr>
<td></td>
<td>4. Deputy District Officer, West, Gyalshing.</td>
</tr>
<tr>
<td></td>
<td>5. Revenue Officer, West District, Gyalshing.</td>
</tr>
<tr>
<td></td>
<td>6. Assistant Electoral Officer, Election Department, Gangtok</td>
</tr>
<tr>
<td></td>
<td>2. Sub-Divisional Magistrate II, Gyalshing.</td>
</tr>
<tr>
<td></td>
<td>4. Deputy District Officer, West, Gyalshing.</td>
</tr>
<tr>
<td></td>
<td>5. Revenue Officer, West District, Gyalshing.</td>
</tr>
<tr>
<td></td>
<td>6. Assistant Electoral Officer, Election Department, Gangtok</td>
</tr>
<tr>
<td></td>
<td>2. Sub-Divisional Magistrate II, Gyalshing.</td>
</tr>
<tr>
<td></td>
<td>4. Deputy District Officer, West, Gyalshing.</td>
</tr>
<tr>
<td></td>
<td>5. Revenue Officer, West District, Gyalshing.</td>
</tr>
<tr>
<td></td>
<td>6. Assistant Electoral Officer, Election Department, Gangtok</td>
</tr>
<tr>
<td></td>
<td>2. Sub-Divisional Magistrate II, Gyalshing.</td>
</tr>
<tr>
<td></td>
<td>4. Deputy District Officer, West, Gyalshing.</td>
</tr>
<tr>
<td></td>
<td>5. Revenue Officer, West District, Gyalshing.</td>
</tr>
<tr>
<td></td>
<td>6. Assistant Electoral Officer, Election Department, Gangtok</td>
</tr>
<tr>
<td></td>
<td>2. Sub-Divisional Magistrate II, Gyalshing.</td>
</tr>
<tr>
<td></td>
<td>4. Deputy District Officer, West, Gyalshing.</td>
</tr>
<tr>
<td></td>
<td>5. Revenue Officer, West District, Gyalshing.</td>
</tr>
<tr>
<td></td>
<td>6. Assistant Electoral Officer, Election Department, Gangtok</td>
</tr>
<tr>
<td></td>
<td>2. Sub-Divisional Magistrate II, Gyalshing.</td>
</tr>
<tr>
<td></td>
<td>4. Deputy District Officer, West, Gyalshing.</td>
</tr>
<tr>
<td></td>
<td>5. Revenue Officer, West District, Gyalshing.</td>
</tr>
<tr>
<td></td>
<td>6. Assistant Electoral Officer, Election Department, Gangtok</td>
</tr>
<tr>
<td></td>
<td>2. Sub-Divisional Magistrate II, Gyalshing.</td>
</tr>
<tr>
<td></td>
<td>4. Deputy District Officer, West, Gyalshing.</td>
</tr>
<tr>
<td></td>
<td>5. Revenue Officer, West District, Gyalshing.</td>
</tr>
<tr>
<td></td>
<td>6. Assistant Electoral Officer, Election Department, Gangtok</td>
</tr>
<tr>
<td></td>
<td>2. Sub-Divisional Magistrate II, Gyalshing.</td>
</tr>
<tr>
<td></td>
<td>4. Deputy District Officer, West, Gyalshing.</td>
</tr>
<tr>
<td></td>
<td>5. Revenue Officer, West District, Gyalshing.</td>
</tr>
<tr>
<td></td>
<td>6. Assistant Electoral Officer, Election Department, Gangtok</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>---</td>
<td>---</td>
</tr>
</tbody>
</table>
|10. Jorethang Nayabazar | 1. Deputy District Officer, South District, Namchi.  
2. Assistant Electoral Officer, Election Department, Gangtok. |
|11. Ralang | 1. District Education Officer, South District, Namchi.  
2. Electoral Officer, Election Department, Gangtok. |
2. Assistant Electoral Officer, Election Department, Gangtok. |
2. Assistant Electoral Officer, Election Department, Gangtok. |
|14. Melli | 1. Revenue Officer, South District, Namchi.  
2. Assistant Electoral Officer, Election Department, Gangtok. |
2. Assistant Electoral Officer, Election Department, Gangtok. |
|16. Temi Tarku | 1. Deputy Director of Agriculture, South Sikkim, Namchi.  
2. Assistant Electoral Officer, Election Department, Gangtok. |
2. Sub-Divisional Magistrate, East, Gangtok.  
3. Deputy District Officer, East District, Gangtok.  
4. Sub-Divisional Officer, Pakyong Sub-Division, Pakyong.  
5. Assistant Electoral Officer, Election Department, Gangtok. |
2. Sub-Divisional Magistrate, East, Gangtok.  
3. Deputy District Officer, East District, Gangtok.  
4. Sub-Divisional Officer, Pakyong Sub-Division, Pakyong.  
5. Assistant Electoral Officer, Election Department, Gangtok. |
2. Sub-Divisional Magistrate, East, Gangtok.  
3. Deputy District Officer, East District, Gangtok.  
4. Sub-Divisional Officer, Pakyong Sub-Division, Pakyong.  
5. Assistant Electoral Officer, Election Department, Gangtok. |
2. Sub-Divisional Magistrate, East, Gangtok.  
3. Deputy District Officer, East District, Gangtok.  
4. Sub-Divisional Officer, Pakyong Sub-Division, Pakyong.  
5. Assistant Electoral Officer, Election Department, Gangtok. |
2. Sub-Divisional Magistrate, East, Gangtok.  
3. Deputy District Officer, East District, Gangtok.  
4. Sub-Divisional Officer, Pakyong Sub-Division, Pakyong.  
5. Assistant Electoral Officer, Election Department, Gangtok. |
2. Sub-Divisional Magistrate, East, Gangtok.  
3. Deputy District Officer, East District, Gangtok.  
4. Sub-Divisional Officer, Pakyong Sub-Division, Pakyong.  
5. Assistant Electoral Officer, Election Department, Gangtok. |
|23. Dzongu | 1. Deputy District Officer, North District, Mangan.  
2. Sub-Divisional Magistrate, Mangan.  
3. Revenue Officer, North District, Mangan.  
4. Assistant Electoral Officer, Election Department, Gangtok. |
|24. Lachen Mangshila | 1. Deputy District Officer, North District, Mangan.  
2. Sub-Divisional Magistrate, Chungthang.  
3. Revenue Officer, North District, Mangan.  
4. Assistant Electoral Officer, Election Department, Gangtok. |
|25. Kabi Tingda | 1. Deputy District Officer, North District, Mangan.  
2. Sub-Divisional Magistrate, Chungthang.  
3. Revenue Officer, North District, Mangan.  
4. Assistant Electoral Officer, Election Department, Gangtok. |
26. Rakdong Tintek  
1. Additional District Collector, East District, Gangtok  
2. Sub-Divisional Magistrate, East, Gangtok.  
3. Deputy District Officer, East District, Gangtok.  
4. Sub-Divisional Officer, Pakyong Sub-Division, Pakyong  
5. Assistant Electoral Officer, Election Department, Gangtok  

27. Martam  
1. Additional District Collector, East District, Gangtok  
2. Sub-Divisional Magistrate, East, Gangtok.  
3. Deputy District Officer, East District, Gangtok.  
4. Sub-Divisional Officer, Pakyong Sub-Division, Pakyong.  
5. Assistant Electoral Officer, Election Department, Gangtok.  

28. Rumtek  
1. Additional District Collector, East District, Gangtok  
2. Sub-Divisional Magistrate, East, Gangtok.  
3. Deputy District Officer, East District, Gangtok.  
4. Sub-Divisional Officer, Pakyong Sub-Division, Pakyong  
5. Assistant Electoral Officer, Election Department, Gangtok.  

29. Assam Lingjey  
1. Additional District Collector, East District, Gangtok  
2. Sub-Divisional Magistrate, East, Gangtok.  
3. Deputy District Officer, East District, Gangtok.  
4. Sub-Divisional Officer, Pakyong Sub-Division, Pakyong  
5. Assistant Electoral Officer, Election Department, Gangtok.  

30. Ranka  
1. Additional District Collector, East District, Gangtok  
2. Sub-Divisional Magistrate, East, Gangtok.  
3. Deputy District Officer, East District, Gangtok.  
4. Sub-Divisional Officer, Pakyong Sub-Division, Pakyong  
5. Assistant Electoral Officer, Election Department, Gangtok.  

31. Gangtok  
1. Additional District Collector, East District, Gangtok.  
2. Sub-Divisional Magistrate, East, Gangtok.  
3. Deputy District Officer, East District, Gangtok.  
4. Sub-Divisional Officer, Pakyong Sub-Division, Pakyong.  
5. Assistant Electoral Officer, Election Department, Gangtok.  

32. Sangha Constituency  
1. Additional District Collector, East District, Gangtok.  
2. District Collector, South District, Namchi.  
3. District Collector, West District, Gyalshing.  
4. District Collector, North District, Mangan.  
5. Assistant Electoral Officer, Election Department, Gangtok.  

By Order,  
R. P. BHALLA,  
Secretary to the Election Commission of India.  

T. WANGCHUK,  
Deputy Chief Electoral Officer  
Sikkim.
ELECTION COMMISSION OF INDIA

NEW DELHI
Dated: the 10th February, 1986
Magha 21, 1907 (S)

NOTIFICATION

S.O.-.Whereas the Election Commission of India has considered the application of Indian Farmer and Toilers Party' for its registration under para 3 of the Election Symbols (Reservation and Allotment) Order, 1968, as a political party, and the documents produced in support of the prayer contained in the said application, and has decided to register that Association under the name and style of Indian Farmers and Toilers Party' as an un-recognized political party in respect of the State of Tamil Nadu' under the provision of paragraph 3 of the said symbols order, subject to the following conditions:—

(i) The Party shall communicate to the Commission without delay any change in its name, head office, office bearers and their address, political principles, policies, aims and objectives and any change in any other material matters;

(ii) The Party shall intimate the Commission immediately whenever any amendments are issued to Party Constitution along with the relevant documents like the notice for the meeting to consider amendments, agenda for the meeting, minutes of the meeting where the amendment (s) has/have been carried;

(iii) The Party shall maintain all the records like minutes books, accounts book membership registers, receipt book etc. properly;

(iv) The said record shall be open for inspection at any time by the authorised representative (s) of the Commission; and

(v) The registration granted shall be reviewed by the Commission from time to time.
Now, therefore, in pursuance of the provision contained in clause (c) of sub-paragraph (1) and sub-paragraph (2) of paragraph 17 of the Election Symbols (Reservation and Allotment Order, 1968, the Election Commission of India hereby makes the following amendment to its Notification No. 56/84-1, dated the 13th November, 1984, as amended from time to time:-

In Table 3 appended to the said Notification, under column 1 and 2 after the entry "15 Jagrat Orrisa-Orrisa" the entry "16 Indian Farmers and Toilers Party-Tamil Nadu" shall be inserted.

By Order,

No. 56/84-XX

(R. P. BHALLA)
Secretary,

T. WANGCHUK
Deputy Chief Electoral Officer
Sikkim

PRINTED AT THE SIKKIM GOVERNMENT PRESS, GANGTOK.
SIKKIM SALES TAX (AMENDMENT) BILL, 1986
(BILL NO. I OF 1986)

A BILL
to amend the Sikkim Sales Tax Act, 1983.

Be it enacted by the Legislature of Sikkim in the Thirty-seventh Year of the Republic of India as follows :-

1. (1) This Act may be called the Sikkim Sales Tax (Amendment) Act, 1986.
(2) It extends to the whole of Sikkim.
(3) Section 3 shall be deemed to have come into force on and from the 12th day of May, 1983 and the remaining sections shall come into force on and from the 1st day of April, 1986.

2. In section 2 of the Sikkim Sales Tax Act, 1983 (hereinafter referred to as the Principal Act),-
   (a) in clause (c), the words "whether such society, club or association is incorporated or not under any law of the Central or State Government in relation to the registration or as the case may be, the incorporation of such society, club or association" shall be inserted at the end;
   (b) in clause (m),-
      (i) for clause (m) excluding the explanations there under, the following clause shall be substituted, namely :-
"Sale" with its grammatical variations and cognate expressions means any transfer of property in goods by one person to another for cash or for deferred payment or for any other valuable consideration and includes the transfer, delivery or supply of goods by one person to another person in any of the following ways, namely:

(a) the transfer, otherwise than in pursuance of a contract, of property in any goods for cash, deferred payment or other valuable consideration;

(b) the transfer for property in goods (whether as goods or in some other form) involved in the execution of a works contract;

(c) the delivery of goods on hire-purchase or any system of payment by instalments;

(d) the transfer of the right to use any goods for any purpose (whether or not for a specified period) for cash, deferred payment or other valuable consideration;

(e) the supply of goods by any unincorporated association or body of persons to a member thereof for cash, deferred payment or other valuable consideration;

(f) the supply, by way of or as part of any service or in any other manner, whatsoever of goods, being food or any other article for human consumption or any drink (whether or articles not intoxicating), where such supply or service is for cash, deferred payment or other valuable consideration, but does not include a mortgage or hypothecation of or a pledge on goods."

(ii) Explanation I below clause (m) shall be omitted and Explanations 2 and 3 shall be renumbered as Explanations 1 and 2.

(c) in clause (n) -

(i) for Explanation 3, the following Explanation shall be substituted:

"Explanation 3.- In respect of goods delivered on hire-purchase or any system of payment by instalments, the sale price on the date of such delivery shall, for the purposes of this Act, be determined in such manner as may be prescribed."

(ii) after Explanation 3, the following Explanation shall be and shall always be deemed to have been inserted namely:

"Explanation 4.- The sale price shall include the excise duty, fee or any other levies on the goods, under any Central or State law for the time being in force, made at the time of or before the delivery of the goods to the buyer whether such duty, fee or other levy is paid by the purchaser of the goods to the seller along with the consideration for the sale or directly to the Government."
“(3) where any goods are delivered under any agreement of hire purchase or of any system of payment by instalments and tax under this Act has been levied on the dealer who made the deliver of the said goods and such goods are returned to the said dealer at any time during which the agreement of hire-purchase subsists, the proportionate amount of tax levied on the unpaid instalments of sale price shall be refunded to the said dealer:

Provided that no such refund shall be admissible unless a claim there for is filed before the prescribed authority in such manner and within such time as may be prescribed.”

STATEMENT OF OBJECTS AND REASONS

The Bill proposes to amend the Sikkim Saks Tax Act, 1983 so as to bring to tax certain transactions of sales which were escaping taxation due to various court decisions restricting the powers of the state-Government to levy tax thereon. These restrictions have now been removed by the Constitution (Forty-sixth Amendment) Act, 1982. This Bill makes provisions enabling the State Government to tax these transactions.

With this object in view, the Bill has been framed.

CHAMLA TSHERING
MINISTER-IN-CHARGE
FINANCE

RECOMMENDATION OF THE GOVERNOR UNDER ARTICLE 207 (1) OF THE CONSTITUTION OF INDIA

The Governor having been informed of the subject matter of the Sikkim Sales Tax (Amendment) Bill, 1986, been pleased to recommend the introduction and consideration of the said Bill by the Sikkim Legislative Assembly.

FINANCIAL MEMORANDUM

This Amendment Bill proposes to increase the scope of taxation under Sikkim Sales Tax Act, 1983 so as to bring to tax certain transactions of sale which have so far been escaping the levy of taxation due to various court decisions. The additional revenue anticipated as a consequence of the amendment will be in the Order Rs.5 lakhs per annum. No extra expenditure is anticipated for the collection of the extra anticipated revenue.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 2 (c) of the Bill empowers the State Government to prescribe the manner for the determination of the sale price on the date of delivery of goods on hire purchase or any system of payment by instalments. Clause 4 empowers the State Government to prescribe the manner and time for claiming refund of tax paid. As these relate to matters of detail or procedure, the delegation of Legislative power is normal in character.

By Order,

SONAM WANGDI,
Secretary,
Sikkim Legislative Assembly,
In pursuance of Rule 75 of the Rules of Procedure and Conduct of Business in the Sikkim Legislative Assembly the Speaker has been pleased to order the pre-publication of the Following Bill:-

THE SIKKIM APPROPRIATION BILL, 1986

(BILL NO. 2 OF 1986)

A BILL to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Sikkim for the services of the Financial year 1985-86.

BE it enacted by the Legislature of the State of Sikkim in the Thirty-seventh Year of the Republic of India as follows:—

1. This Act may be called the Sikkim Appropriation Act, 1986.

2. From and out of the Consolidated of the State of Sikkim there may be paid and applied sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate to the sum of nine crores, ten lakhs and eighty-seven thousands rupees towards defraying the several charges which will come in course for payment during the financial year 1985-86 in respect of the services specified in column 2 of the Schedule.

3. The sum authorized 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 specified in the Schedule in relation to the said year.
## THE SCHEDULE

(See Section 2 and 3)

<table>
<thead>
<tr>
<th>No. of Vote</th>
<th>SERVICES AND PURPOSES</th>
<th>SUMS NOT EXCEEDING</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Voted by the Legislative Assembly</td>
<td>Charged on the Consolidated Fund (In thousands of Rupees)</td>
</tr>
<tr>
<td>1</td>
<td>Appropriation-Governor Revenue — 268 268</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Council of Ministers Revenue 1400 — 1400</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Administration of Justice Revenue — 280 280</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Election Revenue 518 — 518</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>Taxes on Vehicles Revenue 86 — 86</td>
<td></td>
<td></td>
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<tr>
<td>11</td>
<td>Secretariat-General Services Revenue 630 — 630</td>
<td></td>
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</tr>
<tr>
<td>12</td>
<td>District Administration Revenue 1120 — 1120</td>
<td></td>
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<tr>
<td>15</td>
<td>Jails Revenue 47 — 47</td>
<td></td>
<td></td>
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<tr>
<td>16</td>
<td>Stationery &amp; Printing Revenue 54 — 54</td>
<td></td>
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<tr>
<td>17</td>
<td>Public works (Building) Revenue 8481 35 8516</td>
<td></td>
<td></td>
</tr>
<tr>
<td>20</td>
<td>Pension &amp; Other Retirement Benefits Revenue 1000 — 1000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>24</td>
<td>Education Revenue 3000 — 3000</td>
<td></td>
<td></td>
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<tr>
<td>25</td>
<td>Art and Culture Revenue 500 — 500</td>
<td></td>
<td></td>
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<tr>
<td>27</td>
<td>Medical and Public Health Revenue 3666 — 3666</td>
<td></td>
<td></td>
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<tr>
<td>28</td>
<td>Urban Development Revenue 950 — 950</td>
<td></td>
<td></td>
</tr>
<tr>
<td>31</td>
<td>Social Security and Welfare Revenue 3712 — 3712</td>
<td></td>
<td></td>
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<tr>
<td>32</td>
<td>Relief on account of Natural Calamities Revenue 13265 — 13265</td>
<td></td>
<td></td>
</tr>
<tr>
<td>33</td>
<td>Other Social &amp; Community Services Revenue 280 — 280</td>
<td></td>
<td></td>
</tr>
<tr>
<td>36</td>
<td>Agriculture Revenue 210 — 210</td>
<td></td>
<td></td>
</tr>
<tr>
<td>38</td>
<td>Soil and Water Conservation Revenue 2100 — 2100</td>
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<tr>
<td>39</td>
<td>Food Capital 1000 — 1000</td>
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<tr>
<td>41</td>
<td>Daily. Development Capital 752 — 752</td>
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<tr>
<td>42</td>
<td>Forest Revenue 290 — 290</td>
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<td>44</td>
<td>Community Development Revenue 11606 — 11600</td>
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<tr>
<td>45</td>
<td>Industries Revenue 274 — 274</td>
<td></td>
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</tr>
<tr>
<td>46</td>
<td>Village &amp; Small Industries Revenue 60 — 60</td>
<td></td>
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</tr>
<tr>
<td>47</td>
<td>Mines and Geology Revenue 230 — 230</td>
<td></td>
<td></td>
</tr>
<tr>
<td>48</td>
<td>Power Revenue 22675 — 22675</td>
<td></td>
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</tr>
<tr>
<td>49</td>
<td>Roads and Bridges Revenue 2425 — 2425</td>
<td></td>
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</tr>
<tr>
<td>50</td>
<td>Roads &amp; Water Transport Services Revenue 4261 — 4261</td>
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<td></td>
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<tr>
<td>51</td>
<td>Tourism Revenue 300 — 300</td>
<td></td>
<td></td>
</tr>
<tr>
<td>52</td>
<td>Loans to Govt. Servants Capital 225 — 225</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Total 90417 670 91087</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
STATEMENT OF OBJECTS AND REASONS

This Bill is introduced in pursuance of Article 204(1) read with Article 205 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 Supplementary expenditure charged on the Consolidated Fund of the State of Sikkim and the Supplementary grants made by the Legislative Assembly for expenditure of the Government of Sikkim for the part of financial year 1985-86.

(CHAMLA TSHERING)
Minister-in-Charge, Finance.

By Order,

SONAM WANGDI,
Secretary,
Sikkim Legislative Assembly.

PRINTED AT THE SIKKIM GOVERNMENT PRESS, GANGTOK
SIKKIM LEGISLATIVE ASSEMBLY SECRETARIAT
GANGTOK

NOTIFICATION

No.SLAS/85-86/204/1108   Dated Gangtok, the March, 18, 1986.

In pursuance of Rule 75 of the Rules of Procedure and Conduct of Business in the Sikkim Legislative Assembly the Speaker has been pleased to order the pre-publication of the following Bill:

THE SIKKIM APPROPRIATION BILL, 1986

(BILL NO. 3 OF 1986 )

A

BILL

to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of the State of Sikkim for the services of the Financial Year 1986-87.

BE it enacted by the Legislature of the State of Sikkim in the Thirty-Seventh Year of the Republic of India as follows:—

1. This Act may be called the Sikkim Appropriation Act, 1986.

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 in the aggregate to the sum of one hundred and twenty four crores, five lakhs and sixty eight thousand rupees towards defraying the several charges which will come in course for payment during the Financial Year 1986-87 in respect of 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.</th>
<th>SERVICES &amp; PURPOSES</th>
<th>Voted by the Legislative Assembly</th>
<th>Charged on the Consolidated Fund</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>State Legislature</td>
<td>Revenue 2705</td>
<td>110</td>
<td>2815</td>
</tr>
<tr>
<td></td>
<td>Governor</td>
<td>Revenue —</td>
<td>1702</td>
<td>1702</td>
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<td>2.</td>
<td>Council of Ministers</td>
<td>Revenue 2485</td>
<td>—</td>
<td>2485</td>
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<td>3.</td>
<td>Administration of Justice</td>
<td>Revenue 2.665</td>
<td>1920</td>
<td>4585</td>
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<td>4.</td>
<td>Election</td>
<td>Revenue 750</td>
<td>—</td>
<td>750</td>
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<tr>
<td>5.</td>
<td>Income Tax &amp; Sales Tax</td>
<td>Revenue 925</td>
<td>—</td>
<td>925</td>
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<tr>
<td>6.</td>
<td>Land Revenue</td>
<td>Revenue 3600</td>
<td>—</td>
<td>3600</td>
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<tr>
<td>7.</td>
<td>Stamps and Registration</td>
<td>Revenue 50</td>
<td>—</td>
<td>50</td>
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<tr>
<td>8.</td>
<td>Excise (Abkari)</td>
<td>Revenue 1060</td>
<td>—</td>
<td>1060</td>
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<td>9.</td>
<td>Taxes on Vehicles</td>
<td>Revenue 324</td>
<td>—</td>
<td>324</td>
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<td>10.</td>
<td>Other Taxes and Duties on commodities</td>
<td>Revenue 545</td>
<td>—</td>
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<td></td>
<td>Interest payments</td>
<td>Revenue —</td>
<td>34327</td>
<td>34327</td>
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<td>11.</td>
<td>Secretariat General Services</td>
<td>Revenue 12247</td>
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<td>12247</td>
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<td>District Administration</td>
<td>Revenue 4015</td>
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<td>4015</td>
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<td>13.</td>
<td>Treascur and Accounts Administration</td>
<td>Revenue 3690</td>
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<td>3690</td>
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<td>14.</td>
<td>Police</td>
<td>Revenue 42546</td>
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<td>42546</td>
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<td>15.</td>
<td>Jails</td>
<td>Revenue 790</td>
<td>—</td>
<td>790</td>
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<tr>
<td>16.</td>
<td>Stationery &amp; Printing</td>
<td>Revenue 2430</td>
<td>—</td>
<td>2430</td>
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<tr>
<td>17.</td>
<td>Public Works (Building)</td>
<td>Revenue 67411</td>
<td>135</td>
<td>67546</td>
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<tr>
<td></td>
<td>Capital</td>
<td>Revenue 69943</td>
<td>—</td>
<td>69943</td>
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<tr>
<td>18.</td>
<td>Fire Protection and Control</td>
<td>Revenue 1545</td>
<td>—</td>
<td>1545</td>
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<tr>
<td>19.</td>
<td>Other Administrative Services</td>
<td>Revenue 4355</td>
<td>—</td>
<td>4355</td>
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<tr>
<td>20.</td>
<td>Pension and other Retirement benefits</td>
<td>Revenue 5080</td>
<td>—</td>
<td>5080</td>
</tr>
<tr>
<td>21.</td>
<td>Aid Materials and equipment</td>
<td>Revenue 5</td>
<td>—</td>
<td>5</td>
</tr>
<tr>
<td>22.</td>
<td>Miscellaneous General Services</td>
<td>Revenue 1850</td>
<td>—</td>
<td>1850</td>
</tr>
<tr>
<td>23.</td>
<td>Secretariat Social and Community Services</td>
<td>Revenue 687</td>
<td>—</td>
<td>127470</td>
</tr>
<tr>
<td>24.</td>
<td>Education</td>
<td>Revenue 127470</td>
<td>—</td>
<td>6870</td>
</tr>
<tr>
<td>25.</td>
<td>Art and Culture</td>
<td>Revenue 6870</td>
<td>—</td>
<td>1500</td>
</tr>
<tr>
<td>26.</td>
<td>Scientific Services and Technology</td>
<td>Revenue 1500</td>
<td>—</td>
<td>49249</td>
</tr>
<tr>
<td>27.</td>
<td>Medical and Public Health</td>
<td>Revenue 49249</td>
<td>—</td>
<td>14700</td>
</tr>
<tr>
<td></td>
<td>Capital</td>
<td>Revenue 4700</td>
<td>—</td>
<td>5040</td>
</tr>
<tr>
<td>28.</td>
<td>Urban Development</td>
<td>Revenue 5040</td>
<td>—</td>
<td>1400</td>
</tr>
<tr>
<td></td>
<td>Capital</td>
<td>Revenue 1400</td>
<td>—</td>
<td>3680</td>
</tr>
<tr>
<td>29.</td>
<td>Information and publicity</td>
<td>Revenue 3680</td>
<td>—</td>
<td>3680</td>
</tr>
<tr>
<td>30.</td>
<td>Labour and Employment</td>
<td>Revenue 1580</td>
<td>—</td>
<td>1580</td>
</tr>
<tr>
<td>31.</td>
<td>Social Security and Welfare</td>
<td>Revenue 15093</td>
<td>—</td>
<td>15093</td>
</tr>
<tr>
<td>32.</td>
<td>Relief on account of Natural Calamities</td>
<td>Revenue 23038</td>
<td>—</td>
<td>23038</td>
</tr>
<tr>
<td>33.</td>
<td>Other Social and Community Service</td>
<td>Revenue 1914</td>
<td>—</td>
<td>1914</td>
</tr>
<tr>
<td>34.</td>
<td>Planning &amp; Statistics</td>
<td>Revenue 3780</td>
<td>—</td>
<td>3780</td>
</tr>
<tr>
<td>35.</td>
<td>Co-operation</td>
<td>Revenue 5410</td>
<td>—</td>
<td>5410</td>
</tr>
<tr>
<td></td>
<td>Capital</td>
<td>Revenue 600</td>
<td>—</td>
<td>600</td>
</tr>
<tr>
<td>36.</td>
<td>Agriculture</td>
<td>Revenue 41715</td>
<td>—</td>
<td>41715</td>
</tr>
<tr>
<td></td>
<td>Capital</td>
<td>Revenue 4000</td>
<td>—</td>
<td>4000</td>
</tr>
<tr>
<td>37.</td>
<td>Irrigation and Flood Control</td>
<td>Revenue 33195</td>
<td>—</td>
<td>33195</td>
</tr>
<tr>
<td>38.</td>
<td>Soil and Water Conservation</td>
<td>Revenue 28740</td>
<td>—</td>
<td>28740</td>
</tr>
<tr>
<td>39.</td>
<td>Food</td>
<td>Revenue 7140</td>
<td>—</td>
<td>7140</td>
</tr>
<tr>
<td></td>
<td>Capital</td>
<td>Revenue 1000</td>
<td>—</td>
<td>1000</td>
</tr>
<tr>
<td>40.</td>
<td>Animal Husbandry</td>
<td>Revenue 19846</td>
<td>—</td>
<td>19846</td>
</tr>
<tr>
<td></td>
<td>Capital</td>
<td>Revenue 2250</td>
<td>—</td>
<td>2250</td>
</tr>
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</table>

(In thousands of Rupees)
<table>
<thead>
<tr>
<th></th>
<th>Description</th>
<th>Revenue</th>
<th>Capital</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>41.</td>
<td>Dairy Development</td>
<td>1520</td>
<td>200</td>
<td>1720</td>
</tr>
<tr>
<td>42.</td>
<td>Fisheries</td>
<td>1620</td>
<td>1600</td>
<td>3220</td>
</tr>
<tr>
<td>43.</td>
<td>Forest</td>
<td>33261</td>
<td>7275</td>
<td>40536</td>
</tr>
<tr>
<td>44.</td>
<td>Community Development</td>
<td>61730</td>
<td>9886</td>
<td>71616</td>
</tr>
<tr>
<td>45.</td>
<td>Industries</td>
<td>9886</td>
<td>7275</td>
<td>17161</td>
</tr>
<tr>
<td>46.</td>
<td>Village and Small Industries</td>
<td>4855</td>
<td>1300</td>
<td>6155</td>
</tr>
<tr>
<td>47.</td>
<td>Mines &amp; Geology</td>
<td>2475</td>
<td>1300</td>
<td>3775</td>
</tr>
<tr>
<td>48.</td>
<td>Power</td>
<td>53485</td>
<td>1300</td>
<td>66485</td>
</tr>
<tr>
<td>49.</td>
<td>Roads and Bridges</td>
<td>71015</td>
<td>148479</td>
<td>219494</td>
</tr>
<tr>
<td>50.</td>
<td>Roads &amp; Water Transport Services</td>
<td>55610</td>
<td>13400</td>
<td>69010</td>
</tr>
<tr>
<td>51.</td>
<td>Tourism</td>
<td>10268</td>
<td>12657</td>
<td>22925</td>
</tr>
<tr>
<td>52.</td>
<td>Loans to Government Servants</td>
<td>1885</td>
<td>2110</td>
<td>4055</td>
</tr>
</tbody>
</table>

TOTAL 1189187 51381 1240568

STATEMENT OF OBJECTS AND REASONS

This Bill is introduced in pursuance of Article 204(1) of the Constitution of India 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 the expenditure of the Government of Sikkim for the financial year 1986-87.

CHAMLA TSHERING
Minister-in-Charge, Finance.

By Order,

SONAM WANGDI,
Secretary,
Sikkim Legislative Assembly.

PRINTED AT THE SIKKIM GOVERNMENT PRESS, GANGTOK.
SIKKIM
GOVERNMENT GAZETTE
EXTRAORDINARY
PUBLISHED BY AUTHORITY

No.27  Gangtok, Tuesday, March 18, 1986.

SIKKIM LEGISLATIVE ASSEMBLY SECRETARIAT
GANGTOK

NOTIFICATION

SLAS/85-86/204/1109  Dated Gangtok, the 18th March, 1986.

In pursuance of Rule 75 of the Rules of Procedure and Conduct of Business in the Sikkim Legislative Assembly the Speaker has been pleased to order the pre-publication of the following Bill:

THE SIKKIM APPROPRIATION BILL, 1986
(BILL NO. 4 OF 1986)

A BILL

To provide for the authorization of appropriation of moneys out of the Consolidated Fund of the State of Sikkim to meet the amounts spent on certain services during the financial year ended on 31st day of March 1980, in excess of the amounts authorised or granted for the said services.

BE it enacted by the Legislature of the State of Sikkim in the Thirty-Seventh Year of Republic of India as follows :

1. This Act may be called the Sikkim Appropriation Act, 1986.

2. The sums specified in Column 5 of the Schedule amounting to one crore fifty lakhs eleven thousand six hundred and eighty nine rupees shall be deemed to have been authorised to be paid and applied from and out of the Consolidated Fund of the State of Sikkim to meet the amounts spent for defraying the charges in respect of the services and purposes specified in column 2 of the Schedule during the financial year ended on 31st day of March 1980 in excess of the amounts authorised or granted for those services and purposes for that year.

3. The sums deemed to have been authorised to be paid and applied from out of the Consolidated Fund of the State of Sikkim under this Act shall be appropriated and shall be deemed to have been appropriated for the services and purposes specified in the Schedule in relation to the financial year ended on the 31st March 1980.

<table>
<thead>
<tr>
<th>Short tit.</th>
<th>1.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Issue of Rs.1,50,11,68/- out of the Consolidated Fund of the State of Sikkim for the financial year ended on the 31st March, 1980.</td>
<td>2.</td>
</tr>
<tr>
<td>Appropriation</td>
<td>3.</td>
</tr>
</tbody>
</table>
THE SCHEDULE
(See Section 2 and 3)

<table>
<thead>
<tr>
<th>Demand No.</th>
<th>Services and Purposes</th>
<th>Voted by the Legislative Assembly</th>
<th>Charged on Consolidated Fund</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>6.</td>
<td>Co-operation</td>
<td>Capital</td>
<td>21,130</td>
<td>21,130</td>
</tr>
<tr>
<td>8.</td>
<td>Education</td>
<td>Revenue</td>
<td>6,37,031</td>
<td>6,37,031</td>
</tr>
<tr>
<td>11.</td>
<td>Excise (Apkari)</td>
<td>Revenue</td>
<td>19,439</td>
<td>19,439</td>
</tr>
<tr>
<td>12.</td>
<td>Finance Department</td>
<td>Revenue</td>
<td>58,461</td>
<td>58,461</td>
</tr>
<tr>
<td>14.</td>
<td>Other Expenditure of the</td>
<td>Revenue</td>
<td>2,15,087</td>
<td>2,15,087</td>
</tr>
<tr>
<td>Finance Department</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>18.</td>
<td>Sikkim Nationalised Transport</td>
<td>Revenue</td>
<td>1,03,148</td>
<td>1,03,148</td>
</tr>
<tr>
<td>28.</td>
<td>Public Works, Roads, Bridges and Water Supply</td>
<td>Revenue</td>
<td>1,24,44,986</td>
<td>1,24,44,986</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Capital</td>
<td>15,12,407</td>
<td>15,12,407</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td>1,50,11,689</td>
<td>1,50,11,689</td>
</tr>
</tbody>
</table>

STATEMENT OF OBJECTS AND REASONS

This Bill is introduced in pursuance of clause (1) of Article 204 read with Sub-Clause (b) of Clause (1) of Article 205 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 incurred in excess of the appropriations charged on the fund and the grants made by Sikkim Legislative Assembly, for the financial year ended on the 31st day of March, 1980.

(CHAMLA TSHERING)
Minister-in-Charge Finance.

By Order,

SONAM WANGDI,
Secretary,
Sikkim Legislative Assembly
GOVERNMENT OF SIKKIM
HOME DEPARTMENT

NOTIFICATION

No.2(3)Home/77/l/164 Dated 22nd March, 1986;

The Governor of Sikkim is pleased to accept the resignation tendered by Shri Sonam Gyatso Kaleon, MLA as Chairman, Sikkim Marketing Federation with immediate effect.

M. M. RASAILY,
Home Secretary.
NOTIFICATION

The following order of the Governor of Sikkim No. SKM/GOV/170/86 dated 27th March, 1986 is published for general information:

"In exercise of the powers’ conferred by Article 174 (2) (a) of the Constitution, I, T.V. Rajeswar, Governor of Sikkim, hereby prorogue the Sikkim Legislative Assembly which was summoned to meet on Monday, 17th March, 1986.

By Order,

SONAM WANGDI,
Secretary,
Sikkim Legislative Assembly.

PRINTED AT THE SIKKIM GOVERNMENT PRESS, GANGTOK.
GOVERNMENT OF SIKKIM
DEPARTMENT OF ANIMAL HUSBANDRY & VETERINARY SERVICES
GANGTOK


NOTIFICATION

In exercise of the powers conferred by section 4 of the Sikkim (Livestock and Livestock Products Control) Act, the State Government hereby sets up Veterinary Check Posts as per schedule I below for checkup and fixed the rates of tax payable on Livestock or Livestock Products as per Schedule II below :—

1. Livestock and Livestock products entering into Sikkim shall be subjected to Veterinary check up at the Check Posts specified in Schedule I of this notification. On completion of health check up the Veterinary Officer shall grant a certificate of fitness in form A appended to this notification.

2. No Livestock or Livestock products shall be allowed to enter the State of Sikkim unless the tax prescribed for each category of Livestock or Livestock products is paid at the Check Post. The rate of tax shall be as specified in Schedule II.

SCHEDULE I

CHECK POSTS


SCHEDULE II

1. Bullock, Buffalo, Cow, Heifer, Calf, Ox — Rs.15/- per head.
2. Goat, Sheep, Pig — Rs. 5/- per head.
3. Poultry birds, Cock, Hen, Chick, Duck — Rs.0.50/-per head.
4. Eggs. — Rs. 1/-per 100 eggs.
5. Meat brought from outside the State
   (i) Bullock, Buffalo meat — Rs.00.10/-per kg.
   (ii) Sheep, Goat meat — Rs.00.20/-per kg.
   (iii) Pig meat — Rs.00. per kg.

This Notification comes into force with effect from 1.4.1986.

DR. U.S. BASNET,
Secretary to the Government of Sikkim,
Department of A.H. & Vety. Services.

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GOVERNMENT OF SIKKIM
DEPARTMENT OF ANIMAL HUSBANDRY & VETERINARY SERVICES
GANGTOK

NOTIFICATION

No. 15/AH & VS. Dated Gangtok, the 29th March, 1986.

In exercise of the power conferred by clause (iv) of section 2 of the Sikkim (Livestock and Livestock Products Control) Act 1985, the State Government hereby declares the egg as livestock product for the purpose of the said Act.

By Order,

B. S. BASNET,
Secretary to the Government Sikkim.
GOVERNMENT OF SIKKIM
DEPARTMENT OF ANIMAL HUSBANDRY AND VETERINARY SERVICES

No.6/AH&VS. Dated Gangtok, the 29.3.1986

NOTIFICATION

In exercise of the powers conferred by section of the Sikkim (livestock and Livestock Products Control) Act, 1985 (hereafter referred to as the said Act), the State Government hereby issue the following Notification which shall come into force with effect from 1.4.1986.

1. The Veterinary Officer while holding Veterinary check up of livestock or livestock products at the check posts under the provisions of section 4 (1) of the said Act and the Notifications issued there under, shall in all cases in which preventive vaccination or innoculation is possible and practicable shall vaccinate innoculate, as the case may be.

2. The Veterinary Officer shall brand an animal with the mark 'O' on the left hind quarter of thigh for the purpose of identification that the livestock has been checked at the check post and found fit for entry into the State.

3. For rendering such services by the Veterinary Officers the owner or person in charge of the livestock shall be liable to pay for their innoculation, vaccination as the case may be the fees prescribed for each category of livestock in Schedule I of this notification.

4. (a) It shall be the duty of the veterinary officers at the check posts to collect the fees and maintain a register of accounts and deposit the same in the State Bank of Sikkim under Head 110/AH on the following day or the day next when the bank opens.

(b) The Register shall have different columns for different categories of livestock.

(c) The Veterinary Officer shall submit to the Director of Animal Husbandry and Veterinary Services forthnightly report and detailed account of such fees collected.

DR. B.S. BASNET,
Secretary to the Government of Sikkim,
Department of A.H. & Vety. Services.
GOVERNMENT OF SIKKIM
DEPARTMENT OF ANIMAL HUSBANDRY & VETERINARY SERVICES
GANGTOK.

No. 18/AH. & VS.                                                                                  Dated Gangtok, the 29.3.1986

NOTIFICATION

1. In exercise of the powers conferred by section 8 of the Sikkim (Livestock and Livestock 
   Products Control) Act 1980 the State Government hereby (a) authorizes the Director of Animal Husbandry 
   and Veterinary Services Government of Sikkim for granting permission to remove the hide and skins of Live stocks 
   out of the limits of State of Sikkim.

   (b) Specifies the fees of such removal as per schedule below :-

   (i) Goat/Sheep                                         Rs.2/- per skin
   (ii) Bull/Bullock                                      Rs. 10/- per hide
   (iii) Buffalo                                          Rs. 12/-per hide

2. The form for application for permission to remove hides and skins out of the State should 
   be as per Form I appended to the Notification.

3. The permission to remove hides and skins out of Sikkim shall be granted in Form II appended 
   to this notification.

4. The requisite fees for removal of hides and skins shall be deposited in the Bank under Head 
   110 AH Hides and Skin fees.

DR. U.S. BASNET,
Secretary to the Government of Sikkim,
Department of A.H. & Vety. Services.
NOTIFICATION

In exercise of the power conferred by clause (iii) of Section 2 of the Sikkim (Livestock and Livestock Products Control) Act, 1985, the State Government declares the poultry birds (Cock, hen, and duck) as livestock for the purpose of the said Act.

DR. B.S. BASNET,
Secretary to the Government of Sikkim,
Department of A.H.& Vety. Services.
In order to attract the entrepreneurs for rapid industrializations in the State, the Governor of Sikkim is pleased to extend the following incentives to entrepreneurs manufacturing items dutiable under the Medical and Toilet Preparations (Excise Duties) Act, 1955 namely:

1. Any industry who shall pay excise duty to the State beyond Rs 50.00 lakhs in any financial year will be entitled to the release of an interest free loan to the extent of Rs.50.00 lakhs on the additional amount paid as excise duty to the State in that financial year.

2. Any industry paying excise duty beyond Rs 200.00 lakhs within that financial year, will be entitled to the release of interest free loan to the extent of 75 percent of the amount paid as excise duty in that financial year.

3. Such interest free loan shall be repayable after five years from the date of the release of the loan.

4. Only the industries who are already paying excise duty to the State exceeding Rs 50.00 lakhs per annum in any financial year will be eligible for such incentive.

5. To ensure ploughing back the interest free loan thus advanced in the State of Sikkim, the Industry has to expand reasonably to increase the production and thereby give more revenue to the State and generate more employment opportunities.

6. To attract more industries to the State and to have durable establishment and expansion of such industries the State Government will approve only one industry for one group of products. However, if such products are not manufactured in the country the State Government may relax to allow the establishment of more than one industry in the State.

Sd. (P.K. PRADHAN) I.A.S.
Commissioner-Cum-Secretary to the Government of Sikkim.
GOVERNMENT OF SIKKIM
RURAL DEVELOPMENT DEPARTMENT

NOTIFICATION

No. 35 (27)83-84/PAN/RDD.70/RDD. Dated Gangtok, the 29th March, 1986.

Consequent upon the resignation of Shri Bhawani Prasad Pandey from the membership of 27, Luing-Perbing Gram Panchayat, East Sikkim, under sub-section (1) of section 25 of Sikkim Panchayat Act 1982, Shri Abichandra Gautam is elected as a member of said Gram Panchayat to fill up the vacancy w.e.f. 15.2.86 as per sub-section (1) of section 23 of aforesaid Act.

P.K. PRADHAN, I.A.S.
Director, Sikkim Panchayat Election and Commissioner-cum-Secretary to the Government of Sikkim, Rural Development Department.
NOTIFICATION

No. SLAS/86-87/247/PAC/1177

In pursuance of Rule 265 (1) of the Rules of Procedure and Conduct of Business in the Sikkim Legislative Assembly, the following Members of the Third Sikkim Legislative Assembly have been elected to constitute the Committee on Public Accounts for the year 1986-87:

1. Shri Bhim Raj Rai
2. Shri Phuchung Bhutia
3. Shri Sonam Gyatso Kaleon
4. Shri Kalzang Gyatso
5. Shri Balchand Sarda

Under Rule 210 (1) of the said Rules, Shri Bhim Raj Rai has been appointed by the Hon'ble Speaker as the Chairman of the Committee.

The Committee on Public Accounts shall function in accordance with Rule 264 of the said Rules.

The term of the Committee shall be one year from the date of its election.

SONAM WANGDI,
Secretary,
Sikkim Legislative Assembly.
In pursuance of Rule 267 (1) of the Rules of Procedure and Conduct of Business in the Sikkim Legislative Assembly, the following Members of the Third Sikkim Legislative Assembly have been elected to constitute the Committee on Estimates for the year 1986—87:

1. Shri Sonam Gyatso Kaleon
2. Shri Phuchung Bhutia
3. Shri Him Raj Rai
4. Shri Kalzang Gyatso
5. Shri Balchand Sarda

Under Rule 210 (1) of the said Rules, Shri Sonam Gyatso Kaleon has been appointed by the Hon'ble Speaker as the Chairman of the Committee.

The Committee on Estimates shall function in accordance with Rule 266 of the said Rules.

The term of the Committee shall be one year from the date of its election.
NOTIFICATION


In pursuance of Rule 270 of the Rules of Procedure and Conduct of Business in the Sikkim Legislative Assembly, the following Members of the Third Sikkim Legislative Assembly have been nominated to constitute the Committee on Government Assurances for the year 1986-87:

1. Shri Namkha Gyaltse
2. Shri Bhakta Bahadur Khulal
3. Shri Bir Bal Subba
4. Shri Chandra Kumar Mohra
5. Shri Ongdi Bhutia

Under Rule 210 (1) of the said Rules, Shri Namkha Gyaltse has been appointed by the Hon'ble Speaker as the Chairman of the Committee.

The Committee on Government Assurances shall function in accordance with Rule 269 of the said Rules.

The term of the Committee shall be one year from the date of its nomination.

SONAM WANGDI,
Secretary,
Sikkim Legislative Assembly
SIKKIM LEGISLATIVE ASSEMBLY SECRETARIAT
GANGTOK

NOTIFICATION


In pursuance of Rule 273 (B) (1) of the Rules of Procedure and Conduct of Business in the Sikkim Legislative Assembly, the following Members of the Third Sikkim Legislative Assembly have been nominated by the Hon'ble Speaker to be Members of the House Committee for the year 1986-87:

1. Shri Sukumar Pradhan
2. Shri Birkha Man Ramudamu
3. Shri Man Bahadur Dahal
4. Shri Ongdi Bhutia
5. Shri Pawan Kumar Chamling

Under Rule 210 (1) of the said Rules, Shri Sukumar Pradhan has been appointed by the Hon'ble Speaker as the Chairman of the Committee.

The House Committee shall function in accordance with Rule 273 (3) of the said Rules. The term of the Committee shall be one year from the date of its nomination.

SONAM WANGDI,
Secretary,
Sikkim Legislative Assembly.

PRINTED AT THE SIKKIM GOVERNMENT PRESS, GANGTOK.
NOTIFICATION

No. SLAS/86-87/247/L.C/1181.    Dated Gangtok, the 1st April, 1986.

In pursuance of Rule 273-A (1) of the Rules of Procedure and Conduct of Business in the Sikkim Legislative Assembly, the following Members of the Third Sikkim Legislative Assembly have been nominated by the Hon'ble Speaker to be the Members of the Library Committee for the year 1986-87:

1. Shri Dilli Ram Basnet
2. Shri Bedu Singh Chettri
3. Shri Ugen Pintso Bhutia
4. Shri Kalzang Gyatso

In accordance with Rule 273-A (1) of the said Rules, Shri Ram Lepcha, Hon'ble Deputy Speaker, shall be the ex-officio Chairman of the Committee.

The Committee shall function in accordance with Rule 273 A (3) of the said Rules. The term of the Committee shall be one year from the date of its nomination.

SONAM WANGDI,
Secretary,
Sikkim Legislative Assembly.
No. 43                                     Gangtok, Tuesday, April 8, 1986.

SIKKIM LEGISLATIVE ASSEMBLY SECRETARIAT
GANGTOK

NOTIFICATION

No. SLAS/S6-87/247/R.C/1182.                                   Dated Gangtok, the 1st April, 1986.

In pursuance of Rule 272 of the Rules of Procedure and Conduct of Business in the Sikkim Legislative Assembly, the following Members of the Third Sikkim Legislative Assembly have been nominated by the Hon'ble Speaker to be the Members of the Committee on Rules for the year 1986—87:

1. Shri Bhakta Bahadur Khulal
2. Shri O.T. Bhutia
3. Shri Namkha Gyaltsen
4. Shri Pawan Kumar Chamling

In accordance with Rule 272 of the said Rules, Shri T.R. Sharma, Hon'ble Speaker shall be ex-officio Chairman of the Committee.

The term of the Committee shall be one year or till a new Committee is constituted, The Committee shall function in accordance with Rule 271 of the said Rules.

SONAM WANGDI,
Secretary,
Sikkim Legislative Assembly

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SIKKIM LEGISLATIVE ASSEMBLY SECRETARIAT
GANGTOK

NOTIFICATION

No. SLAS/86-87/247/P.C/1183. Dated Gangtok, the 1st April, 1986.

In pursuance of Rule 9 (1) of the Rules of Procedure and Conduct of Business in the Sikkim Legislative Assembly, the Hon ble Speaker has been pleased to nominate the following members on the Panel of Chairman:

1. Shri Sonam Gyatso Kaleon
2. Shri Sukumar Pradhan
3. Shri Pawan Kumar Chamling

A Chairman nominated under Rule 9 (1) shall hold office until a new panel of Chairman is nominated

SONAM WANGDI,
Secretary,
Sikkim Legislative Assembly.
GOVERNMENT OF SIKKIM
LAW DEPARTMENT
GANGTOK


NOTIFICATION

The following Act of the Sikkim Legislative Assembly having received the assent of Governor on the 25th day of March, 1986, is hereby published for general information:—

THE SIKKIM APPROPRIATION ACT, 1986.

(ACT NO. OF 1986)

NA
ACT

to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Sikkim for the services of the Financial year 1985-86.

1. This Act may be called the Sikkim Appropriation Act, 1986.

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 in the aggregate to the sum of nine crores, ten lakhs and eighty seven thousands rupees towards defraying the several charges which will come in course for payment during the financial year 1985-86 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 specified in the Schedule in relation to the said year.

Short title.

Issue of Rs.9,10,87,000 out of the Consolidated fund of the State of Sikkim for the financial year 1985-86.

Appropriation.
<table>
<thead>
<tr>
<th>No.</th>
<th>SERVICES AND PURPOSES of Vote</th>
<th>Voted by the Legislative Assembly</th>
<th>SUMS NOT EXCEEDING Charged on the Consolidated Fund</th>
<th>Total</th>
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<td>Relief on account of Natural Calamities Revenue</td>
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<td>27</td>
<td>Village &amp; Small Industries Revenue</td>
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B. R. PRADHAN, Secretary to the Govt, of Sikkim, Law Department. F. No. 16 (82)/LD/1979.
NOTIFICATION

The following Act of the Sikkim Legislative Assembly having received the assent of the Governor on the 25th day of March, 1986, is hereby published for general information:-

THE SIKKIM APPROPRIATION ACT, 1986.

(Act No. 6 of 1986)

AN

ACT

to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of the State of Sikkim for the services of the Financial Year 1986-87.

Be it enacted by the Legislature of the State of Sikkim in the Thirty-Seventh Year of the Republic of India as follows:—

1. Short title. This Act may be called the Sikkim Appropriation Act, 1986.

2. Issue of Rs.1,24,05,68,000 out of the Consolidated Fund of the State of Sikkim for the Financial year, 1986-87.

3. 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.
<table>
<thead>
<tr>
<th>No. of SERVICES &amp; PURPOSES</th>
<th>Voted by the Legislative Assembly</th>
<th>SUMS NOT EXCEEDING Charged on the Consolidated Fund.</th>
<th>Total</th>
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<td>3. Administration of Justice</td>
<td>Revenue 2665</td>
<td>1920</td>
<td>4585</td>
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<td>4. Election</td>
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<td>11. Secretariat General Services</td>
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<td>13. Treasury and Accounts Administration</td>
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B. R. PRADHAN,
Secretary to the Govt. of Sikkim,
Law Department.
F. No. 16 (82)/LD/1979.

PRINTED AT THE SIKKIM GOVERNMENT PRESS, GANGTOK.
NOTIFICATION

The following Act of the Sikkim Legislative Assembly having received the assent of the Governor on the 25th day of March, 1986, is hereby published for general information:—

THE SIKKIM APPROPRIATION ACT, 1986.

(ACT NO. 7 OF 1986)

AN

ACT

to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of the State of Sikkim to meet the amounts spent on certain services during the financial year ended lay of March 1980, in excess of the amounts authorised or granted for the said services

BE it enacted by the Legislature of the State of Sikkim in the Thirty-Seventh Year of the Republic of India as follows:—

1. This Act may be called the Sikkim Appropriation Act, 1986.

2. The sums specified in Column 5 of the Schedule amounting to
one crore fifty lakhs eleven thousand six hundred and eighty nine
rupees shall be deemed to have been authorised to be paid
and applied from and out of the Consolidated Fund of the State of
Sikkim to meet the amounts spent for defraying the charges in re-
spect of the services and purposes specified in column 2 of the
Schedule during the financial year ended on the 31st day of March
1980 in excess of the amounts authorised or granted for those services
and purposes for that year.

3. The sums deemed to have been authorised to be paid and applied
from and out of the Consolidated Fund of the State of Sikkim under
this Act shall be appropriated and shall be deemed to have been
appropriated for the services and purposes specified in the Schedule
in relation to the financial year ended on the 31st March 1980.
THE SCHEDULE

(See Section 2 and 3)

<table>
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<th>Demand No.</th>
<th>Services and Purposes</th>
<th>Voted by the Legislative Assembly</th>
<th>Charged on Consolidated Fund</th>
<th>Total</th>
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<td>18.</td>
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<td>and Water Supply</td>
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B. R. PRADHAN,
Secretary to the Government of Sikkim
Law Department.
File No. 16 (32)/LD/1979.
GOVERNMENT OF SIKKIM
ELECTION DEPARTMENT

Notification No. 49/H.                                      Dated Gangtok, the 6th March, 1986.

Election Commission of India's notification No. 56/84-XXI dated 24th February, 1986 is republished for general information.

ELECTION COMMISSION OF INDIA

NEW DELHI
Dated the 24th February, 1986
Phalgun 5, 1907 (S)

NOTIFICATION

S.O. - Whereas the Election Commission of India is satisfied that as a result of its poll performance at the simultaneous general elections to the House of the People from Assam State and the Legislative Assembly of Assam State held in December, 1985, the 'Asom Gana Parishad' is entitled for recognition as a State Party in the State of Assam in terms of paragraph 6 of the Election Symbols (Reservation and Allotment) Order, 1968;

And whereas the Commission has decided to recognise the Asom Gana Parishad as a State Party in the State of Assam and reserve the election symbol 'Elephant' for the said party in that State; and

Now, therefore, in pursuance of clause (b) and (d) of sub-paragraph (1) and sub-paragraph (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. 56/84-I, dated the 13th November, 1984, published in the Gazette of India, Extraordinary, Part II, Section 3 (iii), dated the 16th November, 1984, as amended from time to time, namely-

(i) In Table 2 of the said notification, against the State of Assam, under columns 2 and 3, for the entry "Plains Tribals Councils of Assam—Cultivator cutting crop", the entries

| 1. Plains Tribals Council — Cultivator cutting crop of Assam |
| 2. Asom Gana Parishad — Elephant |

shall be substituted; and

(ii) In Table 4 of the said notification, in the entries relating to "2—Assam" under column 2,

(a) entry "7. Elephant" shall be deleted; and

(b) the existing entries 8 to 11 shall be renumbered as 7 to 20.
The recognition granted to the above mentioned political party is subject to the following conditions:

(i) The Party shall communicate to the Commission without delay any change in its name and head office, office bearers and their addresses and political principles, policies and objectives and any change in any other material matters;

(ii) The Party shall intimate the Commission immediately whenever any amendments are issued to Party Constitution along with the relevant documents like the notice for the meeting, minutes of the meeting where the amendment have been carried etc;

(iii) The Party shall maintain all the records like minutes books, accounts books, membership registers, receipt books, etc.

(iv) The said record shall be open for inspection any time by the authorised representative(s) of the Commission, and

(v) The registration granted shall be reviewed by the Commission from time to time

No. 56/84-XXI

By Order,

Sd/-
(R. P. BHALLA)
Secretary

H.R. GUPTA,
Joint Chief Electoral Officer

PRINTED AT THE SIKKIM GOVERNMENT PRESS, GANGtok.
NOTIFICATION

In exercise of the powers conferred by the proviso to article 309 of the Constitution, the Governor hereby makes the following rules further to amend the Sikkim Finance and Accounts Service Rules, 1978, namely:—

1. (1) These rules may be called the Sikkim Finance and Accounts Service (Amendment) Rules, 1986.
   (2) They shall come into force on the date of their publication in the Official Gazettee.

2. In the Sikkim Finance and Accounts Service Rules, 1978 for Schedule I, the following shall be substituted, namely:—

   **SCHEDULE I**

<table>
<thead>
<tr>
<th>Designation of Post</th>
<th>No. of Post</th>
<th>Department to which the posts are Allotted</th>
</tr>
</thead>
<tbody>
<tr>
<td>1(a) Director of Accounts/Director of Internal Audit.</td>
<td>2</td>
<td>Finance</td>
</tr>
<tr>
<td>(b) Chief Pay &amp; Accounts Officer/Chief Accounts Officer.</td>
<td>5</td>
<td>Vide Annexure ‘A’ to these Rules</td>
</tr>
<tr>
<td>(c) Dy. Chief Pay &amp; Accounts Officer/Senior Accounts Officer.</td>
<td>12</td>
<td>Vide Annexure ‘B’ to these Rules</td>
</tr>
<tr>
<td>(d) Accounts Officer.</td>
<td>43</td>
<td>Vide Annexure ‘C’ to these Rules</td>
</tr>
</tbody>
</table>

2. Deputation Reserve 20% of 62
3. Leave Reserve 5% of 62
4. Training Reserve 15% of 62

TOTAL AUTHORISED STRENGTH 86

K. C. PRADHAN,
Secretary,
Finance Department,
Government of Sikkim.
**ANNEXURE 'A'
CADRE STRENGTH OF SELECTION GRADE II OFFICERS
SANCTION STRENGTH .5 NOS.**

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Department</th>
<th>No. of posts</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Finance</td>
<td>2</td>
</tr>
<tr>
<td>2.</td>
<td>Home</td>
<td>1</td>
</tr>
<tr>
<td>3.</td>
<td>Pay &amp; Accounts Office</td>
<td>1</td>
</tr>
<tr>
<td>4.</td>
<td>Sikkim Nationalised Transport</td>
<td>1</td>
</tr>
</tbody>
</table>

**ANNEXURE 'B'
CADRE STRENGTH OF SENIOR SCALE (CLASS I) OFFICERS.
SANCTIONED STRENGTH—12 NOS.**

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Department</th>
<th>No. of posts</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Agriculture</td>
<td>1</td>
</tr>
<tr>
<td>2.</td>
<td>Education</td>
<td>1</td>
</tr>
<tr>
<td>3.</td>
<td>Finance</td>
<td>2</td>
</tr>
<tr>
<td>4.</td>
<td>Medical</td>
<td>1</td>
</tr>
<tr>
<td>5.</td>
<td>Pay &amp; Accounts Office</td>
<td>4</td>
</tr>
<tr>
<td>6.</td>
<td>Power</td>
<td>1</td>
</tr>
<tr>
<td>7.</td>
<td>Rural Development Department</td>
<td>1</td>
</tr>
<tr>
<td>8.</td>
<td>Sikkim Nationalised Transport</td>
<td>1</td>
</tr>
</tbody>
</table>

**ANNEXURE 'C'
CADRE STRENGTH OF JUNIOR SCALE (CLASS II) OFFICERS.
SANCTIONED STRENGTH 43 NOS.**

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Department</th>
<th>No. of posts</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Agriculture</td>
<td>1</td>
</tr>
<tr>
<td>2.</td>
<td>Animal Husbandry</td>
<td>1</td>
</tr>
<tr>
<td>3.</td>
<td>Building, Water Supply, Housing</td>
<td>2</td>
</tr>
<tr>
<td>4.</td>
<td>Co-operation</td>
<td>1</td>
</tr>
<tr>
<td>5.</td>
<td>Education</td>
<td>4</td>
</tr>
<tr>
<td>6.</td>
<td>Excise</td>
<td>1</td>
</tr>
<tr>
<td>7.</td>
<td>Finance</td>
<td>3</td>
</tr>
<tr>
<td>8.</td>
<td>Food and Civil Supply</td>
<td>1</td>
</tr>
<tr>
<td>9.</td>
<td>Forest</td>
<td>2</td>
</tr>
<tr>
<td>10.</td>
<td>Governor's Secretariat</td>
<td>1</td>
</tr>
<tr>
<td>11.</td>
<td>Home</td>
<td>1</td>
</tr>
<tr>
<td>12.</td>
<td>Income and Sales Tax</td>
<td>1</td>
</tr>
<tr>
<td>13.</td>
<td>Industries</td>
<td>1</td>
</tr>
<tr>
<td>14.</td>
<td>Irrigation</td>
<td>1</td>
</tr>
<tr>
<td>15.</td>
<td>Land Revenue Department</td>
<td>1</td>
</tr>
<tr>
<td>16.</td>
<td>Land Use and Environment</td>
<td>1</td>
</tr>
<tr>
<td>17.</td>
<td>Local Self Govt. Department</td>
<td>1</td>
</tr>
<tr>
<td>18.</td>
<td>Medical</td>
<td>1</td>
</tr>
<tr>
<td>19.</td>
<td>Pay &amp; Accounts Office</td>
<td>19</td>
</tr>
<tr>
<td>20.</td>
<td>Police</td>
<td>1</td>
</tr>
<tr>
<td>21.</td>
<td>Power</td>
<td>1</td>
</tr>
<tr>
<td>22.</td>
<td>Sikkim Nationalised Transport</td>
<td>2</td>
</tr>
<tr>
<td>23.</td>
<td>Sikkim Public Works Department (Roads &amp; Bridges)</td>
<td>3</td>
</tr>
<tr>
<td>24.</td>
<td>Tourism</td>
<td>1</td>
</tr>
</tbody>
</table>
GOVERNMENT OF SIKKIM
HOME DEPARTMENT

No. 38(28) Home/83/671

Dated the 10th March, 1986.

ORDER

In pursuance of Order No. 377/Home/85 dated 30th Dec. 85, the Government of Sikkim is pleased hereby to extend the date of submission of the investigation of the case on the circumstance leading to the death of Shri Kharga Bahadur Gurung of Kopchey under Rhenock Police Station by Shri Jasbir Singh, Superintendent of Police, East District from 1st March, 1986 to 30th April 1986.

M.M. RASAILY,
Home Secretary,
Government of Sikkim.
In exercise of the powers conferred by clause (3) of the article 166 of the Constitution of India, the Governor of Sikkim is hereby pleased to make the following rules to amend the Government of Sikkim (Allocation of Business) Rules, 1985.

1. These Rules may be called the Government of Sikkim (Allocation of Business) Amendment Rules (Second), 1986.

2. In the second schedule to the Government of Sikkim (Allocation of Business) Rules, 1985 under the heading 'III. Agriculture Department' after serial number 6 the following subject shall be added "7 Agriculture Census" and serial numbers 7 and 8 renumbered as 8 and 9 and under the heading 'XXX. Health and Family Welfare Department' after serial number 7 the following subject shall be added "8 Social Welfare Wing" and serial number 8 renumbered as 9.

M. M. RASAILY,
Home Secretary,
Government of Sikkim.
NOTIFICATION

The Governor of Sikkim is pleased to appoint Shri I.B. Rai, MLA as Chairman, Sikkim Marketing Federation vice Shri Sonam Gyatso Kaleon, MLA with immediate effect.

M.M. RASAILY,
Home Secretary,
Government of Sikkim.
GOVERNMENT OF SIKKIM
RURAL DEVELOPMENT DEPARTMENT

No. 26 (21) 84/9320/RDD
Dated Gangtok, the 15th March, 1986.

NOTIFICATION

In continuation of this Department Notification No. 6071/RDD dated 29th November, 1985 the Governor is pleased to extend the tenure of the ONE MAN COMMITTEE in connection with Writ Petition No. 19 of 1984 for two months upto the 30th April, 1986.

P.K. PRADHAN, I.A.S.
Secretary to the Govt, of Sikkim,
Rural Development Department.
GOVERNMENT OF SIKKIM
DEPARTMENT OF LABOUR

Notification No. 15/DL
Dated Gangtok, the 28th April, 1986.

In exercise of the powers conferred by sub-section (3) of section 1 of the Sikkim Shops and Commercial Establishments Act, 1983 (6 of 1983), the State Government hereby appoints the 1st day of May, 1986 as the date from which all the provisions of the said Act shall come into force throughout the State of Sikkim for all classes of Establishments.

By Order,

K. SHERAB,
Secretary,
Department of Labour.
GOVERNMENT OF SIKKIM

Notification No. 11(700/P/II)/LR(S) Dated Gangtok, the 25th March, 1986.

(Notified under Section 4 of Land Acquisition Act, 1894).

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 public purpose of the Union have been entrusted to the State Government by notification No. 12018/12/76-LRD dated the 18th January, 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 it appears to the Governor that land is needed for the public purpose being a purpose of the Union, namely for construction of Transmitting Tower of All India Radio at Taktse Compound area, Penlong.

Therefore, in exercise of the powers conferred by Section 4 of the Land Acquisition Act \ 1894, it is hereby notified for general information that the piece of land comprising an area of 8.00 acres under c.s. plot Nos. 18, 19, and 21 bounded on:

<table>
<thead>
<tr>
<th>Boundary</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>Taktse Palace Compound</td>
</tr>
<tr>
<td>East</td>
<td>—do—</td>
</tr>
<tr>
<td>West</td>
<td>Reserve Forest</td>
</tr>
<tr>
<td>South</td>
<td>—do—</td>
</tr>
</tbody>
</table>

is likely to be needed for the aforesaid purpose at the public expense within the aforesaid block.

In exercise of the powers conferred by sub-section (2) of section 4 of the said Act, 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.

And whereas there is urgency to acquire the land the Governor is pleased to direct U/S 17 (4) that the provision of section 5 of the Act shall not apply.

A plan of the land may be inspected in the office of the Collector-cum-Sp. L.A.O., Land Revenue Department, Gangtok.

Any person interested in the above land, who has any objection to the acquisition thereof, may within 30 days after date on which public notice of the substance of this notification is given in the locality, file an objection in writing before the Collector-cum-Sp. L.A.O., Land Revenue Department, Gangtok.

By Order of the Governor,

PASONG NAMGYAL,
Secretary,
Land Revenue Department,
Government of Sikkim.
IN exercise of powers conferred by sub-rule (2) of rule 6 of the Sikkim Sales Tax Rules, 1983, the Commissioner of Commercial Taxes hereby orders that, the following amendment shall be made in the notification of the Government of Sikkim, Finance (Income Tax and Commercial Taxes) Department No. 832/ST/3609, dated the 12th August, 1983, namely:—

In the said notification, for the expression "Rs. 1,00,000 (Rupees one lakh)" appearing in item 1, the following expression shall be substituted, namely:—

"Rs. 3, 00, 000 (Rupees three lakhs)".

2. This amendment takes effect from the date of publication of this notification in the Official Gazette.

Sd/-
Commissioner,
Finance (Income Tax and Commercial Taxes) Department
Government of Sikkim,
Gangtok.
GOVERNMENT OF SIKKIM
INCOME & SALES TAX DEPARTMENT

NOTIFICATION

No. 4075-100/CT. Dated Gangtok, the 25th March, 1986.

Whereas the State Government 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 the Section 8 of the Central Sales Tax Act, 1956 (No: 74 of 1956), the State Government hereby exempts the Sikkim Mining Corporation, Rangpo from the levy of Central Sales Tax on the sale of concentrates viz. Zinc, Copper and Lead as intermediary products in the course of inter-State trade or commerce till the end of the Seventh Five year Plan i.e. 1989/90.

K. C. PRADHAN,
Secretary Finance,
Finance (Income & Sales Tax Department)
Government of Sikkim,
Gangtok.

PRINTED AT THE SIKKIM GOVERNMENT PRESS, GANGTOK.
GOVERNMENT OF SIKKIM
ELECTION DEPARTMENT

Notification No. 41/H. Dated Gangtok, the 15th April, 1986.

Election Commission of India's notification No. 56/84-XXII dated 1st April, 1986 is hereby republished for general information.

ELECTION COMMISSION OF INDIA

NEW DELHI-110001
Dated the 1st April, 1986
Chaitra 11, 1908 (S)

NOTIFICATION

S.O.- Whereas the Election Commission of India is satisfied that as a result of its poll performance at the simultaneous general elections to the House of the People from Assam State and the Legislative Assembly of Assam State held in December, 1985, the 'United Minorities Front, Assam' is entitled for recognition as a State Party in the State of Assam in terms of paragraph 6 of the Election Symbols (Reservation and Allotment) Order, 1968;

And whereas the Commission has decided to recognise the United Minorities Front, Assam Party in the State of Assam and reserve the election symbol 'Ladder' for the said party in that State; and

Now, therefore, in pursuance of clause (b) and (d) of sub-paragraph (1) and sub-paragraph (2) of paragraph 17 of the Election Symbols (Reservation and Allotment) Order, 1968, the Election Commission hereby makes the following amendments in its Notification No.56/84-I dated the 13th November, 1984, published in the Gazette of India, Extraordinary, Part II, Section 3 (iii), dated the 16th November, 1984, as amended from time to time, namely-

(i) In Table 2 of the said notification, against the State of Assam, under columns 2 and 3, of the Table, the entries "3. United Minorities Front, Assam.......................... Ladder", shall be added; and

(ii) In Table 4 of the said notification, against the entry "2-Assam" mentioned in column 1 thereof, the entry "11. Ladder" specified in column 2, thereof shall be deleted; and the existing entries 11 to 20 shall be renumbered as 10 to 19.
The recognition granted to the above mentioned political party in subject to the following conditions:—

(i) the Party shall communicate to the Commission without delay any change in its name and head office, office bearers and their addresses and political principles, policies and objectives and any change in any other material matters;

(ii) the Party shall intimate the Commission immediately whenever any amendments are issued to party constitution alongwith the relevant documents like the notice for meeting, minutes of the meeting where the amendment have been carried out;

(iii) the party shall maintain all the records like minutes books, accounts books, membership registers, receipt books, etc.

(iv) the said records shall be open for inspection any time by the authorised representative (s) of the Commission; and

(v) the recognition granted shall be reviewed by the Commission from time.

By Order,

[No. 56/84-XXII]

Sd/-

(R. P. BHALA)

Secretary

TASHI WANGCHUK,
Deputy Chief Electoral Officer
Sikkim

PRINTED AT THE SIKKIM GOVERNMENT PRESS, GANGTOK.
The Governor of Sikkim is pleased to revise the Tariff Rates for consumption of electricity as per the Tariff Schedule, annexed hereto. The revised Schedule of Rates shall come into force from 1st April, 1986 provided that the bill for the month of April, 1986 and thereafter, irrespective of dates of Meter reading prior to and after 1st April, 1986 shall deemed to be the energy consumed on and after 1st April, 1986.

The rates of charges, conditions of supply and other matters specified in the schedule annexed hereto shall replace the existing rates of charges and corresponding provision in the existing schedule and in the existing agreement, if any, with the Power Department, Government of Sikkim with effect from 1st April, 1986.

This supersedes the earlier Notification No.33/GEN/77/83 dated 15.9.1983.

(L. P. TEWARI)
CHIEF ENGINEER-CUM-SECRETARY
POWER DEPARTMENT
GOVERNMENT OF SIKKIM
GANGTOK.
### SUMMARY OF TARIFF SCHEDULE

#### A. LOW TENSION SUPPLY

1. **DOMESTIC SERVICE**

   **Schedule Designation**: DS
   **Applicability**: This service is applicable to private and Government residential houses, Bangalows, Clubs, Schools, Temples, Mosques, Churches, Charitable Institutions, Educational Institutions and such other non-commercial establishments.
   **Character of Service**: A.C. 50 Cycles, three or single phase supply.
   **RATE**:
   - First 25 KWH: Rs.50.00 per KWH
   - Next 25 KWH: Rs.60.00 per KWH
   - All in excess: Rs.70.00 per KWH
   **Minimum Charge**: Rs.5.00 per month.
   **Prompt Payment Rebate**: A rebate of 5 Paise/KWH will be allowed if the total bill is paid within the prescribed due date in the bill.
   **Delayed Payment**: A surcharge of 5 paise per KWH will be charged if the bill is not cleared within the due date prescribed in the bill.

2. **COMMERCIAL SERVICE**

   **Schedule Designation**: CS
   **Applicability**: This service is applicable for supply of electricity at 230/- volts for use in trade, business, shops, hotels, cinema fuel service stations, bars and restaurants, Radio Stations, Hospitals, Telephone Exchanges, Public auditoriums and such other establishments classified by the Departments.
   **Character of Service**: A.C. 50 cycles, three phase or single phase supply.
   **Rate**: 70 paise/KWH for all consumption.
   **Prompt Payment Rebate**: 6 Paise/KWH.
   **Delayed Payment Surcharge**: 6 paise/KWH.

3. **L.T. INDUSTRIAL SERVICE**

   **Schedule Designation**: L.T.I.S
   **Applicability**: This service applies to supply of electricity to Small Industrial concerns, Printing Presses, Corrage Industries, Poultry Farming, Water Works, Flour Mills, Atta Chaki, Automobile Workshop and such other services classified by the Department for connected load of such services not exceeding 100 KVA.
   **Character of Service**: A.C. 50 cycles, three or single phase supply.
   **Rate**: 70 paisa/KWH for all consumption.
   **Minimum Charge**: Rs.25.00 per KVA of connected load per month.
   **Prompt Payment Rebate**: 6 Paise/KWH.
   **Delayed Payment Surcharge**: 6 Paise/KWH.

4. **BULK SUPPLY FOR MIXED LOAD**

   **Schedule Designation**: M.L.L.T.
   **Applicability**: This service is applicable to bulk supply at a point to educational institution including hostels attached to such institutions, Radio Stations including transmitters, Army Cantt., Defence Establishments, Aerodromes, Hospitals, Dispensaries, Orphanages, Residential Colonies belonging to State/Central Governments and such establishments classified by the Department. The distribution system in such establishments or institutions should.
be owned and maintained the respective agencies and are outside the perview of the Department of Power.
The connected load of such a service should be limited Up to 250 KVA.VA.

Character of Service : A G. g.c cycles, three phase, supply
Rate : 70 Paise/KWH for all consumption.
Minimum Charges : Rs. 25 per KVA of connected load or contract demand per month.
Prompt Payment Rebate : 6 Paise per KWH.
Delayed Payment Surcharge : 6 Paise per KWH.
Important conditions of supply : The above schedule will apply to establishment in on compact area and not separated by public road etc.

5. PUBLIC LIGHTING
Schedule Designation : P.L.
Applicability : This schedule shall apply to public lamps, street lighting system, traffic control signals, lighting of public parks such other services as classified by the Power Department.

Character of Service : A.C. 50 cycles, single, phase.
Rate : a) 60 Paise/KWH or b) Rs. 15.00 per lamp per month or part thereof.
Minimum Charge : Rs. 2.00 per lamp per month or part thereof. Where the supply is unmetered, the KWH for the purpose of billing shall be computed with reference to the total number of lamps, wattage and burning hours.
Prompt Payment? Rebate : The above rate is subject to a rebate of 6 paisa per KWH provided the bill is paid by the due date specified therein.
Delayed Payment Surcharge : A surcharge of 6 Paise per KWH shall be charged from the date of bill it is not paid within the prescribed due date.

6. TEMPORARY L.T. SUPPLY
Schedule Designation : TS
Applicability : This service shall apply to Power supply for temporary purposes and for a period not exceeding two months in the first instance, the duration of which may be extended at the discretion of the Power Department.

Character of Service : A.C. 50 cycles/second single or three phase L.T. or H.T. whichever is possible at the discretion of the Power Department.
Rate : Tariff under schedule designation DS, CS, LTIS/MLLT and HTs for corresponding permanent supply PLUS 25% additional charge on the total bill.
Minimum Charge : The minimum charges payable for different categories of consumption will be as under:
   i) DS - Rs. 20.00 per service per month or part thereof.
   ii) CS - Rs. 30.00 per service per month or part thereof.
   iii) LTIS-Rs. 50,000 per KVA of connected load or contract demand per month or part thereof.
   iv) MLLT - Rs. 25.00 per KVA or connected load or contract demand per month or part thereof.
   v) HTS - Rs. 60.00 per KVA per month or part thereof on the contract demand.

B. HIGH TENSION SUPPLY
Schedule Designation : HTS
Rate : This service is applicable to Bulk supply at 3.3 "KV and above at standard High voltage or Extra high voltage
available in the locality to industrial establishments, registered factories, workshops, construction power of any industrial or power project etc. having contract demand of 50 KW and above.

**Character of Service**

: 3.3 KV and 11-KV three phase, 50 cycles/second.
: Demand charges : Rs. 30.00 per KVA per month of billing PLUS charges : 30 paise/KWH.

**Minimum charges**

: The Demand Charges on the monthly billing demand or not contract demand, whichever is higher will be the monthly minimum charges whether energy is consumed or not. The monthly billing demand shall be the highest of:-

i) The actual maximum demand recorded during the month defined as the highest average load in KV any 30 minutes consecutive period of the month.
ii) 75 per cent of the highest maximum demand during the preceeding eleven months.

**Discounts for supply at higher voltage**

: If the consumer is supplied at 66 KV, discount of 5 percent, on the total monthly bill will be allowed.

**Prompt Payment Rebate**

: A rebate of 2 percent on the total monthly bill will be allowed if payments are made within the period prescribed.

**Delayed Payment Surcharge**

: A surcharge of 2 percent per month will be charged on the outstanding amount of the bill payable in addition from the date of bill.

**Metering in low voltage side**

: In case the metering of maximum demand and energy consumption is made on the low voltage side of a distribution transformer of 3.3/0.43 KV and 11/0.43 KV ratio, 3 percent will be added both on the maximum demand and the consumption of energy for the purpose of billing.

**SCHEDULE OF MISCELLANEOUCHARG**

1. **SERVICE CONNECTION**

: Upon receipt of the requisition for supply, the Department's local office will serve estimate or quotation which will include the cost of service line, security deposit and agreement stamp cost of service connections shall include the cost of materials and equipments, labour and supervision charges. The total service connection charges are payable before the work is taken in hand.

2. **METER RENT**

: Hire charges for meters and maximum demand indicator etc. per month.

i) Single phase meter Rs. 3.00
ii) Three phase 3-wire meters Rs.8.00
iii) Three phase 4-wire meters Rs.30.00
iv) Maximum demand indicator (L.T.) Rs.40.00
v) Maximum demand indicator (HT) Rs.15.00
vi) Time Switch Rs.40.00

3. **TESTING OF METER**

: i) Single and three phase meters Rs.15.00
ii) Other metering instruments Rs.40.00

4. **DISCONNECTION AND RECONNECTION**

: i) Disconnection of supply for any reasons Rs.15.00
ii) Reconnection of Supply Rs.15.00

5. **CHANGING OF METER**

: i) Changing of meters at request of the consumer Rs.15.00
ii) Changing of the position of the meter board at the consumer's request Rs.20.00

6. REPLACEMENT OF FUSES
Replacement of fuses in the main cut outs due to defect in consumer's wiring.

i) Lower & Medium Voltage Rs.2.00
ii) Low & Medium Voltage three phase supply Rs.6.00
iii) High Voltage supply Rs.15.00

7. RE-SEALING OF METER

i) Replacement of missing seals in the meters or cut outs in the absence of any sign of tampering Rs.5.00

ii) If the meter or cut out seals are found tampered, the vis-a-vis preceeding units consumed when the meter was not tampered. The meter will be tested and resealed. The Department further reserves the right to impose suitable penalty Rs.5.00

Plus charges at Schedule 3 above.
In partial modification of notification No. 36/Home dated 6th August, 1976, the Governor of Sikkim is pleased to appoint Brigadier Justice D.M Sen(Retd.) as Chairman, Law Commissioner of Sikkim, vice Mr. Justice A.M. Bhattacharjee with effect from 1.5.86.

By Order.

B.R. PRADHAN,
Secretary to the Govt, of Sikkim,
Law Department.
OFFICE ORDER NO. 5/LD/86. Dated Gangtok, the 30th April, 1986.

In pursuance of Notification No. 3 (94) LD/1/86 dated the 30th April, 86, the terms of appointment of Brigadier Justice, D.M. Sen (Retd.), Chairman Law Commission, are as follows.

1. He shall be paid an honorarium of Rs. 2000/- per month.

2. He shall be paid daily allowance of Rs. 200/- for the days he is in Gangtok and for the days of Journey.

3. To and fro Air fare from Delhi/Calcutta to Bagdogra and back.

B.R. PRADHAN,
Secretary to the Govt. of Sikkim, Law Department.
F. No. 3 (94)/LD/1986.
GOVERNMENT OF SIKKIM
RURAL DEVELOPMENT DEPARTMENT

NOTIFICATION
No.35(38) 85-86/P/S/RDD/555. Dated Gangtok, the 4th June, 1986.

Consequent upon the death of Shri Lall Bahadur Rai, Up-Sabhapati of 38, Tinkitam-Sanganath Gram Panchayat South Sikkim, Shri Mohan Rai, is elected as member of said Gram Panchayat to fill up the vacancy w.e.f. 15.5.86 as per sub-section (1) of section 23 of Sikkim Panchayat Act 1982.

P.K. PRADHAN, LAS.
Director Sikkim Panchayat Election and Commissioner-cum-Secretary,
Rural Development Department,
Government of Sikkim.
GOVERNMENT OF SIKKIM
RURAL DEVELOPMENT DEPARTMENT

NOTIFICATION

No.35(1) 83-84/S/558/RDD. Dated Gangtok, the 6th June, 1986.

In exercise of the powers conferred by Sub-section (1) of section 25 of Sikkim Panchayat Act 1982, the resignation tendered by Shri Tulsi Ram Adhikari, Sachiva of 1 Lingi-Paiyong Gram Panchayat, South District, from the Sachiva of above said Gram Panchayat is hereby accepted w.e.f. 13.4.86 and in exercise of the powers conferred by Sub-section (1) of section 24 of aforesaid Act, Shri Bednidhi Tiwari, Assistant Teacher, Badamtam primary School, is hereby appointed Sachiva of the said Gram Panchayat w.e.f. 14.4.86.

His functions and terms of office shall be governed by Sub-section (3) and (4) of Section 24 of the Sikkim Panchayat Act 1982.

P.K. PRADHAN, I.A.S.
Commissioner-cum-Secretary,
Rural Development Department and
Director of Sikkim Panchayat Election,
Government of Sikkim.
GOVERNMENT OF SIKKIM
ELECTION DEPARTMENT

Notification No. 42/H.  Dated 11 June, 1986,

Election Commission of India's Order No. 76/SKM-LA/85 dated 7th May, 1986 is re-published for general information.

ELECTION COMMISSION OF INDIA

Ashok Road,
New Delhi—1.

Vaishakha 17, 1908 (Saka)

ORDER

Whereas the Election Commission is satisfied that each of the contesting candidates specified in column (4) of the Table below at the election to the Sikkim Legislative Assembly as specified in column (2) and held from the constituency specified in column (3) against his name has failed to lodge an account of his election expenses or failed to lodge the account within the time and in the manner, as shown in column (5) of the said Table as required by the Representation of the People Act, 1951 and the Rules made there under;

And whereas the said candidates have either not furnished any reason or explanation for the said failure even after due notice or the Election Commission, after considering the representations made by them, if any is satisfied that they have no good reason or justification for failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the persons specified in column (4) of the Table below to be disqualified for being chosen as, and for being a member of either House of the Parliament or of the Legislative Assembly or Legislative Council of a State/Union Territory for a period of 3 years from the date of this order.
<table>
<thead>
<tr>
<th>Sl No.</th>
<th>Particulars of election</th>
<th>Sl. No. &amp; Name of the Assembly Constituency</th>
<th>Name &amp; Address of the contesting candidate</th>
<th>Reason for disqualification</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>General Elections to Sikkim Legislative Assembly, 1985.</td>
<td>1 - Yoksam</td>
<td>Shri Kongjong Bhutia, Yuksam, West District, Sikkim.</td>
<td>Account not lodged</td>
</tr>
<tr>
<td>2</td>
<td>-do-</td>
<td>-do-</td>
<td>Shri Til Bahadur Gurung, Darap, West, District, Sikkim.</td>
<td>-do-</td>
</tr>
<tr>
<td>3</td>
<td>-do-</td>
<td>2 - Tashiding</td>
<td>Shri Sonam Yungda, Tikjek, Geyzing, West District, Sikkim.</td>
<td>-do-</td>
</tr>
<tr>
<td>4</td>
<td>-do-</td>
<td>3 - Geyzing</td>
<td>Shri Aitaraj Limboo, Geyzing, West Sikkim.</td>
<td>-do-</td>
</tr>
<tr>
<td>5</td>
<td>-do-</td>
<td>-do-</td>
<td>Shri Pharsa Man Limboo, Tilkjek, Geyzing, West Sikkim.</td>
<td>-do-</td>
</tr>
<tr>
<td>6</td>
<td>-do-</td>
<td>-do-</td>
<td>Shri Ganga Pd. Sharma, Geyzing West Sikkim.</td>
<td>-do-</td>
</tr>
<tr>
<td>7</td>
<td>-do-</td>
<td>4 - Dentam</td>
<td>Shri Padam Singh Subba, Uterey, West District, Sikkim.</td>
<td>-do-</td>
</tr>
<tr>
<td>8</td>
<td>-do-</td>
<td>-do-</td>
<td>Shri Phurba Sherpa Bermiok, West Distt., Sikkim.</td>
<td>-do-</td>
</tr>
<tr>
<td>9</td>
<td>-do-</td>
<td>-do-</td>
<td>Narayan Pradhan, Dentam, West Distt., Sikkim.</td>
<td>-do-</td>
</tr>
<tr>
<td>10</td>
<td>-do-</td>
<td>5 - Bermiok</td>
<td>Shri Gangaram, Bermiok, West District, Sikkim.</td>
<td>-do-</td>
</tr>
<tr>
<td>11</td>
<td>-do-</td>
<td>-do-</td>
<td>Shri Harish Chandra, Bermiok, West Distt., Sikkim.</td>
<td>-do-</td>
</tr>
<tr>
<td>12</td>
<td>-do-</td>
<td>-do-</td>
<td>Shri Mohan Limbu, Chingthang, Rinchenpong, West District, Sikkim.</td>
<td>-do-</td>
</tr>
<tr>
<td>13</td>
<td>-do-</td>
<td>8 - Boreng</td>
<td>Shri Purna/Bahadur Limboo, Tharapur, West District Sikkim.</td>
<td>-do-</td>
</tr>
<tr>
<td>14</td>
<td>-do-</td>
<td>9 - Daramdin</td>
<td>Shri Ratan Bahadur Rai, Upper Tharnbong, West District Sikkim.</td>
<td>-do-</td>
</tr>
<tr>
<td>15</td>
<td>-do-</td>
<td>-do-</td>
<td>Shri Birkha Bahadur Subba, Rumbuk Somboria, West District, Sikkim.</td>
<td>-do-</td>
</tr>
</tbody>
</table>

**By order,**

S. D PERSHAD,
Under Secretary.

H.R. GUPTA,
Joint Chief Electoral Officer
Election Department,
Govt. of Sikkim.
In exercise of the powers conferred by section 89 of the Chit Funds Act, 1982 (Central Act, 40 of 1982), the Government of Sikkim, in consultation with the Reserve Bank of India, hereby makes the following rules:

CHAPTER – I

Preliminary

1. **Short title**:
   (i) These rules may be called the Chit Funds Sikkim Rules, 1984.
   (ii) They shall come into force from the date of their publication in the Official Gazette.

2. **Definitions**:

   In these rules, unless the context otherwise requires –

   (a) "Act" means the Chit Funds Act, 1982 (Central Act 40 of 1982);
   (b) "Appendix" means Appendix I or as the case may be Appendix II to these rules;
   (c) "authorised agent" means a person duly authorised by a power-of-attorney executed and authenticated in the manner specified in section 33 of the Indian Registration Act, 1908 (Central Act XVI of 1908) or a person authorised by a letter of authorization specified in Form XX by the person concerned;
   (d) "form" means a form in Appendix I to these Rules;
   (e) "section" means a section of the Act;
   (f) Words and expressions used in these rules but not defined therein shall have the same meanings respectively assigned to them in the Act.

CHAPTER – II

Registration

3. **Applications for obtaining prior sanction for commencement or conduct of chit**

   Every application for obtaining prior sanction of the State Government or the officer empowered by it in this behalf, for commencement or conduct of a chit shall be made by the foreman in Form I.
4. Communication of the refusal to sanction commencement or conduct of a chit:

Where sanction for the commencement or conduct of a chit is refused, the reasons for such refusal shall be recorded in writing and a copy thereof shall be communicated to the applicant.

5. Application for registration of chit:

Every application for the registration of a chit to be made by the foreman to the Registrar shall be in Form II.

6. Endorsement of registration of a chit:

The endorsement of registration of a chit agreement to be issued by the Registrar shall be in Form III.

7. Registration number of chit:

Every chit registered under the Act shall be numbered serially by the Registrar in separate series for each calendar year.

8. Communication of the refusal to register a chit:

If the Registrar refuses to register a chit, he shall record the reasons for such refusal in writing and communicate a copy of the order to the applicant.

9. Application for appropriation of any sum from the reserve fund:

Every application for obtaining prior approval of the Registrar for appropriation by a company of any sum from the reserve fund shall be in Form IV.

10. Declaration to be filed about subscriptions to all tickets of a chit:

Every declaration to be filed by a foreman after all tickets in a chit specified in the chit agreement have been fully subscribed shall be in Form V.

11. Form of certificate of commencement of chit:

The certificate of commencement of a chit to be granted to the foreman shall be in Form VI.

12. Form of certificate about furnishing a copy of the chit agreement to the subscribers of a chit:

The certificate by the foreman about having furnished a copy of the chit agreement to every subscriber of a chit to be filed with the Registrar shall be in Form VII.

13. Form of chit agreement:

The chit agreement of every chit started under the Act shall, as far as may be, conform to the pro-forma set forth in Form VIII.

14. Registration of alteration, addition or omission of chit agreement:

(1) No alteration, addition or omission of any provision in the chit agreement shall have effect unless such alteration or addition or as the case may be, omission is registered. If the foreman makes any alteration or addition or omission of any provision in the chit agreement, he shall submit such alteration or addition or omission in duplicate to the Registrar duly signed and attested by at least two witnesses along with the application for registration of such alteration or addition or omission as the case may be of the chit agreement.

(2) An application to register an alteration of or addition to or omission of any provision in the chit agreement shall be dealt with in the same manner as an application for registration of the chit agreement.

15. Date of effect of alteration or addition or omission of any provision in the chit agreement:

An alteration of or addition to or omission of any provision in the chit agreement shall not take effect from a date earlier than the date of such registration of the alteration or addition or omission as the case may be unless otherwise ordered by the Registrar.
Provided that the Registrar shall not give effect to the alteration or addition or omission from a date earlier than the date of application for registration of the alteration or addition or omission of any provision of the chit agreement, as the case may be.

16. **Form of Notice to Chit Subscriber:**

Very notice to be given by a foreman to the subscribers in a chit under section 16 shall be in Form IX. It shall be sent to each subscriber under certificate of posting and shall also be exhibited on the Notice board of the office of the foreman.

17. **Form of minutes of proceedings:**

The minutes of proceedings of every draw shall, in addition to the particulars specified in sub-section (2) of section 17, contain full particulars of the following points, namely —

(a) Particulars of deposit, if any, of the prize amount under sub-section (1) and (2) of section 22 since the date of the previous draw;

(b) Particulars of deposit, if any, of money under sub-section (1) of section 30 and sub-section

(c) Particulars of deposit, if any, of money under sub-section (1) of section 30 and sub-section

(d) Amount withdrawn from the State Bank of India, Gangtok and the purpose for which the amount was withdrawn since the date of the previous draw;

(e) How the prized subscriber was ascertained according to the terms of the chit agreement and particulars of tickets and prize amount. If the ascertainment of the prized subscriber related to a fraction of a ticket, particulars in respect of each such fraction shall be entered;

(f) Full particulars of the commission paid to the foreman and the amount of dividend assigned to each subscriber;

(g) Names of subscribers or their authorised agents who bid at the drawing, their ticket numbers and signatures.

**CHAPTER - III**

**Foreman**

18. **Procedure in the case of security given by the foreman**

(1) In case of cash deposited in an approved bank in the name of the Registrar under clause (a) of sub-section (1) of section 20, the receipt or the book issued by the approved bank mentioned in the chit agreement shall be delivered to the Registrar.

(2) In case of Government securities transferred in favour of the Registrar under clause (b) of sub-section (1) of section 20, the Registrar shall keep them in safe custody under his control in the State Bank of Sikkim.

(3) If the security charged is movable property other than deposit in an approved bank or Government securities, the foreman shall make all necessary arrangements for their deposit with the Registrar or with such bank or other agency as may be approved by the Registrar for ensuring that the property deposited is available as security for the proper conduct of a chit.

(4) In case of trustee securities to be transferred in favour of the Registrar under clause (c) of sub-section (1) of section 20.

(i) where the security is other than immovable property, the value of the security shall not be less than one and a half times the value of the chit amount, and

(ii) in respect of security of immovable property, the value of the security shall not be less than two times the value of the chit amount.

(5) A foreman of a chit proposing to give movable (or immovable) property as security for the proper conduct of a chit shall apply to the Registrar in Form X. The application under this sub-rule shall clearly furnish correct and complete information regarding the property offered as security. (In case the property offered is immovable property, the application shall be accompanied by the documents of title to the property and an encumbrance certificate for 30 years relating to the property).

(6) Where the immovable property offered as security is situated outside the jurisdiction of the Registrar having jurisdiction over the chit, the inspection of the property shall, under the orders of the concerned State Government, be made by the Registrar having jurisdiction over such property, who shall forward a report to the Registrar concerned as to the sufficiency of the security.
4

(7) If the security offered is accepted as sufficient by the Registrar, he shall record in writing on the application, a certificate of sufficiency in Form XI and attach a statement of the valuation made.

(8) If the security offered is not accepted by the Registrar, he shall give the applicant an endorsement to that effect.

19. Valuation of chit amount in grain chits:

In a grain chit, for the purpose of security under section 20, the grain shall be valued by the Registrar as follows:

(a) The total quantity of grain due from all subscribers at one instalment of the chit shall be ascertained;

(b) The market value for the time being of the total quantity referred to in clause (a) shall then be calculated;

(c) In assessing the market value, the Registrar shall adopt the current market prices at the nearest bazar as ascertained from the Deputy Director, Bureau of Economics and Statistics having jurisdiction;

(d) One and quarter times the market value mentioned in clause (b) shall be taken to be the, chit amount for the purpose of furnishing security by the foreman under sub-section (1) of section 20.

20. Substitution of security:

(1) During the currency of a chit, the foreman may apply to the Registrar in Form XII for permission to substitute the security given by him for the proper conduct of the chit by fresh security.

(2) The Registrar may grant permission after satisfying himself—

(i) That the request of the foreman for substitution of the security given under section 20 is for the reasons stated in the application; and

(ii) That the fresh security offered is adequate.

(3) The procedure prescribed in Rule 18 shall apply mutatis mutandis to the substituted security given by the foreman under this rule.

21. Procedure for accepting fresh security:

(1) The Registrar shall, if so required by the foreman, execute and register a deed of re-lease in respect of the original security at the cost of the foreman.

(2) If the original security to be returned is Government securities deposited in the State Bank of Sikkim, the Registrar shall arrange to return the securities offered by the foreman after making endorsements of retransfer in the pass-book (receipt) or Government security (or other record as the case may be).

(3) If the original security to be returned is movable property other than Government security, the Registrar shall arrange to return such security by executing such deed or making such endorsement as may be necessary for an effective retransfer in favour of the foreman.

22. Application for release of security:

On termination of the chit, the foreman may apply to the Registrar for the release of the security given by him.

23. Declaration by foreman:

The application for release of security under sub-section (5) of section 20 shall contain a declaration separately signed by the foreman stating that the claims of all the subscribers have been fully satisfied and that all dues payable by the foreman under the Act to the Registrar or any other officer have been fully paid.

24. Procedure for release of security:

(1) (a) The Registrar may, for the purpose of releasing the security under sub-section (5) of section 20 call upon the foreman to produce a copy duly certified to be a true copy of any Registrar and book of accounts maintained by the foreman and shall exhibit a notice on his office notice board stating that the security is proposed to be released and that any person objecting to such release may file with the Registrar his statement of objections, if any, within fifteen days from the date of exhibition of the notice.
(b) If no objections are received within the period specified in the notice, the Registrar shall release the security.

(2) If any objections are received, the Registrar shall enquire into the objections summarily within fourteen days after the date of expiry of the period specified in the notice referred to in sub-rule (1) (a) and record his decision in writing and forward a copy thereof to the foreman and to the objector.

25. Books of accounts to be maintained by the foreman:

In addition to the book of minutes of draws mentioned in section 17, every foreman shall keep the following registers and books of accounts in the forms mentioned against each or in the forms as near thereto as possible -

(1) A register of subscribers in Form XIII.
(2) A ledger in Form XIV.
(3) A day book on Form XV.
(4) A receipt book in Form XVI duly certified by the foreman as to the number of pages in duplicate.
(5) A book containing copies of all notices issued by the foreman to the subscribers.
(6) A file containing the letters of authorisation of the subscribers, for subscribing his name in the chit agreement and for participating in the auction of the chit.
(7) A file containing the vouchers for payment made by the foreman.
(8) A file containing documents relating to securities offered by the prize subscribers.

26. Accounts to be written up promptly:

(1) Every entry in the registers of subscribers, the ledger or the day book mentioned in Rule 25 shall be made as and when the particular event occurs;
(2) On receipt of any money, a receipt shall immediately be prepared or cause to be prepared by the foreman in Form XVI and delivered to the payer;
(3) The foreman shall, at the time of issuing every notice, prepare a copy thereof in the book mentioned under clause (c) of Rule 25, certify it to be true copy and enter therein under his signature, the date of despatch of the notice;
(4) A voucher duly signed by the recipient shall be obtained by the foreman at the time any payment is made to him and such voucher shall be immediately filed in the file specified in clause (7) of Rule 25 after due verification of all the particulars entered therein.
(5) Every document relating to the security given by prized subscribers shall as soon as it is received be filed in the file mentioned in clause (8) of Rule 25. The file shall contain an index for facilitating the scrutiny of the documents.

27. Filing of vouchers:

As soon as each payment is made, the foreman shall obtain a voucher from the payee. He shall verify whether the voucher specifies the purpose for which the payment was received and whether it is properly signed by the recipient and preserve it in the file mentioned in clause (7) of Rule 25, after assigning serial number thereto for each calendar month.

28. Date for submission of balance sheet:

(1) The balance sheet prepared in accordance with the provisions of section 24 shall be filed with the Registrar within a period of three months from the expiry of the period with reference to which it is prepared.
(2) Receipts and expenditure account and statement showing the assets and liabilities of the individual chit group shall be filed in the Form XXI with the Registrar within a period of two months from the termination of the chit when the duration of the chit does not exceed one year and, when the duration of chit exceeds one year on expiry of every period of twelve months and also on the termination of the chit.

Rule 28A: The rate of interest payable by a defaulting subscriber in pursuance of the proviso to section 28(1) of the Act shall not exceed twelve per cent per annum.
29. Audit by a chit auditor:

(1) If a foreman desires to have the balance sheet and profit and loss account audited by a chit auditor appointed under sub-section (2) of section 61, the foreman shall immediately after the preparation of the balance sheet make an application for such audit to the Registrar within whose jurisdiction the chit is conducted, specifying whether the audit shall be at the premises of the foreman or not. The application shall be accompanied by the amount of fee set out in Appendix II.

(2) The Registrar shall forward the application to the Inspector of Chits having jurisdiction, who shall cause the balance sheet and profit and loss account to be audited by the chit auditor, as expeditiously as possible. On receipt of the application the Inspector of Chits shall forward it to the chit auditor, who shall thereupon call upon the foreman to produce the chit records on such date, time and place as he may fix and the foreman shall produce all registers, books of accounts and other records relating to the chit accordingly and furnish such information and give such facilities as may be necessary or required for the proper audit of the balance sheet and profit and loss account and receipt and expenditure account of individuals chit at the time and place fixed by the chit auditor.

(3) Notice of not less than seven days shall be given to the foreman as to the date of audit in the premises of the foreman or for the production of registers, books of account and other records relating to the chit business as the case may be.

30. Audit certificate and report of the chit auditor to be in quadruplicate:

The chit auditor shall prepare his report and audit certificates in quadruplicate and shall send one copy to the foreman, the second copy to the Registrar, the third copy to the Inspector of Chits and keep the remaining copy for his own file.

31. Time for filing balance sheets audited by a chit auditor or other auditors:

(1) Where the audit is done by the chit auditor, the foreman shall file with the Registrar a copy of the balance sheet and profit and loss account together with the audit certificate and the auditor's report within one month from the date of the receipt of the audit certificate and audit report from the chit auditor or within three months from the last day of the period covered by the balance sheet, whichever is earlier.

(2) In the case of audit by an auditor qualified to act as auditor of companies under the Companies Act, 1956 (Central Act, 1 of 1956), the foreman shall file with the Registrar the documents referred to in sub-rule (1) within three months from the expiry of the period with reference to which the balance sheet is prepared under section 24 and in the case of individual chit as referred to in sub-rule (2) of Rule 28, within a period of two months.

CHAPTER - IV
Winding up of chits

32. Form of petition for winding up and presentation:

A petition for winding up of a chit shall contain the following particulars, namely:-

(1) Full name, description, occupation and address of the petition.
(2) Address of his advocate, if any, for the service of all notices, process etc.
(3) Address of the foreman.
(4) Particulars of the chit-
   (i) Number and date of registration of the chit agreement;
   (ii) Office where the chit agreement was registered;
   (iii) The chit amount;
   (iv) The total number of tickets;
   (v) The number of subscribers and the number of tickets subscribed by each subscriber
   (vi) The number of non-prized subscribers on the date of the petition; and
   (vii) The number of unpaid prized subscribers, if any.
(5) Facts on which the petitioner relies m support of the petition.

(6) Particulars relating to the award and execution of other process which has been returned unsatisfied in whole or in part, if the ground of the petition is that execution of other process on an award or order of the Registrar in favour of any subscriber in respect of the amount due to him from the foreman was returned unsatisfied in whole or in part.
(7) Full details to show that the condition prescribed in clause (a) of the proviso of section 49 is satisfied, if the winding up of the chit is applied for under clause (d) of section 48 and if the said clause (a) applies.

(8) Whether the previous sanction of the State Government has been obtained, if clause (b) of the proviso to section 49 applies. (A copy of the relevant order of the State Government shall be attached).

33. Proposal for collection and distribution of chit assets:

(1) The Receiver shall as soon as possible settle and submit to the Registrar a statement (here in after referred to as the "Provisional Statement") showing:
   (a) The names of subscribers and other persons from whom moneys are due to the chit,
   (b) The names of the subscribers and other persons to whom moneys are due from the Chit;
   (c) Proposals as to how the chit assets are to be collected and applied in the discharge of its liabilities; and
   (d) The amount proposed to be paid to each of the person specified in clause (b);

(2) Notice of the preparation of the provisional statement accompanied by a copy thereof shall be published and be served on the petitioner, the subscribers and other persons mentioned by the Receiver in such manner as the Registrar may direct. If the number of persons on whom notice is to be served is large, the notice may, in the discretion of the Registrar, be served on the petitioner only and advertised in one or more daily newspapers. The notice shall specify the date on which objections to the provisional statement will be heard and shall call upon any person having such objections:
   (i) to submit his statement of objections and the grounds therefor supported by an affidavit before the date appointed by the Registrar in this behalf; and
   (ii) to appear in person or by advocate on the date of hearing with all the evidence in support of his objections.

34. Set-off to be allowed:

When money is due from the foreman to a subscriber and also from the subscriber to the foreman the subscriber shall be allowed the benefit of a set-off.

35. Hearing of objection to the provisional statement:

On the date fixed for the hearing of the objections under sub-rule (2) of rule 33, the registrar shall enquire into the objections and after considering the evidence, if any, adduced in support thereof pass orders the objections and call upon the Receiver to revise, if necessary, the provisional statement in accordance with his orders. The Registrar shall fix a date by which such revision is to be made and intimate orally or in writing such date to the persons who have appeared in person or through their advocates on the date of the hearing.

36. Final orders of settlement by Registrar:

(1) As soon as possible thereafter and at least ten days before the date fixed under rule 35, the Receiver shall submit to the Registrar a fresh list of subscribers or other persons to whom or from whom moneys are due and fresh proposals for the distribution of the available chit assets after making such further enquiry as may be necessary. The Registrar shall thereupon consider the said list and proposals and approve or modify them in such manner as he considers necessary. The Registrar shall pass final orders accordingly on the date fixed under rule 35 for the collection and distribution of the chit assets. The Registrar may also pass such orders as may be necessary for the distribution of the available chit assets in case such assets happen to be insufficient to meet the sums which have to be paid to the subscribers.

(2) The final orders passed by the Registrar under this single shall be conclusive evidence of the several claims to be met out of the chit assets.

37. Provision for expenses of winding up:

In making proposals for the distribution of the chit assets, the Receiver shall specify the estimated amount the cost of winding up including remuneration for the Receiver and such other items of expenditure as are incidental to the winding up and such estimated amount shall first be provided for and deducted from the value of the chit assets and the balance amount shall also be proposed for distribution in the provisional statement and the fresh list mentioned in rule 36.
38. **Filing of final accounts by Receiver:**

Upon the termination of the proceedings relating to the winding up, the Receiver shall file his final accounts with the Registrar within fifteen days of such final accounts being passed by the Registrar. The balance of money in the hands of the Receiver shall be paid to the Registrar. The Receiver shall also state how the balance amount may be disposed of together with the reasons for his proposals. He shall also deposit with the Registrar all books, accounts and all other records relating to the chit which has been wound up.

(2) The Receiver may thereafter apply to the Registrar for a certificate of discharge from the duties as Receiver and for the vacating of his recognizance bonds entered into by him and the sureties, if any. On receipt of such application, the Registrar may pass orders of such discharge and vacating of the bonds and for disposal of the final balance of the chit assets, if any.

39. **Final order of winding up by the Registrar:**

1. After the affairs or a chit have been completely wound up, the registrar shall make an order recording the fact of such winding up.
2. A copy of such order shall be exhibited on the notice board of the Registrar.

40. **Disposal of records:**

The books and papers of a chit which has been completely wound up and of the Receiver shall be retained and disposed of in such manner as the Registrar may direct.

41. **Meetings:**

When the number of subscribers is large and the Registrar, whether on application of the Receiver or not, at any stage considers that a meeting of all such parties is necessary in order to ascertain their wishes in any matter, the Registrar may pass an order for holding such a meeting. The Registrar may direct the manner in which and the time and place at which the meeting shall be held and the Receiver shall convene and hold the meeting accordingly.

**CHAPTER - V**

**Fees**

42. **Table of fees—**

The fees payable to the Registrar for matters specified in section 62 and section 63 shall be as set out in Appendix II and shall be paid in cash.

43. **Receipt for fees**

The Registrar shall grant receipts for all fees received by him.

44. **Refund of fees:**

The Registrar may refund any fee paid to him in excess of the amount prescribed or any fee that is unearned.

**Explanation:** The expression "fee that is unearned" in this rule means fees paid in connection with the registration of the chit agreement, the filing of a document or other service to be performed by the Registrar where such registration or filing is not actually effected or the service is not actually rendered.

**CHAPTER - VI**

**Disputes and arbitration**

45. **Reference of dispute:**

A reference of a dispute under section 64 shall be made in writing to the Registrar in Form XVII. Wherever necessary, the Registrar may require the party referring the dispute to him to produce a certified copy of the relevant records on which the dispute is based and such other statements or records as may be required by him, before proceeding with the consideration of such reference.
46. Registrar's satisfaction regarding existence of a dispute:
Where any reference of a dispute is made to the Registrar or any matter is brought to his notice, the Registrar shall, on the basis of the reference (if any) made to him in Form XVII and the relevant records and statements submitted to him, record his decision together with the reasons there for, whether he is or is not satisfied about the existence of a dispute within the meaning of section 64. Such recording of decision shall be sufficient proof of the Registrar's satisfaction whether the matter is or is not a dispute as the case may be.

47. Disposal of a dispute or reference to a nominee:
(1) Where the Registrar is satisfied that there is a dispute, the Registrar may decide the dispute himself or refer it for disposal to his nominee.
(2) Neither the Registrar nor his nominee shall take up for consideration any dispute, unless the parties concerned comply with the conditions of affixing the court fees specified in Rule 57 for determining the dispute.

48. Qualifications for appointment as Registrar's nominees:
(1) The State Government may appoint a person to be a Registrar's nominee provided that-
(a) he as practised as an Advocate, pleader or Vakil for not less than five years, or
(b) he is enrolled as an Advocate or holds a degree or other qualification in law of any University established by Law or any other authority which entitles him to be enrolled as an Advocate, and either (i) has held office not lower in rank than that of Deputy Registrar of Chits for not less than five years, or (ii) possesses good knowledge and experience of chit fund legislation and practice.
(2) The State Government may, by notification in the Official Gazette appoint as many persons as might be necessary to act as Registrar's nominees for settlement of disputes arising under the Act.

49. Procedure for hearing and decision of disputes.
(1) The Registrar or his nominee shall record in the official language in vogue in the State, the evidence of the parties to the dispute and the witnesses who attend. Upon the evidence so recorded and upon consideration of any documentary evidence produced by the parties, a decision shall be given by him in writing. Such decision shall be pronounced in the open court, either at once or as soon as may be practicable on some future day, of which due notice shall be given to the parties.
(2) Where neither party appears when the dispute is called out for hearing, the Registrar or his nominee may make an order that it be dismissed for default.
(3) Where the opponent appears and the disputant does not appear when the dispute is called out for hearing, the Registrar or his nominee may make an order that the dispute be dismissed, unless the opponent admits the claims or a part thereof, in which case the Registrar or his nominee, as the case may be, may make an order against the opponent upon such admission, and where, part only of the claim is admitted, may dismiss the dispute insofar as it relates to the remainder.
(4) Where the disputant appears and the opponent does not appear when the dispute is called out of hearing, then if the Registrar or his nominee is satisfied from the record and proceedings that the summons was duly served, the Registrar or his nominee may proceed with the dispute ex-parte. Where the summons is served by any Officer of the Registrar of his nominee, he shall make his report of service on oath.
(5) The Registrar or his nominee may not ordinarily grant more than two adjournments to each party to the dispute at his request. The Registrar his nominee may, however, at his discretion grant such further adjournments on payment of such costs to the other side and such fees to the Registrar or his nominee as the Registrar or his nominee as the case may be, may direct.
(6) Any party to a dispute may apply for and obtain a certified copy for any order, judgment or award by the Registrar or his nominee on payment of copying fees, at the rate prescribed in Appendix II.

50. Summonses, notices and fixing of dates, place, etc. in connection with the disputes:
(1) The Registrar, or as the case may be, his nominee, may issue summonses or notices at least fifteen days before the date fixed for the hearing of the dispute requiring:
(i) the attendance of the parties to the dispute and of witnesses, if any; and
(ii) the production of all books and documents relating to the matter in dispute.

(2) Summons or notices issued by the Registrar or his nominee may be served through a District Collector or any employee of the Chit Department or by registered post with acknowledgement due.

(3) The Officer serving a summons or notice shall, in all cases in which summons or notice has been served, endorse or annex or cause to be endorsed or annexed to, the original summons or notice, a return stating the time when, and the manner in which, the summons or, as the case may be, notice was served and the name and address of the person (if any) identifying the person served and witnessing the delivery or tender of the summons or the notice.

(4) The official issuing the summons or notice may examine the serving Officer on oath or cause him to be so examined by the District Collector or other Officer through whom it is served and may make such further enquiry in the matter as he thinks fit; and shall either declare that the summons or, as the case may be, notice has been duly served or order it to be served in such manner as he thinks fit.

(5) The mode of sending summonses and notices as laid down in sub-rule (1) to (4) shall mutatis mutandis apply to the service of summonses or notices issued by the Registrar or the person authorised by him, when acting under section 46.

51. Investigation of claims and objections against any attachment:

Where any claim or objection has been preferred against the attachment of any property under section 60 on the ground that such property is not liable to such attachment, the Registrar, or as the case may be, his nominee shall investigate into the claim or objection and dispose of it on merits;

Provided that, no such investigation shall be made when the Registrar or his nominee considers that the claim or objection is frivolous.

52. Procedure for the custody of property attached under section 68:

(1) Where the property to be attachment is movable property, other than agricultural produce in the possession of the debtor, the attachment shall be made by actual seizure and the attaching officer shall keep to property in his own custody or in the custody of one of his subordinates, or of a Receiver, if one is appointed under sub-rule (2) and shall be responsible for the due custody thereof:

Provided that when the property seized is subject to speedy and natural decay, or when the expenses, of keeping it in custody is likely to exceed its value the attaching officer may sell it at once.

(2) Where it appears to the officer ordering conditional attachment under section 68 to be just and convenient, he may appoint a Receiver for the custody of the movable property attached under that section and his duties and liabilities shall be identical with those of a Receiver appointed under Order XI in the first Schedule of the code of Civil Procedure, 1908.

(3) (i) Where the property to be attached is immovable, the attachment shall be made by an order prohibiting the debtor from transferring or charging the property in any way, and all persons from taking any benefit from such transfer or charge.

(ii) The order shall be proclaimed at some place on, or adjacent to, such property by beat of drums or other customary mode, and a copy of the order shall be fixed on a conspicuous part of the property and upon a conspicuous part of the village Panchayat Office and where the property is land paying revenue to the State Government, also in the office of the Collector of the district and in the office of the District Collector or any other revenue officer within whose jurisdiction the property is situated.

53. Procedure for attachment and sale of property for realization of any security given by person in course of execution proceedings:

The procedure laid down in rules 51 and 52 shall mutatis mutandis apply for attachment and sale of property for the realization of any security given by a person in the course of execution proceedings.

54. Issue of proclamation prohibiting private transfer of property:

The Registrar when acting under clause (a) of section 71 shall, at the time of signing a certificate effecting any property, issue a proclamation in Form XVIII and in the case of immovable property shall also forward a copy of the proclamation to the District Collector or any other revenue officer within whose jurisdiction the property is situated, who shall cause an entry about such certificate to be made in the Record of Rights.
55. **Procedure for execution of awards:**

(i) Every order or award passed by the Registrar, or his nominee under section 68 or 69 shall be forwarded by the Registrar to the foreman or to the party concerned with instructions that the foreman or, as the case may be, the party concerned should initiate execution proceedings forthwith according to the provisions of section 71.

(2) If the amount due under the award is not forthwith recovered, or the order thereunder is not carried out, it shall be forwarded to the Registrar with an application for execution along with all information received by the Registrar, for the issue of certificates under section 71. The applicant shall state whether he desires to execute the award through a civil court or through the revenue authorities as provided under section 71.

(3) On receipt of such application for execution, the Registrar shall forward the same to the proper authority for execution along with a certificate issued by him under section 71 and proclamation issued under rule 54 in the manner prescribed therein.

(4) Every order passed in appeal under section 70 shall also be executed in the manner laid down in sub-rules (2) and (3).

56. **Transfer of property which cannot be sold:**

(1) When, in execution of an order sought to be executed under section 71, any property cannot be sold for want of buyers, if such property is in the possession of the defaulter or of some person in his behalf, or of some person claiming it under a title created by the defaulter subsequent to the issue of the certificate by the Registrar under clause (a) or (b) of the said section, the officer conducting the execution shall as soon as practicable report the fact to the Court or the Collector or the Registrar, as the case may be, and the judgement creditor applying for the execution of the said order.

(2) On receipt of a report under sub-rule (1), the judgement creditor may, within six months from the date of the receipt of the report or within such further period as may for sufficient reasons be allowed in any particular case by the Court or the Collector or the Registrar, submit an application in writing to the Court, the Collector or the Registrar, as the case may be stating whether or not he agrees to take over such property.

(3) On receipt of an application under sub-rule (2), notices shall be issued to the defaulter and to all persons known to be interested in the property, including those whose names appear in the Record of Rights as persons holding any interest in the property, about the intended transfer.

(4) On receipt of such notice, the defaulter, or any person owing such property, of holding an interest therein by virtue of a title acquired before the date of the issue of a certificate under section 71 may, within one month from the date of the receipt of such notice, deposit with the Court or the collector or the Registrar, for payment to the foreman a sum equal to the amount due under the order sought to be executed together with interest thereon and such additional sum for payment of costs and other incidental expenses as may be determined in this behalf by the Court or the Collector or the Registrar, as the case may be.

(5) On failure of the defaulter, or any person interested, or any person holding any interest in the property, to deposit the amount under sub-rule (4), the Court or the Collector or the Registrar may be directed to transfer the property to the judgement creditor on the conditions stated in the certificate in Form XIX.

(6) The certificate granted under sub-rule (5) shall state whether the property is transferred to the judgement creditor in full or partial satisfaction of the amount due to him from the defaulter.

(7) If the property is transferred to the judgement creditor in partial satisfaction of the amount due to him from the defaulter, the Court or the Collector or the Registrar, as the case may be, shall on the production by the judgement creditor of a certificate signed by the Registrar, recover the balance due in the manner laid down in section 71.

(8) The transfer of the property under sub-rule (6) shall be effected as follows:

(i) In the case of moveable property -

(a) Where the property is in the possession of the defaulter himself or has been taken possession of on behalf of the Court or the Collector or the Registrar, it shall be delivered to the judgement creditor.

(b) Where the property is in the possession of some person on behalf of a defaulter, the delivery thereof shall be made by giving notice to the person in possession directing him to give actual peaceful possession to the judgement creditor and prohibiting him from delivering possession of the property to any other person.

(c) The property shall be delivered to a person authorised by the party to take possession on behalf of the judgement creditor.
(ii) In the case of immovable property -

(a) Where the property is growing of standing crop, it may be delivered to the judgement creditor before it is cut and gathered and the judgement creditor shall be entitled to enter on the land, and to do all that is necessary for the purpose of tending and cutting and gathering it.

(b) Where the property is in the possession of the defaulter or of some person on his behalf or some person claiming under a title created by the defaulter subsequent to the issue of a certificate under section 71, the court or the Collector or the Registrar, as the case may be, shall order delivery to be made by putting the judgement creditor or any person whom he may appoint to receive delivery on his behalf in actual possession of the property and if need be by removing any person who illegally refuses to vacate the same.

(c) Where the property is in the possession of a tenant or other person entitled to hold the same by a title acquired before the date of issue of a certificate under section 71, the Court or the Collector or the Registrar as the case may be, shall order delivery to be made by affixing a copy of the certificate of transfer of the property to the judgement creditor in some conspicuous place or the property and proclaiming to such persons by beat of drum or other customary mode at some convenient place that the interest of the defaulter has been transferred to the judgement creditor.

9. The judgement creditor shall be required to pay expenses incidental to sale including the cost of maintenance of live-stock, if any, according to such scale as may be fixed by the Registrar from time to time.

10. Where land is transferred to the judgement creditor under sub-clause (a) of clause (ii) of sub-rule (8) before the growing or standing crop is cut and gathered the judgement creditor shall be liable to pay the current year’s land revenue on the land.

11. The judgement creditor shall forthwith report any transfer of property under sub-clause (b) or (c) of clause (ii) of sub-rule (8) to the Land Record Officer or District Collector for information and entry in the Record of Rights.

12. The judgement creditor to whom property is transferred under sub-rule (5) shall maintain for each such defaulter a separate account showing all the expenses incurred including payment to outside encumbrances, land revenue and other dues on the property and all the income derived from it.

13. The judgement creditor to whom property is transferred under sub-rule (5) shall use his best endeavour to sell the property as soon as practicable to the best advantage of the foreman as well as that of the defaulter, the first option being always given to the defaulter, who originally owned the property. The sale shall be subject to confirmation by the Registrar. The proceeds of the sale shall be applied to defraying the expenses of the sale and other expenses incurred by the judgement creditor and referred to in sub-rule (9) and (2) and to the payment of the arrears due the defaulter under the order in execution, and the surplus (if any), shall be then paid to the defaulter.

14. Until the property is sold, the judgement creditor to whom the property is transferred under sub-rule (5) shall use his best endeavours to lease it or to make any other use that can be made of it so as to derive the largest possible income from the property.

15. When the judgement creditor to whom property is transferred under sub-rule (5) has realised all his dues, under the order in execution of which the property was transferred, from the proceeds of management of the property, the property, if unsold shall be restored to the defaulter.

57. Payment of fees for decisions of disputes:

1. The Registrar or his nominee, as the case may be, may take a dispute on file only if the application regarding reference for such dispute in Form XVII is affixed with court fee stamps at the following scales, namely:

<table>
<thead>
<tr>
<th>Proper Court-fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rs. P.</td>
</tr>
</tbody>
</table>

(i) Simple money claims –

(a) When the amount of the claim in dispute does not exceed Rs.1,000 25.00

(b) When such amount exceeds Rs.1,000 but does not exceed Rs.5,000 50.00

(c) When such amount exceeds Rs.5,000 75.00
(ii) Complicated money claims –

(a) When the amount of the claim in dispute does not exceed Rs.1,000 50.00
(b) When such amount exceeds Rs.1,000 but does not exceed Rs. 5,000 75.00
(c) When such amount exceeds Rs. 5,000 100.00
(iii) All other disputes 100.00

Explanation - For the purposes of this sub-rule, “simple money claim” means the claim of a foreman whose business consists of conducting chits including disbursement of prize amounts based on loan bonds, promissory notes, admissions or acknowledgements, and complicated money claims” mean all money claims other than simple money claims. The question regarding the classification of a dispute for the purposes of this sub-rule shall be decided by the Registrar or his nominee deciding the dispute and the decision of the Registrar or his nominee as the case may be, shall be final.

(2) No document of any of the kinds specified below shall be filed before the Registrar or his nominee unless it is affixed with the proper court-fee stamp as specified against it.

Proper Court-fee
Rs. P.
(i) Vakalatnama 2.00
(ii) Application for adjournment 10.00
(iii) Application for interim stay or relief 25.00

(3) (a) The Registrar or his nominee deciding any dispute may require the party or parties to the dispute to deposit such sum as may, in his opinion be necessary to meet the expenses, including payment of fees to the Registrar or his nominee as the case may be.
(b) The Registrar or his nominee shall have power to order the fee and expenses of determining the dispute to be paid by the foreman out of his funds or by such party, or parties to the dispute, as he may think fit, according to the scale laid down by the Registrar, after taking into account the amount deposited as above.
(c) The Registrar may by general or special order specify the scale of fees and expenses to be paid to him or his nominee.

CHAPTER - VII
Miscellaneous

58. Appeal to be in writing :

(1) An appeal under section 70 or sub-sections (1) and (2) of section 74 shall be either presented in person or sent by registered post to the State Government or to such officer or authority (hereinafter referred to as the appellate authority) as may be empowered by notification in the official Gazette by the State Government in that behalf.

(2) The appeal shall be in the form of a memorandum which shall be affixed with court-fee stamps of Rs.150.00.

(3) Every appeal shall -
(a) specify the names and addresses of the appellant as well as the respondent;
(b) state by whom the order appealed against was made ;
(c) set forth concisely and under distinct heads the grounds of objections to the order appealed against with a memorandum of evidence;
(d) state precisely the relief which the appellant claims; and
(e) give the date of the order appealed against.

59. Hearing and disposal of the appeal :

(1) On receipt of the appeal, the appellate authority shall, as soon as possible examine it and ensure that -
(a) the appeal memorandum is affixed with court-fee stamps of the value specified in rule 58 (2) ;
(b) the person presenting the appeal has the locus standi to do so;
(c) it is made within the specified time limit; and  
(d) it conforms to all the provisions of the Act and these rules.

(2) In the proceedings before the appellate authority, the appellant and the respondent may be presented by an agent holding a power of attorney or a legal practitioner.

(3) The appellate authority, on the basis of the enquiry conducted and with reference to the records examined, pass such order on appeal as may seem just and reasonable.

(4) Every order of the appellate authority under sub-rule (3) shall be in writing and it shall be communicated to the parties concerned and the Registrar.

60. Period of retention of records by the Registrar:

The records of a chit including registers and books of account shall be preserved in the Office of the Registrar for eight years (a) from the release of the security in the case of chits which are terminated and (b) from the date when the affairs of the chit are completely wound up in cases dealt with in Chapter X of the Act and if orders passed under that Chapter are appealable, from the date of disposal of the appeal.

61. Register of records kept:

Every Registrar shall keep a separate register in which shall be entered particulars of all records relating to chits registered in his office.

62. Compounding of offences arising under the Act:

(1) Any officer empowered by the State Government shall issue a show cause notice before taking any action under sections 76 or 77 of the Act against any person who has committed, or reasonably suspected to have committed any offence under the Act, or rules made there under asking him to show cause within a period of fifteen days, why action under the said section 76 or as the case may be, under section 77 of the Act should not be taken against him.

(2) Notwithstanding anything contained in the said provision-

(i) Any officer empowered by the State Government to compound the offence committed under the Act or reasonably suspected to have committed any offence under the Act and Rules made there under may compound the said offence committed by any person, either before or after the institution of the criminal proceedings under the Act. Provided that the said proposal to compound the offence is accepted by any officer authorised by the State Government.

(ii) On an approval of the said proposal by the officer empowered to approve such a proposal referred above, the officer empowered to compound the offence shall send an intimation in writing in that behalf to that person specifying therein.

(a) a sum determined by way of composition,

(b) the date on or before which the sum shall be paid.

Note: It will be observed that while section 81 of the Chit Funds Act, 1982 made empowers the State Government Union Territories to specify the conditions subject to which offences may be compounded, the provision in sub-rule (1) of Rule 62 of the draft model Rules forwarded to the State Government/Administration earlier goes a step further and specifies the offences which are compoundable. In other words, offences of a serious type such as those mentioned in section 76(1) and offences committed for the second time vide section 77 of the Act, are not compoundable. A doubt had therefore arisen whether, in the circumstances the provision in sub-rule (1) of Rule 62 of the model Rules might be struck down as ultra vires the provision in section 81 of the Act. With a view therefore to remove doubts, if any, in this regard, a redraft of Rule 62 as above has been suggested. However, the spirit under which new legislation was enacted is that offences under sub-section (1) of section 76 and offences committed for the second time, vide section 77 should not be compoundable. The State Government/Administration may therefore please issue suitable administrative instructions to the officials empowered under the aforesaid new Rule 62 not to agree to compounding of these offences, after the proposed Rules are brought into force.
ANNEXURE

Statement of particulars

1. Name and address of the company/association of individuals/co-operative society/partnership/sole proprietorship (addresses of the registered as well as the Head Office/Administrative Office, if any should be given).

2. Constitution i.e. whether incorporated as company/co-operative society of registered/unregistered association of individuals/partnership/sole proprietorship (Also specify the provision of the Act under which incorporated/registered along with the date of incorporation/registration).

3. Names and addresses of the branches/offices, if any.

4. Main objects of the institution (enclose a copy of the Memorandum and Articles of Association or as the case may be, of the Bye-laws or Rules regulating the activities of the institution).

5. Names, occupations and residential addresses of the directors or as the case may be, promoters/members of the committee of management/partners, etc.

6. Names and residential addresses of the Chief Executive Officer and two other officers immediately next to him, in the managerial set-up.

7. Names of the bankers and their addresses.

8. Names of the auditors and their addresses.

9. Particulars of the chit(s) to be started (such as the chit amount, duration of the chit, frequency of the draws, manner of draws, etc. Also attach a copy of the draft of the chit agreement to be entered into with the subscribers).

10. Places where the chit scheme(s) are proposed to be conducted.

11. Names and addresses of the associate companies/co-operative societies/associations/individuals/partnerships/sole proprietorship.

12. Names, occupations and residential addresses of the directors or as the case may be, of the promoters/members of the committee of management, etc. of the institution(s) referred to in item

I/We solemnly declare that the facts stated herein as also in the enclosures are true to the best of my/our knowledge, information and belief.

Dated this....................................................................day of.........................................................19

Name (s)  
Signature (s)

Designation (s)

for and on behalf of...........................................................................................................*

* Here enter the name of the applicant institution, if any.

Strike out whatever is not applicable.

Note:  
i) If the space against any item is inadequate for furnishing full particulars, the required information should be given in separate sheets indicating the cross reference against the relative item of this statement.

ii) A copy each of the latest available audited Balance Sheet and Profit and Loss Account, if any, should be attached.
APPENDIX-I
FORM I
[ See section 4 (2) and rule 3 ]

[ Form of application to be used by a foreman for obtaining prior sanction to commence or conduct a chit ]

Place: 
Date: .

From
..................................................
..................................................
..................................................

To,
The Commissioner of Commercial Taxes,
Government of Sikkim, Gangtok.

Sir,

I................................................. ...................................................................................................son/wife/daughter of..............................................................................................................................................(here state profession or occupation) residing at........................................................ ....................................../we, the Chairman and Secretary respectively on behalf of or (name of the firm, company, co-operative Society, etc) situated at/having its registered office at..............................................................
desire to commence and conduct a chit as foreman at (here specify the place with postal address in detail).

2. A certificate true copy of the resolution passed by the Managing Committee/Board of Directors at its meeting held on the..............................................................................for commencing and conducting the chit in question is enclosed.

3. I/We remit herewith a sum of Rs............ ......................./- (Rupees (in words)...................................only) being the fees prescribed for the purpose.

4. I/We hereby certify that the aggregate chit amount of the chits run by me/us is Rs............/- (Rupees.................................) on the date of this application and does not exceed the aggregate chit amount prescribed by section 13 of the Chit Funds Act. 1982 (Central Act No. 40 of 1982).

5. I/We request you to accord your sanction for commencing and conducting the chit. On receipt of such sanction further steps for registration, etc. of the Chit will be taken.

Yours faithfully,
Chairman
Secretary

@ for or on behalf of

Ends: Sheets.

Strike out or delete whatever is not applicable.

*Insert the designations as may be appropriate to the applicant.

@ Here enter the name of the applicant institution, if any.
FORM II

Application for registration of the Chit agreement

(See section 7 and rule 5)

Place:
Date:

To
The Registrar of Chits
……………………………………..
……………………………………..

Dear Sir,

I. (a) I.............................................................................................................................................................................
being the foreman conducting chit under the name and style of
@............................................................................................................................................................................
…………………………………………………………………………………………………………… ...
…………………………………………………………………………………………………………………….

(b) We..............................................................................................................................................
......................................................................................................................
the Chairman and Secretary respectively of the foreman conducting chit business under the name and style of @
………………………………………………………………………………………………………………………………...
at ............................................................................................................................................................................
hereby apply for registration of the chit agreement.

2 The chit agreement in duplicate is attached herewith together with a sum of Rs...............................
(being the registration fees as required under the Chit Funds( ) Rules, 19

3. The number of current chits which are running as on the date of this application is………..... ...
................................................................................and the aggregate chit amount of these chits involved therein
is Rs....................................................... .....  ……...........which is within the limits specified in section 13 of the
Chit Funds Act, 1982 (Central Act No. 40 of 1982).

4. A certified true copy of the sanction obtained under section 4 of the above Act for commence-
ment and conduct of the chit in question is enclosed. A copy of the application date the...............................
together with its enclosure made to the State Government/Authorised Officer in this behalf is also enclosed for
information and ready reference.

5. I/We remit herewith a sum of Rs. ............................................................................./- (Rupees (in
word)).......................... being the fee prescribed for the pur-

Declaration

6. I/We have read the Chit Funds Act, 1982 (Central Act No.40 of 1982) and the Rules made by
the State Government there under and I/We declare that the chit agreement has been drawn up in conformity
with the provisions of the said Act and the Rules.

The above Statements are true and complete to the best of my/our knowledge, information and belief.

Yours faithfully
Chairman
Secretary
Name(s)
Designation (s)
@ for and on behalf of (Foreman)

Note :  

i) @ Here entry the name of the applicant institution, if any.

ii) Strike out or delete whatever is not applicable. Insert the designation(s) as may be
appropriate to the applicant.
FORM III

(See section 7(2) and rule 6)
Endorsement of Registration

I hereby certify that the chit agreement relating to the chit proposed to be conducted by.................................................................(the name and address of the foreman should be filled in here) as a foreman has this.............................. .. day of…………………………………..19……….……… been registered by me under sub-section (2) of section 7 of the Chit Funds Act, 1982 (Central Act No.40 of 1982) as Chit No................................................of 19..................

Given under my hand and seal this..................................................................day of ..............................................................................................................19.....................................................................at........................................I

Signature of Registrar,

(Seal)

FORM – IV

(See section 8(4) and rule 9)

Place:

Date:

The Registrar of Chits

Dear Sir,

In terms of sub-section (4) of section 8 of the Chit Funds Act, 1982 (Central Act No.40 of 1982) we hereby seek your approval for appropriating a sum of Rs......................................./- (Rupees.................................................................................................................................) by withdrawal from the Reserve Fund of the company. This withdrawal has been necessitated by the following circumstances -
(Here state the circumstances under which withdrawal from the Reserve Fund has become necessary).

2. We enclose for your information a copy each of the profit and loss account and the balance sheet for the last two accounting years as also a proforma of the balance sheet and profit and loss account for the current year ended. .................................................................19. ........ A true copy of the resolution passed by the Managing Committee/Board of Directors on the................................................for appropriation of the said sum from the Reserved Fund is also enclosed. We shall be glad to furnish such further information as may be required by you.

3. We remit herewith a sum of Rs......................................./(Rupees..............................................) being the fees, prescribed for the purpose.

4. We shall be glad if you will kindly grant us permission to withdraw a sum of................. from the * Reserved Fund.

Yours faithfully,

Chairman

Secretary

*for and on behalf of

(Foreman/company)

* Here enter the name of the applicant/company.
Dear Sir,

By your letter dated the.................................................................you were pleased to grant me/us a certificate of registration to start a new chit of a chit amount of Rs..........................................................and of a duration..........................months.

2. I/We have subsequently enlisted the required number of members and we hereby declare in terms of sub-section (i) of section 9 of the Chit Funds Act, 1982 (Central Act No. 40 of 1982) that all the tickets specified in the Chit agreement have been fully subscribed.

3. I/We remit herewith a sum of Rs.............................................................../- (Rupees (in words).........................................................................................................................) being the fees prescribed for the purpose of filing this declaration.

Yours faithfully,

Chairman
Secretary
for and on behalf of (Foreman)

Strike out or delete whatever is not applicable. Insert designation(s) as may be appropriate to the applicant

F O R M – VI
(See section 9 (2) and rule 11)
Certificate of commencement of chit

Place
Date
Office of the Registrar of Chits.

I hereby certify that.................................................................................................* is entitled to commence and conduct the chit @........................................................................................................the chit agreement in respect of which was registered in my office as Chit No...........................................of 19

Given under my hand and seal, this.................................................................day of..............................................................19 at.................................................................

Signature of Registrar
(Seal)

* Here enter the name of the foreman
@ Here mention the chit amount and duration, etc. of the chit/s.
Dear Sir,

The Chit Funds Act, 1982
(Central Act No. 40 of 1982)

I/We ............................................ ..................................................................... the Foreman
of the chit/Chairman and Secretary on behalf of the foreman firm/company conducting the chit, the chit ag-
reement bearing registration number........................................................of 19………………...... ....has
been
registered in the office of the Registrar of Chits...........................................................................................do
hereby certify that I/We have furnished to every subscriber of the chit a copy of the said chit agreement
duly certified by me/us to be a true copy. The copies were furnished to each of the subscribers on
..........................................................................................................................................................................

The date of obtaining the certificate of commencement of the said chit granted under sub-
section (2) of section 9 is …………………………………………………………………………...…………
The first draw of the said chit was held on.................................................................

Yours faithfully,

Place :                                                                                                                              Chairman
Date:                                                                                                                                 Secretary

for and on behalf of........................................
(Foreman)

Strike out/delate whatever is not applicable. Insert the designation (s) as may be appropriate to the applicant.
FORM VIII

(See section 6 and Rule 13)

Form of Chit agreement

(Articles of agreement between the foreman and the subscribers)

I. Chit amount and number of tickets

1. Office where the chit is registered
2. Year and registered No.
3. Full name and address of foreman
4. Occupation (if applicable)
5. Age

I. Chit amount and number of tickets

1. No. of tickets or fraction thereof held by each subscriber

<table>
<thead>
<tr>
<th>Fraction</th>
<th>Full</th>
</tr>
</thead>
<tbody>
<tr>
<td>3/4</td>
<td></td>
</tr>
<tr>
<td>1/2</td>
<td></td>
</tr>
<tr>
<td>1/4</td>
<td></td>
</tr>
<tr>
<td>1/8</td>
<td></td>
</tr>
</tbody>
</table>

2. No. of instalments and amount payable for each ticket at every instalment

<table>
<thead>
<tr>
<th>No.</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Rs.</td>
</tr>
</tbody>
</table>

3. Chit amount

<table>
<thead>
<tr>
<th>Rs.</th>
</tr>
</thead>
</table>

II. Duration of the Chit

1. Date of 1st instalment
2. Dates of subsequent instalments
3. No. of instalments per year
4. Date of termination
5. Duration of the chit

<table>
<thead>
<tr>
<th>Years</th>
<th>Mon</th>
</tr>
</thead>
</table>

III. The Place, time and probable date when the chit is to be commenced

1. Place (given full particulars)
2. Probable date
3. Time of commencement of the proceedings

IV. Particulars of security given or deposited by foreman

1. Under section 20 of the Act, the following security sufficient to the satisfaction of the Registrar of Chits, the particulars of which are described below, has been given for the proper conduct of the chit -

   (Here enter description of security such as cash/Government security (immovable property), etc. (In case immovable property has been charged, its particulars such as its description/location/market value etc. should be given)

2. No. and date of the certificate of Registrar of Chits regarding the sufficiency of security, if obtained.

3. The foreman shall not get release of the security in full until all the liabilities under the chit are discharged.

V. Mode of conducting the chit

1. The subscriber who is to get the prize at any instalment shall be determined by lot or by auction at the time and place specified in Article 111.

   (Here specify the smallest fraction of a ticket, the prize for which will be determined by lot or by auction, and the time allowed for each purpose).

2. Where the prize is to be determined by auction, a ticket or fraction thereof shall be auctioned for a sum not less than the chit amount minus foreman's commission, and the subscriber who bids for the highest discount not exceeding 30% of the total amount of the chit shall be entitled to have it confirmed in his name.

Note:— Where a fraction of a ticket is auctioned, the subscriber who bids it for the highest discount is entitled to have confirmed in his name at the same rate as many such fractions as he wished to bid.
(3) In case where the subscribers are not prepared to bid any ticket or fraction thereof or where the discount is not sufficient to meet the foreman's commission the subscriber who is entitled to the prize amount shall be determined by lot. The subscriber so determined shall be deemed to be the prized subscribers who shall be entitled to the chit amount for his ticket less foreman's commission for that ticket.

(4) A defaulter subscriber shall not be entitled to take part in the proceedings.

(5) If for any reason the subscriber is unable to take part in the proceedings, he may in writing authorise an agent in that behalf. Such agent shall have all the rights and privileges of a subscriber at such proceedings.

VI. Mode of payment of each instalment.

(1) Every subscriber shall on the date of each instalment pay to the foreman the amount due for his ticket for each such instalment and get a receipt in that behalf from the foreman.

(2) In the case of a prized subscriber if the amount due from him for a particular instalment is not paid on the date of that instalment, it shall be paid within (here mention weeks or months) with interest at (here specify the rate) failing which it shall be competent to the foreman to realise from the..............................................................defaulter in a lump all the future subscriptions due from him together with the interest due thereon and other incidental expenses.

(3) In the case of a non-prized subscriber, if the amount due from him for a particular instalment is not paid on the date of that instalment, it shall be paid within (here mention weeks or months) with interest at (here specify the rate) failing which it shall be open to the foreman to remove him from the list of subscribers and have another person substituted for such defaulter subscriber of the action taken against him.

Note:— Under clauses (2) and (3) the period within which the amount shall be paid and the rate at which interest due thereon shall be paid may be such as shall not be inconsistent with the provisions of the Act or any law for the time being in force.

(4) A non-prized defaulting subscriber shall be entitled to the amount paid by him and the discount due to him on his executing and acknowledgement in writing at the time the substituted subscriber draws the prize amount. If the defaulter subscriber fails to obtain the amount due to him, the foreman shall deposit the same in the approved bank. If the foreman fails to pay such subscriber, the amount so due to him on the due date, it shall be competent for such subscriber to realise such amount with interest permissible under the law for the time being in force.

VII. Procedure for receiving the prize amount by a prized subscriber.

(1) A prized subscriber of his nominee shall receive from the foreman the prize amount within (here specify the period) after furnishing to the satisfaction of the foreman sufficient security, for the payment of future subscriptions.

(2) In case the prized subscriber or his nominee fails to receive the prize amount after furnishing sufficient security, the foreman shall deposit the amount in the approved bank and inform the prized subscriber of that fact.

(3) In case the amount so deposited is not sufficient for the payment of future subscriptions, it shall be competent to the foreman to realise from such prized subscriber such amount as may be deficient together with the interest due thereon and all other incidental charges.

(4) In case there remains any portion of the amount deposited after paying the future subscription and other charges such portion shall be payable by the foreman to the prized subscriber after the termination of the chit, failing which it shall be competent to the prized subscriber or nominee to realise from the foreman such portion as remains together with the interest due thereon from the date of termination of the chit.

(5) If at any time after the prize amount is deposited in an approved bank, the prized subscriber or his nominee furnishes sufficient security, the foreman shall withdraw the amount so deposited and pay it to the prized subscriber or his nominee after deducting there from the amount due from him for the payment of the instalments prior to the date on which the security is furnished.

(6) If the foreman fails to pay the prize amount to the prized subscriber or his nominee furnishing sufficient security it shall be competent to such subscriber or nominee to realise from the foreman the prize amount together with the interest due thereon from the date of furnishing such security.

VIII. Disbursement of discount.

The discount for every ticket auctioned shall be distributed equally between the prized and non-prized subscribers after deducting there from the foreman's commission.

IX. Foreman's commission and the instalment at which the foreman is to get the prize.

(1) (Here specify the date and number of instalment at which the foreman is to get the prize)

First and the last instalment not being subject to auction, the subscribers shall be liable to pay the full amount of their tickets.
(2) Here specify the rate per cent of foreman's commission and the total amount of commission dischargeable on the chit amount.

Note: - Any other amount agreed to by the subscribers for any other purpose may also be specified here.

X. Transfer how to be effected.

(1) It shall not be competent to any subscriber to transfer his rights in a chit except with the consent of the foreman provided that no such consent shall be necessary in the case of transfer by a subscriber whose name has been removed by the foreman from the list of subscribers for default of payment of subscriptions. The transfer (whether he is already a subscriber or not) shall be entitled to no more rights than the transfer or had in the chit in respect of the ticket or fraction thereof is transferred.

(2) No transfer for the rights of foreman to receive subscriptions from the prized subscribers shall be made without the previous sanction in writing of the Registrar of Chits. Any such transfer shall, it defeats or delays a non-prized subscriber, be avoidable at the instance of such subscriber.

XI. Balance Sheet and subscriber's right to examine chit records.

(1) On termination of a chit, the foreman shall prepare balance sheet containing a summary of the assets and liabilities of the chit and giving such particulars as will disclose the nature of the assets and liabilities and how the value of the assets has been arrived at. Such balance sheet shall be made available for auditing by the auditors specified in rule 29 and a certificate of such auditing shall be received by the foreman and kept by him.

(2) The foreman shall make available for examination by the subscribers all the chit records between (here specify the time) on all the dates of the draw.

XII. Banks where chit money may be deposited.

(Here specify the name of the approved bank(s), the foreman proposes to deposit chit money).

XIII. Miscellaneous:

(1) The subscriber who gets his prize at the last instalment shall be entitled to the chit amount less the foreman's commission. The foreman shall pay up such amount within (here specify the period) after the date of termination of the chit failing which the prized subscriber shall be competent to realise the amount from the foreman together with the interest due thereon from the date aforesaid.

(2) Any amount due to the foreman from any subscriber on account of the chit shall be a first charge on the subscriptions paid by such subscriber. Similarly, the security and all chit moneys deposited by the foreman shall be liable for discharging any amount due from the foreman to the subscribers.

(3) Receipts shall be granted for all payments by the foreman to the subscribers or by the subscribers to the foreman.

(4) The chit amount shall in no case be enhanced; but if necessary it may be reduced.

(5) The foreman shall convene a meeting on the requisition in writing of not less than 25 per cent of the number of non-prized and unpaid prized subscribers for making any alteration in the chit agreement not inconsistent with the provisions of the Act and the rules made there under.

(6) If for any default of the foreman, the conduct of the chit is not continued, the foreman shall pay to the non-prized subscribers their contributions including discount with in (here specify the period), failing which it shall be competent to such subscribers to realise the amount together with the interest due thereon from the foreman or from all or any of the following assets:

(a) the security given or deposited by the foreman;
(b) other properties belonging to the foreman;
(c) the future subscriptions due to the foreman from the prized subscribers.

(7) In case where the foreman holds tickets as an ordinary subscriber in addition to the ticket of which he is entitled to the prized without deduction of the discount, he shall not have any more rights or privileges than the other subscribers have in the chit. When the foreman bids such tickets, he shall furnish sufficient security for the payment of future subscriptions as required by the Act and the Rules made there under.

(8) If before the termination of the chit, the foreman dies or otherwise becomes unable to conduct the chit.

(i) Here specify the arrangements made for the conduct of the chit.
(ii) In such a case any one or more of the non-prized subscribers authorised by a special resolution may, in the absence of any provision in this chit agreement for the future conduct of the chit, take the place of the foreman and have the right to continue the chit or to make suitable arrangements for the future conduct of the chit.

(9) Here specify any other provisions that may be agreed to such as payment of interest or penalty, if any, payable or any default in the payment of stipulated instalments etc.

(10) The subscribers who have affixed their signature there under agreed to the above articles

<table>
<thead>
<tr>
<th>Serial Number</th>
<th>Name and full address of subscriber</th>
<th>No. of tickets taken</th>
<th>Subscriber signature and date</th>
<th>Name, signature and address of witness</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Foreman</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>etc.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

FORM IX

(See section 16 and rule 16)

Notice to subscribers of Chit Number of 19.

Sir,

This is to inform you that................................................................................................................................draw in monthly/
quarterly/half yearly/yearly Chit No........................................../19.............................................in which you are one of
the subscribers will be held
on..................................day................................................................................................................................
(month), 198.............at..................................A.M./P.M. at..............................................................
(address) you may kindly make it convenient to the present at the draw in person or by your duly authorized
agent.

Yours faithfully,

Secretary,

for and on behalf of (foreman)

Strike out or delete whatever is not applicable.

Insert such designation(s) as may be appropriate.

PRINTED AT THE SIKKIM GOVERNMENT PRESS, GANGTOK.

In exercise of the powers conferred by Section 8 of the Sikkim (Repeal and Miscellaneous Provisions) Act, 1985, (Act No.10 of 1985) the State Government hereby makes the following rules to amend the Sikkim Trade Licence and Miscellaneous Provisions Rules, 1985, namely:-

1. (1) These rules may be called the Sikkim Trade Licence and Miscellaneous Provisions (Amendment) Rules, 1986.

(2) They shall apply to the whole of Sikkim.

(3) They shall come into force at once.

2. In the Sikkim Trade Licence and Miscellaneous Provisions Rules, 1985 (herein after referred to as the said rules) to Rule 11 the following proviso shall be added, namely:-

"Provided that any application for renewal of a licence submitted after the period prescribed in this rule shall be accompanied by a late fee of Rs. 1/-for every day of delay."

3. In the said rules, for the existing Schedule I the following schedule shall be substituted namely:-

Notification No. 37(139)/LSGHD. Dated Gangtok, the 17th June, 1986.
## SCHEDULE 1
### RATE OF LICENCE FEES.

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Items</th>
<th>Rate of Licence Fee (in Rupees)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Dealing in Oranges (Wholesale)</td>
<td>** 240</td>
</tr>
<tr>
<td>2</td>
<td>Retail dealing in textile cloth</td>
<td>** 100</td>
</tr>
<tr>
<td>3</td>
<td>Wholesale dealing in grocery</td>
<td>** 300</td>
</tr>
<tr>
<td>4</td>
<td>Wholesale dealing in grocery</td>
<td>** 150</td>
</tr>
<tr>
<td>5</td>
<td>Retail dealing in grocery</td>
<td>** 100</td>
</tr>
<tr>
<td>6</td>
<td>Wholesale dealing in manihari</td>
<td>** 150</td>
</tr>
<tr>
<td>7</td>
<td>Retail dealing in manihari</td>
<td>** 100</td>
</tr>
<tr>
<td>8</td>
<td>Dealing in hardware/paint/Alcathe Polythene pipe</td>
<td>** 200</td>
</tr>
<tr>
<td>9</td>
<td>Dealing in stationery and books</td>
<td>** 100</td>
</tr>
<tr>
<td>10</td>
<td>Dealing in readymade dresses</td>
<td>** 100</td>
</tr>
<tr>
<td>11</td>
<td>Pan(Betal)</td>
<td>** 150</td>
</tr>
<tr>
<td>12</td>
<td>Dealing in motor parts/tyre/tube &amp; battery.</td>
<td>** 300</td>
</tr>
<tr>
<td>13</td>
<td>Dealing in electrical goods</td>
<td>** 300</td>
</tr>
<tr>
<td>14</td>
<td>Dealing in Sewing/Knitting machine</td>
<td>** 100</td>
</tr>
<tr>
<td>15</td>
<td>Watch &amp; Clock repairing</td>
<td>** 100</td>
</tr>
<tr>
<td>16</td>
<td>Sale of radio (including record/cassettes player) with cassettes &amp; records.</td>
<td>** 200</td>
</tr>
<tr>
<td>17</td>
<td>Sale of Watch &amp; Clock</td>
<td>** 200</td>
</tr>
<tr>
<td>18</td>
<td>Radio Repairing</td>
<td>** 100</td>
</tr>
<tr>
<td>19</td>
<td>Sale of petrol/kerosene/diesel/gear oil/grease/lubricants</td>
<td>** 350</td>
</tr>
<tr>
<td>20</td>
<td>Business in photographic studio/ sale of photographic goods</td>
<td>** 150</td>
</tr>
<tr>
<td>21</td>
<td>Ice cream &amp; cold drinks</td>
<td>** 100</td>
</tr>
<tr>
<td>22</td>
<td>Sale of sports goods and toys</td>
<td>** 100</td>
</tr>
<tr>
<td>23</td>
<td>Sale of motor cars, jeeps &amp; trucks</td>
<td>** 1000</td>
</tr>
<tr>
<td>24</td>
<td>Shoe Stores</td>
<td>** 200</td>
</tr>
<tr>
<td>25</td>
<td>Furniture business of all sorts</td>
<td>** 200</td>
</tr>
<tr>
<td>26</td>
<td>Running of a business of fertilizers/pesticides/seeds &amp; agricultural implements</td>
<td>** 500</td>
</tr>
<tr>
<td>27</td>
<td>Running of a business of opticals</td>
<td>** 200</td>
</tr>
<tr>
<td>28</td>
<td>Sale of Scientific instruments</td>
<td>** 200</td>
</tr>
<tr>
<td>29</td>
<td>Motor bike, scooter, cycle</td>
<td>** 500</td>
</tr>
<tr>
<td>30</td>
<td>Sale of Plastic goods.</td>
<td>** 100</td>
</tr>
<tr>
<td>31</td>
<td>Tea leaf and dust</td>
<td>** 150</td>
</tr>
<tr>
<td>32</td>
<td>Sanitary fitting</td>
<td>** 200</td>
</tr>
<tr>
<td>33</td>
<td>Sale of Forest Products (Charcoal/firewood)</td>
<td>** 500</td>
</tr>
<tr>
<td>34</td>
<td>Leather goods</td>
<td></td>
</tr>
<tr>
<td>35</td>
<td>Dying (Clothes)</td>
<td>** 100</td>
</tr>
<tr>
<td>36</td>
<td>Liquor (Both Sikkin &amp; Indan made)</td>
<td>** 200</td>
</tr>
<tr>
<td>37</td>
<td>Sale &amp; repair of type-writer, duplicating machine</td>
<td>** 100</td>
</tr>
<tr>
<td>38</td>
<td>Book binding, file, rubber stamps etc.</td>
<td>** 100</td>
</tr>
<tr>
<td>39</td>
<td>Film distribution</td>
<td>** 1000</td>
</tr>
<tr>
<td>40</td>
<td>Television, VCR (Sale/Repair/Renting)</td>
<td>** 400</td>
</tr>
<tr>
<td>41</td>
<td>Provision goods/tinned food/dalmut to fees logenze</td>
<td>** 150</td>
</tr>
<tr>
<td>42</td>
<td>Hotel and Restaurant</td>
<td>** 250</td>
</tr>
<tr>
<td>Sl No.</td>
<td>Items</td>
<td>Rate of Licence Fee</td>
</tr>
<tr>
<td>--------</td>
<td>----------------------------------------------------------------------</td>
<td>---------------------</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(in Rupees)</td>
</tr>
<tr>
<td>43.</td>
<td>Bakery bread/biscuits &amp; cakes/sale</td>
<td>100.</td>
</tr>
<tr>
<td>44.</td>
<td>Tea and sweetmeat shops</td>
<td>100.</td>
</tr>
<tr>
<td>45.</td>
<td>Vegetable'and fruits</td>
<td>100.</td>
</tr>
<tr>
<td>46.</td>
<td>Photostat/copying machine</td>
<td>100.</td>
</tr>
<tr>
<td>47.</td>
<td>Sale of construtional equipment &amp; materials.</td>
<td>300.</td>
</tr>
<tr>
<td>48.</td>
<td>Medical pharmaceutical</td>
<td>100.</td>
</tr>
<tr>
<td>49.</td>
<td>Carpet/mattresses etc.</td>
<td>100.</td>
</tr>
<tr>
<td>50.</td>
<td>Sale of meat/fish/egges</td>
<td>100.</td>
</tr>
<tr>
<td>51.</td>
<td>Motor Workshop</td>
<td>1000.</td>
</tr>
<tr>
<td>52.</td>
<td>Gold and Silver &amp; other metals</td>
<td>500.</td>
</tr>
<tr>
<td>53.</td>
<td>Dry Cleaners</td>
<td>200.</td>
</tr>
<tr>
<td>54.</td>
<td>Laundry</td>
<td>20.</td>
</tr>
<tr>
<td>55.</td>
<td>Tailoring shop</td>
<td>200.</td>
</tr>
<tr>
<td>56.</td>
<td>Godown/storage</td>
<td>10 per 100 sq. ft.</td>
</tr>
<tr>
<td>57.</td>
<td>Saloons</td>
<td>100.</td>
</tr>
<tr>
<td>58.</td>
<td>Transport company</td>
<td>500.</td>
</tr>
<tr>
<td>59.</td>
<td>Empty bottles &amp; empty bags (sack)</td>
<td></td>
</tr>
<tr>
<td>60.</td>
<td>including gunny bags &amp; scraps</td>
<td></td>
</tr>
<tr>
<td>61.</td>
<td>Cracker (pataka)</td>
<td>200.</td>
</tr>
<tr>
<td>63.</td>
<td>Grinding machine/husking machine/oil trading devices etc.</td>
<td>200.</td>
</tr>
<tr>
<td>64.</td>
<td>Sale of wood carving works/curios/handicrafts/fitting/curios/handicrafts</td>
<td>50.</td>
</tr>
<tr>
<td>65.</td>
<td>All other repairing shops other than those mentioned above.</td>
<td>200.</td>
</tr>
<tr>
<td>66.</td>
<td>Lights and sound hiring system</td>
<td>25.</td>
</tr>
<tr>
<td>67.</td>
<td>Any other trade or business</td>
<td>100.</td>
</tr>
</tbody>
</table>

In case of shops in villages, the licence fee on the above items shall be half of the above rate subject to maximum of Rs. 500/- in two or more items.

In the said rules, in Schedule II after item No. 25, the following items shall be inserted namely:—

"26. Any other trade or business... 50.

P. K. PRADHAN,
IAS Secretary to the Govt, of Sikkim
Local Self Govt. & Housing Department.
In exercise of the powers conferred by section 28 of the Sikkim Sale Tax Act, 1983, the State Government hereby makes the following rules to amend the Sikkim Sale Tax Rules, 1983, namely:—

1. (1) These rules may be called the Sikkim Sales Tax (Amendment) Rules, 1986.
   (2) They shall come into force from the date of their publication in the Official Gazette.

2. In the Sikkim Sales Tax Rules, in rule 10, after sub-rule (5) following sub-rule shall be inserted namely:

   "(5 A) The Commissioner may, by notification, lay down the generic terms that may be entered in the Certificate of registration granted under sub-section (3) of section 10 while specifying therein the class of goods or classes of goods and the authority granting the registration may, enter these terms in the said certificate instead of specifying each and every one of the goods included in the generic term so laid down:

   Provided that nothing in this sub-rule shall be taken as permitting the dealer to use these generic terms while making applications for registration or in issuing or accepting the declarations prescribed in the provision to sub-clause (a) of clause (V) of sub-section (3) of section 5.".

K. C. PRADHAN,
Secretary/Commissioner,
Commercial Taxes,
Government of Sikkim,
Gangtok.
The following Ordinance promulgated by the President and published in the Government of India Gazette, Extraordinary, Part II, Section I, is hereby republished for general information:—

THE COMMISSIONS OF INQUIRY (AMENDMENT) ORDINANCE, 1986
No. 6 of 1986

Promulgated by the President in the Thirty-seventh Year of the Republic of India.

An Ordinance further to amend the Commissions of Inquiry Act, 1952.

WHEREAS the House of the People 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 Commissions of Inquiry (Amendment Ordinance, 1986. Short title and commencement.

(2) It shall come into force at once.


(4), the following sub-sections shall be inserted, namely

"(5) The provisions of sub-section (4) shall not apply if the appropriate Government is satisfied that in the interests of the sovereignty and integrity of India, the security of the State, friendly relations with foreign States or in the public interest, it is not expedient to lay before the House of the People as the case may be, the Legislative Assembly of the State, the report, or any part thereof, of the Commission on the inquiry made by the Commission under sub-Section (1), and issues a notification to that effect in the Official Gazette."
(6) Every notification issued under sub-section (5) shall be laid before the House of the People or, as the case may be, the Legislative Assembly of the State, if it is sitting as soon as may be after the issue of the notification, and if it is not sitting, within seven days of its reassembly, and the appropriate Government shall seek the approval of the House of the People or, as the case may be, the Legislative Assembly of the State, to the notification by a resolution moved within a period of fifteen days beginning with the day on which the notification is so laid before the House of the People or, as the case may be, the Legislative Assembly of the State and if the House of the People or, as the case may be, the Legislative Assembly of the State makes any modification in the notification or directs that the notification should cease to have effect, the notification shall thereafter have effect only in such modified form or be of no effect, as the case may be."

ZAIL SINGH,
President.

C. RAMAN MENON
Additional Secy, to the Govt. of India

B. R. PRADHAN,
Secretary to the Government of Sikkim,
Law Department.
File No. 11 (228)/LD/1980.
GOVERNMENT OF SIKKIM
LAND REVENUE DEPARTMENT
GANGTOK.

Notification No. 4(892)/LR(S) Date 20.6.86.

Whereas it appears to the Governor that land is likely to be needed for public purpose, namely for the construction of a Modern Taxi Stand, Police Station in the Block of Gangtok at East District, it is hereby notified that piece of land comprising c.s. plot Nos. 518, 519, 520, 522, 523, 524, 525, 1438, 1689 and 1690 (from 1950-54 Settlement (Unattested) Land Records of Gangtok Station Area) and measuring more or less 1.18 acres bounded on:

North: Gangtok Thakurbari Compound which is separated by a footpath and approach of the Temple;
South: House holding area of Smt. Thinley Wangmu;
East: House holding area of Shri Dorjee Namgyal, Shri Kado Bhutia and Lakpa Chonki Bhutia;
West: Road from Bazar to Tibet Road via old Children park;

is likely to be needed for the aforesaid public purpose at the public expense within the Gangtok Station Area.

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 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, 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.

PASONG NAMGYAL,
Secretary,
Land Revenue Department,
Government of Sikkim.
Notification No. 5(700) II/LR(S) Dated 21.6.86.

Declaration under Section 6 (1) of the Land Acquisition Act, 1894 (I of 1894).

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 purpose of the union have been entrusted to the State Government by notification No. 12018-12-76-LRD dated the 18th January, 1978 issued by the Government of India in the Ministry of Agriculture and Irrigation under Clause(l) of Article 258 of the Constitution of India.

And whereas the Governor is satisfied that land is needed for a Public purpose, being a purpose of the Union, namely for construction of Transmitting Tower All India Radio at Taktse Compound area, Penlong it is hereby declared that a piece of land comprising cadastral plots Nos. 18, 19, 20 and 21 bounded on:

North:— Taktse Palace Compound
East:— do—
West:— Reserve Forest
South:— do—

is needed for the aforesaid public purpose at the public expense within the aforesaid block.

This declaration is made under the provision of Section 6 (1) 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 Collector-cum-Sp. L.A.O., Land Revenue Department, Gangtok.

By Order.

PASONG NAMGVAL, IAS,
Secretary to the Government of Sikkim,
Land Revenue Department.

PRINTED AT THE SIKKIM GOVERNMENT PRESS, GANGTOK.
GOVERNMENT OF SIKKIM
LAND REVENUE DEPARTMENT

Notification No. 4(66)/L.R.(S) Dated Gangtok, the 22nd May, 1985.

(Declaration under Section 6 of the Land Acquisition Act, 1894) (I of 1894).

Whereas the functions of the Central Government under Land Acquisition Act, 1894 (I of 1894), in relation to the acquisition of land for the purposes of the Union have entrusted to the State Government by notification No. F. 12018/12/76 LRD dated 10th January, 1978 issued by the Government of India in the Ministry of Agriculture & Irrigation under clause (1) of Article 258 of the Constitution of India;

And whereas the Governor is satisfied that land is needed for a public purpose, being a purpose of the Union, namely for 85 R.C.C (GREF) C/O 99 APO for construction of catch water drain and water chute in the block of Kabi District, North it is hereby declared that a piece of land comprising cadastral plots 1910, 1911, 1913, 1914, 1916, 2012, 2014, 2015, 2016, 2018 and 2023 measuring, more or less 0.51 acres, bounded on:—

East:— C. F. of Samten Dorjee Lepcha, Tenzing Lepcha, Khedub Lepcha and Denzi Bhutia.
West.— C.F. of Samten Dorjee Lepcha, Chophel Lepcha, and brothers, foot path.
North:— Road reserve & C.F. of Khedup Lepcha, Chedup Lepcha and Denzi Bhutia;
South:— Road reserve & C.F. of Chophel Lepcha & brothers, Kholsa, C. F. of Chiten Bhutia, Khedup Lepcha, Chedup Lepcha and Denzi Bhutia.

is needed for the aforesaid public purpose at the public expense within the aforesaid block of Kabi.

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 Collector-cum-Sp .L.A.O. Land Revenue Department Gangtok.

JIGME DORJEE,

Secretary
Land Revenue Department,
Government of Sikkim.
GOVERNMENT OF SIKKIM
HOME DEPARTMENT


NOTIFICATION

On account of the sad demise of Shri Jagjivan Ram at New Delhi on 6.7.1986, the Governor of Sikkim declares State mourning from 6th July to 8th July, 1986.

During the period of State mourning National Flags in all Government offices and Institution buildings throughout the State will be flown half mast.

7th July, 1986 is declared a Government holiday as mark of respect to the departed leader.

By Order,

R.S. BASNET,
Joint Secretary (Home)
Notification No.2/L.R. (Ref) Dated 1.7.86.

In exercise of the powers conferred by section 11 of the Sikkim Cultivators' Protection Act, 1985 (5 of 1985), the State Government, hereby, appoints the Secretary to the Government in the Land Revenue Department with immediate effect to be the Appellate Authority for the purposes of the said Act.

By Order.

PASONG NAMGYAL, I.A.S.,
Secretary to the Government of Sikkim
Land Revenue Department.

PRINTED AT THE SIKKIM GOVERNMENT PRESS, GANGTOK.
GOVERNMENT OF SIKKIM
ELECTION DEPARTMENT

Notification No. 43/H. Gangtok, Sikkim.
Dated 30 June, 1986.

Election Commission of India's Order No. 76/SKM-LA/85 dated 10th June, 1986 is re-published for general information.

ELECTION COMMISSION OF INDIA

No.76/SKM-LA/85 Ashok Road, New Delhi—1.
Dated : 10th June, 1986.
20 Jaistha, 1908 (S)

ORDER

Whereas the Election Commission is satisfied that each of the contesting candidates specified in column (4) of the Table below at the election to the Sikkim Legislative Assembly as specified in column (2) and held from the constituency specified in column (3) against his name is failed to lodge an account of his election expenses or failed to lodge the account within the time and or in the manner, as shown in column (5) of the said Table as required by the representation of the People Act, 1951 and the Rules made there under:

And whereas the said candidates have either not furnished any reason or explanation for the failure even after the due notice or the Election Commission, after considering the Representation made by them, if any is satisfied that they have no good reason or justification for the said failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the persons specified in column (4) of the Table below to be disqualified for being chosen as, and for being a member of either House of the Parliament or of the Legislative Assembly or legislative Council of a State/Union Territory for a period of 3 years from the date of this order.
<table>
<thead>
<tr>
<th>S. No.</th>
<th>Particulars of election</th>
<th>S. No. &amp; Name of the Assembly Constituency</th>
<th>Name &amp; Address of the contesting candidate</th>
<th>Reason for disqualification</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.</td>
<td>—do—</td>
<td>—do —</td>
<td>Shri Lachen Das Rai, Gom Busty, P. O. Kitam, Sikkim.</td>
<td>—do—</td>
</tr>
<tr>
<td>3.</td>
<td>—do—</td>
<td>—do —</td>
<td>Shri Prakasc Pirthawar, P. O. Chakany, West Sikkim.</td>
<td>—do—</td>
</tr>
<tr>
<td>4.</td>
<td>—do —</td>
<td>11—Ralang (BL)</td>
<td>Shri Dawa Tshering Bhutia, Polok Busty, P. O. Ravangla, South District, Sikkim.</td>
<td>—do—</td>
</tr>
<tr>
<td>5.</td>
<td>—do—</td>
<td>—do —</td>
<td>Shri Ninda Bhutia, P. O. Kewzing, South District, Sikkim.</td>
<td>—do—</td>
</tr>
<tr>
<td>6.</td>
<td>—do—</td>
<td>—do —</td>
<td>Shri Pema Wongchuk Bhutia, Ravong Bazar, South District, Sikkim.</td>
<td><strong>do</strong></td>
</tr>
<tr>
<td>7.</td>
<td>—do—</td>
<td>12-Wak</td>
<td>Shri Kharga Bahadur Rai, Damthang, South Sikkim,</td>
<td>—do—</td>
</tr>
<tr>
<td>8.</td>
<td>—do—</td>
<td>—do —</td>
<td>Shri Panduram Rai, Tinkitam Sanganath, Damthang, South Sikkim,</td>
<td>—do—</td>
</tr>
<tr>
<td>9.</td>
<td>—do—</td>
<td>13-Damthang</td>
<td>Shri Narman Tamang, Mamley Busty, P. O. Namchi, South Sikkim.</td>
<td>—do—</td>
</tr>
<tr>
<td>10.</td>
<td>—do—</td>
<td>—do —</td>
<td>Shri Norden Bhutia, Namchi Bazar, South Sikkim.</td>
<td>—do—</td>
</tr>
<tr>
<td>11.</td>
<td>—do —</td>
<td>—do —</td>
<td>Shri Pardeep Yonzong, Bomtar Busty, P.O. Namchi, South Sikkim.</td>
<td>—do—</td>
</tr>
<tr>
<td>12.</td>
<td>—do—</td>
<td>—do —</td>
<td>Shri S. K. Rai, South Sikkim.</td>
<td>—do—</td>
</tr>
<tr>
<td></td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
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</tr>
<tr>
<td>13.</td>
<td>—do—</td>
<td>16-Temi Tarku</td>
<td>Shri Diki Lau,</td>
<td>—do—</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Bermoik Tokal,</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Sikkim.</td>
<td></td>
</tr>
<tr>
<td>14.</td>
<td>—do—</td>
<td>—do—</td>
<td>Shri Gopal Das Chettri,</td>
<td>—do—</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Burul Busty, P. O. Bermoik,</td>
<td>Sikkim.</td>
</tr>
<tr>
<td>15.</td>
<td>—do—</td>
<td>—do—</td>
<td>Shri Man Bahadur Tewari</td>
<td>—do—</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Pobik Busty, P. O. Pobik,</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>East Sikkim.</td>
<td></td>
</tr>
</tbody>
</table>

By order,

S. D. PERSHAD,
Under Secretary,

T. WANGCHUK
Deputy Chief Electoral Officer,
Election Department,
Govt, of Sikkim.
ELECTION COMMISSION OF INDIA

NEW DELHI
Dated the 25th June, 1986
Asadha 4, 1908 (S)

NOTIFICATION

S.O.- Whereas the Election Commission of India is satisfied that as a result of its poll performance at the general election to the Legislative Assembly of Manipur State held in December, 1984, the ‘United Democratic Party, Manipur’ is entitled for recognition as a State Party in the State of Manipur in terms of paragraph 6 of the Election Symbols (Reservation and Allotment) Order, 1968;

And whereas the Commission has decided to recognise the United Democratic Party, Manipur as a State Party in the State of Manipur and reserve the election symbol ‘Elephant’ for the said party in that State; and

Now, therefore, in pursuance of clauses (b) and (d) of sub-paragraph (1) and subparagraph (2) of paragraph 17 of the Election Symbols (Reservation and Allotment) Order, 1968, the Election Commission hereby makes the following amendments in its Notification No. 56/84-I, dated the 13th November, 1984, published in the Gazette of India, Extraordinary, Part II, Section 3 (iii), dated the 16th November, 1984, as amended from time to time, namely:-

(i) In Table 2 of the said notification, against the State of Manipur, under column 2 and 3 of the Table, the entries “3 United Democratic Party, Manipur………………. Elephant”, shall be added; and

(ii) In Table 4 of the said notification, against the entry “12. Manipur” mentioned in column 1 thereof, the entry “4. Elephant” specified in column 2, thereof shall be deleted and the existing entries 5 to 16 shall be renumbered as 4 to 15.
The recognition granted to the above mentioned political party is subject to the following conditions:

(i) the party shall communicate to the Commission without delay any change in its name and head office, office bearers and their addresses and political principles policies and objectives and any change in any other material matters;

(ii) the party shall intimate the Commission immediately whenever any amendment are issued to party constitution along with the relevant documents like the notice for meeting, minutes of the meeting where the amendments have been carried out;

(iii) the party shall maintain all the records like minutes books, accounts books membership register, receipt books, etc.,

(iv) the said records shall be open for inspection any time by the authorized representative (s) of the Commission; and

(v) the recognition granted shall be reviewed by the Commission from time to time.

By Order,

Sd/-

(R. P. BHALLA)
Secretary

TSHERING NAMGYAL BHUTIA
Under Secretary (Election)
NOTIFICATION

In exercise of the powers conferred by Section 12 of the Act of Criminal Procedure 1898 (V of 1898) the State Government hereby confers the powers of Magistrate of 1st Class upon the following Officers with immediate effect until further orders:

1. Miss Samten Doma, SDM, Gangtok Sub-Division,
2. Shri L.P. Pandey, SDM, Pakyong Sub-Division,
3. Shri K.T. Chingappa, Project Director, SC/ST Department.

By Order,

R.S. BASNET.
Joint Secretary (Home)
OFFICE OF THE SECRETARY TO THE GOVERNOR OF SIKKIM
RAJ BHAVAN, GANGTOK.


CIRCULAR

The President of India has appointed Shri Bhishma Narain Singh, the Governor of Assam and Meghalaya, to also discharge the functions of the Governor of Sikkim w.e.f the 7th July, 1986.

Accordingly Shri Bhishma Narain Singh has assumed the charge of the office of the Governor of Sikkim in the forenoon of Thursday the 17th of July, 1986.

R.B. MUKHIA,
Secretary to Governor.
GOVERNMENT OF SIKKIM
DEPARTMENT OF ANIMAL HUSBANDRY & VETERINARY SERVICES

No. 20/AH & VS.
Dated: 23.7.1986

In exercise of the powers conferred by section 7 of the Sikkim (Livestock & Livestock Products control) Act, 1985, the State Government hereby appoints the Sikkim Livestock Development Corporation as its agent to deal in trade and commerce to hides and skins on the following terms and conditions:-

1. That Corporation shall pay Rs. 50,000/- per year as the agency fee.

2. That the Corporation shall pay a security deposit of Rs. 25,000/- on the award of agencyship by the Government,

3. That proper arrangement for storing, salting and transport shall be the responsibility of the Corporation.

4. The agency fee and the duration of agency is subject to revision by the Government from time to time, by notification

5. The Corporation shall remove the hides and skins out of the limits of the State after fulfilling the requirement of local industries only and payment of such fee as may be fixed by the Government, from time to time.

ATTESTED
DR. B.S. BASNETT,
Secretary
Department of Animal Husbandry & Veterinary Services, Gout, of Sikkim, Gangtok.

Under Secretary (Home)
Government of Sikkim.
GOVERNMENT, OF SIKKIM
DEPARTMENT OF ANIMAL HUSBANDRY & VETERINARY SERVICES

No. 20/AH&VS. Dated: 23.7.1986.

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3. The proper arrangement for storing, salting and transport shall be the responsibility of the Corporation.

4. The agency fee and the duration of agency is subject to revision by the Government from time to time, by notification.

5. The Corporation shall remove the hides and skins out of the limits of the State after fulfilling the requirement of local industries only and payment of such fee as may be fixed by the Government, from time to time.

DR. B. S. BASNET,
Secretary,
Department of Animal Husbandry & Vety. Services
Government of Sikkim
Gangtok.
GOVERNMENT OF SIKKIM
LAND REVENUE DEPARTMENT
GANGTOK.

Notification No. 3/L.R(Ref.) Date 22.7.86


In exercise of the powers conferred by section 17 of the Sikkim 5 of 85
Cultivators' Protection Act, 1985, the State Government hereby makes the
following rules, namely:—

1. (1) These rules may be called the Sikkim Cultivators' Protection Rules,
1985.

(2) They shall come into force at once.

2. In these rules, unless the context otherwise requires;
(a) "the Act" means the Sikkim Cultivators' Protection Act, 1985;
(b) "Section" means a section of the Act.

3. (1) The period within which the appeal under section 10 of the Act
may be filed shall be thirty days from the date of the order
appealed against:
Provided, however, the Appellate Authority may admit any
appeal after the period of thirty days from the date of the order
appealed against if such officer is satisfied that the appellant had
sufficient cause for not preferring the appeal within such period.

(2) The Appellate Authority may for sufficient cause make an order
staying the operation or execution of the order appealed against.

(3) Every appeal shall be filed in the from or a memorandum and
shall be signed and verified by the appellant. It shall be accom-
panied by authenticated copy of the order appealed against and
shall contain the following particulars:
(a) the name and address of the appellant;
(b) the name and address of the respondent;
(c) the location of the land cultivated by the cultivator; and
(d) the grounds of appeal.

(4b) After admitting the appeal, the Appellate Authority may call
for the records of the case from the officer or authority against
whose order the appeal has been filed and after giving the
appellant and respondent an opportunity of being heard he
shall dispose of the appeal.

(5) Every appeal may be disposed of by the Appellate Authority
within one month from the date of filing of the appeals
4. **Manner of making application and procedure to be followed by the prescribed authority in respect of disputes under section 9:**

(1) A cultivator or an owner may make an application for the decision of any dispute in respect of matters referred to in section 10. Every such application shall be signed and verified by the applicant and shall contain the following particulars:

(a) the name and place of residence of the applicant;
(b) the name and place of residence of the opposite party;
(c) the location and sufficient description for the purpose of identification of the land and regard to which the application is made;
(d) the point or points in dispute and claim of the applicant.

(2) The application shall be accompanied by as many true copies thereof as there are opposite parties along with the notice to be served on them.

(3) The prescribed authority shall fix a date for consideration of the application and after giving the parties an opportunity of being heard shall dispose of the application.

(4) Every such application may be disposed of within three weeks from the date of filing of the application.

(5) In disposing of such application, the prescribed authority shall only make a summary record of the essential facts disclosed in the hearing on which evidence has been taken and the order is based. The order shall contain a concise statement of the dispute, the points for determination and the decisions thereon together with the reasons for the decisions.

5. **Manners of service of notices and process.**

All notices and processes under these rules shall be served either by registered post or in the manner provided for the service of a process of a Civil Court.

6. **Manner of execution of order.**

Any party may apply to the prescribed authority for the execution of any order made by the prescribed authority Appellate Authority and the prescribed authority shall, in manner provided for execution of decrees of Civil Courts after service on the person against whom execution is applied a notice to show cause requiring him to answer within seven days of the service of the notice as to why the order shall not be executed.

7. The money value under section 9 (a) shall be the value of the crop estimated at the price prevailing in the harvest month in the market nearest to the land.

8. (1) The Cultivator shall pay or deliver to the owner the rent or share or fixed quantity of the produce as required by clause (a) of sub-section (2) of section 17 of the Act within a period of thirty days from the date of harvesting.

(2) If the owner fails to or refuses to receive the rent, share or fixed quantity of the produce from the cultivator within the period of thirty days, the cultivator shall pay the same to the owner through the panchayat within a period of two months from the date of harvesting.

(3) The Panchayat shall on receipt of request from the cultivator for the delivery of the rent, share or fixed quantity of the produce payable to the owner, may issue notice to both the cultivator and the owner to appear on such date as may be specified in the notice for the purpose of making and taking delivery thereof, respectively.

By Order.

PASONG NAMGYAL,
Secretary,
Land Revenue Department
Government of Sikkim.
Notification No. 6/L.R.  
Dated Gangtok, the 26th July, 1986

In exercise of the powers conferred by sub-section (1) of section 13 of the Sikkim Agricultural Land Ceiling and Reforms Act, 1977 (14 of 78) and in supersession of the notification No. 21/LR dated the 11th, December, 1978, the State Government, hereby constitutes the Tribunal for hearing of Appeals under section 13 of the aforesaid Act and appoints the Joint Secretary, (Land Reforms) to the Government of Sikkim in the Land Revenue Department, as the sole of the Tribunal.

By Order.

PASONG NAMGYAL,  
Secretary,  
Land Revenue Department,  
Government of Sikkim.
GOVERNMENT OF SIKKIM
FINANCE DEPARTMENT

NOTIFICATION

No. 5/Fin. Dated 10th July, 1986.

In exercise of the power conferred by Clause (3) of Article 166 of the Constitution of India, the Governor is pleased to amend the Sikkim Travelling Allowance Rules as follows namely:

1) These rules may be called the Sikkim Travelling Allowance (Amendment) Rules, 1986.

2) In rule 17 substitute the figure “2000” by the figure “2500”. Also add the following as the last sentence:

“Other Government Servant of First Grade may be entitled to travel by ACII Tier Sleeper II Class”.

These amendments take immediate effect.

By Order,

K. C. PRADHAN,
Secretary,
Finance Department,
Government of Sikkim.
GOVERNMENT OF SIKKIM
RURAL DEVELOPMENT DEPARTMENT

No.26(21)/84/4/RDD. Dated 29th July, 1986

NOTIFICATION

In pursuance of the direction of the High Court of Sikkim in Writ Petition No. 19 of 1984 (Prem Prakash Agarwal Vs. State of Sikkim & others) and as clarified by the Supreme Court of India in S.L.P. (Civil) No. 4298/85 (State of Sikkim and another Vs. Prem Prakash Agarwal), the State Government appointed a committee consisting of Shri B. R. Pradhan, Legal Remembrancer & Secretary to the Government of Sikkim to enquire and submit his report on the observations made by Hon'ble Chief Justice of High Court of Sikkim.

After elaborate enquiry the Committee submitted a report holding "the State exchequer did not suffer any pecuniary loss and that there is no need to fix the responsibility on any officer of the Department."

The report was placed before the Council of Ministers for their consideration and acceptance or otherwise in a meeting of Cabinet held on 5th July, 1986.

The Government hereby notify that the said report is accepted and find and declare that no further action is necessary.

P. K. PRADHAN, M.A. LL.B, I.A.S.
Commissioner-cum-Secretary to the
Government of Sikkim
Rural Development Department.
NOTIFICATION

It is notified for information, of the general public that the Seating Capacity of the following Cars is hereby increased by one person each with immediate effect:

1. Ambassador Car from 6 to 7 persons including driver.
2. Fiat Car from 5 to 6 persons including driver.

By Order,

N.K. Pradhan,
Secretary,
State Transport Authority,
Government of Sikkim,
Gangtok.
GOVERNMENT OF SIKKIM
HEALTH & SOCIAL WELFARE DEPARTMENT

NOTIFICATION

No: 2/S. W.                                               Dated Gangtok, the 30th July, 1986.

In pursuance of office order No: 1/S.W, dated 29.5.86 and in response to Central Social Welfare Board, Delhi letter No: F 1-20/77-CM dated 22.5.86 the State Government is hereby pleased to appoint Mrs. Sharda Pradhan as the Chairman of the Sikkim State Social Welfare Advisory Board for a period of three years.

Dr. L. TENZING,
Director
Health & Social Welfare.
GOVERNMENT OF SIKKIM
RURAL DEVELOPMENT DEPARTMENT

NOTIFICATION

No. 35 (8) 83-84/S/71/RDD. Dated 30th July, 1986.

The resignation tendered by Shri Dirga Singh Roka, from the membership of 8, Ben Namprik, Gram Panchayat, South District, is hereby accepted w.e.f. 7.4.86 `under Sub-Section (1) of Section 19 of Sikkim Panchayat Act 1982, (Act No. 3 of 1982) and Shri Man Bahadur Burathoki is elected as member of said Gram panchayat to fill up the vacancy w.e.f. 7.4.86 as per Sub-Section 1 of Section 23 of aforesaid Act read with 3 (II) (I) of the Sikkim Panchayat Election of Sabha, Up-Subhas and Sachiva Etc) Rules 1983.

P. K. PRADHAN, I.A.S.
Commissioner-cum-Secretary,
Rural Development Department and
Director of Panchayat Election of Sikkim
Government of Sikkim.

PRINTED AT THE SIKKIM GOVERNMENT PRESS, GANGTOK.
NOTIFICATION

The following Draft Notification to amend Schedule I to the Sikkim Sales Tax Act, 1983 which the State Government Proposes to make in exercise of the powers conferred by sub-Section (2) of Section 8 of the Sikkim Sales Tax Act, 1983 (4 of 1983) s hereby published as required by the said sub-section for the information of all persons likely to be affected thereby and notice is hereby given that the draft shall be taken into consideration or after the expiry of a period of one month from the date of publication of this Notification in the Official Gazette.

Any objection or suggestion which may be received from any person with respect to said draft Notification before the expiry of one month, as specified above, will be considered by the State Government.

Objection or suggestion if any, may be sent to the Commissioner of Commercial Taxes, Finance Department, Govt, of Sikkim.

DRAFT NOTIFICATION.

In exercise of the powers conferred by sub-section (2) of Section 8 of the Sikkim Sales Tax Act, 1983, (4 of 1983), the State Government hereby inserts the following entry after the existing entry No. 36 in Schedule I to the aforesaid Act, namely, "37 Disability Control Cars."

K. C. PRADHAN,
Commissioner,
Department CommerciaTaxes,
Government of Sikkim,
Gangtok.

PRINTED AT THE SIKKIM GOVERNMENT PRESS, GANGTOK
No.8/Fin  

In exercise of the powers conferred by clause (3) of Article 166 of the constitution of India the Governor is pleased to amend the Sikkim Financial Rules, 1979 as follows, namely:-

1. These rules may be called the Sikkim Financial (Amendment) Rules' 1986.

2. Appendix 3: in the heading above column 5 insert “Joint Director, Fisheries” after “Secretary, Rajya Sainik Board”.

K.C PRADHAN,

Secretary,
Finance Department,
Government Of Sikkim
No. 88                                            Gangtok, Thursday, August 7, 1986.

GOVERNMENT OF SIKKIM
HOME DEPARTMENT

NOTIFICATION


1. The State Geological Programming Board for Sikkim is hereby reconstituted with the following members:
   1. Secretary, Mines & Geology Government of Sikkim. — Chairman
   2. Deputy Director General (Eastern Region) Geological Survey of India, Calcutta. — Member
   3. Director (Sikkim Circle) Geological Survey of India. — Member
   4. Director, Engineering Geology Div. II, G.S.I.-Calcutta. — Member
   5. Chief Engineer-com-Secretary, Roads & Bridge, Sikkim Public Works Department. — Member
   6. Chief Engineer-cum-Secretary, Power Department, Government of Sikkim. — Member
   7. Executive Engineer, Central Water Commission Tadong. — Member
   8. Director, Land Use, Government of Sikkim, Gangtok. — Member
   9. Managing Director, S.M.C. Rangpoo. — Member
   10. Chief Engineer, BRDB — Member
   11. Director, Economic Geology Div. G.S.I. Calcutta. — Member
   12. Director, Mines & Geology Government of Sikkim. — Member Secretary

2. The functions of the Board will be to advise the State Government on the following matters:
   1. Preparation of annual programme of geological investigation (with priorities) of different State Level and Central Agencies.
   2. Formulate joint programme of investigation with the Geological Survey of India, if considered necessary.
   3. Exchange of information on geological exploration done by different agencies in the State.
   4. Any other relevant matter.

3. This Supersedes Home Department Notification No. 8 (1)/DMG/80-81, date 4th June' 1981.

MM, RASAILY,
Home Secretary,
Government of Sikkim.

PRINTED AT THE SIKKIM GOVERNMENT PRESS, GANGTOK
In exercise of the powers conferred by sub-section (1) of Section 401 of the Criminal Procedure Code, 1898, the Government of Sikkim is pleased to grant remission of sentences to the prisoners in the Sikkim Jail on the occasion of the thirty ninth anniversary of the Independence Day on 15th August, 1986, as mentioned below:

<table>
<thead>
<tr>
<th>Name</th>
<th>Period of remission granted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shri Chakraman Rai</td>
<td>Remission of six months</td>
</tr>
<tr>
<td>Shri Ugen Sherpa</td>
<td>Remission of six months</td>
</tr>
</tbody>
</table>

M. M. RASAILY,
Home Secretary,
Government of Sikkim
SIKKIM LEGISLATIVE ASSEMBLY SECRETARIAT
GANGTOK

NOTIFICATION

No.SLAS/86-87/18/611 Dated Gangtok, the 20th August, 1986.

The following order made by the Governor of Sikkim is hereby published for general information:-

"No.SKM/GOV/336/86 Dated 18th August, 1986*

ORDER

In exercise of the powers conferred on me by Article 174 (1) of the Constitution of India, I.T.V. Rajeshwar, Governor of Sikkim, hereby summon the Sikkim Legislative Assembly to meet on Monday, 1st September, 1986 at 11.00 A.M., in the Assembly House at Gangtok.

I further direct that the Secretary, Sikkim Legislative Assembly, shall notify the Members accordingly.

T.V. RAJESWAR
Governor of Sikkim".

Sonam Wangdi,
Secretary,
Sikkim Legislative Assembly.

PRINTED AT THE SIKKIM GOVERNMENT PRESS, GANGTOK.
NOTIFICATION

No. SLAS/86-87/204/608 Dated Gangtok, the 20th August, 1986

In pursuance of Rule 75 of the Rules of Procedure and Conduct of Business in the Sikkim Legislative Assembly, the Speaker has been pleased to order the pre-publication of the following Bill:-

THE SIKKIM WATER SUPPLY AND WATER TAX BILL, 1986
(BILL NO. 5 OF 1986)

A BILL

to provide for regulation of the supply of water, realisation charges for supply of water and tax on water and for matters connected therewith or incidental thereto.

Be it enacted by the Legislature of Sikkim in the Thirty-seventh Year of the Republic of India as follows:-

(1) This Act may be called the Sikkim Water Supply and Water Tax Short title, extent Act, 1986.
and commencement.

(2) It extends to the whole of Sikkim.

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

Definitions.

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

(i) 'area' means the area declared by Government by notification to be an area for the purposes of this Act;

(ii) 'Government main' means the water pipe lines owned and maintained by the Government;

(iii) 'Consumer's main' means water pipe lines which connect Government main with the consumer's premises and includes service pipe and internal plumbing lines of the consumer's premises;

(iv) 'Competent authority' means the Chief Engineer-cum-Secretary, Buildings, Public Health and Engineering and Housing Department of the Government or any other officer authorised by him in this behalf;
(v) 'Consumer' means any person getting the benefit of any water supply from the Government;
(vi) 'notification' means a notification published in the Official Gazette;
(vii) 'notified order' means any order published in the Official Gazette;
(viii) 'occupier' in relation to any premises, means —
(a) any person in occupation of the premises or part thereof paying or liable to pay rent to the owner in respect of such premises or part of the premises;
(b) an owner who is in occupation of the premises;
(c) a tenant of the premises who is exempted from payment of rent;
(d) a licensee who is in occupation of the premises; and
(e) any person who is liable to pay damages to the owner in respect of use and occupation of the premises;
(ix) 'owner'in relation to any premises, means the person, who receives the rent of the said premises or who would be entitled to receive the rent if the premises were let or leased and includes—
(a) an agent or trustee, who receives such rent on behalf of the owner;
(b) an agent or trustee who receives the rent of, or is entrusted with, the management of any premises devoted to religious or charitable purposes;
(c) receiver or manager appointed by any court of competent jurisdiction to have the charge of, or to exercise the rights of an owner in respect of, the said premises; and
(d) a mortgagee in-possession;
(x) 'prescribed' means prescribed by the rules made under this Act;
(xi) 'connection point' means a point where 'Government main' is joined with the 'consumer's main';
(xii) 'water works' means a lake, pump, reservoir, cistern, tank, duct whether covered or open sluice mains, pipes, culverts, engine, hydrant, machinery, land, building or thing for supplying or used for supplying water and includes such other streams spring, and wells as the Government may, by notification specify;
(xiii) 'service line' means the portion of consumer main starting from the point where consumer main joins the 'Government main' upto the point in the consumer main where water meter is installed.

Provision of water
3. (1) The Government may provide any area with a water supply of wholesome water for public, commercial, domestic and other purposes subject to availability of water.
(2) For the purpose of such supply the Government shall cause to be constructed or maintained such water works as may be necessary and may erect stand pipes, wells or pumps for the use by public of the area.

Explanation:—The supply of water for domestic purposes under this Act means supply for any purpose except the following, namely:-
(a) for any trade, manufacture or business,
(b) for gardens or for purposes of irrigation,
(c) for building purposes including construction of streets,
(d) for fountains, swimming pools, public bath or tanks or for any ornamental or mechanical purposes,
for animals, where they are kept for sale or hire or for the sale of their produce,

(f) for the consumption and use at a restaurant or by inmates of a hotel, boarding house or residential club,

(g) for the consumption and use by persons resorting the theatres and cinemas,

(h) for watering streets, or

(i) for washing vehicles where they are kept for sale or hire.

4. No person shall, use or allow to be used water supply sanctioned for use for domestic purposes or for any other purpose except with the previous approval of the competent authority:

5 (1) An application for supply of water shall be made in the prescribed from and shall be addressed to the competent authority and shall specify the purpose for which supply of water is required and the quantity of water for such purpose.

(2) The competent authority may, on receipt of an application, allow applicant to use water for purposes other than domestic purposes on execution of a deed by the applicant in the prescribed form and manner:

Provided that the competent authority may withdraw such supply at any time if it considers necessary so to do in order to maintain sufficient supply of water for domestic purposes.

(3) The supply of water for the purposes of watering lawns and gardens shall be made on meter basis or in such other manner and on payment of such charges as the competent authority may determine.

(4) No person shall, without the previous written permission of the competent authority, use water supply under this Act for any purpose other than that for which its use is sanctioned.

6. 1) No owner or occupier of any premises to which water is supplied by Government shall cause or suffer any water to be wasted, or cause or suffer the service pipe, tap, other fitting or work connected therewith to remain out or repair so as to cause wastage of water.

2) Where the competent authority has reason to believe that as a result of defect in the service pipe, tap, other fitting or work connected therewith water is being wasted, it may, by a written notice, require consumer to repair and make good the defect within such time as may be specified in such notice.

3) If such repair is not carried out within the time specified in the notice referred to in sub-section the competent authority may, without prejudice to any action which may be taken against the consumer under any other provisions of this Act, cause such repair to be made and recover the cost of such repair from the consumer.

7. 1) The competent authority may cut off the water supply from any Premises-

(a) if any fee, rental, cost of any charge or other sum due under this Act is not paid by the consumer within the period of fifteen days after receipt of a till for the same; or

(b) after the receipt of a written notice from the competent authority requiring him to refrain from so doing, the consumer continues to use the water or permit its same to be used in contravention of the provisions of this Act or any rules made thereunder; or

(c) if the consumer damages or causes to be damaged the water meter or any connection pipe or ferrule; or

(d) if the consumer refuses to admit any officer, or his employee, of the Government duly authorised by the competent authority in this behalf to the premises which he proposes to enter for the
purposes of executing any work or placing or removing any apparatus or of making any examination or inquiry in connection with the water supply or prevents any such officer or his employee, from executing any work or placing or removing any apparatus or making such other examination or inquiry; or

(e) if the service pipe or any tap or other fitting or work connected therewith is found on examination by an officer of the Government duly authorised in this behalf or by his employee to be out of repair to such an extent as to cause wastage or contamination of water and immediate prevention thereof is necessary; or

(f) if the consumer causes or allows to be caused the service pipe or any tap or other fittings or work connected therewith to be placed, removed, repaired or otherwise interfered with in contravention of the provisions of this Act or the rules made thereunder; or

(g) if by reason of leakage in the service pipe or any tap or other fitting or work, damage is caused to a public street or any private or public property and immediate prevention thereof is necessary.

(2) No action taken under, or in pursuance of, this section shall relieve a person from any penalty or liability which he may have otherwise incurred under the provisions of this Act or the rules made thereunder.

(3) The competent authority may order reconnection of supply of water disconnected under sub-section (1) on payment of such charges and on such terms and conditions as may be prescribed.

Supply of Water to consumer.

Disposal of application.

Expenses of connections.

Validaty of Permi-ssion.

8. The competent authority may, on receipt of an application by the owner of any premises in the prescribed form and manner and on execution of a deed in the prescribed form, arrange for supply of water from the Government main or distribution pipe to him for domestic purposes or for other purposes in such quantities as it may deem reasonable, and may at any time limit the amount of water to be so supplied whenever it considers necessary so to do.

9. The competent authority shall ordinarily dispose of an application for supply of water within one month from the date of its receipt and it shall record reasons for not being able to dispose of an application within one month and communicate the same to the applicant.

10. (1) When request of the applicant for grant of water supply is accepted by the competent authority under section 5 or section 8 the person so applying shall, at his own cost, provide all service pipe and fittings and cause to be carried out all work of laying and applying such service pipe and fitting in the premises for which the water supply is sanctioned:

Provided that the competent authority may order to be undertaken the work of laying of service pipe, at the consumer's cost in certain areas where the competent authority for reasons to be recorded in writing, deems it necessary so to do.

(2) The charges for giving initial connection shall be not less than one hundred rupees and not more than five hundred rupees as may be notified.

11. (1) The sanction permitting supply of water under this Act shall be valid for a period of six months from the date of its issue and if the person in whose name such sanction is issued fails to get his premises fitted with pipes and necessary connections within the said period of six months or such extended time as may be allowed by the competent authority, the permission shall be deemed to be inoperative:
Provided that the sanction which may become inoperative may be revalidated for a further period not exceeding three months on payment of a fee of rupees twenty-five.

If at any time, supply of water is proposed to be stopped for more than twenty-four hours in any local area or to any premises, the competent authority may by giving twenty-four hours' oral or written notice, inform the local authority and the inhabitant of such local area or the owner of such premises, as the case may be.

The Government may lay or carry any pipes, for the purposes of arranging or maintaining supply of water, through, across, under or over any road or street or a place laid out as, or intended to be laid out as, a road or street or any other place under the control of a local authority or any person, and may at all times do all acts and things which may be necessary or expedient for repairing or maintaining such pipes in any effective state for the purpose for which the same may be used.

Provided that such work shall be carried with least annoyance to the public and within a reasonable time.

Provided further that reasonable compensation as may be determined by the Government shall be paid to the owner or the local authority, as the case may be, for any damage sustained by him or it and directly occasioned by the carrying out of any such operations:

Provided also that the competent authority shall cause not less than seven days' notice in writing to be given to the owner or the local authority, as the case may be, before commencing of any operations under this section except in cases where immediate action is considered necessary, then, the competent authority may, by order and for reasons to be recorded in writing, dispense with the notice.

The Government may, from time to time, by notification, fix the rate or rates of charges on metered basis or on the basis of number of taps installed or on the dimension of the service pipe payable by the consumer for supply water under this Act and different rate or rates maybe fixed for different areas and for different consumers:

Provided that the rate of charges for supply of water for purposes other than domestic purpose shall not be less than double the rates charged in respect of water supplied for domestic purposes as may be prescribed.

The competent authority may, from time to time, by notification, order-:

(a) the fixing, within such time as may be specified in the said order by the consumer at their own cost, of meters on all pipe connections (whether new or existing unmetered connections), within the whole of the area or a part thereof:

(b) the disconnections of the water supply if any consumer fail to comply with the said order, or

Where any person fails to comply with the order issued under sub-section (1), the competent authority may order installation of meters for the purpose of measuring and recording the quantity of water consumed in any premises or by any person at the cost of the consumer who will deposit such amount as the cost as may be fixed by the Department or may pay such fee for installation of a meter as may be prescribed.

The competent authority may order fixing of a meter at a convenient point between the premises of the consumer and the consumer's main.

All meters, connections, pipes and other works incidental to the supply of water to any building or land shall be supplied, repaired, extended and altered as may be necessary at the expenses of the person requiring such supply but remain under the control of the Government.
Separation of premises for water supply.

17. In any case in which a service pipe from the Government main supplies water to two or more premises, the competent authority may, by written notice, require the owners of such premises to lay down separate service pipes for their premises and the expenses of so doing shall be borne by all such owners in such proportion as may be determined by the competent authority.

Connection with main not to be made without permission.

18. No person shall, without the permission of the competent authority make or cause to be made any connection with the Government main.

Indemnity.

19. Notwithstanding anything contained in any other law for the time being in force or any deed executed under this Act or rules made thereunder, the Government or its officers and employees shall not be liable for any damage to, or penalty for, discontinuing the supply of water or failure to supply; water to any person or to any area if the cause of such failure is beyond the; control of the Government, its officers and employees.

Maintenance of supply of water.

20. The competent authority may, from time to time, regulate the supply of water under this Act for domestic purposes.

Building not to be constructed over water works.

21. No building, wall, fence or structure of any kind shall be erected on any water works without the written permission of the competent authority.

Notified water sources and water main routes.

22. (1) The Government may, from time to time, identify and declare certain water sheds or water sources or both or water main routes as 'notified water sheds or water sources' or 'notified water main routes'.

(2) Such 'notified water sheds or water sources' or 'notified water main routes' shall be thereupon be under the administrative control of the Buildings, PHE & Housing Department.

(3) Any use of such 'notified water sheds or water sources' or 'water routes by the public, local authority or any other agency shall require prior approval of the Competent Authority.

(4) The Government may impose tax for use of water from the 'notified water sheds or water sources' or 'water main routes by the public, local authority or any other agency and the charges shall not be less than seventy per cent of the charges for supply of water for domestic purposes, as may be prescribed.

Explanation.-

For the purposes of this section

(a) 'water shed' means an area surrounding any spring, stream or pond (whether formed naturally or otherwise) which conserves and sustains a source of water the quantity whereof is likely to be varied by erosion of soil, falling of trees or disturbances by cattle grazing or human settlement and includes the gathering ground of a river system;

(b) 'water-route' means the strip of land along which the pipe line for supply of water is laid and includes the land adjoining such pipe line which, if disturbed by quarrying, digging, felling of trees, cattle grazing or human settlement, is likely to disturb the stability of the pipe line;

(c) 'water source' means any spring, stream or pond (whether formed naturally or otherwise) from where water is tapped for domestic or her purposes.

Prohibition of certain acts affecting the water works.

23. No person shall,—

(a) remove, alter, injure, damage or in any way interfere with the demarcated water works;

(b) carry on within the area aforesaid any operation of manufacture, trade or agriculture or do any act whereby injury may be caused or is likely to be caused to any such water works or whereby the water of any such water works may be fouled, polluted or tender such water to be loss wholesome;
(c) cause or suffer to percolate or drain into or upon any water works anything whereby the water therein may, in any way be fouled, polluted or its quality altered;

(b) cause or allow to enter any animal into such water works;

(e) bathe or wash clothes in such water works;

(f) throw or put anything into or upon the water in such works; or

(g) do any other act which the Government may, by notification, prohibit.

24. The Competent authority may authorise any person to take reading of meters installed in any premises to which water is supplied under this Act and make an entry thereof in a register as may be prescribed.

(2) Every entry in the register maintained under sub-section (1) shall be prima facie evidence of the quantity of water consumed.

25.(1) The owner of any premises to which water is made under the provision of this Act and where such water is being misused or wasted within his knowledge shall forthwith give notice in writing to the competent authority of such misuse or wastage.

(2) Every entry in the register maintained under sub-section (1) shall be prima facie evidence of the quantity of water consumed.

26.(1) Any officer not below the rank of a Junior Engineer authorised in this behalf by the competent authority may, between 9 a.m. and 5 p.m. enter into any premises for the purpose of inspecting any water installation.

(2) If such officer is, at any such time, refused admittance into such premises for the purpose specified in sub-section (1) or is prevented from making such inspection the competent authority may, after giving the consumer an opportunity of being heard, cut off the supply of water to that premises:

Provided that if any such premises is an apartment in the actual occupancy of a woman who, according to the custom does not appear in public, such officer shall, before entering such apartment, give notice to such woman that she is at liberty to withdraw and shall afford her every reasonable facility for withdrawing and may then enter the apartment.

27(1) No person shall wilfully injure or suffer to be injured any meter or any of the fittings of any meter.

28.(1) No person shall fraudulently—

(a) alter the index of any meter, or prevent any meter from recording the actual quantity of water supplied, or

(b) abstract or use water before it has been recorded by a meter set up for the purpose of recording the same.

(2) Where there has been any such alteration, prevention, abstraction or use, the existence of artificial means under the control of the consumer for causing any such alteration, prevention, abstraction or use, shall be the evidence of the consumer having fraudulently effected the same.

Use of water shall be free of charge for extinguishing fire.

Any person aggrieved by an order made by the officer authorized by the Chief Engineer-Cum-Secretary, Buildings, PHE & Housing Department may prefer an appeal to the Chief Engineer-Cum-Secretary, Buildings, PHE & Housing Department and where such order is made by the Chief Engineer-Cum-Secretary, Buildings, PHE & Housing Department to the Government within thirty days from the date of the communication to him of such order:

Provided that the authority before whom an appeal is filed may entertain the appeal after the expiry of thirty days if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal within the prescribed period of thirty days.
(2) The appellant authority may, after giving the parties an opportunity of being heard, confirm, set aside or modify the order under appeal.

Revision- 31. The Minister-in-Charge of Water Supply Department may, either on his own motion or upon an application made to him, at any time, for reasons to be recorded in writing, call for the record of any case disposed of by any authority under this Act and if in such case it appears to the Minister that any order passed should be modified, annulled or reversed, he may pass such order as he may deem fit not inconsistent with the provisions of this Act or the rules made thereunder and such order shall be final and shall not be called in question in any court:

Provided that nothing in this section shall apply to cases where an appeal lies unless the time for preferring an appeal has expired.

Liability of payment 32. The rate or rates of charges for supply of water mentioned in section 14 shall be payable by the owner or occupier of the premises as may be decided by the competent authority.

Levy of water Tax. 33. For the purposes of this Act, the Government shall levy, on premises situated in an area where water supply is made by it, a tax at such rate not being less than two per cent, and not more than ten per cent of the assessed annual value of the premises as the Government may, from time to time, by notification, specify and different rates of tax may be specified for different areas after taking into consideration of the economic condition of the people residing in that area:

Provided that no such tax shall be levied and collected in any area where such tax is already being collected by any local authority, or any other authority under the provisions of Sikkim laws.

Assessment of annual 34. (1) For the purposes of section 33, annual value means five per cent of the market value of the premises:

Provided that the annual value in the case of premises occupied by the owner himself shall be deemed to be twenty per cent less than the annual value otherwise determined under this section.

(2) The annual value of premises for the purpose of levy of water tax shall be assessed by such officer or authority as the competent authority may by general or special order direct.

(3) Until an assessment of the annual value of premises in any area is made by an officer or authority referred to in Sub-section (2) the annual value of the premises in that area as assessed by the local authority for the purposes of levy of house tax shall be deemed to be the annual value of the premises for the purposes of this Act as well.

(4) Any person aggrieved by an order of assessment of the annual value made by an officer or authority under sub-section (2) may within thirty days from the date of the order, prefer an appeal to such authority as may be prescribed (hereinafter referred to as the prescribed authority) in such manner as may be prescribed.

(5) The prescribed authority may stay the enforcement of the Order under appeal for such period and on such terms as it may deem fit.

(6) The prescribed authority may after giving to the parties an opportunity of being heard, confirm, set aside or modify the order under

(7) The decision of the prescribed authority under sub-section (6) shall be final and binding on the parties.
35. The competent authority may charge such fees for connection, disconnection, re-connection of water supply or testing or supervision or for any other service rendered or work executed or supervised as may be prescribed.

36. The Government may, by notified order and for reasons to be recorded in writing, exempt any premises or land situated in any area from payment of water tax or remit any portion thereof for such period as may be recorded in the said order.

37. (1) The competent authority may by notice require the owner or occupier of the premises to pay within fifteen days from the date of receipt of notice the charges on account due and recoverable from such owner or occupier.

(2) Where the owner or occupier of the premises fails to pay the amount due from him within the period specified in the notice issued under sub-section (1), the competent authority may prepare a certificate indicating the amounts due from such owner or occupier and send the same to the Judicial Magistrate of the First Class of the area in which the premises or land is situated.

(3) The Judicial Magistrate to whom the certificate is sent shall realise the amount specified in such certificate as if it were a fine imposed by such Magistrate and remit the same to the competent authority.

38. (1) Where an offence under this Act has been committed by a company, every person who at the time the offence was committed was responsible to the company for the conduct of its business 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, if he 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 any 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 director, 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 purpose 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.

39. No prosecution shall be instituted under this Act without the permission in writing of the Government.

40. (1) The Government may, by notification, direct that any power exercisable by it under this Act or rules made thereunder shall, in relation to such matters and subject to such conditions as may be specified in the notification, be exercisable also by such officer or authority subordinate to as may be specified in the said notification.

(2) The competent authority may, in the like manner, delegate its powers except the power conferred upon it under section 30 to any officer subordinate to him.

41. Whoever contravenes the provisions of this Act or rules made thereunder shall, on conviction, be punishable with imprisonment for a term which may extend to two years or with fine which may extend to two thousand rupees or with both.

42. No prosecution or other proceeding shall lie against any person for anything or intended to be done under this Act in good faith.
Power to make rules 43. (1) The Government may, by notification, make rules for giving effect to the provisions of this Act.

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

(a) regulating the size and nature of mains, pipes, taps and other

(b) the prevention of injury or contamination to sources and mains of water supply and appliances for the distribution of water;

(c) the manner in which connections with water works, mains, etc. may be constructed, altered or maintained;

(d) the use, maintenance and inspection of meters and all meters in connection with the use of water and turning on and turning off preventing waste of water;

(e) the area of a lawn or garden other than the area under clause (d) of Explanation to section 3;

(f) form and manner of filing an appeal;

(g) fees for connection, disconnection, reconnection and other services rendered to the consumer;

(h) any other matter that is required to be or may be prescribed.

Repeal and savings 44. On and from the commencement of this Act, all rules, regulations, notifications, or any other Sikkim laws relating to the supply of water or realisation of charges and tax on water, shall stand repealed save as things done or omitted to be done.

STATEMENT OF OBJECTS AND REASONS

The existing rules relating to the water supply have been found to be inadequate. So the Government have felt it essential to have a comprehensive law to provide for regulation of the supply of water, realisation charges for supply of water and tax on water and for matters connected therewith or incidental thereto.

With the above objects in view, the Bill has been framed.

Dorjee Tshering Bhutia,
Minister-in-charge.
FINANCIAL MEMORANDUM

Suitable infrastructure has to be created for effective implementation of the provisions of this Act. Various additional posts are required to be created for collecting the Water tax, checking the illegal connections, for monitoring and recovering arrears, for evaluating Annual Value of the premises to be taxed, etc. Additional financial implication for implementing this Act is estimated to be around Rs. 5.0 lakhs per annum including computerization of Billing system. Present revenue collection is around Rs 1.75 lakhs per annum. Enhancement in revenue earning after the Act is enforced is expected to be around Rs. 16.0 lakhs per annum in the State of Sikkim.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 43 of the Bill empowers the State Government to make rules for carrying out the purposes of the Act. These rules will relate to matters of detail or procedure only. As such, the delegation of legislative power is of a normal character.

By Order,

Sonam Wangdi,
Secretary,
Sikkim Legislative Assembly,
In exercise of the powers conferred by Section 9 of the Sikkim Cinemas (Regulation) Act, 1978, (20 of 1978), the State Government hereby makes the following rules to amend the Sikkim Cinemas (Regulation) Rules, 1979, namely:—

(1) These rules may be called the Sikkim Cinemas (Regulation) Amendment Rules, 1986.

(2) They shall come into force at once.

2. In the Sikkim Cinemas (Regulation) Rules, 1979 (hereinafter referred to as the said rules), in Rule 2, in Clause (V), after the words 'Appendix-P and before the words 'to these rules', the words 'in case of Cinematograph exhibition and Appendix IA in case of Video Cassette Library' shall be inserted.

3. In the said rules, in rule 4, the existing first paragraph shall be renumbered as 'Sub-rule (1)' and thereafter following new Sub-rule shall be inserted namely—

"(2) An application for keeping a Video Cassette Library shall be made in writing and shall contain—
(a) Name and Address of the applicant;
(b) the place where the Video Cassette Library is proposed to be opened; and
(c) such other particulars as may be required by the Licensing Authority for the purpose.'

4. In the said rules, in rule 14, after Clause (ii), the following Clause shall be inserted, namely;
'(iiA) for the grant and renewal of Licence for keeping a Video Cassette Library............ Rs. 500/-per annum.

5. In the said rules, in rule 40, in the last line, after the words 'exhibition of films and before the word in' the words 'and keeping a Video Cassette Library' shall be inserted—

By Order,

P. K. PRADHAN, IAS
Secretary to the Govt. of Sikkim
Local Self Govt. & Housing Department.
"APPENDIX I A"
(See Clause (V) of rule 2)

FROM OF LICENCE FOR KEEPING CASSETTE LIBRARY

1. Name and address of the licensee .................................................................
2. Name of his father and address ....................................................................
3. If the licensee is not the owner of the or building, the name and address of owner thereto ..........................................................
4. Situation of the place of building .................................................................
5. The period for which he Licence is to be in force ...........................................

CONDITIONS OF THE LICENCE

This licence is granted to the above named licensee under Section 5 of the Sikkim Cinemas (Regulation) Act, 1978 (20 of 1978) and is subject to the following conditions-

1. This licence does not exempt the licensee or his servants or agents from taking out any other licence required by or otherwise complying with any other law or rules or by-law made thereunder;

2. The Licensing Authority or his subordinate duty authorised by him in that behalf and any police officer duputed to maintain order shall at all times have free access to the said premises in order to see whether the conditions of the licence are fulfilled;

3. The Licensee shall in respect of each film in his possession produce when demanded by any police officer not below the rank of a Sub-Inspector, a letter of consent from the person who is the first owner of the copyright of the Cinematograph Film, under Section 17 of the Copy Right Act, 1957 (Central Act No. XIV of 1957) and in case such copy right has been assigned under Section 18 of the said Act, from the assignee of such copy right;

4. The Licensee shall not possess any other film other than a film which has been Certified as suitable for public exhibition by the authority constituted under Section 3 of the Cinematograph Act, 1952 (Central Act No. XXXVII of 1952) and which when exhibited displays the prescribed mark of that authority and has not been altered or tampered with in any way since such mark was affixed thereto.

Gangtok:

Dated............198.... LICENSING AUTHOR

PRINTED AT THE SIKKIM GOVERNMENT PRESS, GANGTOK.
In exercise of the powers conferred by Section 3BB of the Sikkim Cinemas (Regulation) Act, 1978, (20 of 1978) the Government of Sikkim hereby authorizes the District Magistrates, Sub-Divisional Magistrates, Police Officers not below the rank of Sub-Inspectors of Sikkim Police having jurisdiction over the area and the Deputy Secretary in-Charge of Cinemas and Amusement Tax Officer of Local Self Government & Housing Department, for the purposes of the said Section.

By Order,

P. K. PRADHAN, IAS
Secretary to the Govt, of Sikkim
Local Self Govt. & Housing Department.
GOVERNMENT OF SIKKIM
RURAL DEVELOPMENT DEPARTMENT

No. 35(37)83-84/E/5/RDD. Dated Gangtok, the 21st August, 1986.

In accordance with Sub-Section 12 of Section 3 of Sikkim Panchayat (Election of Sabhabati, Up-Sabhapati and Sachiva of Gram Panchayat and Adhakshya and Up-Adhak-shaya of Zilla Panchayat and manner of conveying meeting) Rules 1983, the State Government hereby publish the name of Shri Punya Prasad Dhakal an elected Panchayat member; of Dung Dung, Aritar Gram Panchayat, East Sikkim, for general information.

P. K. PRADHAN, I.A.S.
Commissioner-cum-Secretary,
Rural Development Department and
Director of Panchayat Election of Sikkim
Government of Sikkim.

PRINTED AT THE SIKKIM GOVERNMENT PRESS, GANGTOK.
GOVERNMENT OF SIKKIM
GOVERNMENT OF COMMERCIAL TAXES

No. 1004-100/ST.                                                                 Dated the 18th August,
1986.

NOTIFICATION

In exercise of the powers conferred by sub-section 2 of Section 5 of Sikkim Sales Tax Act, 1983 (4 of 1983), the State Government hereby reduce the rate of sales tax from the existing 10% to 2% on TATA Commercial Vehicles for a period of two years.

This Notification will come into force from the date of its publication in the Official Gazette.

LOBZANG BHUTIA,
Joint Commissioner,
Commercial Taxes,
Government of Sikkim,
Gangtok.
GOVERNMENT OF SIKKIM
FINANCE (INCOME TAX AND COMMERCIAL TAXES) DEPARTMENT

No. 652/IT. Dated Gangtok, the 13th February, 1985.

NOTIFICATION

In exercise of the powers conferred by sub-section (1) of Section 61 of the Chit Funds Ms Act, 1982 (Central Act 40 of 1982), the State Government hereby appoint the Joint Secretary, (Income Tax and Commercial Taxes Department) in the Finance Department of the Government as ex-officio Registrar of Chits and directs that he shall discharge all the duties imposed upon the Registrar by or under the said Act.

R. NARAYANAN,
Secretary, Finance Department,
Government of Sikkim,
Gangtok.

PRINTED AT THE SIKKIM GOVERNMENT PRESS, GANGTOK.
NOTIFICATION

No. SLAS/86-87/204/670 Dated Gangtok, the 28th August, 1986.

In pursuance of Rule 75 of the Rules of Procedure and Conduct of Business in the Sikkim Legislative Assembly, the Speaker has been pleased to order the pre-publication of the following Bill:—

(BILL NO. 6 OF 1986)

A BILL

to amend the Sikkim (Livestock and Livestock Products Control) Act, 1985.

Be it enacted by the Legislative Assembly of Sikkim in the Thirty-seventh Year of the Republic of India as follows, namely:—

1. (1) This Act may be called the Sikkim (Livestock and Livestock Products Control) Amendment Act, 1986. Short title and commencement

(2) It shall come into force at once. Insertion of Schedule

2. After section 23 of the Sikkim (Livestock and Livestock Products Control) Act, 1985, the following Schedule shall be and shall be deemed always to have been inserted namely:—

"SCHEDULE

(See section 6)

LIST OF LIVESTOCK INTENDED FOR SLAUGHTER

1. Bullock, Buffalo, Sheep, Lamb, Ewe, Wether, Pig."
STATEMENT OF OBJECTS AND REASONS

The Government has felt that it is necessary to insert a Schedule after section 23 of the Sikkim (Livestock and Livestock Products Control) Act, 1985 with a view to specify the Livestock that are fit for slaughter.

With this object in view, the Bill has been framed.

S. D. LEPCHA,
Minister-in-charge

MEMORANDUM REGARDING DELEGATED LEGISLATION

NIL

FINANCIAL MEMORANDUM

NIL

By Order,

SONAM WANGDI,
Secretary,
Sikkim Legislative Assembly.
GOVERNMENT OF SIKKIM  
DEPARTMENT OF LABOUR  

Notification No. 16/DL                                                  Dated Gangtok, the 28th August, 1986.

In exercise of the powers conferred by sub-section (2) of Section 68 of the Sikkim Shops and Commercial Establishments Act, 1983 (VI of 1983), the State Government hereby appoints the Under Secretary of the Labour Department to be the Chief Inspector, for the purposes of the said Act.

By Order,

P. NAMGYAL,  
Secretary,  
Department of Labour.
GOVERNMENT OF SIKKIM
DEPARTMENT OF LABOUR

Notification No. 17/DL

Dated Gangtok, the 28th August, 1986.

In exercise of the powers conferred by sub-section (1) of Section 68 of the Sikkim Shops and Commercial Establishments Act, 1983 (6 of 1983), the State Government hereby appoints the Under Secretary and Labour Inspector of the Department as Inspectors for the purpose of the said Act.

By Order,

P. NAMGYAL,
Secretary,
Department of Labour.
SIKKIM LEGISLATIVE ASSEMBLY SECRETARIAT
GANGTOK

NOTIFICATION

No. SLAS/86-87/204/678
Dated Gangtok,: the 30th August, 1986.

In pursuance of Rule 75 of the Rules of Procedure and Conduct of Business in the Sikkim Legislative Assembly, the Speaker has been pleased to order the pre-publication of the following Bill—


(BILL NO. 7 OF 1986)

A BILL

further to amend the Sikkim Ministers, Speaker, Deputy Speaker and Members of the Legislative Assembly (Salaries and Allowances) Act, 1977 (hereinafter referred to as the said Act'), in section 3, in sub-section (3),-

1. (1) This Act may be called the Sikkim Ministers, Speaker, Deputy Speaker and Members of the Legislative Assembly (Salaries and Allowances) Amendment Act, 1986.

2. In the Sikkim Ministers, Speaker, Deputy Speaker and Members of the Legislative Assembly (Salaries and Allowances) Act, 1977 (hereinafter referred to as the said Act'), in section 3, in sub-section (3),-

   (a) For the words "eight hundred rupees per month" the words "one thousand rupees per month", and

   (b) For the words "three hundred rupees per month" the words "five hundred rupees per month",

shall be substituted.
3. In the said Act, for the existing Schedule, the following Schedule shall be substituted, namely:

"SCHEDULE"
sub-sections (1) and (2) of section 3.

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Designation</th>
<th>Salary</th>
<th>Sumptuary Allowance</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Chief Minister</td>
<td>Rs. 3,800/-</td>
<td>Rs. 700/-</td>
</tr>
<tr>
<td>2.</td>
<td>Speaker</td>
<td>Rs. 3,500/-</td>
<td>Rs. 500/-</td>
</tr>
<tr>
<td>3.</td>
<td>Minister</td>
<td>Rs. 3,000/-</td>
<td>Rs. 500/-</td>
</tr>
<tr>
<td>4.</td>
<td>Deputy Speaker</td>
<td>Rs. 3,000/-</td>
<td>Rs. 500/-</td>
</tr>
<tr>
<td>5.</td>
<td>Minister of State</td>
<td>Rs. 2,500/-</td>
<td>Rs. 300/-</td>
</tr>
<tr>
<td>6.</td>
<td>Deputy Minister</td>
<td>Rs. 2,200/-</td>
<td>Rs. 250/-</td>
</tr>
</tbody>
</table>

STATEMENT OF OBJECTS AND REASONS

The existing salaries and allowances of the Council of Ministers and other dignitaries were prescribed over a decade back. Though the relevant enactment namely the Sikkim Ministers, Speaker, Deputy Speaker and Members of the Legislative Assembly (Salaries and Allowances) Act, 1977 was made in 1977 the rates had actually been fixed even earlier in 1975 and were merely incorporated in the Act.

Inflation has been increasing rapidly since the fixation of salaries and allowances as above. The All India Consumers’ Price Index Level has risen from 304 to over 608. Pay hike for Government and other employees has been a country wide phenomenon during the period and in Sikkim pay scales have been revised twice on the recommendation of Pay Commission.

Inflation has affected one and all including those at higher salary levels. Legislation has been introduced recently in Parliament for enhancing salaries of Judges of Supreme Court and High Courts by Constitutional amendment. In the situation the Government has also felt it essential to amend the Act namely the Sikkim Ministers, Speaker, Deputy Speaker and Members of the Legislative Assembly (Salaries and Allowances) Act, 1977 to provide for enhanced salaries and allowances of Council of Ministers and other dignitaries as covered by the said Act.

With this object in view, the Bill has been framed.

N. B. BHANDARI,
Chief Minister.

RECOMMENDATION OF THE GOVERNOR UNDER ARTICLE 207 (1) OF THE CONSTITUTION OF INDIA

The Governor Having been informed of the subject matter of the Bill has been pleased to recommend the introduction and consideration of the said Bill by the Sikkim Legislative Assembly.

MEMORANDUM REGARDING DELEGATED LEGISLATION
NIL FINANCIAL MEMORANDUM

The proposal will involve additional expenditure to the extent of Rs. 2.10 lakhs during the remaining part of the current financial year and of Rs. 3.50 lakhs in a full year, from the Consolidated Fund of Sikkim.

No one is adversely affected by the proposal.

By Order,

SONAMWANGDI,
Secretary,
Sikkim Legislative Assembly.

PRINTED AT THE SIKKIM GOVERNMENT PRESS, GANFTOK.
Government of India Notification published in the Gazette of India, Extraordinary Part II, Section 3, Sub-section (i) Ministry of Food and Civil Supplies Department of Civil Supplies is republish here for general information.

NOTIFICATION

New Delhi, 8th August, 1986.

G.S.R. 1005(E) — In exercise of the powers conferred by section 83 of the Standards of Weights and Measures Act, 1976 (60 of 1976), the Central Government hereby makes the following rules further to amend the Standards of Weights Measures (Packaged Commodities) Rules, 1977, namely:—

1. (1) These rules may be called the Standards of Weights and Measures (Packaged Commodities) Second Amendment Rules, 1986.
(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Standards of Weights & Measures (Packaged Commodities) Rules, 1977, in rule 6, for sub-rule (2), the following sub rule shall be substituted, namely:

"(2) Every dealer or other person who makes a retail sale of any commodity in packaged form shall, where local taxes have to be added to the price indicated on such package by the manufacturer or their packer, display prominently at a conspicuous place of the premises in which he carries on his retail sale, the rates at which local taxes are leviable in respect of the commodities sold in packaged form".

Sd/- B.K. SINHA,
Joint Secretary.

Sd/- G. P. PRADHAN,
Secretary-in-charge and Ex-Officio,
Controller of Weights & Measures,
Food & Civil Supplies Department,
Government of Sikkim, Gangtok.
GOVERNMENT OF SIKKIM
HOME DEPARTMENT

NOTIFICATION

No. 7 (7) Home/80/1069
Dated the 2nd September, 1986.

In exercise of the powers conferred by Section 9 of the National Security Act, 1980 (Central Act, 65 of 1980) the State Government hereby re-constitutes the Advisory Board and appoints the following as members of the same Board:—

1. Shri Justice D. M. Sen, Chairman, Law Commission, Sikkim
2. Shri Justice R. Dayal, Judge, High Court of Sikkim
3. Shri B. R. Pradhan, Secretary, Law Department, Government of Sikkim.

The State Government further appoints Shri Justice D. M. Sen as Chairman of the said Advisory Board.

This supersedes Home Department Notification No. 7(7) Home/80/1/362 dated 26th December, 1985.

By order and in the name of the Governor.

M. M. RASAILY,
Home Secretary,
Government of Sikkim.
In exercise of the powers conferred by Article 174 (2) (a) of the Constitutional, I., Rajeswar, Governor of Sikkim, hereby prorogue the Sikkim Legislative Assembly which was summoned to meet on Monday, 1st September, 1986.

T.V. RAJESWAR  
Governor of Sikkim”.

By Order,

SONAM WANGDI,  
Secretary,  
Sikkim Legislative Assembly.
NOTIFICATION

The following Act of the Sikkim Legislative Assembly having received the assent of the Governor on the 6th day of September, 1986, is hereby published for general information:-


AN ACT to provide for regulation of the supply of water, realisation of charges for supply of water and tax on water and for matters connected therewith or incidental thereto.

Be it enacted by the Legislature of Sikkim in the Thirty-seventh Year of the Republic of India as follows:-

1. (1) This Act may be called the Sikkim Water Supply and Water Tax Act 1986

(2) It extends to the whole of Sikkim.

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

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

(i) 'area' means the area declared by Government by notification to be an area for the purposes of this Act;

(ii) 'Government main' means the water pipe lines owned and maintained by the Government;

(iii) 'Consumer's main' means water pipe lines which connect Government main with the consumer's premises and includes service pipe and internal plumbing lines of the consumer's premises;

(iv) 'Competent authority' means the Chief Engineer-cum-Secretary, Buildings, Public Health Engineering and Housing Department of the Government or any other officer authorised by him in this behalf;
(v) 'Consumer' means any person getting the benefit of any water supply from the Government;

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

(vii) 'notified order' means any order published in the Official Gazette;

(viii) 'occupier' in relation to any premises, means —
(a) any person in occupation of the premises or part thereof paying or liable to pay rent to the owner in respect of such premises or part of the premises;
(b) an owner who is in occupation of the premises;
(c) a tenant of the premises who is exempted from payment of rent;
(d) a licensee who is in occupation of the premises; and
(e) any person who is liable to pay damages to the owner in respect of use and occupation of the premises;

(ix) 'owner' in relation to any premises, means the person who receives the rent of the said premises or who would be entitled to receive the rent if the premises were let or leased and includes—
(a) an agent or trustee, who receives such rent on behalf of owner,
(b) an agent or trustee who receives the rent of, or is entrusted with, the management of any premises devoted to religious or charitable purposes;
(c) a receiver or manager appointed by any court of competent jurisdiction to have the charge of, or to exercise the rights of an owner in respect of, the said premises; and
(d) a mortgagee in possession;

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

(xi) 'connection point' means a point where 'Government main' is joined with the 'consumer's main';

(xii) 'water works' means a lake, pump, reservoir, cistern, tank, duct, whether covered or open sluice mains, pipes, culverts, engine, hydrant, machinery, land, building or thing for supplying or used for supplying water and includes such other streams, springs, and wells as the Government may, by notification, specify;

(xiii) 'service line' means the portion of consumer main starting from the point where consumer main joins the 'Government main' upto the point in the consumer main where water meter is installed.

Provision of water 3. (1) The Government may provide any area with a water supply of wholesome water for public, for commercial, domestic and other purposes subject to availability of water,

(2) For the purpose of such supply the Government shall cause to be constructed or maintained such water works as may be necessary and may erect stand pipes, wells or pumps for the use by public of the area,

Explanation:— The supply of water for domestic purposes under this Act means supply for any purpose except the following, namely:
(a) for any trade, manufacture or business,
(b) for gardens or for purposes of irrigation,
(c) for building purposes including construction of streets,
(d) for fountains, swimming pools, public bath or tanks any ornamental or mechanical purposes,
(e) for animals, where they are kept for sale or hire or for the sale of their produce,
(f) for the consumption and use at a restaurant or by inmates of a hotel, boarding house or residential club,
(g) for the consumption and use by persons resorting to the theatres and cinemas,
(h) for watering streets, or
(i) for washing vehicles where they are kept for sale or hire.

4. No person shall, use or allow to be used water supply sanctioned for use for domestic purposes or for any other purpose except with the previous approval of the competent authority.

5. (1) An application for supply of water shall be made in the prescribed form and shall be addressed to the competent authority and shall specify the purpose for which supply of water is required and the quantity of water for such purpose.
(2) The competent authority may, on receipt of an application, allow applicant to use water for purposes other than domestic purposes on execution of a deed by the applicant in the prescribed form and manner:

Provided that the competent authority may withdraw such supply at any time if it considers necessary so to do in order to maintain sufficient supply of water for domestic purposes.

(3) The supply of water for the purposes of watering lawns and gardens shall be made on meter basis or in such other manner and on payment of such charges as the competent authority may determine.
(4) No person shall, without the previous written permission of the competent authority, use water supply under this Act for any purpose other than that for which its use is sanctioned.

6. (1) No owner or occupier of any premises to which water is supplied by the Government shall cause or suffer any water to be wasted, of cause or suffer the service pipe, tap, other fitting or work connected therewith to remain out or repair so as to cause wastage of water.
(2) Where the competent authority has reason to believe that as a result of defect in the service pipe, tap, other fitting or work connected therewith water is being wasted, it may, by a written notice, require the consumer to repair and make good the defect within such time as may be specified in such notice.
(3) If such repair is not carried out within the time specified in the notice referred to in sub-section (2), the competent authority may, without prejudice to any action which may be taken against the consumer under any other provisions of this Act, cause such repair to be made and recover the cost of such repair from the consumer.

7. (1) The competent authority may cut off the water supply from any premises-

(a) if any fee, rental, cost of water or any charge or other sum due under this Act is not paid by the consumer within the period of fifteen days after receipt of a bill for the same; or
(b) after the receipt of a written notice from the competent authority requiring him to refrain from so doing, the consumer continues to use the water or permits the same to be used in contravention of the provisions of this Act or any rules made thereunder; or
(c) if the consumer damages or causes to be damaged the water meter or any connection pipe or ferrules; or
(d) if the consumer refuses to admit any officer, or his employee, of the Government duly authorized by the competent authority in this behalf into the premises which he proposes to enter for the
purposes of executing any work or placing or removing any apparatus or of making any examination or inquiry in connection with the water supply or prevents any such officer or his employee, from executing any work or placing or removing any apparatus or making such other examination or inquiry; or

(e) if the service pipe or any tap or other fitting or work connected therewith is found on examination by an officer of the Government duly authorised in this behalf or by his employee to be out of repair to such an extent as to cause wastage or contamination of water and immediate prevention thereof is necessary; or

(f) if the consumer causes or allows to be caused the service pipe or any tap or other fittings or work connected therewith to be placed, removed, repaired or otherwise interfered with in contravention of the provisions of this Act or the rules made thereunder; or

(g) if by reason of leakage in the service pipe or any lap or other fitting or work, damage is caused to a public street or any private or public property and immediate prevention thereof is necessary.

(2) No action taken under, or in pursuance of, this section shall relieve a person from any penalty or liability which he may have otherwise incurred under the provisions of this Act or the rules made thereunder.

(3) The competent authority may order reconnection of supply of water disconnected under sub-section (1) on payment of such charges and on such terms and conditions as may be prescribed.

8. The competent authority may, on receipt of an application by the owner of any premises in the prescribed form and manner and on execution of a deed in the prescribed form, arrange for supply of water from the Government main or distribution pipe to him for domestic purposes or for other purposes in such quantities as it may deem reasonable, and may at any time limit the amount of water to be so supplied whenever it considers necessary so to do.

9. The competent authority shall ordinarily dispose of an application for supply of water within one month from the date of its receipt and it shall record reasons for not being able to dispose of an application within one month and communicate the same to the applicant.

10. (1) When the request of the applicant for grant of water supply is accepted by the competent authority under section 5 or section 8, the person so applying shall, at his own cost, provide all service pipe and fittings and cause to be carried out all work of laying and applying such service pipe and fitting in the premises for which the water supply is sanctioned:

Provided that the competent authority may-order to be undertaken the work of laying of service pipe, at the consumer's cost in certain areas where the competent authority for reasons to be recorded in writings deems it necessary so to do.

(2) The charges for giving initial connection shall be not less than one hundred rupees and not more than five hundred rupees as may be notified.

11. (1) The sanction permitting supply of water under this Act shall be valid for a period of six months from the date of its issue and if the person in whose name such sanction is issued fails to get his premises fitted with pipes and necessary connections within the said period of six months or such extended time as may be allowed by the competent authority, the permission shall be deemed to be inoperative:
12. If at any time, supply of water is proposed to be stopped for more than twenty four hours in any local area or to any premises, the competent authority may by giving twenty four hours' oral or written notice, inform the local authority and the inhabitants of such local area or the owner of such premises, as the case may be.

13. The Government may lay or carry any pipes, for the purposes of arranging or maintaining supply of water, through, across, under or over any road or street or a place laid out as, or intended to be laid out as, a road or street or any other place under the control of a local authority or any person, and may at all times do all acts and things which may be necessary or expedient for repairing or maintaining such pipes in any effective state for the purpose for which the same may be used:

Provided that such work shall be carried with least annoyance to the public and within a reasonable time:

Provided further that reasonable compensation as may be determined by the Government shall be paid to the owner or the local authority, as the case may be, for any damage sustained by him or it and directly occasioned by the carrying out of any such operations:

Provided also that the competent authority shall cause not less than seven days' notice in writing to be given to the owner or the local authority, as the case may be, before commencing of any operations under this section except in cases where immediate action is considered necessary, then, the competent authority may, by order and for reasons to be recorded in writing, dispense with the notice.

14. The Government may, from time to time, by notification, fix the rate or rates of charges on metered basis or on the basis of number of taps installed or on the dimension of the service pipe payable by the consumer for supply of water under this Act and different rate or rates may be fixed for different areas and for different consumers:

Provided that the rate of charges for supply of water for purposes other than domestic purpose shall not be less than double the rates charged in respect of water supplied for domestic purposes as may by prescribed

15. (1) The competent authority may, from time to time, by notification, order:

(a) the fixing, within such time as may be specified in the said order by the consumer at their own cost, of meters on all pipe connections (whether new or existing unmetered connections), within the whole of the area or a part thereof,

(b) the disconnections of the water supply if any consumer fail to comply with the said order; or

(2) Where any person fails to comply with the order issued under sub-section (1), the competent authority may order installation of meters for the purpose of measuring and recording the quantity of water consumed in any premises or by any person at the cost of the consumer who will deposit such amount as the cost as may be fixed by the Department or may pay such fee for installation of a meter as may be prescribed.

(3) The competent authority may order fixing of a meter at a convenient point between the premises of the consumer and the consumer's main.

16. All meters, connections, pipes and other works incidental to the supply of water to any building or land shall be supplied, repaired, extended and altered as may be necessary at the expenses of the person requiring such supply but shall remain under the control of the Government.
17. In any case in which a service pipe from the Government main supplies, water to two or more premises, the competent authority may, by written notice, require the owners of such premises to lay down separate service pipes for their premises and the expenses of so doing shall be borne by all such owners in such proportion as may be determined by the competent authority.

18. No person shall, without the permission of the competent authority make or cause to be made any connection with the Government main.

19. Notwithstanding anything contained in any other law for the time being in force or any deed executed under this Act or rules made thereunder, the Government or its officers and employees shall not be liable for any damage to, or penalty for, discontinuing the supply of water or failure to supply water to any person or to any area if the cause of such failure is beyond the control of the Government, its officers and employees.

20. The competent authority may, from time to time, regulate the supply of water under this Act for domestic purposes.

21. No building, wall, fence or structure of any kind shall be erected on any water works without the written permission of the competent authority.

22. (1) The Government may, from time to time, identify and declare certain water sheds or water sources or both or water main routes as ‘notified water sheds or water sources’ or ‘notified water main routes’.

(2) Such ‘notified water sheds or water sources’ or ‘notified Water main routes’ shall be thereupon be under the administrative control of the buildings, PHE & Housing Department.

(3) Any use of such ‘notified water sheds or water sources’ or ‘water main routes’ by the public, local authority or any other agency shall require prior approval of the Competent Authority.

(4) The Government may impose tax for use of water from the ‘notified’ water sheds or water sources’ or water main routes by the public, local authority or any other agency and the charges shall not be less than seventy per cent of the charges for supply of water for domestic purposes, as may be prescribed.

Explanation.—For the purposes of this section—

(a) ‘water shed’ means an area surrounding any spring, stream or pond (whether formed naturally or otherwise) Which conserves and sustains a source of water the quantity whereof is likely to be varied by erosion of soil, falling of trees or disturbances by cattle grazing or human settlement and includes the gathering ground of a river system;

(b) ‘water-route’ means the strip of land along which the pipe line for supply of water is laid and includes the land adjoining such pipe line which, if disturbed by quarrying, digging, felling of trees, cattle grazing or human settlement, is likely to disturb the stability of the pipe line:

(c) ‘Water source’ means any spring, stream or pond (whether formed naturally or otherwise) from Where water is tapped for domestic or other purposes.

23. No person shall,—

(a) remove, alter, injure, damage or in any way interfere with the demarcated water works;

(b) carry on within the area aforesaid any operation of manufacture, trade or agriculture or do any act whereby injury may be caused or is likely to be caused to any such water works or whereby the water of any such water works may be fouled, polluted or tender such water to be less wholesome;
(c) cause or suffer to percolate or drain into or upon any water works anything whereby the water therein may, in any way be fouled, polluted or its quality altered;

(d) cause or allow to enter any animal into such water works;

(e) bathe or wash clothes in such water works;

(f) throw or put anything into or upon the water in such water works; or

(g) do any other act which the Government may, by notification, prohibit.

24 (1) The competent authority may authorise any person to take reading of meters installed in any premises to which water is supplied under this Act and make an entry thereof in a register as may be prescribed.

(2) Every entry in the register maintained under sub-section (1) shall be prima facie evidence of the quantity of water consumed.

25. (1) The owner of any premises to which water is made under the provision of this Act and where such water is being misused or wasted within his knowledge shall forthwith give notice in writing to the competent authority of such misuse or wastage.

26. (1) Any officer not below the rank of a Junior Engineer authorised in this behalf by the competent authority may, between 9 a.m. and 5 p.m. enter into any premises for the purpose of inspecting any water installation.

(2) If such officer is, at any such time, refused admittance into such premises for the purpose specified in sub-section (1) or is prevented from making such inspection the competent authority may, after giving the consumer an opportunity of being heard, cut off the supply of water to that premises:

Provided that if any such premises is an apartment in the actual occupancy of a woman who, according to the custom does not if appear in public, such officer shall, before entering such apartment, give notice to such woman that she is at liberty to withdraw and shall afford her every reasonable facility for withdrawing and may then enter the apartment.

27. (1) No person shall wilfully injure or suffer to be injured any meter or any of the fittings of any meter.

(1) No person shall fraudulently—

(a) alter the index of any meter, or prevent any meter from recording the actual quantity of water supplied, or

(b) abstract or use water before it has been recorded by a meter set up for the purpose of recording the same.

(2) Where there has been any such alteration, prevention, abstraction or use, the existence of artificial means under the control of the consumer for causing any such alteration, prevention, abstraction or use, shall be the evidence of the consumer having fraudulently effected the same.

Use of water shall be free of charge for extinguishing fire.

(1) Any person aggrieved by an order made by the officer authorized by the Chief Engineer-Cum-Secretary, Buildings, PHE & Housing Department may prefer an appeal to the Chief Engineer-Cum-Secretary, Buildings, PHE & Housing Department and where such order is made by the Chief Engineer-Cum-Secretary, Buildings, PHE & Housing Department to the Government within thirty days from the date of the communication to him of such order:

Provided that the authority before whom ah appeal is filed may entertain the appeal after the expiry of thirty days if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal within the prescribed period of thirty days,
The appellant authority may, after giving the parties an opportunity of being heard, confirm, set aside or modify the order under appeal.

31. The Minister-in-Charge of Water Supply Department may, either on his own motion or upon an application made to him, at any time, for reasons to be recorded in writing, call for the record of any case disposed of by any authority under this Act and if in such case it appears to the Minister that any order passed should be modified, annulled or reversed, he may pass such order as he may deem fit not inconsistent with the provisions of this Act or the rules made thereunder and such order shall be final and shall not be called in question in any court:

Provided that nothing in this section shall apply to cases where an appeal lies unless the time for preferring an appeal has expired.

32. The rate or rates of charges for supply of water mentioned in section 14 shall be payable by the owner or occupier of the premises as may be decided by the competent authority.

33. For the purposes of this Act, the Government shall levy, on premises situated in an area where water supply is made by it, a tax at such rate not being less than two per cent and not more than ten per cent of the assessed annual value of the premises as the Government may, from time to time, by notification, specify and different rates of tax may be specified for different areas after taking into consideration of the economic condition of the people residing in that area:

Provided that no such tax shall be levied and collected in any area where such tax is already being collected by any local authority, or any other authority under the provisions of Sikkim laws.

34 (1) For the purposes of section 33, annual value means five per cent of the market value of the premises:

Provided that the annual value in the case of premises occupied by the owner himself shall be deemed to be twenty per cent less than the annual value otherwise determined under this section.

(2) The annual value of premises for the purpose of levy of water tax shall be assessed by such officer or authority as the competent authority may, by general or special order, direct,

(3) Until an assessment of the annual value of premises in any area is made by an officer or authority referred to in sub-section (2) the annual value of the premises in that area as assessed by the local authority for the purposes of levy of house tax shall be deemed to be the annual of the premises for the purposes of this Act as well.

(4) Any person aggrieved by an order of assessment of the annual value made by an officer or authority referred to in sub-section (2) may, within thirty days from the date of the order, prefer an appeal to such authority as may be prescribed (hereinafter referred to as the prescribed authority) in such manner as may be prescribed.

(5) The prescribed authority may stay the enforcement of the order under appeal for such period and on such terms as it may deem fit.

(6) The prescribed authority may after giving to the parties an opportunity of being heard, confirm, set aside or modify the order under appeal.

(7) The decision of the prescribed authority under sub-section (6) shall be final and binding on the parties.
35. The competent authority may charge such fees for connection, disconnection, re-connection of water supply or testing or supervision or for any other service rendered or work executed or supervised as may be prescribed. Fees.

36. The Government may, by notified order and for reasons to be recorded in writing, exempt any premises or land situated in any area from payment of water tax or remit any portion thereof for such period as may be recorded in the said order. Exemption.

37. (1) The competent authority may by notice require the owner or occupier of the premises to pay within fifteen days from the date of receipt of notice the charges on account due and recoverable from such owner or occupier. Manner of realisation of water charge and water tax.

(2) Where the owner or occupier of the premises fails to pay the amount due from him within the period specified in the notice issued under sub-section (1), the competent authority may prepare a certificate indicating the amounts due from such owner or occupier and send the same to the Judicial Magistrate of the First Class of the area in which the premises or land is situated.

(3) The Judicial Magistrate to whom the certificate is sent shall realize the amount specified in such certificate as if it were a fine imposed by such Magistrate and remit the same to the competent authority.

38. (1) Where an offence under this Act has been committed by a company, every person who at the time the offence was committed was responsible to the company for the conduct of its business 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, if he 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 any 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 director, 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 purpose 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.

39. No prosecution shall be instituted under this Act without the permission in writing of the Government. Sanction for prosecution.

40. (1) The Government may, by notification, direct that any power exercisable by it under this Act or rules made thereunder shall, in relation to such matters and subject to such conditions as may be specified in the notification, be exercisable also by such officer or authority subordinate to as may be specified in the said notification, Delegation.

(2) The competent authority may, in the like manner, delegate its powers except the power conferred upon it under section 30 to any officer subordinate to him.

41. Whoever contravenes the provisions of this Act or rules made thereunder shall, on conviction, be punishable with imprisonment for a term which may extend to two years or with fine which may extend to two thousand rupees or with both. Penalties.

42. No suit, prosecution or other proceeding shall lie against any person for anything done or intended to be done under this Act in good faith. Protection taken under
43. **Power to make rules.**

The Government may, by notification, make rules for giving effect to the provisions of this Act.

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

(a) regulating the size and nature of mains, pipes, trips and other fittings whether within or outside any premises;

(b) the prevention of injury or contamination to sources and mains of water supply and appliances for the distribution of water;

(c) the manner in which connections with water works, mains, etc. may be constructed, altered or maintained;

(d) the use, maintenance and inspection of meters and all meters in connection with the use of water and turning on and turning off and preventing waste of water;

(e) the area of a lawn or garden other than the area under clause (d) of Explanation to section 3;

(f) form and manner of filing an appeal;

(g) fees for connection, disconnection, reconnection and other services rendered to the consumer;

(h) any other matter that is required to be or may be prescribed.

44. **Repeal and savings.**

On and from the commencement of this Act, all rules, regulations, notifications, or any other Sikkim laws relating to the supply of water or realisation of charges and tax on water, shall stand repealed save as things done or omitted to be done.

B.R. PRADHAN,

Secretary to the Govt, of Sikkim,
Law Department.
(File No. 16(186)/LD/86.)
GOVERNMENT OF SIKKIM
LAW DEPARTMENT
GANGTON

NOTIFICATION

No. 9/LD/86 Dated the 8th September, 1986.

The following Act of the Sikkim Legislative Assembly having received the assent of the Governor on the 6th day of September, 1986 is hereby published for general information:—

SIKKIM (LIVESTOCK AND LIVESTOCK PRODUCTS CONTROL) AMENDMENT ACT, 1986.

(ACT NO. 9 OF 1986)

AN ACT
to amend the Sikkim (Livestock and Livestock Products Control) Act, 1985

Be it enacted by the Legislative Assembly of Sikkim in the Thirty-seventh Year of the Republic of India as follows:—

1. (1) This Act may be called the Sikkim (Livestock and Livestock Products Control) Amendment Act, 1986. Short title and commencement.

   (2) It shall come into force at once.

2. After section 23 of the Sikkim (Livestock and Livestock Products Control) Act, 1985, the following Schedule shall be and shall be deemed always to have been inserted namely:-

"SCHEDULE
(See section 6)

LIST OF LIVESTOCK INTENDED FOR SLAUGHTER

1. Bullock, Buffalo, Sheep, Lamb, Ewe, Wether, Pig."

B. R. PRADHAN,
Secretary to the Govt, of Sikkim,
Law Department.
(F. No. 16(165)/LD/82/86.)

PRINTED AT THE SIKKIM GOVERNMENT PRESS, GANGTOK
GOVERNMENT OF SIKKIM
LAW DEPARTMENT
GANGTOK

NOTIFICATION

No. 10/LD/86

Dated the 8th September, 1986.

The following Act of the Sikkim Legislative Assembly having received the assent of the Governor on the 6th day of September, 1986 is hereby published for general information:


(ACT NO. 10 OF 1986)

AN ACT

further amend the Sikkim Ministers, Speaker, Deputy Speaker and Members of the Legislative Assembly (Salaries and Allowances) Act, 1977.

Be it enacted by the Legislative Assembly of Sikkim in the Thirty-seventh Year of the Republic of India as follows:

1.(1) This Act may be called the Sikkim Ministers, Speaker, Deputy Speaker and Members of the Legislative Assembly (Salaries and Allowances) Amendment Act, 1986.

(2) It shall come into force on the 1st day of September, 1986.

2. In the Sikkim Ministers, Speaker, Deputy Speaker and Members of the Legislative Assembly (Salaries and Allowances) Act, 1977 (hereinafter referred to as the 'said Act'), in section 3, in sub-section (3), -

(a) For the words "eight hundred rupees per month" the words "one thousand rupees per month", and

(b) For the words "three hundred rupees per month" the words "five hundred rupees per month", shall be substituted.
3. In the said Act, for the existing Schedule, the following Schedule shall be substituted, namely:—

"SCHEDULE

sub-sections (1) and (2) of section 3

<table>
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<th>Sl. No.</th>
<th>Designation</th>
<th>Salary</th>
<th>Sumptuary Allowance</th>
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<tr>
<td>1.</td>
<td>Chief Minister</td>
<td>Rs. 3,800/-</td>
<td>Rs. 700/-</td>
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<td>2.</td>
<td>Speaker</td>
<td>Rs. 3,500/-</td>
<td>Rs. 500/-</td>
</tr>
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<td>3.</td>
<td>Minister</td>
<td>Rs. 3,000/-</td>
<td>Rs. 500/-</td>
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<tr>
<td>4.</td>
<td>Deputy Speaker</td>
<td>Rs. 3,000/-</td>
<td>Rs. 500/-</td>
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<td>5.</td>
<td>Minister of State</td>
<td>Rs. 2,500/-</td>
<td>Rs. 300/-</td>
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<td>6.</td>
<td>Deputy Minister</td>
<td>Rs. 2,200/-</td>
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B. R. PRADHAN,
Secretary to the Govt, of Sikkim
Law Department.
(F.No.(11)LD/1977/86.)

PRINTED AT THE SIKKIM GOVERNMENT PRESS GANGTOK.
GOVERNMENT OF SIKKIM
LAND REVENUE DEPARTMENT
GANGTOK.

Notification No. 8 (892)/L.R. (S) Dated Gangtok the 12th September, 1986.

NOTICE UNDER SECTION 4 (1) OF THE L.A. ACT, 1894 (ACT I OF 1894)

Whereas it appears to the Governor that land is likely to be needed for public purpose, namely for the construction of a Modern Taxi Stand, Police Station in the Block of Gangtok at East District, it is hereby notified that a piece of land comprising c.s. plot Nos. 518, 519, 520, 522, 523, 524, 525, 1438, 1689, 1690 (from the Settlement operation of 1950-54 (Unattested) land Records of Gangtok Station and measuring more or less 1.18 acres bounded on:

East: House holding area of S/Shri Dorjee Namgyal, Kado Bhutia and Lakpa Chonki Bhutia.
West: Road from Bazar to Tibet Road via old Children Park;
North: Gangtok Thakurbari Compound which is separated by a footpath and approach of the Temple.
South: House holding area of Smt. Thinley Wangmu;

is needed for the aforesaid public purpose at the public expense within the Gangtok Station Area.

This notification is made, under the provision of section 4 (1) of the Act I of 1894 to all whom it may concern.

A plan of the land may be inspected in the office of the District Collector, East District.

In exercise of the powers conferred by the aforesaid section the Governor is please 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, permitted by that section.

Any person interested in the above land who has any objection to the acquisition thereof, may, within thirty (30) days of the publication of this notification in the official Gazette, file an objection in writing before the District Collector, East, Gangtok.

This supersedes the notification No. 4 (892)/LR(S) dated 20.6.86 published in the Govt. Gazette vide vol. No. 70 dt. 27th June, 1986.

PASONG NAMGYAL,
Secretary to the Government of Sikkim,
Land Revenue Department.

PRINTED AT THE SIKKIM GOVERNMENT PRESS, GANGTOK.
ELECTION COMMISSION OF INDIA

NEW DELHI

Dated the 10th September, 1986
Bhadra 19, 1908 (S)

NOTIFICATION

S O.-Whereas the Election Commission of India is satisfied that as a result of its poll performance at the general election to the Lok Sabha held in December, 1984, in Meghalaya State, the "Hill People Union" is entitled for recognition as a State Party in the State of Meghalaya in terms of paragraph 6 of the Election Symbols (Reservation and Allotment) Order, 1968;

And whereas the Commission has decided to recognize the Hill People Union as a State arty in the State of Meghalaya and reserve the election symbol 'Rising Sun' for the said party in that State; and

Now, therefore, in pursuance of clauses (b) and (d) of sub-paragraph (1) and sub-paragraph (2) of paragraph 17 of the Election Symbols (Reservation and Allotment) Order 1968, the Election Commission hereby makes the following amendments in its notification No. 56/84-I, dated the 13th November, 1984, published in the Gazette of India, Extraordinary, Part II, Section 3(iii), dated the 16th November, 1984, as amended from time to time, namely:-

(i) In Table 2 of the said notification, against the State of Meghalaya, under column 2 and 3 of the Table, the entries "4. Hill People Union..........................Rising Sun", shall be added; and

(ii) In Table 4 of the said notification, against the entry "13. Meghalaya" mentioned in column 1 thereof, the entry "10. Rising Sun" specified in column 2, thereof shall be deleted and the existing entries 11 to 15 shall be renumbered as 10 to 14.
The recognition granted to the above mentioned political party is subject to the following conditions:

(i) the party shall communicate to the Commission without delay any change in its name and head office, office bearers and their addresses and political principles, policies and objectives and any change-in any other material matters;

(ii) the party shall intimate the Commission immediately whenever any amendments are issued to party constitution alongwith the relevant documents like the notice for meeting, minutes of the meeting where the amendments have been carried out;

(iii) the party shall maintain all the records like minutes books, accounts books, membership register, receipt books, etc.,

(iv) the said records shall be open for inspection any time by the authorised representative (s) of the Commission; and

(v) the recognition granted shall be reviewed by the Commission from time to time.

[No. 56/84-XXIV]

By Order,

Sd/-
(R. P. BHALLA)
Secretary

TASHI WANGCHUK,
Deputy Chief Electoral Officer,
Sikkim.
The State Government has been pleased to reconstitute State Social Welfare Advisory Board, Sikkim with the nominated members as listed below. The tenure of the members shall be for a period of three years with immediate effect.

1. **Chairman**: Smt. Sharda Pradhan.
2. **Official members (State Nominees)**.
   (i) Shri K. S. Rao — Development Commissioner.
   (ii) Smt. Jayshree Pradhan — Joint Secretary (Finance).
   (iii) Shri T. P. Koirala — Deputy Secretary (R.D.D.).
   (iv) Dr. (Kum) Bela Century — Deputy Director (Health & Family Welfare).
   (v) Kum. G. D. Gurung — Deputy Director (S.W.).

**Non-Official Members (C.S.W.B. Nominees).**

(i) Smt. Pushpa Basnett.
(ii) Smt. Paroo Lama.
(iii) Smt. Yangkit Chettri.
(iv) Smt. Patricia Dorji.
(v) Dr. (Smt) L. Dadul.

JIGMI DORJEE,
Secretary to the Govt. of Sikkim,
Health & Social Welfare.
NOTIFICATION

1. In supersession of all previous orders and Notifications on the subject, the institution of Mondals is hereby abolished and the Land Revenue Department shall hereafter collect the Land Revenue directly through District Revenue administration.

2. This Notification shall come into force with immediate effect.

By Order.

Sd/-
Joint Secretary,
Land Revenue Department.
NOTIFICATION

The Notification No. 4/LR(Ref) dated the 20th September, 1986 published in the Government Gazette Extraordinary No. 110 dated 30th September 1986 is hereby withdrawn.

By Order.

B. K. KHAREL,
Deputy Secretary-Land Reforms.
GOVERNMENT OF SIKKIM
FOOD AND CIVIL SUPPLIES DEPARTMENT

No. 6(114)83-84/1/WM/FCS. Dated 25th Aug. 86.

NOTIFICATION

The following draft of certain rules which the State Government proposed to make in exercise of the powers conferred by section 72 of the Standards of Weights and Measures (Enforcement) Act, 1985 (54 of 1985), is published as required by sub-section (4) of the said section for the information of all persons likely to be affected thereby and notice is hereby given that the said draft rules will be taken into consideration on or after expiry of 45 days from the date of publication of this notification in Official Gazette.

Any objection or suggestion which may be received from any person with respect to the said draft rules before the expiry of the period so specified will be taken into consideration by the State Government.

DRAFT RULES

THE SIKKIM WEIGHTS AND MEASURES (ENFORCEMENT) RULES, 1986.

1. **Short title and commencement.**
   (1) These rules may be called the Sikkim Standards of weights and Measures (Enforcement) Rules, 1986.
   (2) They extend to the whole of Sikkim.
   (3) They shall come into force on such date as the State Government may, by notification, appoint, and different dates may be appointed for -
      (a) different provisions of these rules; or
      (b) different areas; or
      (c) different classes of activities.

2. **Definitional** -
   In these rules, unless the context otherwise requires, -
   (a) 'Act' means the Standards of Weights and Measures (Enforcement) Act, 1985;
   (b) 'Regional Reference Standard Laboratory’ means a laboratory set up by the Central Government under the Standards Act where reference standards and secondary standards are maintained;
   (c) 'Schedule' means a Schedule appended to these rules;
(d) 'Standards Act' means the standards of Weights and Measures Act, 1976;

(e) words and expressions used in these rules and not defined but defined in the Act and the Standards Act shall have the meanings respectively assigned to them in those Act.

3. **Reference Standards.**

   The reference standards shall be kept at such place, in such manner and in such custody as may be prescribed under the Standards Act.

4. **Secondary standards.**

   (1) Every secondary standard shall be verified at any of the Regional reference Standard Laboratories, in such manner and at such periodical intervals as may be prescribed under the Standards Act and shall, if found on such verification to conform to the standards established by or under that Act, be stamped by the laboratory-in-charge of the Regional Reference Standard Laboratory.

   (2) The verified secondary standards shall be kept at such place, and in such custody as the Controller may direct.

5. **Working standards.**

   (1) Every working standard shall be verified either at any of the Regional Reference Standard Laboratories or at any of the places where secondary standards are maintained by the State Government, in such manner and at such periodical intervals as may be prescribed under the Standards Act and shall, if found on such verification to conform to the standards established by or under that Act, be stamped, as the case may be, by the laboratory-in-charge of the Regional Reference Standard Laboratory or by the Controller or such other person as may be authorised by the Controller in this behalf.

   (2) The verified working standards shall be kept in the custody of Inspectors.

6. **Secondary standard balances.**

   (1) A set of secondary standard balances shall be maintained at every place where the secondary standard weights are kept.

   (2) The number, types and specifications of such balances shall be such as may be prescribed under the Standards Act.

   (3) Every secondary standard balance shall be verified at least once in six months and shall be adjusted, if necessary, to make it correct within the limits of sensitivity and other metrological qualities prescribed under the Standards Act, by the laboratory-in-charge of the Regional Reference Standard Laboratory or by the Controller or such other person as may be authorised by the Controller in this behalf.

7. **Working standard balances.**

   (1) A set of working standard balances shall be maintained at every place where working standard weights are kept.

   (2) The number, types and specifications of such balances shall be such as may be prescribed under the Standards Act.

   (3) Every working standards balance shall be verified at least once in six months and shall be adjusted, if necessary, to make it correct within the limits of sensitivity and other metrological qualities prescribed under the Standards Act, by the laboratory-in-charge of the Regional Reference Standard Laboratory or by the Controller or such other person as may be authorised by the Controller in this behalf.

8. **Physical characteristics, configuration, constructional details of weights and measures.**

   Every weights or measure used or intended to be used in any transaction or for industrial production or for protection shall conform as regards physical characteristics, configuration, constructional details, materials, performance, tolerances and such other details, to the specifications prescribed under the Standards Act.
9. Use of bullion weights and carat weights.-
   (1) No weight other than a bullion weight shall be used in any transaction in bullion including Jewels, pearls, ornaments and other articles made of gold or silver, precious metals, saffron and similar expensive commodities.
   (2) No weight other than a carat weight shall be used in any transaction in precious stones.

10. Registration of users of weights and measures.-
   (1) Every person (other than an itinerant vender) who intends to commence, or carry on, the use of any weight or measure in any transaction or for industrial production or for protection, shall make an application in Form A- of Schedule I, accompanied by a fee of rupees five, to the Controller or such other person as the Controller may, by general or special order in writing authorise in this behalf, for the registration of his name; and every such application shall be made-
      (i) in the case of an applicant using any weight or measure at the commencement of these rules, within ninety days from such commencements; or
      (ii) in the case of an applicant who commences use of any weight or measure after the commencement of these rules, within ninety days from the date on which he commences such use.
   (2) The Controller or the person authorised by him shall include the name of the applicant in a register to be known as Register of Users and issue to him a certificate in Form A-3 or Schedule II.
   (3) The Register of Users referred to in sub-rule (2) shall be maintained in the form set out in Schedule III.
   (4) The certificate referred to in sub-rule (2) shall be valid for five years and may be renewed on payment of a fee of rupees five.
   (5) An application for renewal shall be made in Form A-2 of Schedule I.

11. Use of weights only or measures only or number only in certain cases.

12. Licencing or manufacturers, repairers and dealers of weights and measures :-
   (1) Every manufacturer or repairer of or dealer in, weight or measure shall make an application for the issue of a licence to the Controller or such other person as may be authorised by him in this behalf, in the appropriate form set out in Schedule V-A.
   (2) Every manufacturer or repairer of, or dealer in weight or measure shall make an application for the renewal of a licence to the Controller or such other person as may be authorised by him in this behalf, in the appropriate form set out in Schedule V-B.
   (3) Every licence issued to a manufacturer, repairer or dealer shall be in the appropriate form set out in Schedule VI.
   (4) Every licence issued to a manufacturer, repairer or dealer shall be valid for a period of one year and may be renewed from year to year by the Controller or such other person as may be authorised by him in this behalf.
   (5) The fees payable for the licence referred to in sub-rule (2) and for it's renewal shall be as specified in Schedule VII.
   (6) The Controller shall maintain a register of licenced manufacturers, dealers and repairers in the form set out in Schedule VIII.
   (7) Every repairer licenced under the Act and these rules shall -
      (a) be provided with an identification card duly signed by the Controller or such other person authorised by him on his behalf;
(b) be required to maintain such equipment and tools, as the Controller may direct and
(c) furnish to the State Government a security deposit as specified in Schedule IX.

(3) Every user Who wishes to transfer, by sale any weight or measure, shall make an application for permission to the Controller or such other person as may be authorised by him in this behalf enclosing the verification certificate.

(9) The Controller or such other person as may be authorised by him in this behalf may, on receipt of the application referred to in sub-rule (8), grant permission for the transfer, and shall make an entry in the verification certificate to this effect.

(10) Where the user wished to transfer a part of the weights and measures included in a verification certificate, the Controller or such other person as may be authorised by him in this behalf, shall issue a copy of the verification certificate in respect of the weights and measures transferred to the new user after making necessary modification in the original verification certificate on payment of a fee of rupees two.

(11) The weights or measures seized by the Controller or any other officer authorised by him in writing in this behalf from the premises of a licencee whose licence has been cancelled shall be sold and the proceeds thereof credited to the Government.

13. Records to be maintained by manufacturers, etc.-

(1) Every manufacturer or repairer of, or dealer in, weight or measure licensed under the Act and these rules shall maintain a register in the appropriate form set out in Schedule X.

(2) Every person using any weight or measure in any transaction or for industrial protection or for protection shall maintain such records and registers as the Controller may direct.

14. Periodical interval for the verification of weights or measures -

(1) Every weight or measure used or intended to be used in any transaction or for industrial production or for protection shall be verified or re-verified and stamped at least once in a period of twelve months.

Explanation. - No periodical re-verification shall be necessary in relation to any weight or measure which is used exclusively for domestic purposes.

(2) Notwithstanding anything contained in sub-rule (1), every weight or measure which has been verified and stamped in situ shall, if it is dismantled and re-installed before the expiry of the period referred to in that sub-rule, be duly re-verified and stamped before being put into use.

(3) Notwithstanding anything contained in sub-rule (1) every weight or measure which has been verified and stamped shall, if it is repaired before the expiry of the period referred to in that sub-rule, be duly re-verified and stamped before being put into use.

15. Verification and inspection or weights or measures. -

(1) Every person using any weight or measure in any transaction or for industrial production of or for protection shall present such weight or measure for verification or re-verification at the office of the Inspector or at such other place as the Inspector may specify in this behalf on or before the date on which the verification falls due;

Provided that where any weight or measure is such that it cannot, or should not, be removed from it's location, the person using such weight or measure shall report to the Inspector the date on which the verification falls due,

(2) Where any weight or measure is such that it cannot, or should not, be moved from it’s location, the Inspector shall make necessary arrangements for the verification of such weight or measure at the place of its location.

(3) For the verification of weight or measure referred to in sub-rule (2), the user shall provide such facilities as may be required by the Inspector.

(4) Every weight or measure presented for verification shall be completed in itself and shall not bear a manufacturer's or dealer's mark which might be mistaken for the Inspector's stamp.

(5) Every weight or measure shall be verified in a clean condition, and if necessary, the Inspector shall require the owner or user to make necessary arrangement for the purpose.

(6) Where a weight or measure is brought to the Inspector for verification or re-verification, he may verify the same after realisation of the prescribed fee.
An Inspector shall visit, as frequently as possible, during the period specified in sub-rule (1) of rule 14, every premises within the location limits of his jurisdiction to inspect and test any weight or measure which is being, or is intended or likely to be, used in any transaction or for industrial production or for protection.

16. Stamping of weights or measures.

(1) The Inspector shall stamp every weight or measure, if after verification, he is satisfied that such weight or measure conforms to the standards established by or under the Standards Act, with a stamp of uniform design, issued by the Controller, which shall indicate the number allotted for administrative purposes by whom it is stamped;

Provided that if by reason of the size or nature of any weight or measure it is not desirable or practicable to put a stamp thereon, the Inspector shall take such action as may be directed by the Controller, by a general or a special order in writing.

(2) The Inspector shall also mark the year and its quarter or stamping on every verified weight or measure expect when the size or nature or such weight or measure makes it impracticable.

Explanation. - A year shall be deemed to consist of four quarters of which first quarter shall be of the months of January, February and March; second quarter shall be of the months of April, May and June; third quarter shall be of the months of July, August and September; and fourth quarter shall be of the months of October, November and December.

(3) On completion of verification and stamping, the Inspector shall issue a certificate of verification in the form set out in schedule XI.

(4) Where a certificate of verification is lost or destroyed, the holder of the certificate of verification shall forthwith apply to the Inspector who had issued the certificate, for the issue of a duplicate certificate of verification. Every such application for the issue of a duplicate certificate shall be accompanied by a fee of rupees two.

(5) On receipt of an application under sub-rule (4), the inspector shall issue to the applicant a duplicate copy of the certificate of verification marked "DUPLICATE" in red ink.

17. Fee for verification and stamping.

(1) Fees payable for verification and stamping of weight or measure at the office or camp office of the inspector shall be as specified in Schedule XII.

(2) If, at the request of the user or repairer of weight or measure, verification is done at any premises other than the office or camp office of the Inspector, an additional fee shall be charged at half the rates specified in Schedule XII and the user or repairer, as the case may be, of the weight or measure shall also pay the expenses incurred by the Inspector for visiting the premises including the cost of transporting and handling the working standard and other equipment subject to a minimum of rupees ten;

Provided that no additional fee shall be charged for verification and stamping in situ of,

(a) vehicle tanks, dispensing pumps, weigh-bridges, dormant platform machines and such other weight or measure which cannot, and should not, be moved from its location;

(b) weights and measures in the premises of a manufacturer or stockist of such weights and measures,

(3) No fee shall be payable for re-stamping any weight or measure held in stock with manufacturer or dealer within the period specified in rule 14 from the date on which it was last stamped, provided that the original stamp was not obliterated under sub-section (3) of section 28 of the Act.

(4) A weight or measure which on verification is found to be incorrect shall be returned to the person concerned for adjustment informing him in writing of the defects found in the weight or measure. When the necessary adjustment has been carried out, such weight or measure shall be verified on payment of fifty per cent of the fees specified in Schedule XII and if found correct shall be stamped.

18. Collection of fees and deposit into the Treasury.

I) Before commencing the work of verification or re-verification, the Inspector shall inform the person of the fees payable by him under these rules and shall receive the same and issue a receipt the form approved by the Controller, one copy of such receipt being kept on record.

Provided that fees payable by a department of the Central or State Government under these rules may be realised in such manner as may be directed by the Controller.
The Inspector shall maintain a register, in the form approved by the Controller, which shall be written up from day-to-day and shall show the amount of fees and other charges collected during the day.

All payments received by the Inspector shall be paid into the Government Treasury during the week or the following Monday for credit to such "Head of Account" as may be specified by the Controller from time to time, and a receipt thereof be obtained and an intimation to that effect be sent to the Controller.

**19. Disposal of seized weights, measures, etc.**

(1) Any weight or measure or document or thing seized and detained under section 32 or 31 of the Act, which is not to be the subject of proceedings in a Court, shall, after the expiry of sixty days of its seizure, be so dealt with as the Controller may by general or special order direct, and the materials thereof shall be sold and the proceeds credited to the Government;

Provided that un-verified weight or measure shall be returned to the person from whom such weight or measure was seized if that person gets the same verified and stamped, on payment of the prescribed fee, within ten days of the seizure.

(2) Any weight or measure or document or thing seized and detained under sections 30 or 31 of the Act, which is to be the subject of proceedings in a Court, shall be produced by the Inspector before the Court shall, after conclusion of the proceedings, be taken possession of by the Inspector and dealt with in accordance with the orders of the Court.

(3) If any goods, seized under sections 30 or 31 of the Act, are subject to speedy or natural decay, the Inspector shall have the goods weighed or measured on a verified weighing or measuring instrument available with him or near the place of offence and enter the actual weight or measure of the goods in a form specified by the Controller for this purpose, and shall obtain the signature of the trader or his agent or such other person who has committed the offence. The goods in question shall be returned to the trader or the purchaser as the case may be;

Provided that if the trader or his agent or the other person (who has committed the Offence) refuses to sign the form, the Inspector shall obtain the signature of not less than two persons present at the time of such refusal by the trader or his agent or other person.

**20. Qualifications of Inspectors.**

(1) No person shall be appointed as Inspector unless he -

(a) is a graduate of a recognized University in Science (with Physics as one of the subjects), technology or engineering, or holds a recognized diploma in engineering;

(b) is able to speak, and write the regional languages of the State; and

(c) on selection, has satisfactorily completed the basic training course at the Indian Institute of Legal Metrology established by the Central Government under section 76 of the Standards Act.

(2) Nothing in sub-rule (1) shall apply to persons who have been working as Inspectors before the commencement of these rules.

**21. Provision of working standards, equipment etc. to the Inspector.**

(1) Every Inspector shall be provided with working standards, working standard balances, and such other equipment including weighing and measuring devices as may be approved by the Controller from time to time,

(2) Every Inspector shall be provided with such dies, punches and such other equipment as may be necessary for affixing the verification stamp, the design and number of which are to be approved by the Controller.

(3) Every Inspector shall be provided with punches of suitable sizes of eight-pointed star as shown below for obliterating stamps -

**22. Provisions relating to use of weights, measures, etc.**

(1) Every person using a beam scale in any transactions in his premises shall suspend the same to a stand or to a chain by a book;

Provided that this sub-rule shall not apply to itinerent vendors or to persons doing any transactions in periodical bazars, or hats.
(2) Every weight or measure shall be sued in a clean condition.

(3) Any weight or measure which has been verified and stamped in situ shall not be dismantaled and removed from its original site without prior intimitation to the Controller or other person authorised by this behalf.

(4) Vehicles weighed on a weigh-bridge or dormant platform machine shall not be unloaded within a radius of 50 metres from the place where, the, weigh-bridge or dormant platform machine is installed:

Provided that the State Government may allow exemption in respect or certain class of trade or trade premises from operation of this rule and the Controller may reduce the distance for any trade premises purpose of this rule.

(5) The weight of the vehicle load shall immediately be recorded by the trader or his agent and a signed record of weighment shall be handed over to the person concerned after each weighment is completed and before the vehicle is removed from the weigh-bridge or dormant platform machine.

(6) The user of a weighing instrument of the capacity of five hundred kilogram or above, shall provided such number of duly verified and stamped weights not exceeding one-fourth of the capacity of the instrument as may be required by the inspector for the purpose of its verification, re-verification or inspection.

(7) To ensure a proper check of the accuracy of weighing instrument the user shall keep at the site of each Weighing instrument duly verified and stamped weights equal to one-tenth of the capacity of the instrument or one tonne whichever is less:

Provided that the Controller may specify the total number of verified and stamped weights to be maintained in trade premises where the number of weighing instruments is more than one.

23. Certificate or verification to be exhibited.-

The persons to whom a certificate of verification is issued shall exhibit the same in a conspicuous place in the premises where the weights, measures or weighing or measuring instruments to which the certificate relates are use:

Provided that in the case of itinerant vendor, the certificate shall be kept on his person.

24. Penalty for contravention of rules.-

Any person who contravenes any of the provisions of these rules shall be punishable with fine which may extend to one thousand rupees.

25. Form of appeal:

(1) Every appeal under these rules shall be preferred in the Form set out in Schedule XIII, and shall be accompanied by a copy of the order appealed against.

(2) A court fee payable of rupees two shall be affixed on the appeal petition.
SCHEDULE - I
(See rule - 10 (I))

FORM 'A-I'

Form of application for Registration of users,
(This application should be accompanied by a fee of Rs. 5/-)

Place:
Date:

To,
Sir,

I/We would like to register my/our name in the Register of Users of Weights and Measures as required under sections 16, 17 and 18 of the Standards of Weights and Measures (Enforcement) Act, 1985 and rules made thereunder.

I/We am/are furnishing the particulars as required under the Rules along with the prescribed fee of Rs. 5/- (Rupees five only).

1. Name of the person/Company/Firm
2. Complete Address
3. Branches if any with their complete address
4. Nature of Business carried on
5. Details of Weights, Measures, Weighing and Measuring instruments used

Signature.

SCHEDULE-I
(See rule - 10 (I))

FORM A-2

APPLICATION FOR RENEWAL OF REGISTRATION OF USERS

Place:
Date:

To

I/We request you to rene my/our Registration No.............................. dated................................. due for renewal with effect from........................ for a further period of 5 years. I/We are furnishing the particulars as required under the rules along with the prescribed fee of Rs. 5/- (Rupees five only).

1. Name address of the person/firm/Company/etc
2. Branches, if any, with their address
3. Weights, Measures and Weighing and Measuring instruments used

Signature.
FORM A - 3

GOVERNMENT OF
OFFICE OF THE CONTROLLER OF LEGAL METROLOGY

Book No..........................

Registration Sl. No.......................... Date :

CERTIFICATION OF REGISTRATION
UNDER THE
STANDARDS OF WEIGHTS AND MEASURES (ENFORCEMENT) ACT 1985.

I hereby certify that the following person/Company/Firm at the address/s given below has been registered as/an user of weights and measures under Section 17 of the Standards of Weights and Measures under Section 17 of the Standards of Weights and Measures (Enforcement) Act, 1985 on receipt of the prescribed fee of Rs.5/- (Rupees Five only).

1. Name and address of the person/Firm/Company :

2. Branches, if any :

3. Nature of business carried on/commodities or goods produced (for manufacturing companies only) :

4. Details of Weights & Measures :

5. New Registration/Renewal :

6. Next date of Renewal :

Signature of the person/authorised person

Signature of, the Issuing Authority.

Conditions for Registration of User:

1. The person in whose favour this certificate of Registration is issued shall, ...........

   (a) comply with all the relevant provisions of Act and Rules, for the time being in force;

   (b) exhibit this certificate of Registration is some conspicuous place in the premises to which it relates, and

   (c) comply with any general or special directions that may be given by the Controller of Legal Metrology from time to time.

1. The Certificate of Registration is valid for 5 years from the date of issue. It should be renewed before the date of Renewal shown in Column No. 5 of the Certificate on payment of the prescribed fee.

2. This Certificate of Registration should be produced at the time of renewal.

3. Change of address should be intimated to the Issuing Authority immediately and the same incorporated in this Certificate of Registration.
**SCHEDULE-III**

(See rule 10 (3))

**FORM OF REGISTER OF USERS OF WEIGHTS AND MEASURES**

Village:.............Taluk..........

District:..................................

<table>
<thead>
<tr>
<th>SL. NO.</th>
<th>Name &amp; address of the Registered user of Weights and Measures.</th>
<th>Branches, if any, with address.</th>
<th>Nature of business carried on.</th>
<th>Weights and Measure used</th>
<th>Registration No</th>
<th>Date of Registration</th>
<th>Date of Renewal</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)</td>
<td></td>
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<td></td>
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<td></td>
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<td></td>
</tr>
</tbody>
</table>
Exceptions referred to in rule 11.

I. The following commodities may be sold by weight, measure or number as shown against the commodity:

<table>
<thead>
<tr>
<th>Sl.No</th>
<th>Commodity</th>
<th>Whether declaration to be expressed in terms of weight, measure or number or two or more of them</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Aerosol products</td>
<td>Weight</td>
</tr>
<tr>
<td>2.</td>
<td>Acids in liquid form</td>
<td>weight or volume</td>
</tr>
<tr>
<td>3.</td>
<td>Compressed or liquified gas (but not liquified petroleum gas)</td>
<td>weight and equivalent volume at stated temperature and pressure</td>
</tr>
<tr>
<td>4.</td>
<td>Butter (incl. Peanut butter,) cheese, Curd, Ghee</td>
<td>Weight</td>
</tr>
<tr>
<td>5.</td>
<td>Electric cables</td>
<td>length or weight</td>
</tr>
<tr>
<td>6.</td>
<td>Electric wire</td>
<td>length or weight</td>
</tr>
<tr>
<td>7.</td>
<td>Fencing wire</td>
<td>length or weight</td>
</tr>
<tr>
<td>8.</td>
<td>Hair oil, unperfumed</td>
<td>weight</td>
</tr>
<tr>
<td>9.</td>
<td>Fruits and vegetables</td>
<td>number of weight</td>
</tr>
<tr>
<td>10.</td>
<td>Furnace oil</td>
<td>weight or volume</td>
</tr>
<tr>
<td>11.</td>
<td>Linseed oil and other vegetable oils</td>
<td>weight</td>
</tr>
<tr>
<td>12.</td>
<td>Heavy residual fuel oil</td>
<td>weight</td>
</tr>
<tr>
<td>13.</td>
<td>Industrial diesel fuel</td>
<td>volume</td>
</tr>
<tr>
<td>14.</td>
<td>Honey, malt extract, golden syrup treacle</td>
<td>weight</td>
</tr>
<tr>
<td>15.</td>
<td>Ice cream and other similar frozen products</td>
<td>weight or volume</td>
</tr>
<tr>
<td>16.</td>
<td>Liquid chemicals</td>
<td>weight or volume</td>
</tr>
<tr>
<td>17.</td>
<td>Liquid petroleum gas</td>
<td>weight</td>
</tr>
<tr>
<td>18.</td>
<td>Fails, wood screws</td>
<td>number or weight</td>
</tr>
<tr>
<td>19.</td>
<td>Paint (other than paste paints or solid paint), Varnish and Varnish Stain, Enamels</td>
<td>volume</td>
</tr>
<tr>
<td>20.</td>
<td>Papad</td>
<td>number and weight</td>
</tr>
<tr>
<td>21.</td>
<td>Paste paint, solid paint</td>
<td>weight</td>
</tr>
<tr>
<td>22.</td>
<td>Rasogulla, Gulabjamun and other sweet preparations</td>
<td>weight</td>
</tr>
<tr>
<td>23.</td>
<td>Ready-made garments</td>
<td>number and size</td>
</tr>
<tr>
<td>24.</td>
<td>sauce, all kinds</td>
<td>weight</td>
</tr>
<tr>
<td>25.</td>
<td>Tyres and tubes</td>
<td>number</td>
</tr>
<tr>
<td>26.</td>
<td>Yarn</td>
<td>weight or length of yarn</td>
</tr>
</tbody>
</table>
## SCHEDULE - V A
(See rule 12 (1)

## FORM - LM - 1
(Application form for Licence as Manufacturer of Weights, Measures under the Standards of Weights and Measures (Enforcement) Act, 1985).

To

To be filled by the applicants

Comments of the Inspecting Officer

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Name of the manufacturing concern for which licence is desired</td>
<td>:</td>
</tr>
<tr>
<td>2.</td>
<td>Full address of the concern</td>
<td>:</td>
</tr>
<tr>
<td>3.</td>
<td>Date of establishment of workshop/factory</td>
<td>:</td>
</tr>
<tr>
<td>4.</td>
<td>Name(s) and address(es) of proprietor(s) and/or partners and managing director(s) in the case of Limited company</td>
<td>:</td>
</tr>
<tr>
<td>5.</td>
<td>The date and number of registration in the case of a Registered Factory</td>
<td>:</td>
</tr>
<tr>
<td>6.</td>
<td>Number and date of current Municipal Trade Licence</td>
<td>:</td>
</tr>
<tr>
<td>7.</td>
<td>Nature of manufacturing activities at present</td>
<td>:</td>
</tr>
<tr>
<td>8.</td>
<td>The type of articles proposed to be manufactured viz.</td>
<td>:</td>
</tr>
<tr>
<td></td>
<td>(i) Weights</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(ii) Measures</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(iii) Weighing Instruments</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(iv) Measuring Instruments with details in each case</td>
<td></td>
</tr>
<tr>
<td>9.</td>
<td>The number of persons employed in each of the above branches of production</td>
<td>:</td>
</tr>
<tr>
<td></td>
<td>(i) skilled</td>
<td>:</td>
</tr>
<tr>
<td></td>
<td>(ii) unskilled</td>
<td>:</td>
</tr>
<tr>
<td></td>
<td>(iii) specialists trained in the line</td>
<td>:</td>
</tr>
<tr>
<td>10.</td>
<td>The monogram or trade mark intended to be imprinted on articles to be manufactured</td>
<td>:</td>
</tr>
<tr>
<td>11.</td>
<td>Details of machinery, tools accessories, etc., owned and used for manufacturing weights, measures, etc.</td>
<td>:</td>
</tr>
<tr>
<td>12.</td>
<td>Have you a foundry/workshop on ownership or long-term lease? If not, state the name and details of arrangements made or to be made in this regard</td>
<td>:</td>
</tr>
<tr>
<td>13.</td>
<td>Indicate facilities for steel casting and hardness testing of vital parts</td>
<td>:</td>
</tr>
<tr>
<td>14.</td>
<td>Is electric energy available</td>
<td>:</td>
</tr>
</tbody>
</table>
15. Have you received any loan from Government? If so, give details:

16. Name of bankers, if any:

17. Sales Tax Registration Number:

18. Give details of quota allotment of raw material for the last three years:

19. Have you applied previously for licence? If so, with what results:

20. When can you produce for inspection samples of your products for which licence is desired:

To be certified by the applicant

Certified that I/We have read the Standards of Weights and Measures (Enforcement) Act, 1985 and Standards of Weights and Measures (Enforcement) Rules, 1985: and agree to abide by the same and also the administrative orders and instructions issued or to be issued thereunder.

I/We agree to deposit the scheduled licence fees with Government as 600n as required to do so by the Licensing Authority.

All the information furnished above is true to the best of my/our knowledge.

Signature and Designation

To be filled in by Departmental Officer of the State Government

Date of receipt of applicant: ..................................
Serial number of application: ..............................
Date of inspection: .................................

Recommendation of Inspecting Officer:

Place: ..........................................................  Signature and Designation
Date: .......................... of Inspecting Officer.

Licence granted/refused
Licence Number
Valid till

Place: ..........................................................  Signature and Designation
Date: ..........................
**SCHEDULE - VA**  
(See rule 12 (i))

**FORM - LR - I**

(Application for licence as Repairers of Weights, Measures, Weighing Instruments and Measuring Instruments under the Standards of Weights and Measures (Enforcement (Act, 1985).)

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Name of the repairing concern/person seeking the licence.</td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>Full address of the workshop.</td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>Date of establishment.</td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>Name(s) and address(es) of proprietors(s) and/or partners, and Managing Director(s) in the case of Limited Company.</td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td>Number and date of current Municipal Trade Licence</td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td>The types of articles you propose to repair.</td>
<td></td>
</tr>
<tr>
<td>7.</td>
<td>Area in which you wish to operate.</td>
<td></td>
</tr>
<tr>
<td>8.</td>
<td>Extent of previous experience in the line.</td>
<td></td>
</tr>
<tr>
<td>9.</td>
<td>The number of skilled staff employed in the workshop.</td>
<td></td>
</tr>
<tr>
<td>10.</td>
<td>Is electric energy available.</td>
<td></td>
</tr>
<tr>
<td>11.</td>
<td>Have you sufficient stock of loan/test weights, etc. Please give details.</td>
<td></td>
</tr>
<tr>
<td>12.</td>
<td>Have you previously applied for repairer licence? If so, when and with what results.</td>
<td></td>
</tr>
</tbody>
</table>

**To be certified by the applicants.**

Certified that I/We have read the Standards of Weights and Measures (Enforcement) Act, 1985 and Standards of Weights & Measures (Enforcement) Rules, 1986, and agree to abide by the same and the administrative orders and instructions issued or to be issued thereunder.

I/We agree to deposit the schedule licence fees and security deposit with Government as soon as required to do so by Licensing Authority.

All the information furnished above is true to the best of my/our knowledge.

Signature & Designation

Place:  
Date:  

**To be filled in by Department Officer of the State Government**

Date of receipt of application:  
Serial number of application:  
Date of inspection:  
Recommendation of Inspecting Officer:  

**Final Orders of Licensing Authority -**

Licence granted/refused  
Licence No.  
Valued till:  
Date:  

Signature and Designation

Place:  
Date:  

Comments of the Inspecting Officer.
SCHEDULE-VA

(See rule 12 (1))

FORM - LD - 1

(Application Form for licence as Dealer in Weights, Measures, Weighing Instruments and Measuring Instruments under the Standards of Weights and Measures Enforcement (Act, 1985.)

To be filled in by the applicants.

1. Name of the establishment/shop/person seeking the licence:

2. Full address of the establishment, etc.,:

3. Date of establishment:

4. Name(s) and address(es) of proprietor(s) and/or partners, and managing directors in the case of Limited Company:

5. Number and date of current Municipal Trade Licence:

6. Category of articles sold at present:

7. Sales Tax Registration Number:

8. Do you intend to import Weights, etc. from places outside the State? If so, indicate sources of supply:

9. (Have you ever applied for a dealer's licence either in this State or elsewhere? If so, give details)

To be certified by the applicants.

CERTIFIED that I/We have read the Standards of Weights and Measures (Enforcement) Act, 1985 and Standards of Weights & Measures (Enforcement) Rules, 1986, and agree to abide by the same as well as the administrative orders and instruction issued or to be issued hereunder.

I/We agree to deposit the scheduled licence fees with Government as soon as required to do so by the Licensing Authority.

All the information furnished above is true to the best of my/our knowledge.

Place: ____________________________
Signature and Designation
Date: ____________________________

To be filled by Departmental Officer of the State Government.

Date of receipt of application: ____________________________
Serial Number of application: ____________________________
Date of injection: ____________________________
Recomendation of Inspecting Officer: ____________________________

Signature and Designation
of the Inspecting Officer.

Final orders of Licensing Authority.
Licence granted/refused.
Licence No. ____________________________
Date: ____________________________
Valid till: ____________________________
Place: ____________________________
Date: ____________________________

Signature of Controller of Legal Metrology.
(Application Form for renewal of licence as Manufacturer of Weights, Measures, Weighing Instruments and Mesu-Measuring Instruments under the Standards of Weights & Measures (Enforcement Act, 1985).

To

1. Name and full address of the manufacturing concern for which licence is desired:

2. Manufacturers Licence No.:

3. Names and addresses of Proprietors and/or partners and Managing Directors in the case of Limited Company.

4. (a) The type of articles which are manufactured as per licence granted:
   (b) Do you propose any change:

5. The monogram or trade marks used on articles manufactured by you.

6. Details of workshop facilities available.

7. Sales Tax Registration No.

To be certified by the Applicants.

CERTIFIED that I/We have read the Standards of Weights & Measures (Enforcement) Act, 1985 and the Standards of Weights & Measures (Enforcement) Rules, 1986 and agree to abide by the same and also the administrative orders and instructions issued or to be issued thereunder.

I/We have deposited the scheduled licence fees of Rs....... (Rupees.................) to the Sub-Treasury/Bank on.........................and the original challan is enclosed.

All the information furnished above is true to the best of my/our knowledge.

Signature and Designations

Place:
Date:
SCHEDULE - V B  
(see rule 12 (2))

FORM-LR 2


To

1. Name and full address of the repairing concern/person seeking the licence.
2. Repairers licence Number:
3. Names and address (es) of proprietor(s)AND/or partners, and Managing Director(s) in the case of Limited Company.
4. Number and date of current Municipal Trade Licence.
5. (a) The types of articles which are repaired as per licence granted.
   (b) Do you propose any change.
6. Area in which you are operating.
7. Have you sufficient stock of loan/test weights, etc?
8. Please give details with particulars of stamping.

To be certified by the applicants.

CERTIFIED that I/We have read the Standards of Weights and Measures (Enforcement) Act, 1985 and the Standards of Weights & Measures (Enforcement) Rules, 1986 and agree to abide by the same as well as the administrative orders and instructions issued or to be issued thereunder.

I/We have deposited the Scheduled licence fees of Rs..........................(Rupees ..................................................)
only in the Sub-Treasury/Bank on.......................... original challan is enclosed.

All the information furnished above is true to the best of my/our knowledge.

Signature and Designation.
SCHEDULE-VB  
(see rule 12 (2))

FORM - LD - 2  
(Application Form for renewal of licence as Dealer in Weights, Measures, Weighing and Measuring Instruments under the Standards of Weights and Measures (Enforcement) Act, 1985.)

To

1. Name and full address of the establishment/shop/person seeking the licence

2. Dealer's Licence No.

3. Date of establishment

4. Name and address of proprietor(s) and/or partners and Managing Directors in the case of Limited Company

5. Number and date of current Municipal Trade Licence

6. Category of articles sold at present

7. Sales Tax Registration Number

8. Are you intending to import weights, etc. from places outside the State. If so, indicate sources of supply from the State/States (Give details Manufacturer's trade Mark/monogram and his licence No.)

TO BE CERTIFIED BY THE APPLICANTS.

CERTIFIED that I/We have read the Standards of Weights and Measures (Enforcement Act, 1985 and Standards of Weights and Measures (Enforcement) Rules, 1986, and agree to abide by the same and Rules, the administrative orders and instructions issued thereunder.

I/We have deposited the Scheduled licence fees of Rs...…………………………...in the Sub-Treasury/Bank on……………………………………... and the original challan is enclosed.

All the information furnished above are true to the best of my/our knowledge.

Signature and Designation.

Place :
Date :
OFFICE OF THE CONTROLLER OF LEGAL METROLOGY

FORM LM - 3

SCHEDULE

(See rule 12 (3))

Licensing Forms

OFFICE OF THE CONTROLLER OF LEGAL METROLOGY

Licence to manufacture weights, measures or measuring instruments.

Licence No.           Year:

(i) The Controller of Legal Metrology hereby grants to
   (Name and address of party or parties)
   a licence to manufacture the following:-
   
   (Include details of the types of weights, measures, weighing
   instruments or measuring instruments that are
   licensed to be manufactured by the party)

(2) The Licence is valid for the party named above in respect of his workshop located at

(3) This licence is valid from 1st January to 31st December 19

(4) The manufacturer shall comply with the conditions noted below. If he fails to comply
   with one of these, his licence is liable to be cancelled.

(5) The trade mark monogram being used by the manufacturer is as under:

   (Seal)
   (Signature)

Controller of Legal Metrology

Date: Place:

Note: In the case of firm, its name with the names of all persons having any interest in the
business should be given in paragraph I.

CONDITIONS OF LICENCE

1. The person is whose favour this licence is issued shall:-

   (a) comply with all the relevant provisions of the Act and Rules for the time being in force:

   (b) not encourage or countenance any infringement of the provisions of the Act, or the
       Rules for the time being in force and shall report without delay to the inspector any
       infringement that may come to his notice:

   (c) exhibit this licence in some conspicuous part of the premises to which it relates;

   (d) comply with many general or special direction that may be given by the Controller of
       Legal Metrology;

   (e) surrender the licence if any when required to do so by the Controller or any other officer
       employed under the Act;

   (f) present the weights, measures or weighing or measuring instruments as the case may be
       manufactured to the inspector for verification and stamping before sale;

   (g) render such accounts, statements relating to raw materials as may be directed and called
       for by the Controller from time to time; and

   (h) submit the application for renewal of this licence, as required under the rules before
       sixty days of the date of expiry of the validity of the licence.

2. Every condition prescribed after the issue of this licence shall, if notified in the Official Gazatte,
be binding on the persons to whom the licence has been granted.
## RENEWAL ENTITIES

<table>
<thead>
<tr>
<th>Current No.............................</th>
<th>Date...........</th>
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</thead>
<tbody>
<tr>
<td>Renewed for</td>
<td>(Seal)</td>
</tr>
<tr>
<td>Controller of Legal Metrology</td>
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<th>Current No.............................</th>
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<tbody>
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<tbody>
<tr>
<td>Renewed for</td>
<td>(Seal)</td>
</tr>
<tr>
<td>Controller of Legal Metrology</td>
<td></td>
</tr>
</tbody>
</table>
OFFICE OF THE CONTROLLER OF LEGAL METROLOGY

LICENCE TO REPAIR WEIGHTS, MEASURES, WEIGHTING INSTRUMENTS OR MEASURING INSTRUMENTS

Licence No: Year:

(i) The Controller of Legal Metrology hereby grants to

(Name and address of Party or Parties)

a licence to repair the following:

(Include details of the types of weights, measures, Weighing instrument or measuring instruments that are licenced to be repaired by the party)

(2) The licence is valid for the party named above in respect of his workshop located at :

(3) This Licence is valid from 1st January to 31st December, 19.

(4) The repairer shall comply with the conditions noted below. If he fails to comply with any one of these his licence is liable to be cancelled.

(5) The party is licensed to repair weights, measures, weighing and measuring instruments in the areas mentioned below:

(Signature)
Controller of Legal Metrology.

(Seal)

Date:
Place:

Note: In the case of firm, its name with the names of all persons having any interest in the business should be given in paragraph (I).
1. The person in whose favour this licence is issued shall:
   
   (a) comply with all the relevant provisions of the Act and Rules for the time being in force;
   
   (b) not encourage or countenance any infringement of the provisions of the Act, or the Rules for the time being in force and shall report without delay to the Inspector any infringement that may come to his notice;
   
   (c) exhibit this licence in some conspicuous part of the premises to which it relates;
   
   (d) comply with any general or special direction that may be given by the Controller of Legal Metrology.
   
   (e) surrender the licence if and when required to do so by the controller or any other Officer employed under the Act;
   
   (f) present the weights, measures or weighing or measuring instruments, as the case may be repaired to the Inspector for verification and stamping before delivery;
   
   (g) render such accounts, statements relating to raw materials as may be directed and called for by the Controller from time to time; and
   
   (h) submit the application for renewal or this licence, as required under the rules before sixty days of the date of expiry of the validity of the licence.

2. Every condition prescribed after the issue of this licence, shall, if notified in the Official Gazette, be binding on the persons to whom the licence has been granted.

<table>
<thead>
<tr>
<th>Current No................ Date................</th>
<th>Current No................ Date................</th>
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</thead>
<tbody>
<tr>
<td>Renewed for</td>
<td>Renewed for</td>
</tr>
<tr>
<td>(Seal)</td>
<td>(Seal)</td>
</tr>
<tr>
<td>Controller of Legal Metrology</td>
<td>Controller of Legal Metrology</td>
</tr>
<tr>
<td>Current No................ Date................</td>
<td>Current No................ Date................</td>
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<tr>
<td>Renewed for</td>
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<td>(Seal)</td>
<td>(Seal)</td>
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<tr>
<td>Controller of Legal Metrology</td>
<td>Controller of Legal Metrology</td>
</tr>
</tbody>
</table>
SCHEDULE VI
(See rule 12 (3))
Licencing form

Form - LD 3

OFFICE OF THE CONTROLLER OF LEGAL METROLOGY

LICENCE TO A DEALER IN WEIGHTS, MEASURES, WEIGHING INSTRUMENTS OF MEASURING INSTRUMENTS

Licence No........................... Year..........................

(1) The Controller of Legal Metrology hereby grants to (Name and address of party or parties) at licence to deal in the following (indicate details of types of weights and measures, weighing, or measuring instruments that are licenced to be dealt with by party):

(2) The licence is valid for the party named above in respect of his premises located at:

(3) This licence is valid from 1st January to 31st December, 198

(4) The dealer shall comply with the conditions noted below. If he fails to comply with any one of those, his licence is liable to be cancelled.

Date : (Seal) (Signature) Controller of Legal Metrology.

Place:

Note: In the case of firm its name with the names of all persons having any interest in the business should be given in paragraph (I).

CONDITIONS OF LICENCE

The person in whose favour this licence is issued shall:-

(a) comply with all the relevant provisions of the Act and Rules for the time being in force;

(b) Not encourage or countenance any infringement of the provisions of the Act, or the Rules for the time being in force and shall report without delay to the Inspector any infringement that may come to his notice;

(c) exhibit this licence in some conspicuous part of the premises to which it relates;

(d) comply with any general or special direction the may be given by the Controller of Legal Metrology;

(e) surrender the licence if and when required to do so by the Controller or any other Officer employed under the Act;

(f) submit the application for renewal of this licence, as required under the Rules before sixty days of the date of expiry or the validity of the licence:

Every conditions prescribed after the issue of this licence shall, if notified in the Official Gazette binding on the persons/person to whom the licence has been granted.
### SCHEDULE - VII

(See rule - 12 (5) )

Licensing and Renewal Fees for manufacturers, Repairers or dealers or weights and measures

<table>
<thead>
<tr>
<th>Category</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Manufacturers</td>
<td>Rs. 150/-</td>
</tr>
<tr>
<td>Repairers</td>
<td>Rs. 100/-</td>
</tr>
<tr>
<td>Dealers</td>
<td>Rs. 100/-</td>
</tr>
</tbody>
</table>
REGISTER OF LICENSED MANUFACTURERS/REPAIRERS/DEALERS IN WEIGHTS, MEASURES, WEIGHING INSTRUMENTS/MEASURING INSTRUMENTS

Office of the Controller of Legal Metrology

<table>
<thead>
<tr>
<th>Licence Number</th>
<th>Date of issue</th>
<th>Name, parentage &amp; residential address of the manufacturer/repairer/dealer</th>
<th>Place where work-shop is situated</th>
<th>Articles to be manufactured</th>
<th>Trade mark monogram being used</th>
<th>Order regarding cancellation of licence</th>
<th>Result</th>
<th>Remarks of appeal</th>
<th>Appeal</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>

Note: In the case of a firm, its name with the name of all its members shall be given in column 3. Column (6) does not apply to repairers and dealers.
Security deposit to be made by Licences repairs

Repairer of Weights and Measures excluding weighing and measuring instruments Rs. 100/-

Repairer of Weights and Measures including Weighing and measuring instruments Rs. 200/-
Register to be maintained by the manufacturers of weights and measures

1. Name and address of the manufacturer:

2. Description of the weight or measure:

3. (i) No. of the manufacturing licence:
   (ii) Date on which the licence was issued:
   (iii) Period of validity of the licence:

4. Particulars of order, if any suspending or revoking the licence:

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Month</th>
<th>Unsold stock from previous month</th>
<th>Quantity manufactured during the month</th>
<th>Sold within the State</th>
<th>Total (3+4)</th>
<th>No. of items sold</th>
<th>Despatch voucher No. &amp; date</th>
<th>Name of the State</th>
<th>No of items sold</th>
<th>Despatch voucher No. &amp; date</th>
<th>Total Sold (6+9)</th>
<th>Balance (5+11)</th>
<th>REMARKS</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>
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<td>(10)</td>
<td>(11)</td>
<td>(12)</td>
<td>(13)</td>
<td></td>
</tr>
</tbody>
</table>
SCHEDULE-X

(See rule 13 (1) (1))

REGISTER TO BE MAINTAINED BY THE REPAIRER IN RESPECT OF WEIGHTS, MEASURES

<table>
<thead>
<tr>
<th>SL.No.</th>
<th>Month</th>
<th>Name of the user from whom received</th>
<th>Items and their Nos. booked for repair</th>
<th>Receipt No. and date of issue to the user</th>
<th>Amount of repairing charges</th>
<th>Amount of verification amount fee</th>
<th>Total Amount Charged</th>
<th>Date return to the user</th>
<th>REMARKS</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>

Name and address of the repairer:                             Licence No:  
                                                                 Date of Licensing:  

Total Amount Charged
SCHEDULED- X

(See rule 13 (1))

REGISTER TO BE MAINTAINED BY THE REPAIRER IN RESPECT OF WEIGHTS, MEASURERS

Name and address of the manufacturer;

Description of the weight or measure:

(i) No. of the manufacturing licence:

(ii) Date on which the licence was issued:

(iii) Period of validity of licence:

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Month</th>
<th>Unsold stock from previous month</th>
<th>Brought within the State during the month</th>
<th>Brought from outside the State during the month</th>
<th>Total (3+4+5)</th>
<th>Sold within the State</th>
<th>Sold outside the State</th>
<th>Total Balance Sold (7+9) (6+12)</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>
</tr>
</tbody>
</table>

REMARKS
SCHEDULE –XI
(see rule 16 (3 ))

CERTIFICATION OF VERIFICATION
OFFICE OF THE CONTROLLER OF LEGAL METROLOGY

Name of Inspector..........................................................No.............................................................

I hereby certify that I have this day verified Stamped the undd heights, measure etc., belonging to.................................
Rejected
Locality.............................................................Registration No.as user.................................under the above Act.

Quantity

<table>
<thead>
<tr>
<th>(1)</th>
<th>(2)</th>
<th>(3)</th>
<th>(4)</th>
<th>(5)</th>
<th>(6)</th>
<th>(7)</th>
<th>(8)</th>
<th>(9)</th>
<th>(10)</th>
</tr>
</thead>
</table>

Repaired by ............................................. Deposed vide T.Receipts No......................

……………………………………..(Signature)

Repaired by ………………………… Date………

Next verification due on………………………….. Inspector
### FEES PAYABLE FOR VERIFICATION AND STAMPING OF WEIGHTS, MEASURES AND WEIGHING AND MEASURING INSTRUMENTS.

#### 1. WEIGHTS

**(a) Bullion Weights**

<table>
<thead>
<tr>
<th>Denomination</th>
<th>Fee per piece</th>
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<tbody>
<tr>
<td>20. Kg</td>
<td>6.00</td>
</tr>
<tr>
<td>10. Kg</td>
<td>6.00</td>
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<tr>
<td>5. Kg</td>
<td>4.00</td>
</tr>
<tr>
<td>2. Kg</td>
<td>4.00</td>
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<tr>
<td>1. Kg</td>
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<tr>
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<tr>
<td>2mg</td>
<td>1.00</td>
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<tr>
<td>1mg</td>
<td>1.00</td>
</tr>
</tbody>
</table>

***(b) Brass Weights (Other than Bullion)***

<table>
<thead>
<tr>
<th>Denomination</th>
<th>Fee per piece</th>
</tr>
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<tr>
<td>1 kg</td>
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</tr>
<tr>
<td>500 g</td>
<td>1.00</td>
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<tr>
<td>200 g</td>
<td>1.00</td>
</tr>
<tr>
<td>100 g</td>
<td>1.00</td>
</tr>
<tr>
<td>50g</td>
<td>1.00</td>
</tr>
<tr>
<td>20g</td>
<td>1.00</td>
</tr>
<tr>
<td>10 g</td>
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</tr>
<tr>
<td>5 g</td>
<td>1.00</td>
</tr>
<tr>
<td>2 g</td>
<td>1.00</td>
</tr>
<tr>
<td>1 g</td>
<td>1.00</td>
</tr>
</tbody>
</table>

***(c) Sheet Metal Weights (Other than Bullion)***

<table>
<thead>
<tr>
<th>Denomination</th>
<th>Fee per piece</th>
</tr>
</thead>
<tbody>
<tr>
<td>200 mg</td>
<td>1.00</td>
</tr>
<tr>
<td>100 mg</td>
<td>1.00</td>
</tr>
<tr>
<td>50 mg</td>
<td>1.00</td>
</tr>
<tr>
<td>20 mg</td>
<td>1.00</td>
</tr>
<tr>
<td>10 mg</td>
<td>1.00</td>
</tr>
<tr>
<td>5 mg</td>
<td>1.00</td>
</tr>
<tr>
<td>2 mg</td>
<td>1.00</td>
</tr>
<tr>
<td>1 mg</td>
<td>1.00</td>
</tr>
</tbody>
</table>
(d) Iron and Steel Weights

<table>
<thead>
<tr>
<th>Weight</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>50 kg</td>
<td>2.00</td>
</tr>
<tr>
<td>20 kg</td>
<td>2.00</td>
</tr>
<tr>
<td>10 kg</td>
<td>2.00</td>
</tr>
<tr>
<td>5 kg</td>
<td>2.00</td>
</tr>
<tr>
<td>2 kg</td>
<td>2.00</td>
</tr>
<tr>
<td>1 kg</td>
<td>2.00</td>
</tr>
<tr>
<td>500 kg</td>
<td>1.00</td>
</tr>
<tr>
<td>200 kg</td>
<td>1.00</td>
</tr>
<tr>
<td>100 kg</td>
<td>1.00</td>
</tr>
<tr>
<td>50 kg</td>
<td>1.00</td>
</tr>
</tbody>
</table>

(e) Carat Weights

<table>
<thead>
<tr>
<th>Weight</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>500 C</td>
<td>2.00</td>
</tr>
<tr>
<td>200 C</td>
<td>2.00</td>
</tr>
<tr>
<td>100 C</td>
<td>2.00</td>
</tr>
<tr>
<td>50 C</td>
<td>2.00</td>
</tr>
<tr>
<td>20 C</td>
<td>2.00</td>
</tr>
<tr>
<td>10 C</td>
<td>2.00</td>
</tr>
<tr>
<td>5 C</td>
<td>1.00</td>
</tr>
<tr>
<td>2 C</td>
<td>1.00</td>
</tr>
<tr>
<td>1 C</td>
<td>1.00</td>
</tr>
<tr>
<td>50/100 C</td>
<td>1.00</td>
</tr>
<tr>
<td>20/100 C</td>
<td>1.00</td>
</tr>
<tr>
<td>10/100 C</td>
<td>1.00</td>
</tr>
<tr>
<td>5/100 C</td>
<td>1.00</td>
</tr>
<tr>
<td>2/100 C</td>
<td>1.00</td>
</tr>
<tr>
<td>1/100 C</td>
<td>1.00</td>
</tr>
<tr>
<td>0.5/100 C</td>
<td>1.00</td>
</tr>
</tbody>
</table>

2. Capacity Measures (incl. storage tanks, vehicle tanks, dispensing measures and peg measures)

<table>
<thead>
<tr>
<th>Capacity</th>
<th>Fee per piece</th>
</tr>
</thead>
<tbody>
<tr>
<td>50 litres and above</td>
<td>Rs. 10.00 for the first 100 litres or part thereof plus Rs. 3.00 for every additional 100 litres or part thereof subject to a maximum of Rs. 5,000/-</td>
</tr>
<tr>
<td>211</td>
<td>4.00</td>
</tr>
<tr>
<td>10l</td>
<td>4.00</td>
</tr>
<tr>
<td>5 l</td>
<td>2.00</td>
</tr>
<tr>
<td>2 l</td>
<td>2.00</td>
</tr>
<tr>
<td>1 l</td>
<td>2.00</td>
</tr>
<tr>
<td>500 ml</td>
<td>1.00</td>
</tr>
<tr>
<td>200 ml</td>
<td>1.00</td>
</tr>
<tr>
<td>100 ml</td>
<td>1.00</td>
</tr>
<tr>
<td>50 ml</td>
<td>1.00</td>
</tr>
<tr>
<td>20 ml</td>
<td>1.00</td>
</tr>
<tr>
<td>10 ml</td>
<td>1.00</td>
</tr>
<tr>
<td>5 ml</td>
<td>1.00</td>
</tr>
<tr>
<td>2 ml</td>
<td>1.00</td>
</tr>
<tr>
<td>1 ml</td>
<td>1.00</td>
</tr>
<tr>
<td>50 ml</td>
<td>1.00</td>
</tr>
<tr>
<td>20 ml</td>
<td>1.00</td>
</tr>
<tr>
<td>10 ml</td>
<td>1.00</td>
</tr>
<tr>
<td>5 ml</td>
<td>1.00</td>
</tr>
<tr>
<td>2 ml</td>
<td>1.00</td>
</tr>
<tr>
<td>1 ml</td>
<td>1.00</td>
</tr>
<tr>
<td>18.5 ml</td>
<td>4.00</td>
</tr>
<tr>
<td>60 ml</td>
<td>1.00</td>
</tr>
<tr>
<td>30 ml</td>
<td>1.00</td>
</tr>
</tbody>
</table>
3. LENGTH MEASURES

(a) Non – Fixible

<table>
<thead>
<tr>
<th>Length</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.00 m</td>
<td>2.00</td>
</tr>
<tr>
<td>1.00 m (ordinary)</td>
<td>2.00</td>
</tr>
<tr>
<td>0.50 m (ordinary)</td>
<td>2.00</td>
</tr>
<tr>
<td>1.00 m (graduated at every on)</td>
<td>4.00</td>
</tr>
<tr>
<td>0.50 m (Graduated at every on)</td>
<td>4.00</td>
</tr>
</tbody>
</table>

(b) Woven Metallic Tapes

<table>
<thead>
<tr>
<th>Length</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>50 m</td>
<td>6.00</td>
</tr>
<tr>
<td>30 m</td>
<td>6.00</td>
</tr>
<tr>
<td>20 m</td>
<td>4.00</td>
</tr>
<tr>
<td>15 m</td>
<td>4.00</td>
</tr>
<tr>
<td>10 m</td>
<td>4.00</td>
</tr>
<tr>
<td>5 m</td>
<td>2.00</td>
</tr>
<tr>
<td>2 m</td>
<td>2.00</td>
</tr>
</tbody>
</table>

(c) Steel Tapes

<table>
<thead>
<tr>
<th>Length</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>50 m</td>
<td>10.00</td>
</tr>
<tr>
<td>30 m</td>
<td>10.00</td>
</tr>
<tr>
<td>20 m</td>
<td>6.00</td>
</tr>
<tr>
<td>15 m</td>
<td>6.00</td>
</tr>
<tr>
<td>10 m</td>
<td>4.00</td>
</tr>
<tr>
<td>5 m</td>
<td>2.00</td>
</tr>
<tr>
<td>4 m</td>
<td>2.00</td>
</tr>
<tr>
<td>3 m</td>
<td>2.00</td>
</tr>
<tr>
<td>2 m</td>
<td>2.00</td>
</tr>
<tr>
<td>1.5 m</td>
<td>2.00</td>
</tr>
<tr>
<td>1 m</td>
<td>2.00</td>
</tr>
<tr>
<td>0.5 m</td>
<td>2.00</td>
</tr>
</tbody>
</table>

(d) Folding Seales

<table>
<thead>
<tr>
<th>Length</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 m</td>
<td>2.00</td>
</tr>
<tr>
<td>0.5 m</td>
<td>1.00</td>
</tr>
</tbody>
</table>

(e) Surveying Chaings

<table>
<thead>
<tr>
<th>Length</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>30 m</td>
<td>6.00</td>
</tr>
<tr>
<td>20 m</td>
<td>4.00</td>
</tr>
</tbody>
</table>

4. Weighing Instruments (Other than Beam Scale of Classes C & D, Automatic Weighing Machines and Totalising Machines)

<table>
<thead>
<tr>
<th>Capacity</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>400 t</td>
<td>500.00</td>
</tr>
<tr>
<td>300 t</td>
<td>400.00</td>
</tr>
<tr>
<td>200 t</td>
<td>300.00</td>
</tr>
<tr>
<td>150 t</td>
<td>250.00</td>
</tr>
<tr>
<td>100 t</td>
<td>200.00</td>
</tr>
<tr>
<td>80 t</td>
<td>180.00</td>
</tr>
<tr>
<td>60 t</td>
<td>150.00</td>
</tr>
<tr>
<td>50 t</td>
<td>150.00</td>
</tr>
<tr>
<td>40 t</td>
<td>150.00</td>
</tr>
<tr>
<td>30 t</td>
<td>150.00</td>
</tr>
<tr>
<td>25 t</td>
<td>150.00</td>
</tr>
<tr>
<td>20 t</td>
<td>150.00</td>
</tr>
<tr>
<td>15 t</td>
<td>100.00</td>
</tr>
<tr>
<td>5 t</td>
<td>100.00</td>
</tr>
<tr>
<td>3 t</td>
<td>50.00</td>
</tr>
<tr>
<td>2 t</td>
<td>50.00</td>
</tr>
<tr>
<td>Weight (kg)</td>
<td>Fee (Rs)</td>
</tr>
<tr>
<td>------------</td>
<td>---------</td>
</tr>
<tr>
<td>1500</td>
<td>30.00</td>
</tr>
<tr>
<td>1000</td>
<td>30.00</td>
</tr>
<tr>
<td>500</td>
<td>30.00</td>
</tr>
<tr>
<td>300</td>
<td>30.00</td>
</tr>
<tr>
<td>250</td>
<td>20.00</td>
</tr>
<tr>
<td>200</td>
<td>20.00</td>
</tr>
<tr>
<td>150</td>
<td>20.00</td>
</tr>
<tr>
<td>100</td>
<td>15.00</td>
</tr>
<tr>
<td>50</td>
<td>15.00</td>
</tr>
<tr>
<td>30</td>
<td>15.00</td>
</tr>
<tr>
<td>25</td>
<td>10.00</td>
</tr>
<tr>
<td>20</td>
<td>10.00</td>
</tr>
<tr>
<td>15</td>
<td>6.00</td>
</tr>
<tr>
<td>10</td>
<td>6.00</td>
</tr>
<tr>
<td>5</td>
<td>6.00</td>
</tr>
<tr>
<td>3</td>
<td>6.00</td>
</tr>
<tr>
<td>2</td>
<td>6.00</td>
</tr>
<tr>
<td>1</td>
<td>4.00</td>
</tr>
<tr>
<td>500 g and below</td>
<td>20.00</td>
</tr>
</tbody>
</table>

(Person weighing machines excluding bathroom scales)

5. Beam Scales (Classes C & D)

<table>
<thead>
<tr>
<th>Weight (kg)</th>
<th>Fee (Rs)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1000</td>
<td>30.00</td>
</tr>
<tr>
<td>500</td>
<td>20.00</td>
</tr>
<tr>
<td>300</td>
<td>20.00</td>
</tr>
<tr>
<td>200</td>
<td>10.00</td>
</tr>
<tr>
<td>100</td>
<td>10.00</td>
</tr>
<tr>
<td>50</td>
<td>6.00</td>
</tr>
<tr>
<td>20</td>
<td>6.00</td>
</tr>
<tr>
<td>10</td>
<td>6.00</td>
</tr>
<tr>
<td>5</td>
<td>4.00</td>
</tr>
<tr>
<td>2</td>
<td>4.00</td>
</tr>
<tr>
<td>1</td>
<td>4.00</td>
</tr>
<tr>
<td>500 g and below</td>
<td>2.00</td>
</tr>
</tbody>
</table>

6. Automatic Weighing Machines

<table>
<thead>
<tr>
<th>Weight (kg)</th>
<th>Fee (Rs)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Exceeding 10 t</td>
<td>200.00</td>
</tr>
<tr>
<td>Not exceeding 10 t but exceeding 1 t</td>
<td>150.00</td>
</tr>
<tr>
<td>Not exceeding 1 t but exceeding 50 kg</td>
<td>100.00</td>
</tr>
<tr>
<td>Not exceeding 50 kg but exceeding 10 kg</td>
<td>60.00</td>
</tr>
<tr>
<td>Not exceeding 10 kg</td>
<td>40.00</td>
</tr>
</tbody>
</table>

7. Totalising Machines

Each machine | 300.00 |

8. Volume Measuring Instruments

(a) Dispensing pumps, each pump | 80.00 for the first 100 litres plus Rs. 75.00 for each additional 100 litres or part thereof subject to maximum of Rs. 1500/-

(b) other instruments exceeding 100 ltr

<table>
<thead>
<tr>
<th>Weight</th>
<th>Fee (Rs)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not exceeding 100 l but exceeding 50 l</td>
<td>100.00</td>
</tr>
<tr>
<td>Not exceeding 50 l but exceeding 20 l</td>
<td>75.00</td>
</tr>
<tr>
<td>Not exceeding 20 l</td>
<td>50.00</td>
</tr>
</tbody>
</table>
9. **linear Measuring Instruments**

   (a) Taximeters and Autorickshaw meters:
       Each taximeter or Autorickshaw meter  
       10.00
       15.00 for the first 1,000
       plus Rs. 3.00 for every
       additional 100 meters or
       part thereof subject to
       maximum of Rs. 75.00

   (b) Other Instruments exceeding 1000 m

       Not exceeding 100 m but exceeding 500 m  
       Not exceeding 500 m but exceeding 100 m  
       Not exceeding 100 m  
       20.00
       10.00
       6.00

   10. Clinical Thermometer  
       0.50

   11. Water meter (Domestic Type)  
       10.00

   12. Electricity meter  
       10.00

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**SCHEDULE XIII**

(See rule 25 (I))

FORM OF APPEAL AGAINST AN ORDER OF AN INSPECTOR OR ADDITIONAL CONTROLLER.

1. Name and address of the appellant.

2. No. and date of order of Inspector of Weights and Measures or Additional Controller of Weights and Measures against which the appeal is preferred.

3. Whether the appellant desires to be heard in person or through an authorised representative.


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**G. P. Pradhan,**

Secretary to the Government of Sikkim

Food & Civil Supplies Department,

(File No. 6 (114) 83-84/WM/FCS.)

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PRINTED AT THE SIKKIM GOVERNMENT PRESS,GANGTOK
In exercise of powers conferred by Sub-Section (1) of Section 23 of the Sikkim Panchayat Act, 1982, and Sub-Section (1) (2) (3) of Section 5 of Sikkim Panchayat (election of Sabhapati, Up-Sabhapati etc) Rules 1983, Shri Karma Gyatso Lepcha is hereby elected to fill up the vacant seat caused by the resignation of Shri Loden Tshering Lepcha of 37, Dung Dung Aritar, Gram Panchayat, East District, from the Panchayat member as well as from above said Gram Panchayat with effect from 28.7.85.

P K. PRADHAN, I.A.S.
Commissioner-cum-Secretary,
Rural Development Department and
Director of Panchayat Election of Sikkim,
Government of Sikkim.
In exercise of the powers conferred by Sub-Section (1) of Section 21 of the Sikkim Panchayat Act, 1982, and Sub Section (1) (2) (3) of Section 5 of Sikkim Panchayat (Election of Sabhapati, Up-Sabhapati etc.) Rules, 1983, the members of Dung Dung Aritar, Gram Panchayat, East District have been elected the Office bearer of above said Gram Panchayat with effect from 15.9.86 as follows:—

1. Shri Punya Prasad Dhakal — Sabhapati
2. Shri Dilliram Chettri — Up-Sabhapati
3. Shri Puspalall Khatiwada — Sachiva
4. Shri Bagbir Pradhan — Member
5. Shri Pancha Kr. Rai — Member
6. Smt. Tshering Phuti Bhutia — Lady Member (Nominated)

P.K. PRADHAN, LAS.
Commissioner-cum-Secretary,
Rural Development Department and
Director of Sikkim Panchayat Election,
Government of Sikkim.
THE ENVIRONMENT (PROTECTION) ACT, 1986
(No. 29 of 1986)

[23rd May, 1986.]

An Act to provide for the protection and improvement of environment and for matters connected therewith.

WHEREAS decisions were taken at the United Nations Conference on the Human Environment held at Stockholm in June, 1972, in which India participated, to take appropriate steps for the protection and improvement of human environment;

AND WHEREAS it is considered necessary further to implement the decisions aforesaid in so far as they relate to the protection and improvement of environment and the prevention of hazards to human beings, other living creatures, plants and property;

BE it enacted by Parliament in the Thirty-seventh Year of the Republic of India as follows:-

CHAPTER I
PRELIMINARY

1. (1) This Act may be called the Environment (Protection) Act, 1986.

(2) It extends to the whole of India.

(3) 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 and for different areas.

Definitions. 2. In this Act, unless the context otherwise requires,-

(a) "environment" includes water, air and land and the inter-relationship which exists among and between water, air and land, and human beings, other living creatures, plants, micro-organism and property;
2

(b) "environmental pollutant" means any solid, liquid or gaseous substance present in such concentration as may be, or tend to be, injurious to environment;
(c) "environmental pollution" means the presence in the environment of any environmental pollutant;
(d) "handling", inflation to any substance, means the manufacture, processing, treatment, package, storage, transportation, use, collection, destruction, conversion, offering for sale, transfer or the like of such substance;
(e) "hazardous substance" means any substance or preparation which, by reason of its chemical or physico-chemical properties or handling, is liable to cause harm to human beings, other living creatures, plants, micro-organism, property or the environment;
(f) "occupier", in relation to any factory or premises, means a person who has control over the affairs of the factory or the premises and includes, in relation to any substance, the person in possession of the substance;
(g) "prescribed" means prescribed by rules made under this Act.

CHAPTER II
GENERAL POWERS OF THE CENTRAL GOVERNMENT

3. (1) Subject to the provisions of this Act, the Central Government shall have the power to take all such measures as it deems or necessary or expedient for the purpose of protecting and improving the quality of the environment and preventing, controlling and abating environmental pollution.

(2) In particular, and without prejudice to the generality of the provisions of sub-section (1), such measures may include measures with respect to all or any of the following matters, namely:-

(i) co-ordination of actions by the State Governments, officers and other authorities—
   (a) under this Act, or the rules made thereunder; or
   (b) under any other law for the time being in force which is relatable to the objects of this Act;
(ii) planning and execution of a nation-wide programme for the prevention, control and abatement of environmental pollution;
(iii) laying down standards for the quality of environment in its various aspects;
(iv) laying down standards for emission or discharge of environmental pollutants from various sources whatsoever;

Provided that different standards for emission or discharge may be laid down under this clause from different sources having regard to the quality or composition of the emission or discharge of environmental pollutants from such sources;
(v) restriction of areas in which any industries, operations or processes of class of industries, operations or processes shall not be carried out or shall be carried out subject to certain safeguards;
(vi) laying down procedures and safeguards for the prevention of accidents which may cause environmental pollution and remedial measures for such accidents;
(vii) laying down procedures and safeguards for the handling of hazardous substances;
(viii) examination of such manufacturing processes, materials and substances as are likely to cause environmental pollution;
(ix) carrying out and sponsoring investigations and research relating to problems of environmental pollution;
(x) inspection of any premises, plant, equipment, machinery, manufacturing or other processes, materials or substances and giving, by order, of such directions to such authorities, officers or persons as it may consider necessary to take steps for the prevention, control and abatement of environmental pollution;
(xi) establishment or recognition of environmental laboratories and institutes to carry out the functions entrusted to such environmental laboratories and institutes under this Act;
(xii) collection and dissemination of information in respect of matters relating to environmental pollution;
(xiii) preparation of manuals, codes or guides relating to the prevention, control and abatement of environmental pollution;
(xiv) such other matters as the Central Government deems necessary or expedient for the purpose of securing the effective implementation of the provisions of this Act.

(3) The Central Government may, if it considers it necessary or expedient so to do for the purposes of this Act, by order, published in the Official Gazette, constitute an authority or authorities by such name or names as may be specified in the order for the purpose of exercising and performing such of the powers and functions (including the power to issue directions under section 5) of the Central Government under this Act and for taking measures with respect to such of the matters referred to in sub-section (2) as may be mentioned in the order and subject to the supervision and control of the Central Government and the provisions of such order, such authority or authorities may exercise the powers or perform the functions or take the measures so mentioned in the order as if such authorities had been empowered by this Act to exercise those powers or perform those functions or take such measures.

4. (1) Without prejudice to the provisions of sub-section (3) of section 3, the Central Government may appoint officers with such designations as it thinks fit for the purposes of this Act and may entrust to them such of the powers and functions under this Act as it may deem fit.

(2) The officers appointed under sub-section (1) shall be subject to the general control and direction of the Central Government or, if so directed by that Government, also of the authority or authorities, if any, constituted under sub-section (3) of section 3 or of any other authority or officer.

5. Notwithstanding anything contained in any other law but subject to the provisions of this Act, the Central Government may, in the exercise of its powers and performance of its functions under this Act, issue directions in writing to any person, officer or any authority and such person, officer or authority shall be bound to comply with such directions.

Explanation.- For the avoidance of doubts, it is hereby declared that the power to issue directions under this section includes the power to direct—

(a) the closure, prohibition or regulation of any Industry, operation or process; or
(b) stoppage or regulation of the supply of electricity or water or any other service.

6. (1) The Central Government may, by notification in the Official Gazette, make rules in respect of all or any of the matters referred to in section 3.
(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:

(a) the standards of quality of air, water or soil for various areas and purposes;
(b) the maximum allowably limits of concentration of various environmental pollutants (including noise) for different areas;
(c) the procedures and safeguards for the handling of hazardous substances;
(d) the prohibition and restrictions on the handling of hazardous substances in different areas;
(e) the prohibition and restrictions on the location of industries and the carrying on of processes and operation in different areas;
(f) the procedures and safeguards for the prevention of accidents which may cause environmental pollution and for providing for remedial measures for such accidents.

CHAPTER III
PREVENTION, CONTROL AND ABATEMENT OF ENVIRONMENTAL POLLUTION

7. No person carrying on any industry, operation or process shall discharge or emit or permit to be discharged or emitted any environmental pollutant in excess of such standards as may be prescribed.

8. No person shall handle or cause to be handled any hazardous substance except in accordance with such procedure and after complying with such safeguards as may be prescribed.

9. (1) Where the discharge of any environmental pollutant in excess of the prescribed standards occurs or is apprehended to occur due to any accident or other unforeseen act or event, the person responsible for such discharge and the person in charge of the place at which such discharge occurs or is apprehended to occur shall be bound to prevent or mitigate the environmental pollution caused as a result of such discharge and shall also forthwith-

(a) intimate the fact of such occurrence or apprehension of such occurrence; and
(b) be bound, if called upon, to render all assistance, to such authorities or agencies as may be prescribed.

(2) On receipt of information with respect to the fact or apprehension of any occurrence of the nature referred to in sub-section (1), whether through intimation under that sub-section or otherwise, the authorities or agencies referred to in sub-section (1) shall, as early as practicable, cause such remedial measures to be taken as are necessary to prevent or mitigate the environmental pollution.

(3) The expenses, if any, incurred by any authority or agency with respect to the remedial measures referred to in sub-section (2), together with interest (at such reasonable rate as the Government may, by order, fix), from the date when a demand for the expenses is made until it is paid, may be recovered by such authority or agency from the person concerned as arrears of land revenue or of public demand.
10. (1) Subject to the provisions of this section, any person empowered by the Central Government in this behalf shall have a right to enter, at all reasonable times with such assistance as he considers necessary, any place—

(a) for the purpose of performing any of the functions of the Central Government entrusted to him;
(b) for the purpose of determining whether and if so in what manner, any such functions are to be performed or whether any provisions of this Act or the rules made thereunder or any notice, order, direction or authorisation served, made given or granted under this Act is being or has been complied with;
(c) for the purpose of examining and testing any equipment, industrial plant, record, register, document or any other material object or for conducting a search of any building in which he has reason to believe that an offence under this Act or the rules made thereunder has been or is being or is about to be committed and for seizing any such equipment, industrial plant, record, register, document or other material object if he has reasons to believe that it may furnish evidence of the commission of an offence punishable under this Act or the rules made thereunder or that such seizure is necessary to prevent or mitigate environmental pollution.

(2) Every person carrying on any industry, operation or process or handling any hazardous substance shall be bound to render all assistance to the person empowered by the Central Government under sub-section (1) for carrying out the functions under that sub-section and if he fails to do so without any reasonable cause or excuse, he shall be guilty of an offence under this Act.

(3) If any person wilfully delays or obstructs any person empowered by the Central Government under sub-section (1) in the performance of his functions, he shall be guilty of an offence under this Act.

(4) The provisions of the Code of Criminal Procedure, 1973, or, in relation to the State of Jammu and Kashmir, or any area in which that Code is not in force, the provisions of any corresponding law in force in that State or area shall, so far as may be, apply to any search or seizure under this section as they apply to any search or seizure made under the authority of a warrant issued under section 94 of the said Code or, as the case may be, under the corresponding provision of the said law.

11. "(1) The Central Government or any officer empowered by it in this behalf, shall have power to take, for the purpose of analysis, samples of air, water, soil or other substance from any factory, premises or other place in such manner as may be prescribed.

(2) The result of any analysis of a sample taken under sub-section (1) shall not be admissible in evidence in any legal proceeding unless the provisions of sub-section (3) and (4) are complied with.

(3) Subject to the provision of sub-section (4), the person taking the sample under sub-section (1) shall—

(a) serve on the occupier or his agent or person in charge of the place, a notice, then and there, in such form as may be prescribed, of his intention to have it so analysed;
(b) in the presence of the occupier or his agent or person, collect a sample for analysis;
(c) cause the sample to be placed in container or containers which shall be marked and sealed and shall also be signed both by the person taking the sample and the occupier or his agent or person;

(d) send without delay, the container or the containers to the laboratory established or recognized by the Central Government under section 12.

(4) When a sample is taken for analysis under sub-section (1) and the person taking the sample serves on the occupier or his agent or person, a notice under clause (a) of sub-section (3), then-

(a) in a case where the occupier, his agent or person wilfully absents himself, the person taking the sample shall collect the sample for analysis to be placed in a container or containers which shall be marked and sealed and shall also be signed by the person taking the sample, and

(b) in a case where the occupier or his agent or person present at the time of taking the sample refuses to sign the marked and sealed container or containers of the sample as required under clause (c) of sub-section (3), the marked and sealed container or containers shall be signed by the person taking the samples, and the container or containers shall be sent without delay by the person taking the sample for analysis to the laboratory established or recognized under section 12 and such person shall in form the Government Analyst appointed or recognised under section 13 in writing, about the willful absence of the occupier or his agent or person, or, as the case may be, his refusal to sign the container or containers.

12. (1) The Central Government may, by notification in the Official Gazette,—

(a) establish one or more environmental laboratories;

(b) recognise one or more laboratories or institutes as environmental laboratories to carry out the functions entrusted to an environmental laboratory under this act.

(2) The Central Government may, by notification in the Official Gazette, make rules specifying—

(a) the functions of the environmental laboratory;

(b) the procedure for the submission to the said laboratory of samples of air, water, soil or other substance for analysis or tests, the form of the laboratory report thereon and the fees payable for such report;

(c) such other matters as may be necessary or expedient to enable that laboratory to carry out its functions.

13. The Central Government may, by notification in the Official Gazette, appoint or recognise as it thinks fit and having the prescribed qualifications to be Government Analysts for the purpose of analysis of samples of air, water soil or other substance sent for analysis to any environmental laboratory established or recognized under sub-section (1) of section 12.

14. Any document purporting to be a report signed by a Government analyst may be used as evidence of the facts stated therein in any proceeding under this Act.
15. (1) Whoever fails to comply with or contravenes any of the provision of this Act, or the rules made or orders or directions issued thereunder, shall, in respect of each such failure or contravention, be punishable with imprisonment for a term which may extend to five years or with fine which may extend to one lakh rupees, or with both, and in case the failure or contravention continues, with additional fine which may extend to five thousand rupees for every day during which such failure or contravention continues after the conviction for the first such failure or contravention.

(2) If the failure or contravention referred to in sub-section (1) continues beyond a period of one year after the date of conviction, the offender shall be punishable with imprisonment for a term which may extend to seven years.

16. (1) Where any offence under this Act has been committed by a company, every person who, at the time the offence was committed, was directly in charge of, and was responsible to, the company for the conduct of them 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 he 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 director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also 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;

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

17. (1) Where an offence under this Act has been committed by any Department of Government, the Head of the Department shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly;

Provide that nothing contained in this section shall render such Head of the Department liable to any punishment if he 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 Department of Government 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 officer, other than the Head of the Department, such officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.
CHAPTER IV
MISCELLANEOUS

18. No suit, prosecution or other legal proceeding shall lie against the Government or any officer or other employee of the Government or any authority constituted under this Act or any member, officer or other employee of such authority in respect of anything which is done or intended to be done in good faith in pursuance of this Act or the rules made or orders or directions issued thereunder.

19. No court shall take cognizance of any offence under this Act except on a complaint made by—

(a) the Central Government or any authority or officer authorised in this behalf by that Government; or
(b) any person who has given notice of not less than sixty days, in the manner prescribed, of the alleged offence and of his intention to make a complaint, to the Central Government of the authority or officer authorized as aforesaid.

20. The Central Government may, in relation to its functions under this Act, from time to time, require any person, officer, State Government or other authority to furnish, to it or any prescribed authority or officer any reports, returns, statistics, accounts and other information and such person, officer, State Government or other authority shall be bound to do so.

21. All the members of the authority, constituted if any, under section 3 and all officers and other employees of such authority when acting or purporting to act in pursuance of any provisions of this Act or the rules made or orders or directions issued thereunder shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code.

22. No civil court shall have jurisdiction to entertain any suit or proceeding in respect of anything done, action taken or order or direction issued by the Central Government or any other authority or officer in pursuance of any power conferred by or in relation to its or his functions under this Act.

23. Without prejudice to the provisions of sub-section (3), the Central Government may, by notification in the Official Gazette, delegate, subject to such conditions and limitations as may be specified in the notification, such of its powers and functions under this Act except the power to constitute an authority under sub-section (3) of section 3 and to make rules under section 25 as it may deem necessary or expedient, to any officer, State Government or other authority.

24. (1) Subject to the provisions of sub-section (2) the provisions of this Act and the rules or orders made therein shall have effect notwithstanding anything inconsistent therewith contained in any enactment other than this Act.

(2) Where any act or omission constitutes an offence punishable under this Act and also under any other Act then the offender found guilty of such offence shall be liable to be punished under the other Act and not under this Act.

25. (1) The Central 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 power, such rules may provide for all or any of the following matters, namely:—

(a) The standards in excess of which environmental pollutants shall not be discharged or emitted under section 7;
(b) the procedure in accordance with and the safeguards in compliance with which hazardous substances shall be handled or cause to be handled under section 8;

(c) the authorities or agencies to which intimation of the fact of occurrence or apprehension of occurrence of the discharge of any environmental pollutant in excess of the prescribed standards shall be given and to whom all assistance shall be bound to be rendered under sub-section (1) of section 9;

(d) the manner in which samples of air, water, soil or other substance for the purpose of analysis shall be taken under subsection (1) of section 11;

(e) the form in which notice of intention to have a sample analysed shall be served under clause (a) of sub-section (1) of section 11;

(f) the functions of the environmental laboratories, the procedure for submission to such laboratories of samples of air, water, soil and other substances for analysis or test; the form of laboratory report; the fees payable for such report and other matters to enable such laboratories to carry out their functions under sub-section (2) of section 12;

(g) the qualifications of Government Analyst appointed or recognised for the purpose of analysis of sample of air, water, soil or other substances under section 13;

(h) the manner in which notice of the offence and of the intention to make a complaint to the Central Government shall be given under clause (b) of section 19;

(i) the authority or officer to whom any reports, statistics, accounts and other information shall be furnished under section 20;

(j) any other matter which is required to be, or may be, prescribed.

26. Every rule made under this Act 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 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 form 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.

By Order,

GIANI ZAIL SINGH
President.

C. RAMAN MENON,
Additional Secretary to the Govt. of India.

B. R. PRADHAN
Secretary to the Govt. of Sikkim, Law Department.

(F. No. 11(467)/LD/1986).

Rules made under this Act to be laid before Parliament
NOTIFICATION

In pursuance of the guidelines contained in Letter No: DC/3 (10)/86 dated 21.08.1986 received from the Office of the Development commissioner (Small Scale Industries), Ministry of Industry, Government of India, New Delhi, on the continuation of the scheme For providing Self-employment to Educated Unemployed Youth during 1986-87 and the remaining period of the Seventh Five Year Plan, the State Government has reconstituted the Task Force Committee as follows —

1. Director of Industries ……. Chairman
2. Deputy Director-in-Charge, Small Industries Service Institute, Ministry of Industry, Govt. of India, Tadong. ……. Member
3. General Manager, District Industries Centre, Jorethang ……. Member
4. General Manager, District Industries Centre, Gangtok ……. Member
5. General Manager, SIDICO ……. Member
6. Lead Bank Officer, State Bank of India, Gangtok. ……. Member
7. Branch Manager, State Bank of India, Main Branch, Gangtok. ……. Member
8. Branch manager, Central Bank of India, Gangtok. ……. Member
9. Branch Manager, United Commercial Bank, Gangtok. ……. Member
10. Deputy Director of Industries ……. Member

The Committee shall meet at-least once in every three months. The term of the Committee shall be up-to 31st March, 1990

The function of Task Force Committee is to provide sufficient publicity to the Scheme, to motivate the entrepreneurs, the scrutinize cases and recommend them to the Banks. The Committee, besides taking up new cases, may also evaluate the impact of the Scheme and also take up the follow-up actions for recovery of loans disbursed by the Banks in the proceeding years.

SONAM WANGDI,
Secretary to the Government of Sikkim,
Industries Department.
GOVERNMENT OF SIKKIM
DEPARTMENT OF LABOUR

Notification No. 18/DL                                       Dated Gangtok, the 20th October, 1986.

Whereas the draft of the Rules under the Workmen's Compensation Act 1923 (VIII of 1923) was published as required by sub-section (1) of Section 34 of the said Act in the Sikkim Government Gazette No: 15 dated 24th Feb. 1986, inviting objections and suggestions from any persons likely to be affected thereby till the expiry of a period of 90 days from the date of publication of the said Notification in the Official Gazette.

And whereas no objections and suggestions have been received from any person on the said draft Rules;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 34 of the said Act, the State Government hereby makes the following Rules, namely.—
These rules may be called the Sikkim Workmen's Compensation Rules, 1986.

They shall extend to the whole of the State of Sikkim.

They shall come into force on the date of their publication in the Official Gazette.

In these rules unless the subject or context otherwise requires :

(a) 'Act' means the Workmen's Compensation Act, 1923.
(b) 'Form'means a form appended to these rules.
(c) 'Section'means a section of the Act;
(d) 'Commissioner' means the Commissioner for Workmen's Compensation appointed under section 20 of the Act;
(e) 'Workman'means any person as defined in Section 2 (1) (n) of the Act.

PART I

Review of half-monthly payments and commutation thereof.

Application for review of a half-monthly payment under Section 6 may be made without being accompanied by a medical certificate :

(a) by the employer, on the ground that since the right to compensation was determined the workmen's wages have increased;
(b) by the workman, on the ground that since the right to compensation was determined his wages have diminished;
(c) by the workman, on the ground that the employer, having commenced to pay compensation, has ceased to pay the same, notwithstanding the fact that there has been no change in the workmen's condition such as to warrant such cessation;
(d) either by the employer or by the workman, on the ground that the determination of the rate of compensation for time being in force was obtained by fraud or undue influence or other improper means;
(e) either by the employer or by the workman on the ground that in the determination of compensation there is a mistake or error apparent on the face of the record.

Procedure on application for review :- If, on examining an application for review by an employer in which the reduction or discontinuance of half-monthly payments is sought, it appears to the Commissioner that there is reasonable ground for believing that the employer has a right to such reduction or discontinuance, he may, at any time issue an order withholding the half-monthly payments in whole or in part pending his decision on the application.
5. Procedure on application for commutation:- (1) where application is made to the Commissioner under section 7 for the redemption of a right to receive half-monthly payments by the payment of a lump sum, the Commissioner shall form an estimate of the probable duration of the disablement, and shall award a sum equivalent to the total of the half-monthly payments which would be payable for the period during which he estimates that the disablement will continue, less one-half per cent of that total for each month comprised in that period:

Provided that fractions of a rupee included in the sum so computed shall be disregarded.

(2) When, in any case to which sub-rule (1) applies, the Commissioner is unable to form an approximate estimate of the probable duration of the disablement, he may from time to time postpone a decision on the application for a period not exceeding two months at any one time.

PART II

Deposit of Compensation

6. Deposit under section 8 (1).- (1) An employer depositing compensation with the Commissioner under sub-section (1) of Section 8, in respect of a workman whose injury has resulted in death shall furnish therewith a statement in Form A, and shall be given a receipt in Form C. In other cases of deposits with the Commissioner under sub-section (1) of Section 8, the employer shall furnish a statement in Form B, and shall be given a receipt in Form C.

(2) If, when depositing compensation in respect of fatal accidents the employer indicates in the statement referred to in sub-rule (1) that he desires to be made a party to the distribution proceedings, the Commissioner shall, before allotting the sum deposited as compensation, afford to the employer an opportunity of establishing that the person to whom he proposes to allot such sum is not a dependant of the deceased workman or, as the case may be, that no one of such person is a dependant.

(3) The statement of disbursements to be furnished on application by the employer under sub-section (4) of section 8 shall be in Form D.

7. Publication of lists of deposits.- The Commissioner shall cause to be displayed in a prominent position outside his office an accurate list of the deposits received by him under sub-section (1) of section 8, together with the names and addresses of the depositors and of the workmen in respect of whose death or injury the deposits have been made.

8. Application by dependants for deposit of compensation.- (1) A dependant of a deceased workman may apply to the Commissioner for the issue of an order to deposit compensation in respect of the death of the workman. Such application shall be made in Form I.

(2) if compensation has not been deposited, the Commissioner shall dispose such application in accordance with the provisions of part V of these rules:

Provided that—

(a) The Commissioner may, at any time before issues are framed, caused notice to be given in such manner as he thinks fit to all or any of the dependants of the deceased workman who have not joined in the application, requiring them, if they desire to joint therein, to appear before him on a date specified in this behalf.

(b) any dependant to whom such notice has been given and who fails to appear and to join in the application on the date specified in the notice shall not be permitted thereafter to claim that the employer is liable to deposit compensation unless he satisfies the Commissioner that he was prevented by any sufficient cause from appearing when the case was called on for hearing.
If, after completing the enquiry into the application, the Commissioner issues an order requiring the employer to deposit compensation in accordance with sub-section (1) of section 8, nothing in sub-rule (2) shall be deemed to prohibit the allotment of any part of the sum deposited as compensation to a dependant of the deceased workman who failed to join the application.

9. Deposit under section 8 (2).—An employer depositing compensation in accordance with sub-section (2) of section 8 of the Act shall furnish therewith a statement in Form E and shall be given receipt in Form F.

10. Investment of money. - Money in the hands of Commissioner may be invested for the benefit of the dependants of deceased workman in the State Bank of Sikkim or State Bank of India.

PART III
Report of Accidents

11. Report of fatal accidents. - The report required by section 10 B of the Act shall subject to such rules, if any, as may be made by the State Government, be in Form G.

12. Right of employer to present memorandum when information received. (1) Any employer who has received information of an accident may at any time, notwithstanding the fact that no claim for compensation has been instituted in respect of such accident, present to the Commissioner a memorandum supported by an affidavit made by himself or by any person subordinate to him having knowledge of the facts stated in the memorandum, embodying the results of any investigation or inquiry which has been made into the circumstances or cause of the accident.

(2) A memorandum presented under sub-rule (1) shall, subject to the payment of such fee as may be prescribed, be recorded by the Commissioner.

PART IV
Medical Examination

13. Workman not to be required to submit to medical examination save in accordance with rules. - A workman who is required by sub-section (1) of section 11 to submit himself for medical examination shall be bound to do so in accordance with the rules contained in this part and not otherwise.

14. Examination when workman and medical practitioner both on premises—when such workman is present at the employer's premises, and the employer offers to have him examined free of charge by a qualified medical practitioner who is so present, the workman shall submit himself for examination forthwith.

15. Examination in other cases. - In cases to which Rule 14 does not apply, the employer may—

(a) send the medical practitioner to the place where the workman is residing for the time being in which case the workman shall submit himself for medical examination on being requested to do so by the medical Practitioner, or

(b) send to the workman an offer in writing to have him examined free of charge by a qualified medical practitioner, in which case the workman shall submit himself for medical examination at the employer's premises or at such other place in the vicinity as is specified in such offer and at such time as is so specified:

Provided that—

(i) the time so specified shall not, save with the express consent of the workman, be between the hours of 7 p.m. and 6 a.m. and

(ii) in case where the workman's conditions renders it impossibly or inadvisable that he should leave the place where he is residing for the time being, he shall not be required to submit himself for medical examination save at such place.
16. Restriction on number of examinations: A workman who is in receipt of a half-monthly payment shall not be required to submit himself for medical examination elsewhere than at the place where he is residing for the time being more than twice in the first month following the accident or more than once in any subsequent month.

17. Examination after suspension of right to compensation: If a workman whose right to compensation has been suspended under sub-section (2) or sub-section (3) of section 11 of the Act, subsequently offers himself for medical examination, his examination shall take place on the employer's premises or at such other place in the vicinity as may be fixed by the employer, and at a time to be fixed by the employer not being, save with the express consent of the workman, more than 72 hours after the with the nan, has so offered himself.

18. Examination of women:-(1) No women shall, without her consent be medically examined by a male practitioner, save in the presence of another women.

(2) No women shall be required to be medically examined by a male practitioner if she deposits a sum sufficient to cover the expenses of examination by a female practitioner.

PART V
Procedure

19. Introductory: Save as otherwise provided in the these rules, the procedure to be followed by commissioner in the disposal of case under the Act or these rules and by the parties in such cases shall be regulated in accordance with the rules contained in this part.

20. Application:-(1) Any application of the nature referred to in section 22 may be sent to the Commissioner by registered post or may be presented to him or to any of his subordinates authorised by him in this behalf and, if so sent or presented, shall, unless the Commissioner otherwise directs, be made in duplicate in the appropriate Form, if any, and shall be signed by the applicant.

(2) There shall be appended to every such application a certificate, which shall be signed by the applicant, to the effect that the statement of facts contained in the application is to the best of his knowledge and belief accurate.

21. Production of documents:-(1) when the application for relief is based upon a document, the document shall be appended to the application.

(2) Any other document which any party desires to tender in evidence shall be produced at or before the first hearing.

(3) Any document which is not produced at or within the time specified in sub-rule (1) or (2) as the case may be, shall not, without the sanction of the Commissioner, be admissible in evidence on behalf of the party who should have produced it.

(4) Nothing in this rule applies to any document which is produced for the purpose of cross-examining a witness or is handed to a witness to refresh his memory.

22. Application presented to wrong Commissioner:-(1) If it appears to the Commissioner on receiving application that it should be presented to another Commissioner, he shall return it to the applicant after endorsing upon it the date of the presentation and return, the reason for returning it and designation of the Commissioner to whom it should be presented.

(2) If it appears to the Commissioner at any subsequent stage that an application should have been presented to another Commissioner, he shall send the application to the Commissioner empowered to deal with it and shall inform the applicant (and the opposite-party, if he has received a copy of the application under rule 26), accordingly.
(3) The Commissioner to whom an application is transferred under sub-rule (2) may continue the proceedings as if the previous proceedings or any part of them had been taken before him, if he is satisfied that the interests of the parties will not thereby be prejudiced.

23. Examination of applicant.— (1) On receiving an application of the nature referred to in section 22, the Commissioner may examine the applicant on oath, or may send the application to any officer authorized by the state Government in this behalf and direct such officer to examine the applicant and his witnesses and forward the record thereof to the Commissioner.

(2) The substance of any examination made under sub-rule (1) shall be recorded in the manner provided for the recording of evidence in section 25.

24. Summary dismissal of application.— (1) The Commissioner may, after considering the application and the result of any examination of the applicant under rule 23, summarily dismiss the application, if for reasons to be recorded, he is of opinion that there are not sufficient ground for proceeding thereon.

(2) The dismissal of the application under sub-rule (1) shall not of itself preclude the applicant from presenting a fresh application for the settlement of the same matter.

25. Preliminary inquiry into application.— If the application is not dismissed under rule 24, the Commissioner may, for reasons to be recorded call upon the applicant to produce evidence in support of the application before calling upon any other party, and, if upon considering such evidence the Commissioner is of opinion that there is no case for the relief claimed, he may dismiss the application with a brief statement of his reasons for so doing.

26. Notice to opposite party.— If the Commissioner does not dismiss the application under rule 24 or rule 25, he shall send to the party from whom the applicant claims relief (hereinafter referred to as the opposite party) a copy of the application together with a notice of the date on which he will dispose of the application, and may call upon the parties to produce upon that date any evidence which they may wish to tender.

27. Appearance and examination of opposite party.—
(1) The opposite party, may, and if so required by the Commissioner shall, at or before the first hearing or within such time as the Commissioner may permit, file a written statement dealing with the claims raised in the application, any such written statement shall form part of the record.

(2) If the opposite party contests the claim, the Commissioner may, and, if no written statement has been filed, shall proceed to examine him upon the claim, and shall reduce the result of examination to writing.

28. Framing of issues.— (1) After considering any written statement and the result of any examination of the parties, the Commissioner shall ascertain upon what material propositions of fact or of law the parties are at variance and shall thereupon proceed to frame and record the issues upon which the right decision of the case appears to him to depend.

(2) In recording the issues, the Commissioner shall distinguish between those issues which in his opinion concern points of facts and those which concern points of law.

29. Power to postpone trial of issues of facts where issues of law arise.— When issues both of law and of fact arise in the same case, and the Commissioner is of opinion that the case may be disposed of on the issues of law only, he may try those issues first, and for that purpose may, if he thinks fit, postpone the settlement of the issues of fact until after the issues of law have been determined.

30. Diary.— The Commissioner shall maintain under his hand a brief diary of the proceedings on an application.
31. Reasons for postponement to be recorded- If the Commissioner finds it impossible to dispose of an application at one hearing, he shall record the reasons which necessitate a postponement,

32. Judgement.- (1) The Commissioner, in passing orders, shall record concisely a judgement, his finding on each of the issues framed and his reasons for such finding.

(2) The Commissioner, at the time of signing and dating his judgement, shall pronounce his decision, and thereafter no addition or alteration shall be made to the judgement other than the correction of a clerical or arithmetical mistake arising from any accidental slip or omission.

33. Summoning of witnesses.- If an application is presented by any party to the proceedings for the citation of witnesses, the Commissioner shall on payment of the prescribed expenses and fees, issue summonses for the appearance of such witnesses unless he considers that their appearance is not necessary for the just decision of the case.

34. Exemption form payment of costs.— If the Commissioner is satisfied that the applicant is unable, by reason of poverty, to pay the prescribed fees, he may remit any or all of such fees. If the case is decided in favour of the applicant, the prescribed fees which, had they not been remitted would have been due to be paid, may be added to the costs of the case and recovered in such manner as the Commissioner in his order regarding costs may direct.

35. Right of entry for local inspection:- A Commissioner before whom any proceeding relating to an injury by accident is pending may at any time enter the place where the workman was injured, or where the workman ordinarily performed his work, for the purpose of making a local inspection or of examining any persons likely to be able to give information relevant to the proceedings.

Provided that the Commissioner shall not enter any premises of any industrial establishment except during the ordinary working hours of that establishment, save with the permission of the employer or of some person directly responsible to him for the management of the establishment.

36. Procedure in connection with local inspection:-

(1) If the Commissioner proposes to conduct a local inspection with a view to examining on the spot the circumstances in which an accident took place, he shall give the parties or their representatives notice of his intention to conduct such inspection, unless in his opinion the urgency of the case renders the giving of such notice impracticable.

(2) Such notice may be given orally or in writing, and, in the case of an employer, may be given to any person upon whom notice of a claim can be served under sub-section (2) of Section 10, or the representative of any such person.

(3) Any party, or the representative of any party, may accompany the Commissioner at a local inspection.

(4) The Commissioner, after making a local inspection, shall note briefly in a memorandum any facts observed, and shall show the memorandum to any party who desires to see the same, and, on payment of the prescribed fee shall supply any party with a copy thereof.

(5) The memorandum shall form part of the record.

37. Power of summary examination:- (1) The Commissioner during a local inspection or at any other time, save at a formal hearing of a case pending before him, may examine summarily any person likely to be able to give information relating to such case, whether such person has been or is to be called as a witness in the case or not and whether any or all of the parties are present or not.
(2) No oath shall be administered to a person examined under sub-rule (1).

(3) Statements made by persons examined under sub-rule (1), if reduced to writing, shall not be signed by the person making the statement, nor shall they, except as hereinafter provided, be incorporated in the record or utilized by the Commissioner for the purpose of arriving at a decision in the case.

(4) If a witness who has been examined under sub-rule (1) makes in evidence any material statement contradicting any statement made by him in such examination and reduce to writing, the Commissioner may call his attention to such statement, and shall in that case direct that the parties be furnished with the relevant part of such statement for the purpose of examining or cross examining the witness.

(5) Any statement or part of a statement which is furnished to the parties under sub-rule (4) shall be incorporated in the record.

(6) Where a case is settled by agreement between the parties, the Commissioner may incorporate in the record any statement made under sub-rule (1) and may utilize such statement for the purpose of justifying his acceptance of, or refusal to accept, the agreement reached.

38. Agreement to abide by Commissioner's decision:- If a party states in writing his willingness to abide by the decision of the Commissioner, the Commissioner shall inquire whether the other party is willing to abide by his decision.

(2) If the other party agrees to abide by the Commissioner's decision the fact of his agreement shall be recorded in writing and signed by him.

(3) If the other party does not agree to abide by the Commissioner's decision, the first party shall not remain under an obligation so to abide.

39. Procedure where indemnity claimed under Section 12 (2):-

(1) Where the opposite party claims that if compensation is recovered against him he will be entitled under sub-section (2) of section 12 to be indemnified by a person not being a party to the case, he shall, when first called upon to answer the application present a notice of such claim to the Commissioner accompanied by the prescribed fee, and the Commissioner shall thereupon issue notice to such person in Form 'K'.

(2) If any person served with a notice under sub-rule (1) desires to contest the applicant's claim for compensation or the opposite party's claim to be indemnified, he shall appear before the Commissioner on the date fixed for the hearing of the case or on any date to which the case may be adjourned and, if he so appears, shall have all the rights of a party to the proceedings; in default of so appearing he shall be deemed to admit the validity of any award made against the opposite party and to admit his own liability to indemnify the opposite party for any compensation recovered from him:

Provided that, if any person so served appears subsequently and satisfies the Commissioner that he was prevented by any sufficient cause from appearing, the Commissioner shall, after giving notice to the aforesaid opposite party, hear such person, and may set aside or vary any award made against such person under this rule upon such terms as may be just.

(2) If any person served with a notice under sub-rule (1) whether or not he desires to contest the applicant's claim for compensation or the opposite party's claim to be indemnified; claims that being a contractor he is himself a principal and is entitled to be indemnified by a person standing to him in the relation of a contractor, from whom the workman could have recovered compensation, on he shall on or before the date fixed in the notice under sub-rule (1) present a notice of such claim to the Commissioner accompanied by the prescribed fee and the Commissioner shall thereon issue notice to such person in Form L.
(4) If any person served with a notice under sub-rule (3) desires to contest the applicant’s claim for compensation, or the claim under sub-rule (3) to be indemnified he shall appear before the Commissioner on the date fixed in the notice in Form L or on any date to which the case may be adjourned and, if he so appears, shall have all the rights of a party to the proceedings; in default of so appearing he shall be deemed to admit the validity of any award made against the original opposite party or the person served with a notice under sub-rule (1) and to admit his own liability to indemnify the party against whom such award is made for any compensation recovered from him:

Provided that, if any person so served appears subsequently and satisfies the Commissioner that he was prevented by any sufficient cause from appearing, the Commissioner shall, after giving notice to all parties on the record, hear such person, and may set aside or vary any award made against such person under this rule upon such terms as may be just.

(5) In any proceeding in which a notice has been served on any person under sub-rule (1) or sub-rule (3) the Commissioner shall, if he awards compensation, record in his judgement a finding in respect of each of such persons whether he is or is not liable to indemnify any of the opposite parties, and shall specify the party, if any, whom he is liable to indemnify.

40. Procedure in connected cases :-(1) Where two or more cases pending before a Commissioner arise out of the same accident, and any issue involved is common to two or more such cases, such cases may, so far as the evidence bearing on such issue is concerned, be heard simultaneously.

(2) Where action is taken under sub-rule (1) the evidence bearing on the common issue or issues shall be recorded on the record of one case, and the Commissioner shall certify under his hand on the record of any such other case, the extent to which the evidence so recorded applies to other case, and the fact that the parties to such other case had the opportunity of being present, and, if they were present, of cross-examining the witnesses.

41. Certain provisions of Code of Civil Procedure, 1908, to apply.- Save as otherwise expressly provided in the Act or these rules the following Provisions of the First Schedule to the Code of Civil Procedure, 1908, namely, those contained in Order V, rules 9 to 13 and 15 to 30: Order IX; Order XIII, rules 3 to 10; Order XVI, rules 2 to 21; Order XVII, and Order XXIII rules 1 and 2, shall apply to proceedings before Commissioners, in so far as they may be applicable thereto:

Provided that-

(a) for the purpose of facilitating the application of the said provisions the Commissioner may construe them with such alterations not affecting the substance as may be necessary or proper to adapt them to the matter before him;

(b) the Commissioner may, for sufficient reasons, proceed otherwise than in accordance with the said provisions, if he is satisfied that he interests of the parties will not thereby be prejudiced.

42. Provisions regarding signature of forms— Any form, other than a receipt for compensation, which is by these rules required to be signed by a Commissioner may be signed under his direction and on his behalf by any officer subordinate to him appointed by him in writing for this purpose.

43. Apportionment of compensation among dependants :— The provisions of this part, except those contained in rules 26, 27 and 39 shall, as far as may be, apply in the case of any proceedings relating to the apportionment of compensation among dependants of a deceased workmen.
PART VI

Transfer

44. Transfer for report:— (1) A Commissioner transferring any matter to another Commissioner for report in accordance with sub-section (2) of section 21 shall, alongwith the documents referred to in that sub-section, transmit to such other Commissioner a concise statement, in the form of questions for answer, of the matter on which report is required.

(2) A Commissioner to whom a case is so transferred for report shall not be required to report any question of law.

45. Transmission of money:— Money transmitted by one Commissioner to another in accordance with sub-section (2) of Section 21 shall be transmitted either by remittance transfer receipt, or by money order, or by messenger or by such other method as the Commissioner transmitting the money may direct.

PART VII

Appointment of Representatives

46. When representative must be appointed:— Where any party to a proceeding is under the age of 15 years or is unable to make an appearance, the Commissioner shall appoint some suitable person, who consents to the appointment, to represent such party for the purposes of the proceeding.

47. When new representative to be appointed.—If the Commissioner considers that the interests of any party for whom a representative has been appointed under rule 46 are not being adequately protected by that representative or if a person appointed to act as representative dies or becomes incapable of acting, or otherwise ceases to act as such, the Commissioner shall appoint in his place another person who consents to the appointment.

PART VIII

Record to Memoranda of Agreement

48. Form of memorandum:—Memoranda of agreement sent to the Commissioner under sub-section (1) of section 28, shall, unless, the Commissioner otherwise directs, be in duplicate, and shall be in as close conformity as the circumstances of the case admit with Form M or Form O or Form P, as the case may be.

49. Procedure where Commissioner does not consider that he should refuse to record memorandum:— (1) On receiving a memorandum of agreement, the Commissioner shall; unless he considers that there are grounds for refusing to record the memorandum, fix a date for recording the same, and shall issue a notice in writing in Form O to the parties concerned that in default of objections he proposes to record the memorandum on the date so fixed;

Provided that notice may be communicated orally to any parties who are present at the time when notice in writing otherwise issue.

(2) On the date so fixed, the Commissioner shall record the memorandum unless, after hearing any of parties who appear and desire to be heard, he considers that it ought not to be recorded.

Provided that the issue of a notice under sub-rule (1) shall not be deemed to prevent the Commissioner from refusing to record the memorandum on the date so fixed even if no objection be made by any party concerned.

(3) If on such date the Commissioner decides that the memorandum ought not to be recorded, he shall inform the parties present of his decision and of the reasons therefor, and, if any party desiring the memorandum to be recorded is not present, he shall send information to that party in Form R.
50. Procedure where Commissioner considers that he should refuse to record memorandum:— (1) If, on receiving a memorandum of agreement, the Commissioner considers that there are grounds for refusing to record the same, he shall fix a date for hearing the party or parties desiring the memorandum to be recorded, and shall inform such party or parties and, if he thinks fit, and any other party concerned of the date so fixed and of the grounds on which he considers that the memorandum should not be recorded.

(2) If the parties to be informed are not present, a written notice shall be sent to them in Form S or Form T, as the case may be, and the date fixed in such notice shall be not less than seven days after the date of the issue of the same.

(3) If, on the date fixed under sub-rule (1), the party or parties desiring the memorandum to be recorded show adequate cause for proceeding to the record of the same, the Commissioner may, if information has already been given to all the parties concerned, record the agreement. If information has not been given to all such parties, he shall proceed in accordance with rule 49.

(4) If, on the date fixed, the Commissioner refuses to record the memorandum, he shall send notice in Form R to any party who did not receive information under sub-rule (1).

51. Procedure on refusal to record memorandum.— (1) If in any case the Commissioner refuses to record a memorandum of agreement, he shall briefly record his reasons for such refusal.

(2) If the Commissioner refuses to record a memorandum of agreement, he shall not pass any order directing the payment of any sum or amount over and above the sum specified in the agreement, unless opportunity has been given to the party liable to pay such sum to show cause why it should not be paid.

(3) Where the agreement is for the redemption of half-monthly payments by the payment of a lump sum, and the Commissioner considers that the memorandum of agreement should not be recorded by reason of the inadequacy of the amount of such sum as fixed in the agreement, he shall record his estimate of the probable duration of the disablement of the workman.

52. Registration of memorandum accepted for record:— In recording a memorandum of agreement, the Commissioner shall cause the same to be entered in a register in Form U and shall cause an endorsement to be entered under his signature on a copy of the memorandum to be retained by him in the following terms, namely —

"This memorandum of agreement bearing Serial No. of 19

in the register has been recorded this day of

(Signature) Commissioner."

K. Sherab, Secretary to the Government of Sikkim, Department of Labour.
FORM A  
( See Rule 6 (1) )

Deposit of Compensation for Fatal Accident.  
(Section 8(1) of the Workmen's Compensation Act, 1923)

To

The Commissioner for Workmen's Compensation,  
Department of Labour,  
Government of Sikkim,  
Gangtok.

It is, hereby, submitted that the death of the workman, whose particulars are given below, occurred on............................................................

1. Name..........................................................................................

2. Name of father/husband............................................................

3. Date of birth.............................................................................

4. Temporary Address...................................................................

5. Permanent Address...................................................................

.................................................................

6. 1* Average monthly wage.....................................................

7. Relevant factor........................................................................

8. Gross Compensation payable.................................................

9. * Total payments made/ Advance paid....

10. Net Compensation payable.................................................

11. Mode of payment...................................................................

Therefore, Rs................(Rupees—......................................)

only as compensation is presented.

Further, I do*/do not desire to be made a party to the proceeding for distribution of the aforesaid compensation.

Date....................... Signature of Employer

Name........               

Designation......................

Name of establishment

................................

Address......................

................................

I *Details to be submitted separately.
* Strike out which is not applicable.
FORM B
(See Rule 6(1))

Deposit of Compensation for Non-fatal Accident to a Woman or Person under Legal Disability
(Section 8(1) of the Workmen's Compensation Act, 1923)

To

The Commissioner for Workmen's Compensation,
Department of Labour,
Government of Sikkim,
Gangtok.

It is hereby submitted that the injuries sustained by the Workman, whose particulars are given below occurred on —................................. resulting in the loss of/temporary disablement.

1. Name.....................................................................................................
2. Father's/Husband's/name....................................................................
3. Date of birth.......................................................................................,
4. Temporary Address............................................................................
5. Permanent address............................................................................
6. *Average monthly wage......................................................................
7. Relevant factor..................................................................................
8. *Total payments made/Advance paid..................................................
9. Gross compensation payable..............................................................
10. Net Compensation payable...............................................................,
11. Mode of payment...............................................................................,

Therefore………………. (Rupees..................................................)

only as compensation is presented.

Date........................................

Signature of Employer

Name................................
Designation......................
Name of establishment

Address.........................

____________________________________________________________________

*Details to be submitted separately.
*Strike out whichever is not applicable.
(14)

FORM C

(See Rule 6)

Receipt for Compensation

(Deposited under section 8(1) of the Workmen's Compensation Act, 1923)

Office of the Commissioner for Workmen's Compensation

Department of Labour

Government of Sikkim

GANGTOK

Receipt of the Compensation as per details below is, hereby, acknowledged.

1. Name/ designation of the depositor.................................................................

2. Name of establishment........................................................................................

3. *Name of the deceased/injured workman......................................................

4. Date of deposit...................................................................................................

5. Amount deposited—...........................................................................................

__________________________
Commissioner

*Strike out whichever is not applicable.
FORM D

(See Rule 6)

Statement of disbursement

Section 8(4) of the Workmen's Compensation Act, 1923)

1. Name/designation of the depositor............................................................................................

2. Name of the establishment..........................................................................................................

3. Amount deposited........................................................................................................................

4. Amount deducted and repaid to the employer under the proviso to section 8(1)..........................

5. Funeral expenses paid..................................................................................................................

6. The Compensation has been paid to the following dependants:—

<table>
<thead>
<tr>
<th>Name</th>
<th>Relationship</th>
<th>Amount paid</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

___________________

Total Rs.......................

___________________

Commissioner

Date.........................
FORM E

(See Rule 9)

Deposit of Compensation for Non – fatal Accidents other than a woman or person under legal disability

(Section 8 (2) of the Workmen's Compensation Act, 1923)

To

The Commissioner for Workmen's Compensation,
Department of Labour,
Government of Sikkim,
Gangtok.

It is, hereby, submitted that the permanent/temporary injuries sustained by the Workman, whose particulars are given below, occurred on..........................

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Name.............................................................................................................</td>
</tr>
<tr>
<td>2.</td>
<td>Father's/Husband's name..........................................................................</td>
</tr>
<tr>
<td>3.</td>
<td>Date of birth............................................................................................</td>
</tr>
<tr>
<td>4.</td>
<td>Temporary Address—....................................................................................</td>
</tr>
<tr>
<td>5.</td>
<td>Permanent Address......................................................................................</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* Average monthly wage...........................................................................

Relevant factor...........................................................................................

Gross Compensation payable.................................................................

* Total payments made/Advance paid —...................................................

Net Compensation payable........................................................................

Mode of payment....................................................................................... 

Therefore, Rs..................... (Rupees...............................................) only as compensation is presented.

Date...........................

Signature of Employer

Name.............................

Designation....................

Name of establishment

Address............................

..........................................................................................

*Strike out whichever is not applicable.
(17)
FORM F
(See Rule 9)
Receipt for Compensation

(Deposited under section 8(2) of the Workmen's Compensation Act, 1923)

Office of the Commissioner for Workmen's Compensation,
Department of Labour,
Government of Sikkim,
GANGTOK

Receipt of the Compensation as per details below is, hereby, acknowledge

1. Name/designation of the depositor...............................................................
2. Name of establishment..................................................................................
3. Name of the Workman................................................................................
4. Date of deposit..............................................................................................
5. Amount deposited—.....................................................................................

Dated......................
Commissioner
(18)

FORM G

(See Rule 11)

Report of fatal Accidents

To

The Commissioner for Workmen's Compensation,
Department of Labour,
Government of Sikkim,
Gangtok.

Sir,

I have the honour to submit the following report of an accident which resulted in the death of the workman*/workmen, the particulars of whom are given in the statement annexed.

2. The circumstances leading to the death of the workman*/workmen and other details are as follows:
   i. Date of accident
   ii. Premises where the accident took place
   iii. Time of the accident
   iv. Manner in which deceased was*/were employed at the time
   v. Cause of accident
   vi. Any other relevant particulars

Yours faithfully,

Signature and designation,
of person making the report

Enc: Statement.

*Strike out whichever is not applicable.
Statement

1. Name of the deceased.................................................................
2. Sex.........................................................................................
3. Age......................................................................................
4. Nature of employment.........................................................
5. Designation...........................................................................
6. Full Postal address...............................................................
FORM H

(See Rule 20)

Application for Compensation by Workman.

To

The Commissioner of Workmen's Compensation,
Department of Labour,
Government of Sikkim,
Gangtok,

It is submitted that –

(1) The applicant, a workman employed by the contractor..............................
............................................................................in his establishment named below
received personal injury by accident arising out of and in the course of his
employment as per details below:

(2) Name of establishment........................................................................................

(i) Date on which injury was sustained....................................................................

(ii) Details of injury so sustained..............................................................................

(iii) *Average monthly wages of the applicant...........................................................

(iv) Age of the applicant on the date when the injury was sustained......................
........................................................................................................................................

(3)*1 (a) Notice of the accident was served on the day of.................................
........................................................................................................................................

(b) Notice was served as soon as practicable................................................

(c) Notice of accident was not served (in due time ) by reason of.....................
........................................................................................................................................

(4)*1 The applicant is, therefore, entitled to receive the compensation as follow-

(a) half-monthly payment of Rs......................................................from the
day of.........................................................to..............................................

(b) a lump sum payment of Rs........................................................

(5) The applicant has taken steps (as per details enclosed) to secure a settle-
ment by agreement but it has proved impossible to settle the case/question
in dispute on the grounds mentioned therewith.
It is, therefore, requested for kindly realizing the compensation and to award the same.

*1

Or

Claim of the applicant may therefore, kindly be determined as per the provisions and be intimated/awarded accordingly.

Yours faithfully,

Dated........................................                                         (Applicant)

* Details to be submitted separately.
*1 Strike out whichever not applicable.
Application for Order to Deposit Compensation.

To

The Commissioner for Workmen's Compensation,
Department of Labour,
Government of Sikkim,
Gangtok.

Sir,

It is hereby submitted that (1) late deceased..........................................................
...................................................................................
a workman employed by the Contractor.........................
..................................................................................
in his/her establishment named below received
personel injury as per details below by accident arising out of and in the course
of his/her employment resulting in his/her death:

(i) Date of accident........................................................................................................

(ii) Date when the deceased succumbed to his/her injuries
.................................................................................................................................

(iii) The cause of the injury was (details to be enclosed separately)

(2) The applicant (s) is/are dependant(s) of the deceased workman being
his/her..........................................................................................................................

(3) The average monthly wages of the deceased amount to Rs. ..................
.................................................................................................................................

(4) The deceased was..............................................years old at the time of
his/her death.

(5) Relevant factor

(6) Gross compensation payable..............................................................................

(7) Total payments made/advance paid....................................................................... 

(8) Net Compensation payable....................................................................................

*(9) Notice of the accident was served on the day of
.............................................................................................................................
(b) Notice was served as soon as practicable.

(c) Notice of the accident was not served (in due time) by reason of.

It is, therefore, requested to award to the applicant the said compensation or any other compensation to which he/she may be entitled.

Yours faithfully,

Dated…………………… Applicant

Details to be submitted separately.
Strike out whichever not applicable.
FORM J

(See Rule 20)

Application for Commutation (under section 7 of the Workmen’s Compensation Act, 1923)

To

The Commissioner for Workmen's Compensation,
Department of Labour,
Government of Sikkim,
Gangtok.

Sir,

It is hereby submitted that—

(1) The applicant has been in receipt of half-monthly payments from ................. to ................. in respect of temporary disablement by accident arising out of and in the course of his/her employment as per details below:

(a) Name of the employer ...............................................................  
(b) Name of the establishment ....................................................  
(c) Date of accident .................................................................

(2) The applicant is desirous that the right to receive half-monthly payments should be redeemed.

(3)*

(a) The opposite party is unwilling to agree to the redemption of the right to receive half-monthly payments.

(b) The parties have been unable to agree regarding the sum for which the right to receive half-monthly payments should be redeemed.

(4) *It is, therefore, requested to pass orders—

(a) directing that the right to receive half-monthly payments should be redeemed.

(b) fixing a sum for the redemption of the right to receive half-monthly payments.

Yours faithfully.

Dated ............................................................  

Applicant.

*Strike out the clauses which are not applicable.
Office of the Commissioner for Workmen's Compensation, 
Department of Labour, 
Government of Sikkim;

NOTICE

To

........................................................................
........................................................................
........................................................................

Whereas a claim for compensation has been made by , the applicant, against and the said

has claimed that you are liable under section 12 (2) of the Workmen's Compensation Act, 1923, to indemnity him against any compensation which he may be liable to pay in respect of the aforesaid claim, you are hereby informed that you may appear before me on

and contest the claim for compensation made by the said applicant of the claim for indemnity made by the opposite party. In default of your appearance you will be deemed to admit the validity of any award made against the opposite party and your liability to indemnity the opposite party for any compensation recovered from him.

Commissioner

Dated.............................
Office of the Commissioner for Workmen’s Compensation,
Department of Labour,
Government of Sikkim,

NOTICE

To

........................................................................................................

........................................................................................................

........................................................................................................

Whereas a claim for compensation has been made by
........................................................................................

, the applicant, against and the said

, has claimed that

is liable under section 12 (2) of the Workmen’s Compensation Act, 1923, to indemnity
him against any compensation which he may be liable to pay in
respect of the aforesaid claim, and whereas the said

on notice served has claimed that you

stand to him in the relation of a contractor from whom the

could have recovered compensation, you are hereby

in default of your appearance you will be deemed to admit the validity of

any award made against the opposite party and your

liability to indemnity the opposite party for any compen-
sation recovered from him.

Commissioner

Dated
FORM M
(See Rule 48)
Memorandum of Agreement

To

The Commissioner for Workmen's Compensation,
Department of Labour,
Government of Sikkim,
GANGTOK.

Sir,

It is hereby submitted that on the day of personal injury was caused to of by accident arising out of and in the course of employment in my establishment named

The said injury has resulted in temporary disablement to the said workman Whereby it is estimated that he will be prevented from earning more than of his previous* any wages for a period of months. The said workman has been in receipt of half-monthly payments which have been continued from the day of until the day of amounting to Rs. in all.

*The said workman's average monthly wages are estimated at Rs.

His date of birth is

It is further submitted that the employer of the said workman's has agreed to pay, and the said workman has agreed to accept the sum of Rs. in full settlement of all and every claim under the Workmen's Compensation Act; 1923, in respect of all disablement of a temporary nature arising out of the said accident, whether now or hereafter to become manifest. It is therefore requested that this memorandum be duly recorded.

Yours faithfully,

Dated

Signature of employer

Witness:
1.
2.

Signature of Workman

Witness:
1.
2.

*Strike out whichever not applicable.

1*Details to be submitted separately.

(Note 1: An application to register an agreement can be presented under the signature of one party, provided that the other party has agreed to the terms. But both signatures should be appended, whenever possible).

(Note 2: This form may be varied to suit special cases, e.g. injury by occupational disase, agreement when workman is under legal disability, etc.)
In accordance with the agreement dated.................................................................

I have this day received a sum of Rs.................................................................(Rupees ........................................ only.

Workman

(Signature in stamped)

Dated

The money has been paid and this receipt signed in my presence.

Witness
FORM O
(See Rule 48)
Memorandum of Agreement

To

The Commissioner for Workmen’s Compensation,
Department of Labour,
Government of Sikkim.

Sir,

It is hereby submitted that on the day of

, personal injury was caused to

* by accident arising out of and in the course of his/her employ-

ment in my establishment named..........................................................

2. The said injury has resulted in permanent disablement to the said work-

men of the following nature, namely,—

3. 1 The said workman’s monthly average wages are estimated at Rs.

4. The date of birth of the workman is

5. The said workman has, prior to the date of this agreement, received the

following payments, namely,—

Rs.....................................................on....................................

Rs.....................................................on....................................

Rs................................................. ...on....................................

It is further submitted that the employer of the said workman has agreed to pay, and the said workman has agreed to accept, a sum of Rs. in full settlement of all and every claim under the Workmen's Compensation Act, 1923, in respect of the disablement stated above and all disablement now manifest. It is, therefore, requested that this memorandum be duly recorded.

Yours faithfully

Date......................... Signature of employer

Witness :

Signature of workman

Witness :

*Strike out whichever is not applicable.
1* Details to be given separately.

Note: An application to register an agreement can be presented under the Signature of one party, provided that the other party has agreed to the terms. But both signatures should be appended, whenever possible.
FORM P
(See Rule 48)

Memorandum of Agreement

To

The Commissioner for Workmen's Compensation,
Department of Labour,
Government of Sikkim.

Sir,

It is hereby submitted that on the day of
personal injury was caused to of by accident
arising out of and in the course of employment in my establishment named

2. The said injury has resulted in temporary disablement to the said workman.

3. *The said workman is at present in receipt of wages amounting to Rs. per month/no wages

4. *The said workman's monthly average wages prior to the accident are estimated at Rs.

5. The said workman is subject to a legal disability by reason of

It is further submitted that the employer of the workman has agreed to pay and on behalf of the said workman has agreed to accept half-monthly payments at the rate of Rs. for the period of the said temporary disablement. This agreement is subject to the condition that the amount of the half-monthly payments may be varied in accordance with the provisions of the said Act on account of an alteration in the earnings of the said workman during disablement. It is further stipulated that all rights of commutation under section 7 of the said Act are unaffected by this agreement.

It is, therefore, requested that this memorandum be duly recorded.

Yours faithfully,

Signature of employer

Witness:

Signature of workman

Dated

Witness:

* Strike out whichever is inapplicable.

1* Details to be given separately.
Office of the Commissioner for Workmen's Compensation,
Department of Labour,
Government of Sikkim.

Whereas an agreement to pay compensation is said to have been reached between................................................ ..and.................................... and whereas................................................has/have applied for registration of the agreement under section 28 of the Workmen's Compensation Act, 1923, notice is hereby given that the said agreement will be taken into consideration on —..................................................................and that any objection to the registration of the said agreement should be made on or before that date. In the absence of valid objection, it is my intention to proceed to the registration of the said agreement.

Dated.................                                   Commissioner
FORM R
(See Rules 49 and 50)

Office of the Commissioner for Workmen's Compensation,
Department of Labour,
Government of Sikkim.

To

........................................
........................................
........................................

Take notice that registration of the agreement to pay compensation said to have been reached between you..........................................................and
.............................................................on the.....................................................has been refused

for the following reasons, namely:—

Dated...............                     Commissioner.

(32)
Office of the Commissioner for Workmen's Compensation,
Department of Labour,
Government of Sikkim,
Gangok.

To,

..........................................
..........................................
..........................................

Whereas an agreement to pay Compensation is said to have been reached between......................................................and.....................................................and
whereas................................................has/have applied for registration of the agree-
ment under section 28 of the Workmen's Compensation Act, 1923, and whereas
it appears to me that the said agreement ought not to be registered for the follo-
wing reasons, namely.................................................................................................
....................................................................................................................................
....................................................................................................................................
an opportunity will be afforded to you of showing cause on....................................
..........................................   ..,why the said agreement should be registered. If no
adequate cause is shown on that date, registration of the agreement will be refused.

Dated..........................................

Commissioner.
Office of the Commissioner for Workmen's Compensation,  
Department of Labour, Government of Sikkim,

To

........................................................
........................................................
........................................................

Whereas an agreement to pay Compensation is said to have been reached between..................................................and.........................................and whereas .................................................. .........has/have applied for registration of the said agreement under section 28 of the Workman's Compensation Act, 1923, and whereas it appears to me that the said agreement ought not to be registered for the following reasons, namely-

.................................................................................................................................

an opportunity will be afforded to the said..............................................................
.................................................. of showing cause on..............................................

why the said agreement should be registered. Any representation which you have to make with regard to the said agreement should be made on or before that date. If adequate cause is then shown, the agreement shall be registered.

Dated....................... Commissioner
FORM U

(See Rule 52)

Register of Agreements for the year__________________________

<table>
<thead>
<tr>
<th>Serial number</th>
<th>Date of agreement</th>
<th>Date of registration</th>
<th>Employer</th>
<th>Workman</th>
<th>Initials of Commissioner</th>
<th>Reference to orders rectifying the register</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>
</tr>
</tbody>
</table>

PRINTED AT THE SIKKIM GOVERNMENT PRESS, GANGTOK.
NOTIFICATION

Whereas all the four districts of the State of Sikkim have been categorised as "No Industry Districts" by the Government of India;

And Whereas the State Government have decided to revise the Incentives for Small Scale Industries in order to encourage the promotion and development of such industries in the State;

And Whereas the State Government have approved the Scheme so formulated by the Department;

Now, Therefore, the said scheme so approved is hereby published for general information:

1. Short Title and commencement

(i) This Scheme may be called the "State Scheme of Incentives for Small Scale Industries, 1986."

(ii) This Scheme shall be deemed to have come into force from the 1st day of June, 1986 in the whole of Sikkim.

2. Definitions

(a) "appointed day" means the 1st day of June, 1986;

(b) "existing unit" means any industrial unit registered with the Directorate of Industries, Government of Sikkim prior to the appointed day;

(c) "fixed capital investment" means any investment made in land, building plant and machineries required for the unit;

(d) "Industrial unit means any ancillary, small scale industrial undertaking and industrial cooperatives engaged in the production or processing or servicing operations and includes self-employed artisans and units engaged in the production of handicrafts, handlooms and other artisan products;

(e) "new unit" means any industrial unit registered with the Directorate of Industries, Government of Sikkim on or after the appointed day;

(f) "substantial expansion" means addition in the value of fixed capital investment of an existing unit by not less than twenty per cent for the purpose of generation of additional capacity or diversification or modernisation in accordance with a scheme approved by the Directorate of Industries, Government of Sikkim after the appointed day;

(g) "State Government" means the Government of Sikkim;
(h) "term loan" means a loan secured from any bank or financial institution for acquiring fixed capital assets in the form of land, building, plant and machineries;

(i) "working capital" means running funds required for the unit and includes cash credit and any other short term loan required by the unit;

(j) "year" means the period commencing from the 1st day of April and ending on the 31st day of March.

3. Applicability.

The incentives will be applicable to all eligible ancillary, small scale units, artisans, including proprietorship, partnership, companies, registered societies, trusts, industrial cooperatives, joint sector undertakings excepting public sector undertakings of the State Government.

4. Eligibility.

The industrial units will avail of the incentives for a maximum period of five years from the date of commissioning of the unit.

5. Disqualification.

Any unit which—

(a) denies or refuses to furnish any information demanded by the Department of Industries; or

(b) after receipt of working capital loan or term loan from Bank or Financial Institution does not utilise for the purpose requested for and diverts for some other purpose not concerned with the specific purpose of the unit; or

(c) furnishes wrong information or supplies faulty documents; shall be disqualified from availing of the incentives under this scheme.

6. Sanctioning Authority.

On fulfilment of all formalities the Director of Industries and Secretary, Department of Industries shall sanction rupees seven thousand five hundred and rupees ten thousand respectively in each case.

7. Recovery of sanctioned amount.

The Department of Industries shall recover from the units the money granted under this scheme if it is found subsequently,—

(a) they have obtained the money by furnishing wrong information or faulty documents; or

(b) they are closed down within two years from the date of disbursement of money under this scheme.

8. Application for Incentives.

All eligible industrial units claiming incentives under the Scheme shall apply in the form appended to this Scheme to the Director of Industries.


Woollen and cotton yarn required for making carpet dealt in by the Sikkim Industrial Development and Investment Corporation Limited shall be allocated to the actual user at the subsidised rate of ten per cent of the invoice value limiting the maximum amount of subsidy at rupees two thousand five hundred per annum per unit.

Explanation: This is applicable to self-employment venture or artisan units only.

10. Subsidy towards Consultancy Services.

An industrial unit will receive subsidy on fees paid to a Consultant so approved by the Director of Industries to the extent of twenty five per cent of actual expenses or rupees five thousand, whichever is less. This includes feasibility studies, market studies and preparation of detailed project report.

11. Study Tour and Inplant Training.

With the approval of the Director of Industries, entrepreneurs may be sent outside Sikkim for study tour and inplant training. On this account, to and fro journey expenses by Second Class Railway fare and rupees five hundred per mensum shall be paid to the entrepreneurs for a maximum period of three months subject to the following conditions:

(a) that he shall give an undertaking to the Department of Industries that he would start an industry after obtaining technical know-how of the industries concerned; and

(b) that the total cost of the plant and machineries of the proposed unit shall not exceed rupees ten lakhs.
12. **Subsidy on Power** — The Subsidy on power shall be limited to the extent of fifty per cent of the actual consumption or rupees ten thousand per annum, whichever is less.

13. **Subsidy on Interest on Working Capital** — A part of the interest which exceeds thirteen per cent rate of interest per annum payable by the industrial unit on the working capital loan obtained by it from the Banks, shall be paid to the unit subject to the following conditions:—

   (a) that the amount of interest shall not exceed rupees five thousand or the actual difference in interest whichever is less; and

   (b) that the total cost on the plant and machineries of the unit shall not exceed rupees ten lakhs.

14. **Price Preference** — The price preference not exceeding fifteen per cent shall be admissible to the small scale industrial units established in the State of Sikkim on the purchases made by various State Government Departments over the rates quoted by small scale units located outside the State and medium or large-scale industries.

   Provided that the price preference mentioned above shall be admissible only if the goods are of good quality and are approved by the Department purchasing the same.

15. **Exemption of Security Deposit and/or Earnest Money** — The industrial units shall be exempted from payment of security deposit and/or earnest money in respect of purchase of stores made by various Government Departments.

16. **Subsidy on Registration Fee of Promotion Councils, Indian Standards Institution, Commodity Board, etc.** — The amount spent by the industrial units in obtaining registration with Promotion Councils, Indian Standards Institution, Commodity Board, etc. shall be reimbursed to the units subject to a maximum of rupees five thousand per unit or the actual registration fee, whichever is less.

17. **Power to remove difficulties** — If any difficulty arises in giving effect to the provisions of this Scheme, the same shall be referred to the State Government and the decision of the State Government thereon shall be final.

18. This supersedes all the previous notifications on the subject.

SONAM WANGDI
Secretary to the Government of Sikkim, Industries Department.
4

Form of Application

(See para 8)

1. Name and address of the unit

2. Constitution (Proprietorship, Partnership/ Private Limited/Public Limited)

3. Name and address of the owner or Chief Executive of the Unit

4. Number and date of Registration issued by the Directorate of Industries, Government of Sikkim.

5. Date of commencement of production/processing/servicing operation.

6. Item of manufacture/servicing activities

7. Annual Turnover

8. Fixed Capital

9. Working capital for e months

10. Name of the Bank/Financial Institution

| (i) Land | Rs. |
| (ii) Building | Rs. |
| (iii) Plant and Machinery | Rs. |
II. Type of Subsidy claimed

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Actual amount spent (Rs)</th>
<th>Supporting documents</th>
<th>Subsidy claimed (Rs)</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Total amount claimed as subsidy ...... Rs.

12. Recommended for Rs____________________ by__________________________

13. Sanctioned Rs.____________________ (Rupees___________________________ ) only
    on__________________________.

SANCTIONING AUTHORITY.

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NOTIFICATION

In exercise of the powers conferree by sub-section (2) of Section 5 of Sikkim Sales Tax Act 1983 (4 of 1983) the State Government exempts the canteens run purely by Army Authorities in the State of Sikkim from payment of Sikkim sales Tax on the sale of goods to defence personnel.

This Notification shall be deemed to have come into force from the 12th day of May, 1983, that is, from the date of enforcement of the Sikkim Sales Tax Act, 1983 in the State of Sikkim.
GOVERNMENT OF SIKKIM
DEPARTMENT OF LABOUR

Notification No. 19/DL

Dated Gangtok, the 12th November, 1986.

The Government of India, Ministry of Labour's Notification published in the Gazette of India, Extraordinary, Part II, Section 3 sub-section (ii) dated the 30th October, 1986, is republished for general information:

Government of India/Bharat Sarkar
Ministry of Labour/Shram Mantralaya

New Delhi, dated 30th October, 86.

NOTIFICATION

S.O............................................In pursuance of the notification of the Government of India in the Ministry of Home Affairs S.O. No. 529 E dated 22nd July, 1983, the Central Government hereby appoints 1st November, 1986 as the date on which the provisions of the Workmen's Compensation Act, 1923 (8 of 1923) shall come into force.

(No. S-61011/2/84-SSI)
Sd/- ASHOK NARAYAN
Joint Secretary to the Govt, of India

K. SHERAB
Secretary
Labour Department
F. No. DL/18/76-77 (Part II)

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GOVERNMENT OF SIKKIM
DEPARTMENT OF LABOUR

Notification No. 20/DL Dated Gangtok, the 5th December, 1986.

In exercise of the powers conferred by sub-section (1) of Section 20 of the Workmen’s Compensation Act, 1923 (8 of 1923), the State Government hereby appoints the Secretary to the Government of Sikkim, Department of Labour, as the Commissioner under the said Act for the whole of Sikkim State.

Sd/
Chief Secretary,
Government of Sikkim
F.No. DL/18/76-77 (Part II).
GOVERNMENT OF SIKKIM
DEPARTMENT OF COMMERCIAL TAXES

NOTIFICATION

NO. 832/ST/II/3096 Dated the 16th December, 1986.

Under sub-rule (5A) of rule 10 of Sikkim Sales Tax rule 1983, the Commissioner of Commercial Taxes is pleased to lay down the Generic terms mentioned below for specifying the goods noted against each :-

<table>
<thead>
<tr>
<th>Generic term</th>
<th>Goods</th>
</tr>
</thead>
</table>
| 1. Stationeries | 1. Slate  
|               | 2. Slate pencil and chalk.  
|               | 3. Exercise and Binding Books and all types of registers and diaries.  
|               | 4. Paper including propelling pencils and parts thereof.  
|               | 5. Paper including fancy paper.  
|               | 6. Eraser 7. Rubber Blend  
|               | 8. Rubber stamps and stamp pads and stamp ink  
|               | 16. All types of files.  
|               | 17. Carbon paper.  
|               | 18. Writing pads.  
|               | 19. Binding material  
|               | 20. Tracing papers.  
|               | 21. Tracing cloth.  
|               | 22. Ink pot and ink stand.  
|               | 23. Alpin.  
|               | 27. Staple machine and its stapler.  
|               | 28. Gemclip.  
|               | 29. Gum bottle.  
|               | 30. Pin cushions.  
|               | 31. Punching machines.  
|               | 32. Pencil Cutters.  
|               | 33. Paper Cutters.  
|               | 34. Paper knife. |
35. Typing materials including type ribbons.
36. Maps, atlas, charts and globes.
37. Map pointers.
38. Wooden Rollers.
39. Sealing Wax.
40. School Bags.
41. Magnifying Glass.
42. Dusters.
43. Binding tape.
44. Numbering machines.
45. Dissecting boxes,
46. Duplicating materials.
47. Black boards.
48. Thread and thread balls.
49. Scissors.
50. Invitation cards and visiting cards.
51. Table pads.
52. Table glass.
53. Sponge.
54. Drawing materials including measurement boxes.
55. Measuring tape.
56. Needles.
57. Different forms including register thereof.
58. Colour boxes.
59. Rubber and seals.
60. Calenders.
61. Tags.
62. Thread.
63. Bodkin.
64. Engagement pads and urgent pads.
65. Knife.
66. Type brush.
67. Rubber roller for thumb impression.
68. Thumb impression oil.
69. Short-hand note books.
70. Twine jute balls.
71. Letter weight scale.
72. Waste paper basket.
73. Duplicating machine and type machine.
74. Scale (Plastic and wooden).
75. Rubber stamp stands.
76. Geometry boxes.
77. Drawing box and account books.

2. Manihari and Fency goods.

1. Rani coats and water proof bags.
2. Torch lights and its parts.
3. Torch bulb.
5. Wicks.
6. Battery.
7. Mentles.
8. Sewing Needles.
9. Soap cases.
10. All kind of toys including toy made of plastic, Rubber, alkaline, Tin, wooden and mixture thereof.
12. playing cards.
15. Buttons.
16. Cigarette cases and lighters.
17. Menthol (Pappermint)
18. Belt.
19. Shoe polish.
20. Shoe brush.
21. Wire.
22. Handkerchief.
23. Nipples.
24. All types of glass jars and bottles and china clay goods.
27. Rose water,
28. Astrays.
29. Brass and silver polishes.
30. Stoves.
31. Aguru.
32. Kasturi.
33. Greeting and invitation cards.
34. Flasks.
35. Embroidery and knitting materials.
36. Rubberised and synthetic cloth.
37. Presentation articles, i.e. ivory horn articles, photo albums, vanity bags, money purse, brass paintings.
38. Toilet goods like toothbrush.
  Tooth paste, tooth powder, shoes, hair oils, shampoo, nail polish, scents toilet soaps, telcum powder, gum, razor and blades, cosmetics, all kind of scents, scented hair oils, lipsticks kumkum, shaving sets and shaving materials.
39. Ladies hand bags and other types of vanity bags.
40. Equipements of all indoor games.
41. Printed and coloured photos and picture.
42. Calling bells.
43. Table lamps.
44. Hair pins.
45. Safety pins.
46. Trays.
47. Imitation jewelleries.
48. Tinopal.
49. Ribbon.
50. Plastic photos.
51. Puff.
52. Picnic sets.
53. Pressure cookers.
54. Hair fixers,
55. Combs.
56. Tongue cleaners.
57. Fountain pens and dot pens and part thereof.
58. Socks and garters
59. Cigarettes paper.
60. Belt buckles.
61. Tie clips.
62. Spray pumps.
63. Photo frames.
64. Hand bags.
65. Photo albums.
66. Air bags.
67. Key rings.
68. All kind of washing soaps and washing powders.
69. Key chains.
70. Watch straps.
71. Clocks and watches.
72. Ribbon bale.
73. All kinds of floor polish.
74. Wool.
75. Hair removers.
4

76. Hair nets.
77. Rings.
78. Silk and human hair.
79. Cutlery.
80. Crockery.
81. Petromax light and parts.
82. Lanterns and parts thereof including lantern tapes.
83. Bed lamps and parts.
84. Ties.
85. Feeding bottles.
86. Bed rope.
87. Bed holders.
88. Suit cases.
89. Enamel ware.
90. Stainless steel.
91. Goggles.
92. Tobacco pipes and parts thereof.
93. Soap.
94. Safety matches.
95. Uncense stick.
96. Candles.

3. Hardware goods.

1. Hinges.
2. Screw.
3. Aldrap.
4. Tower bialet.
5. Hash staple.
6. Gate hooks and eyes.
7. L. Hook Bolts.
8. J. Hook Bolts.
10. Pean pins.
11. Wire nails.
12. Wires.
13. Roofing screw.
15. Washers.
17. Hook and eyes.
18. Thes hook.
20. Chain.
22. Joint nails.
23. Rose nails.
24. Patent nail
25. Cup washers.
27. Cup handles.
29. Almirah locks
30. Cup board.
31. Box luck.
32. Brass rings.
33. Bed joint hinges.
34. Brass Alum.
35. Thes hinges.
36. Teeks.
37. R. Nails.
38. Star Plakey.
39. Button nails.
40. Tingle tacks.
<table>
<thead>
<tr>
<th></th>
<th>Item</th>
</tr>
</thead>
<tbody>
<tr>
<td>41</td>
<td>Buffercated Rivet.</td>
</tr>
<tr>
<td>42</td>
<td>Shoe eyelets.</td>
</tr>
<tr>
<td>43</td>
<td>Shoe rings.</td>
</tr>
<tr>
<td>44</td>
<td>Buckles.</td>
</tr>
<tr>
<td>45</td>
<td>Line.</td>
</tr>
<tr>
<td>46</td>
<td>Pipe for almirah.</td>
</tr>
<tr>
<td>47</td>
<td>Ballbearings.</td>
</tr>
<tr>
<td>48</td>
<td>Brass Handles.</td>
</tr>
<tr>
<td>49</td>
<td>Flash Bolts.</td>
</tr>
<tr>
<td>50</td>
<td>Dram Pulls.</td>
</tr>
<tr>
<td>51</td>
<td>Harmonium hinges.</td>
</tr>
<tr>
<td>52</td>
<td>Machine screws.</td>
</tr>
<tr>
<td>53</td>
<td>Chair Nail.</td>
</tr>
<tr>
<td>54</td>
<td>Doors bolts.</td>
</tr>
<tr>
<td>55</td>
<td>Hack saw blades.</td>
</tr>
<tr>
<td>56</td>
<td>Hood saw blades.</td>
</tr>
<tr>
<td>57</td>
<td>Crosscut saws.</td>
</tr>
<tr>
<td>58</td>
<td>Pit saws.</td>
</tr>
<tr>
<td>59</td>
<td>Steel files.</td>
</tr>
<tr>
<td>60</td>
<td>Screw Augar.</td>
</tr>
<tr>
<td>61</td>
<td>Brills.</td>
</tr>
<tr>
<td>62</td>
<td>Wehsaves.</td>
</tr>
<tr>
<td>63</td>
<td>Hand savers.</td>
</tr>
<tr>
<td>64</td>
<td>Screw driver.</td>
</tr>
<tr>
<td>65</td>
<td>Cut planes.</td>
</tr>
<tr>
<td>66</td>
<td>Farmer chisels.</td>
</tr>
<tr>
<td>67</td>
<td>Top irons.</td>
</tr>
<tr>
<td>68</td>
<td>Sand paper. (Flint paper)</td>
</tr>
<tr>
<td>69</td>
<td>Hangers.</td>
</tr>
<tr>
<td>70</td>
<td>Plain iron.</td>
</tr>
<tr>
<td>71</td>
<td>C.I. Pans.</td>
</tr>
<tr>
<td>72</td>
<td>Cl. Galkathi.</td>
</tr>
<tr>
<td>73</td>
<td>Cl. Hamam. Dusta.</td>
</tr>
<tr>
<td>74</td>
<td>Cl. Dhurmash.</td>
</tr>
<tr>
<td>75</td>
<td>Cl. Gali.</td>
</tr>
<tr>
<td>76</td>
<td>Cl. Vantileter.</td>
</tr>
<tr>
<td>77</td>
<td>I. Hamam Dusta.</td>
</tr>
<tr>
<td>78</td>
<td>I.Pan.</td>
</tr>
<tr>
<td>79</td>
<td>I. Rat traps.</td>
</tr>
<tr>
<td>80</td>
<td>Wire netting.</td>
</tr>
<tr>
<td>81</td>
<td>Expended metal.</td>
</tr>
<tr>
<td>82</td>
<td>Revolving chair machine.</td>
</tr>
<tr>
<td>83</td>
<td>Curtain rod.</td>
</tr>
<tr>
<td>84</td>
<td>Carriage bolts.</td>
</tr>
<tr>
<td>85</td>
<td>Chain cow and Dog.</td>
</tr>
<tr>
<td>86</td>
<td>Hamam Dasta.</td>
</tr>
<tr>
<td>87</td>
<td>Iron pans (Kadai).</td>
</tr>
<tr>
<td>88</td>
<td>Iron Gamla. (Chuna kadai).</td>
</tr>
<tr>
<td>89</td>
<td>Lock and keys.</td>
</tr>
<tr>
<td>90</td>
<td>Iron ovens.</td>
</tr>
<tr>
<td>91</td>
<td>Buckets.</td>
</tr>
<tr>
<td>92</td>
<td>Tools for carpentry.</td>
</tr>
<tr>
<td>93</td>
<td>Crowbars.</td>
</tr>
<tr>
<td>94</td>
<td>Hammers.</td>
</tr>
<tr>
<td>95</td>
<td>Weights and measures.</td>
</tr>
<tr>
<td>96</td>
<td>Pulleys.</td>
</tr>
<tr>
<td>97</td>
<td>Shafts.</td>
</tr>
<tr>
<td>98</td>
<td>Cast iron goods.</td>
</tr>
<tr>
<td>99</td>
<td>Pick axes.</td>
</tr>
<tr>
<td>100</td>
<td>Powrahs.</td>
</tr>
<tr>
<td>101</td>
<td>Roda.</td>
</tr>
<tr>
<td>102</td>
<td>Flats.</td>
</tr>
<tr>
<td>103</td>
<td>Angles.</td>
</tr>
<tr>
<td>104</td>
<td>Iron and steel sheets.</td>
</tr>
</tbody>
</table>
105. Spindles.
106. Smithy tools
107. Sockets.
108. Rivets.
109. Screw eyes.
110. Hackshaw frames.

3. Tinned food and Beverages.
   1. Jems.
   2. Jellies.
   3. Marwalades.
   4. Tinned fruits.
   5. Pickles and chutnies
   7. Cheese.
   8. Cornflakes.
   9. Cornflour
  10. Oats.
  11. Baking power.
  12. Custard powder.
  13. Curry powder.
  14. All soft drink.
  15. Essences used for soft drinks.
  16. Bournvita.
  17. Ovamalt.
  18. Siritone
  19. O. Valtine.
  20. Cocoa
  22. Chocolates.
  23. Confectionery Biscuits.
  26. Fruit juices.
  27. Syrups.
  28. Squashes.
  29. Lactedex.
  30. Vanaspati.
  32. Coffee.
  33. Dehydrated vegetables.
  34. Barley.
  35. Soft food.
  36. Arrowroot.
  37. Glucose.
  38. Ketchups in bottles and tins.
  39. Vinegar.
  40. Sambar and Rasam powders.
  41. Saccherine powder used for aerated waters.

4. Grocccery.
   1. Foodgrains, pulses, dal, cereals, all forms of atta, besans, suji mand, maida, wheat, Barle, arrowroot.
   2. Potatoes and onions.
   3. Sugar, misri kanda.
   4. All edible oils including mustard, groundnut, coconut, Ghee.
   5. Oils seeds mustard khasa, till, castor groundnut, vinger.
   7. Sage.
   8. Tea, Cocoa (leaf or dust)
  10. Betelnut and betelnut powder (Whether scented or not)
  11. Catechu.
12. Sandal wood.
13. Salt.
14. Gur or Jagge, Jaggery.
15. Waste paper.
16. Tamarind.
17. Bidi and country cheruts known as (Pika)
18. Rope, coir, broom-stick.
19. Dried fruits except those sold in sealed tins.
20. Sindur (Vermilon) cogul, chua.
22. Nuts and shikai (a sort of soapnut used for washing).
23. Earthen pots.
24. Spices and condiments.
25. Bhusi and panmahuri bhusi.
26. Harida, anla, bahada, chirait sunamukhai.
27. Honey.

K. C. PRADHAN,
Commissioner,
Department of Commercial Taxes,
Government of Sikkim.
Gangtok.
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<tr>
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<td>Nil</td>
</tr>
<tr>
<td>PART VI</td>
<td>Nil</td>
</tr>
<tr>
<td>PART VII</td>
<td>Nil</td>
</tr>
<tr>
<td>PART VIII</td>
<td>Nil</td>
</tr>
<tr>
<td>PART X</td>
<td>(i) Nil</td>
</tr>
<tr>
<td>PART X</td>
<td>(ii) Nil</td>
</tr>
</tbody>
</table>
NOTIFICATIONS REGARDING APPOINTMENTS, POSTINGS, TRANSFERS, LEAVE ETC.

HIGH COURT OF SIKKIM
NOTIFICATION

N S.o. 60/HC

Dated Gangtok, the 31st December, 1985.

In the light of Provisional pay slip No. 27458-J., dated 4th October, 1985 issued by the Government of West Bengal, Judicial Department, Shri G.P. Roy, formerly Chief Judicial Magistrate., Darjeeling, now posted as District & Sessions Judge, Sikkim, at Gangtok, on deputation is entitled to draw pay and allowances on the monthly rates shown below from the dates specified in the scale of pay of Rs. 1200-

<table>
<thead>
<tr>
<th>Particulars</th>
<th>From 14-7-84</th>
<th>From 1-8-84</th>
<th>From 1-3-85</th>
<th>From 1-5-85</th>
</tr>
</thead>
<tbody>
<tr>
<td>Substantive pay</td>
<td>Rs. 1900.00</td>
<td>Rs. 1900.00</td>
<td>Rs. 1900.00</td>
<td>Rs. 2000.00</td>
</tr>
<tr>
<td>Dearness allowance</td>
<td>Rs. 243.00</td>
<td>Rs. 243.00</td>
<td>Rs. 243.00</td>
<td>Rs. 243.00</td>
</tr>
<tr>
<td>Ad-hoc dearness allowance</td>
<td>Rs. 264.00</td>
<td>Rs. 288.00</td>
<td>Rs. 288.00</td>
<td>Rs. 370.00</td>
</tr>
<tr>
<td>Addl. dearness allowance</td>
<td>Rs. 937.00</td>
<td>Rs. 1027.00</td>
<td>Rs. 1070.00</td>
<td>Rs. 1027.00</td>
</tr>
<tr>
<td>Interim relief</td>
<td>Rs. 80.00</td>
<td>Rs. 80.00</td>
<td>Rs. 270.00</td>
<td>Rs. 280.00</td>
</tr>
<tr>
<td>Total Rupees</td>
<td>Rs. 3424.00</td>
<td>Rs. 3538.00</td>
<td>Rs. 3771.00</td>
<td>Rs. 3920.00</td>
</tr>
</tbody>
</table>

By Order.

AMARJIT CHOPRA, REGISTRAR.

NOTIFICATION

No. 3/HCS.

Dated Gangtok, the 24th January, 1986.

In partial modification of this Court's Notification No.57/HCS, dated 21st December, 1985, it is hereby notified for general information that the High Court of Sikkim will remain closed for Winter Vacation w.e.f 6th January, 1986 to 2nd March, 1986 both days inclusive.

The Vacation Court will sit from 10th February, 1986 to 15th February, 1986, apart from the one to sit from 27th January to 30th January, 1986 notified earlier.

By Order.

AMARJIT CHOPRA, REGISTRAR.

NOTIFICATION

No. 4/HCS.

Dated Gangtok, the 29th January, 1986.

It is hereby notified for general information that the Subordinate Courts of Sikkim shall observe the same Holidays in the year 1986, as are so notified already by the State Government, and not those that may be notified hereafter for which a separate order may have to be issued by the High Court.

By Order.

AMARJIT CHOPRA, REGISTRAR.

HOME DEPARTMENT
NOTIFICATION

No. 41 (2)/Home/19776

Dated Gangtok, the 6th January, 1986.

In supersession of Home Department Notification No. 41(2)/Home/82/2949 dated 8th October, 1932 the Governor of Sikkim is pleased to order that the following Officers will represent the Government of Sikkim in the Board of Sikkim Mining Corporation with immediate effect:-

1. Secretary Mines and Geology - Director
2. Chief Engineer cum-Secretary Power Department. - Director
Chairman of the Board has been appointed vide Notification No. 2(3) Home/77 dated 23rd March, 1985.

K.M.L. CHHABRA,
Chief Secretary,
Government of Sikkim.

ESTABLISHMENT DEPARTMENT
OFFICE ORDER

No. AA(29)/971/(G)/Est.

Dated Gangtok, the 26th December, 1985.

The Governor is pleased to order as follows with immediate effect:-

2. Shri H.R. Gupta, Deputy Chief Electoral Officer vice Shri N.D. Chingapa since transferred.
3. Shri Tashi Wangchuk, Under Secretary, Election is promoted and posted as Deputy Chief Electoral Officer vice Shri H.R. Gupe a, and
4. Shri Lal Bhadur Chhetri, is promoted and posted as Manager, Tourist Lodge at Gangtok against the vacant post.

By Order.

T. CHHOPHEL,  
Secretary,  
Establishment Department.

OFFICE ORDER  
No. 39/(G)/Est.  
Dated Gangtok, the 9th January, 1986.  
Shri K.B. Gurung, Deputy Secretary, Food & Civil Supplies Department, is hereby promoted as Joint Secretary in the same Department in the scale of Rs. 1200-2000 w.e.f. the date he takes over charge of the post.  
As usual he will be on probation for one year.

By Order.  
K. TOBDEN  
Under Secretary,  
Establishment Department.

OFFICE ORDER  
No. 79(G)/Est.  
Dated Gangtok, the 18th January, 1986.  
The services of Shri M.M. Rasaily Secretary, Home and Motor Vehicle Department is hereby extended for a further period of one year beyond the date of superannuation i.e. 1.3.86 to 28.2.1987 in terms of, Rule 100 of Sikkim Govt. Service Rules. 1974.

By Order.  
N. YETHENPA,  
Deputy Secretary Govt. of Sikkim  
Establishment Department.

OFFICE ORDER  
No.83./(Gen) Est  
Dated Gangtok, the 20th January, 1986  

The Governor is pleased to upgrade The existing post of Deputy Secretary Rura Development Department presently held by Shri R.K. Uprety to that of Joint Secretary in the scale of Rs. 1200-60-1440-Eb-70 - 2000 and to promote Shri R.K. Uprety against the upgraded post w.e.f. 4.1.86 i.e. the date of approval.  
As usual, he will be on probation for one year.

By Order

T. DHONDUP,  
Officer On SpecialDuty.  
Establishment Department.

NOTIFICATION  
Circular No.10/A.H  
Dated Gangtok the 7th January, 1986.  

This is for the information of all concerned that the Govt. of Sikkim vide Notification No. 303/Gen/Est. date 19.12.85 has redesignated the department of Animal Husbandry as the department of Animal Husbandry and Veterinary Services with immediate effect.

DIRECTOR  
Department of Animal Husbandry,  
Government of Sikkim.
<table>
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<th>CONTENTS</th>
<th>Page</th>
</tr>
</thead>
<tbody>
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<td>6-10</td>
</tr>
<tr>
<td>PART III—Nil</td>
<td></td>
</tr>
<tr>
<td>PART IV—Nil</td>
<td></td>
</tr>
<tr>
<td>PART V—Nil</td>
<td></td>
</tr>
<tr>
<td>PART VI—Nil</td>
<td></td>
</tr>
<tr>
<td>PART VII—Nil</td>
<td></td>
</tr>
<tr>
<td>PART VIII—Nil</td>
<td></td>
</tr>
<tr>
<td>PART X— (i) Nil</td>
<td></td>
</tr>
<tr>
<td>PART X— (ii) Nil</td>
<td></td>
</tr>
</tbody>
</table>
### HIGH COURT OF SIKKIM

**NOTIFICATION**

**No. 13/HCS/ESTT**  
Dated Gangtok, the 17th February, 1986.

The following temporary posts, on the High Court Establishment, in the pay scale shown against them are hereby extended for another year, i.e. upto 28/2/1987.

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Name of post</th>
<th>Number</th>
<th>Pay Scale</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Assistant Registrar</td>
<td>3(Three)</td>
<td>660-25-910-Eb-30-1240-Eb-40-14 0 0.</td>
</tr>
<tr>
<td>2.</td>
<td>Private Secretary</td>
<td>1(one)</td>
<td>660-25-910-Eb-30-1240-Eb-40-14 0 0.</td>
</tr>
<tr>
<td>3.</td>
<td>Accounts Officer</td>
<td>1(one)</td>
<td>660-25-910-Eb-30-1240-Eb-40-14 0 0.</td>
</tr>
</tbody>
</table>

**By Order.**

**AMARJIT CHOPRA,**

**REGISTRAR.**

---

**NOTIFICATION**

**No. 14/HCS/ESTT**  
Dated Gangtok, the 17th February, 1986.

The following temporary posts, on the High Court Establishment, in the pay scale shown against them are hereby extended for another year, i.e. upto 28/2/1987.

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Name of post</th>
<th>Number</th>
<th>Pay Scale</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Accountant</td>
<td>1(one)</td>
<td>450-12-570-Eb-15-720-Eb-20-800.</td>
</tr>
<tr>
<td>2.</td>
<td>L.D.A.</td>
<td>3(three)</td>
<td>380-7-450-Eb-8-530-Eb-10-550.</td>
</tr>
<tr>
<td>5.</td>
<td>Driver</td>
<td>3(three)</td>
<td>350-6-410-7-550.</td>
</tr>
<tr>
<td>7.</td>
<td>Restorar</td>
<td>1(one)</td>
<td>340-6-388-7-500.</td>
</tr>
<tr>
<td>8.</td>
<td>Usher</td>
<td>1(one)</td>
<td>320-5-390-6-450.</td>
</tr>
<tr>
<td>9.</td>
<td>Mali</td>
<td>1(one)</td>
<td>310-4-330-5-400.</td>
</tr>
<tr>
<td>10.</td>
<td>Peon</td>
<td>7(Seven)</td>
<td>300-4-340-5-380.</td>
</tr>
<tr>
<td>11.</td>
<td>Frash</td>
<td>1(one)</td>
<td>300-4-340-5-380.</td>
</tr>
<tr>
<td>12.</td>
<td>Sweeper</td>
<td>1(one)</td>
<td>300-4-340-5-380.</td>
</tr>
</tbody>
</table>

**By Order.**

**AMARJIT CHOPRA,**

**REGISTRAR.**

---

**NOTIFICATION**

**No. 15/HCS/ESTT.**  
Dated Gangtok, the 17th February, 1986.

The following temporary posts, on the High Court Establishment, in the pay scale shown against them are hereby extend for another year i.e. upto 28/2/1987.

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Name of post</th>
<th>Number</th>
<th>Pay Scale</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.</td>
<td>Head Assistant</td>
<td>2(two)</td>
<td>450-12-570-Eb-15-720-Eb-20-800.</td>
</tr>
<tr>
<td>5.</td>
<td>Translator</td>
<td>1(one)</td>
<td>450-12-570-Eb-15-720-Eb-20-800.</td>
</tr>
<tr>
<td>6.</td>
<td>U.D.A.</td>
<td>1(one)</td>
<td>410-10-580-Eb-12-700.</td>
</tr>
<tr>
<td>7.</td>
<td>Assistant Librarian</td>
<td>1(one)</td>
<td>410-10-580-Eb-12-700.</td>
</tr>
</tbody>
</table>

**By Order.**

**AMARJIT CHOPRA,**

**REGISTRAR.**

---

**NOTIFICATION**

**No. 16/HCS/ESTT.**  
Dated Gangtok, the 17th February, 1986.

The following temporary posts, in the Court of District and Sessions Judge, Gangtok, in the pay scale shown against them are hereby extended for another year i.e. upto 28/2/1987.

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Name of post</th>
<th>Number</th>
<th>Pay Scale</th>
</tr>
</thead>
<tbody>
<tr>
<td>5.</td>
<td>Peon.</td>
<td>1(one)</td>
<td>300-4-340-5-380.</td>
</tr>
<tr>
<td>6.</td>
<td>Frash</td>
<td>1(one)</td>
<td>300-4-340-5-380.</td>
</tr>
<tr>
<td>7.</td>
<td>Mali</td>
<td>1(one)</td>
<td>310-4-330-5-400.</td>
</tr>
<tr>
<td>8.</td>
<td>Chowkidar</td>
<td>1(one)</td>
<td>300-4-340-5-380.</td>
</tr>
</tbody>
</table>

**By Order.**

**AMARJIT CHOPRA,**

**REGISTRAR.**
NOTIFICATION
No. 17/HCS/ESTT.
Dated Gangtok, the 17th February, 1986.

The following temporary posts, in the Court of Civil Judge-cum-Judicial Magistrate, East and North Districts, Gangtok, in the pay scale shown against them, are hereby extended for another year i.e. upto 28/2/1987.

Sl. Name of posts Number Pay Scale
No.
1. Stenographer Grade III l(one) 450-12-570-Eb-15-720-Eb-20° 800.
2. Peshkar l(one) 410-10-580-Eb-12-700.
4. Peon. 2(two) 300-4-340-5-380

By Order.

AMARJIT CHOPRA, REGISTRAR.

OFFICE ORDER
No. 50(5)Home/78/199222
Dated Gangtok, the 28th February, 1986.

1. The Governor of Sikkim is pleased to downgrade, with immediate effect, the post of Controller of Household Affairs, Sikkim House, New Delhi to the revised pay scale of Rs. 1030-25-1280- Eb-30-1580-Eb-35-1755 which is the corresponding old scale of Rs. 510-900.

2. Smt. Saroja Bhattarai, Accountant, Sikkim House, New Delhi is promoted to the post of Controller of Household Affairs in the Sikkim House, New Delhi in the revised pay scale of Rs. 1030-1755 with immediate effect.

M.M. RASAILY
Home Secretary, Government of Sikkim.

ESTABLISHMENT DEPARTMENT
OFFICE ORDER
No. 160/(G)/Est.
Dated Gangtok, the 1st February, 1986.

The Governor is pleased to order the following postings with immediate effect.
1. Shri R. B. Mukhia, Secretary Sikkim Legislative Assembly is transferred and posted as a Government Representative besides the Chairman in the Board of Sikkim Distilleries Ltd., Rangpo-
   1. Secretary, Excise
   2. Secretary, Industries, and
   3. Secretary, Finance of his representative.

K.M.L. CHHABRA, Chief Secretary, Government of Sikkim

HOME DEPARTMENT
NOTIFICATION
No. 1995/Home/86
Dated Gangtok, the 5th February, 1986.

In supersession of Home Department's Notification No. 41 (5) Home /80/2286 of 22nd June , 1982 the Governor of Sikkim is pleased to nominate following officers as Government Representatives besides the Chairman in the Board of Sikkim Distilleries Ltd., Rangpo-
1. Secretary, Excise
2. Secretary, Industries, and
3. Secretary, Finance of his representative.

K.M.L. CHHABRA, Chief Secretary, Government of Sikkim

NOTIFICATION
No.28(Gen)/Est.
Dated Gangtok, the 4th February, 1986.

The Governor is pleased to sanction the creation of a post of Administrative Officer/Check Post wing for Police Department, Government of Sikkim with immediate effect. The post will carry the revised scale of Rs. 1320-30-1650-Eb-40-2050-EB-50-2300.
The expenditure of the above post shall be debitable to Major Head “255 Police VII (I) Salaries.

T. DHONDUP
Officer On Social Duty,
Establishment Department.

OFFICER ORDER
No.198/(G)/Est.
Dated Gangtok, the 12th February, 1986.
Whereas a criminal Officer is under investigation against Shri Dinesh Tshering Bhutia, DIO (South), IPR Deptt.
Now, therefore, the Governor in accordance with clause (b) of sub-rule (i) of rule 8 of the Sikkim Government Servants (Discipline and Appeal) Rules, 1985 places the said Shri Dinesh Tshering Bhutia, DIO (South), IPR Department under suspension with immediate effect.
He will draw subsistence allowance and other allowance admissible under Rule 96 (i) of the SGS Rule, 1974 subject to submission of certificate required under Rule 96 (ii) of the said rules, during the period of suspension.
It is further ordered that during the period that this order shall remain in force, the headquarter of Shri Dinesh Tshering Bhutia, DIO (South) Shall be Namchi and the said Shri Dinesh Tshering Bhutia shall not leave the headquarter without obtaining the previous permission of the Govt. By order and in the name of the Governor.

N.YETHENPA,
Deputy Secretary to the Govt. of Sikkim Establishment Department.

OFFICE ORDER
No.213/(Gen)/Est.
Dated Gangtok, the 17th February, 1986.

Resignation tendered by Shri Ajit Kumar Basnet, Post Graduate Teacher of Pelling Higher Secondary School, Education Department, duly surrendering one month’s Salary in lieu of one month’s notice is hereby accepted w.e.f. the afternoon of 31.8.85. His salary for the month of August, 1985 Shall be forfeited.
By Order
D.K. PRADHAN,
Under Secretary,
Establishment Department.

OFFICE ORDER
No. 215 (G)/Est.
Dated Gangtok, the 18th February, 1986.

Whereas a disciplinary proceeding against Shri Thendup Bhutia SFS Assistant Conservation of Forest (South), Namchi, Land Use & Environment is Contemplated.
Now, therefore, the Governor in accordance with clause (a) of sub-rule (i) of rule 8 of the Sikkim Govt. Servants (Discipline and Appeal) Rules, 1985 places the said Shri T. Palden Bhutia, A.C.F. (South), Land Use & Environment under suspension with immediate effect.
He will draw subsistence allowance and other allowances under rule 96 (i) of the Sikkim Government Service Rules 1974 subject to submission of certificate required under rule 96 (ii) of the said Rules, during the period of suspension.
It is further ordered that during the period that this order shall remain in force, the headquarter of Shri T. Palden Bhutia, A.C.F. (South) shall be Namchi and the said Shri T. Palden Bhutia shall not leave the headquarter without obtaining the previous permission of the Govt.
By order and in the name of the Governor.

D.K. PRADHAN
Under Secretary,
Establishment Department.

NOTIFICATION
No. 49/(Gen)/Est.
Dated Gangtok the 20th February, 1986.

On the recommendation of Second Pay Commission sanction is accorded to the Grant of Special Allowance at the rate of Rs. 40/- (Rupees forty only) per month with Effect from 1 April, 1985 for the following posts at Sikkim House New Delhi:

i) Cook
ii) Room Bearer and
iii) Masalchi.

2. Special Allowance has been granted on account of extra work which the incumbents.
of the above named posts have to perform beyond generally beyond normal working hours.

3. Sanction is also accorded to the revision of rate of Conveyance Allowance from Rs. 30/- to Rs. 50/- (Rupees fifty only) per-month from 1 April, 1985 to the regular. Employees of Sikkim House, New Delhi who reside outside Sikkim House premises and have to incur expenditure on conveyance for coming to office and returning therefrom.

By order and in the name of the Governor

T. CHHOPHEL,
Secretary,
Establishment Department.

NOTIFICATION

No.53/Gen/Est.
Dated Gangtok, the 22nd February, 1985.

The Governor is pleased to approve the proposal of setting up of 7 new Police Stations in the Police Department and the Creation of the following posts with immediate effect:

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Name of the post</th>
<th>No. of the post created</th>
<th>Scale</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Sub-Inspector</td>
<td>7</td>
<td>Rs. 970-1660</td>
</tr>
<tr>
<td>2.</td>
<td>Head Constable</td>
<td>14</td>
<td>Rs. 7700-1100</td>
</tr>
<tr>
<td>3.</td>
<td>Police Constable</td>
<td>84</td>
<td>Rs. 690-1000</td>
</tr>
</tbody>
</table>

The expenditure of the above post shall be debitable to Head "258" V. Village Police I. Upgration of standard of Administration recommended by the Eight Finance Commission. (1) Establishment of new Police Stations.

T. DHONDUP,
Officer on Special Duty,
Establishment Department.

NOTIFICATION

No.61/Gen/Est.
Dated Gangtok, the 26th February, 1986.

The Governor is pleased to sanction the creation of the following posts for the new centre of Government Institute of Cottage Industries at Kewzing, South Sikkim with immediate effect:

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Name of the post</th>
<th>No. of the post created</th>
<th>Scale</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Supervisor</td>
<td>1</td>
<td>Rs. 1030-1755</td>
</tr>
<tr>
<td>2.</td>
<td>Wood Carving Instructor</td>
<td>1</td>
<td>Rs. 970-1660</td>
</tr>
<tr>
<td>3.</td>
<td>Carpet Weaving Instructor</td>
<td>1</td>
<td>Rs. 980-1400</td>
</tr>
<tr>
<td>4.</td>
<td>Handloom Instructor</td>
<td>1</td>
<td>Rs. 930-1400</td>
</tr>
<tr>
<td>5.</td>
<td>Lower Division Clerk</td>
<td>1</td>
<td>Rs. 770-1100</td>
</tr>
<tr>
<td>6.</td>
<td>Peon-cum-Chowkidar</td>
<td>1</td>
<td>Rs. 635-800</td>
</tr>
</tbody>
</table>

The expenditure on the above posts shall be debitable to the Head "800- Contin-Gency fund.

T. DHONDUP,
Officer on Special Duty
Establishment Department.

NOTIFICATION

No. 62/Gen/Est.
Dated Gangtok, the 27th February, 1986.

The Governor is pleased to down grade the Primary Health Centre of Mangalbaray, established vide this Department Notification No. 304/Gen/Est. dated 9/10/1984 To Primary Health sub-Centre and accorded the approval for the construction of Primary Health Centre at Rishi, Consequently the following posts created for Mangalbaray Primary Health Centre are hereby transferred to Rishi Primary Health Centre:

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Name of the post</th>
<th>No. of the post created</th>
<th>Scale</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Medical Officer</td>
<td>1</td>
<td>1320-2300</td>
</tr>
<tr>
<td>2.</td>
<td>ANMs</td>
<td>3</td>
<td>830-1400</td>
</tr>
<tr>
<td>3.</td>
<td>Lab Technician</td>
<td>1</td>
<td>920-1600</td>
</tr>
<tr>
<td>4.</td>
<td>Junior Store Keeper</td>
<td>1</td>
<td>770-1100</td>
</tr>
<tr>
<td>5.</td>
<td>Driver</td>
<td>1</td>
<td>720-1055</td>
</tr>
<tr>
<td>6.</td>
<td>Dhobi</td>
<td>1</td>
<td>950-815</td>
</tr>
<tr>
<td>7.</td>
<td>Male Ward Attendent</td>
<td>1</td>
<td>635-800</td>
</tr>
<tr>
<td>8.</td>
<td>Cook</td>
<td>1</td>
<td>660-900</td>
</tr>
<tr>
<td>9.</td>
<td>Sweeper</td>
<td>2</td>
<td>635-800</td>
</tr>
</tbody>
</table>
10. Female Ward | l(one) 635-800

11. Peon-cum-Chowkidar | l(one) 635-8

12. Compounder | l(one) 920-1600

The expenditure on the above posts shall be debitable to Head "230 A II(9) (b)I West-Salaries.

T.DHONDUP
Officer On Special Duty,
Establishment Department.

SIKKIM LEGISLATIVE ASSEMBLY
SECRETARIATE GANGTOK
OFFICE ORDER
No. SLAS/85-86/15(696)
Dated Gangtok, the 19th February, 1986.

In pursuance of Rule 5(1) of the Sikkim Legislative Assembly Secretariat (Recruitment and Conditions of Service) Rules, 1983, and in consultation with the State Government, I, appoint Shri Sonam Wangdi, IAS, as Secretary of the Sikkim Legislative Assembly with effect from the forenoon of 3rd February, 1986 on deputation from the State Government.

T.R. SHARMA
Speaker,
Sikkim Legislative Assembly.

PRINTED AT THE SIKKIM GOVERNMENT PRESS
GAZ. 2.-300C-13-3-86.
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<td>Nil</td>
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<td>II</td>
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<tr>
<td>III</td>
<td>Nil</td>
</tr>
<tr>
<td>IV</td>
<td>Nil</td>
</tr>
<tr>
<td>V</td>
<td>Nil</td>
</tr>
<tr>
<td>VI</td>
<td>Nil</td>
</tr>
<tr>
<td>VII</td>
<td>Nil</td>
</tr>
<tr>
<td>VIII</td>
<td>Nil</td>
</tr>
<tr>
<td>X</td>
<td>(i) Nil</td>
</tr>
<tr>
<td></td>
<td>(ii) Nil</td>
</tr>
</tbody>
</table>
PART II
Notifications regarding appointments, postings, transfers, leave etc.

HIGH COURT OF SIKKIM

NOTIFICATION
No.24/HCS/ESST.
Dated Gangtok, the 4th March, 1986.

Hon’ble the Chief Justice has been pleased to create the following temporary posts, on the High Court Establishment in the scales shown against them till 28/2/1987.

<table>
<thead>
<tr>
<th>SI</th>
<th>Name of Post</th>
<th>No. of post</th>
<th>Scale</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Mali</td>
<td>1(One)</td>
<td>310-4-330-5-400</td>
</tr>
<tr>
<td>2.</td>
<td>Peon</td>
<td>1(One)</td>
<td>300-4-340-5-380</td>
</tr>
</tbody>
</table>

AMARJIT CHOPRA
REGISTRAR

NOTIFICATION
No.31/HCS/ESST.
Dated Gangtok, the 21st March, 1986.

Shree Sukhdish Mitter Malhan, Reader of this Court, is hereby directed to hold the additional charge of the Assistant Registrar (Stamp Reporter) of this Court, in addition to his own duties with immediate effect. He is allowed to draw the charge allowances as admissional under the rules, for performing the above additional work.

By Order.
AMARJIT CHOPRA,
REGISTRAR.

NOTIFICATION
No. 32/HCS/ESST.
Dated Gangtok, the 21st March, 1986

Hon’ble the Chief Justice has been pleased to create a temporary post of Assistant Registrar, on the High Court Establishment, in the pay scale of Rs. 1320-30-1650-Eb-401-2050-Eb-50-2300, with immediate effect till 28/2/1987.

AMARJIT CHOPRA,
REGISTRAR.

OFFICER ORDER
No. 273(G)/Est.
Dated Gangtok, the 5th March, 1986.

Shri. K.B. Chettri, Managing Director, State Bank of Sikkim shall hold additional charge of Managing Director, S.T.C.S with immediate effect. The Board of Directors will decide the quantum of allowance to be granted for holding additional charge.

By Order.
K. TOBDEN
Under Secretary
Establishment Department.

OFFICER ORDER
No. 275(G)/Est.
Dated Gangtok, the 6th February, 1986.

Smt. Rosabel Namchyo, Joint Director Education Department, is hereby transferred and posted to Sikkim House, New Delhi as Resident Commissioner with immediate effect.

On transfer she will carry her own pay and Scale.

By Order.
K. TOBDEN
Under Secretary,
Establishment Department.
OFFICER ORDER

No. AA/51/85/291/(G)/Est.
Dated Gangtok, the 7th March, 1986.

The Governor is pleased to appoint the following officers as members of the Sikkim State Civil Service in the Junior Scale of the Service with effect from the date indicated Against each.

<table>
<thead>
<tr>
<th>SI</th>
<th>Name and Designation</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Shri A.B. Gurung, Under Secretary, Motor Vehicle Department.</td>
<td>22.1.1982</td>
</tr>
<tr>
<td>2.</td>
<td>Shri G.M. Subba, Revenue Officer, Land Revenue Department.</td>
<td>12.1.1982</td>
</tr>
<tr>
<td>3.</td>
<td>Shri Kasung Shenga, Land Revenue Department.</td>
<td>19.1.1982</td>
</tr>
<tr>
<td>4.</td>
<td>Shri J.S. Rai, Under Secretary, Finance Department.</td>
<td>19.1.1982</td>
</tr>
<tr>
<td>5.</td>
<td>Shri S.P. Subba, Under Secretary, Finance Department.</td>
<td>19.1.1982</td>
</tr>
<tr>
<td>6.</td>
<td>Shri D.R. Nepal, P.S. to Minister for Finance.</td>
<td>3.2.1983</td>
</tr>
<tr>
<td>7.</td>
<td>Shri Pem Dorjee, Administrative Officer, Family Welfare, Health and Family Welfare Department.</td>
<td>7.7.1983</td>
</tr>
<tr>
<td>8.</td>
<td>Shri D.K. Pradhan, Under Secretary, Establishment Department.</td>
<td>28.11.1983</td>
</tr>
<tr>
<td>9.</td>
<td>Shri Robin Rai, Administrative Officer, Agriculture Department.</td>
<td>13.2.1984</td>
</tr>
<tr>
<td>10.</td>
<td>Shri P.S. Targain Administrative Officer, Forest Department.</td>
<td>4.4.1984</td>
</tr>
<tr>
<td>11.</td>
<td>Shri Tsewang Dhondup Officer On Special Duty, Establishment Department.</td>
<td>2.4.1984</td>
</tr>
<tr>
<td>12.</td>
<td>Shri Prem Bahadur Chettri, Under Secretary, Land Revenue Department.</td>
<td>4.4.1984</td>
</tr>
</tbody>
</table>

By Order.

T. CHHOPHEL,
Secretary,
Establishment Department.

OFFICE ORDER

No. AA/51/85/292/(Gen)Est.
Dated Gangtok, the 7th March, 1986.

The Governor is pleased to appoint the following officers as members of the Sikkim State Civil Service in the Junior Scale of the Service with effect from the date indicated Against each:-

<table>
<thead>
<tr>
<th>SI</th>
<th>Name and Designation</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Shri Tenzing Lhendup, Yapshi-Yuthok, Under Secretary, Labour Department.</td>
<td>21.1.1984</td>
</tr>
<tr>
<td>3.</td>
<td>Shri Dinesh Tshering Bhutia, District Information Officer, Information &amp; Public Relations Department.</td>
<td>23.1.1984</td>
</tr>
<tr>
<td>4.</td>
<td>Shri Surendra Kr. Pradhan, Sub-Divisional Officer, Land Revenue Department.</td>
<td>23.1.1984</td>
</tr>
<tr>
<td>5.</td>
<td>Shri Kunzang Chultim Lepcha, Under Secretary, Land Revenue Department.</td>
<td>21.1.1984</td>
</tr>
</tbody>
</table>

By Order.

T. CHHOPHEL,
Secretary,
Establishment Department.
OFFICE ORDER  
No. 296/(G) Est.  
Dated Gangtok, the 10th March, 1986.  

Shri D. D. Sharma, I.F.S., Technical Assistant to Chief Conservator of Forest, Forest Department, is hereby allowed to look after the Sericulture Division in addition to his own duties.  

By Order.  
K. TOBDEN  
Under Secretary,  
Establishment Department.  

OFFICE ORDER  
No. 309/(G)Est.  
Dated Gangtok, the 12th March, 1986.  

The Governor is pleased to promote the following Officer with immediate effect:-  
1. Shri Dorji Tshering Bhutia, Adm. Officer, Food & Civil Supplies Department, is promoted and transferred to the Land Revenue Department, as Deputy Secy, in the scale of Rs. 1800-2700.  
2. Shri S. K. Mukhia, T.R.O. Food & Civil Supplies Department, is promoted as Deputy Secy, in the Department, in the scale of Rs. 1800-2700.  
3. Shri D. P. Kaleon, D.D.O (North) is granted the scale of Rs. 1800-2700 prescribed for the post.  

As usual, they will be on probation for one year.  

By Order.  
K. TOBDEN  
Under Secretary,  
Establishment Department.  

OFFICE ORDER  
No. 310/(Gen)/Est.  
Dated Gangtok, the 12th March, 1986.  

The Governor is pleased to post Shri P.T. Gyamtso, IAS, Joint Secretary, Home Department to Planning & Development Department as Joint Development Commissioner- cum- Joint Secretary, Planning with immediate effect.  

By Order.  
K. TOBDEN,  
Under Secretary,  
Establishment Department.  

NOTIFICATION  
No. 104/(Gen)/Est.  
Dated Gangtok, the 14th March, 1986.  

The Governor of Sikkim is pleased to sanction the creation of the following posts in the Health and family Welfare Department with immediate effect :-  
(A). Endoscopic Unit S.T.N.M. Hospital Gangtok.  

<table>
<thead>
<tr>
<th>Sl. No:</th>
<th>Name of the post</th>
<th>No: of post created</th>
<th>scale</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Staff Nurse</td>
<td>(one)</td>
<td>Rs. 1030-1755</td>
</tr>
<tr>
<td>2.</td>
<td>A.N.M.</td>
<td>(one)</td>
<td>Rs. 830-1400</td>
</tr>
<tr>
<td>3.</td>
<td>Male Ward Attendant</td>
<td>(one)</td>
<td>Rs. 635-800</td>
</tr>
<tr>
<td>4.</td>
<td>Typist</td>
<td>(one)</td>
<td>Rs. 770-1100</td>
</tr>
</tbody>
</table>

The expenditure on the above posts shall be debitable to Head '280' A II(I) I-Plan.
The expenditure on the above posts shall be debitable to Head Compounder (new)-‘280’ A II (10) (C) 1-Plan A. N. M. - ’28’ F . W. B FW- Plan.

---

OFFICE ORDER
No. 346(Gen)/Est.
Dated Gangtok, the 17th March, 1986.

The Governor is pleased to downgrade the existing post of Divisional Engineer in the Rural Development Deptt., as Asstt. Engineer with immediate effect.

Consequently, Shri L. O. Panlook is hereby appointed as Asstt. Engineer in the scale of Rs. 1320-30-1650-Eb-40-2050-Eb-2300 in the Rural Development Department, against the above vacancy on contract basis for an initial period of one year w.e.f. the date of his joining.

He will draw a basic pay of Rs. 1320/-p.m. in the above scale with other allowances as admissible under the rule.

As mutually agreed and accepted by him, his Service on contract shall be governed by the terms and conditions as laid down in this Department, Notification No. 250/Gen/Est. dt. 4.2.81.

By Order.
K. TOBDEN
Under Secretary, Establishment Department.

---

OFFICE ORDER
Dated Gangtok, the 17th March, 1986.

Resignation tendered by Shri Prempal, Singh, Lecturer, Sikkim Govt. Law College, Education Department, is hereby accepted with immediate effect.

By Order
N. YETHENPA,
Deputy Secretary to the Govt, of Sikkim, Establishment Department.

---

The following incumbents are hereby promoted as Revenue Officer-cum-Asstt. Director in the Land Revenue Department in the scale of Rs. 1320-30-1650-Eb-40-2050-Eb-50-2300 with immediate effect:

1. Shri A.S. Bhandari, Sr. Inspector, Gangtok;
2. Shri K.B. Lama, J.L.R.O., North;
3. Shri T. Gyamtsos, Sr. Inspector, Gangtok;
4. Smt S. Doma, Sr. Inspector, Gangtok;
5. Shri Dichen Fegu, J.L.R.O., West.

As usual they will be on probation for one year.

By Order.
K. TOBDEN
Under Secretary, Establishment Department.
Department, in the Scale of Rs. 1320-3C-1650-Eb-40-2050-Eb-50-2300 w.e.f. the date they takes over charge of their respective posts:–

1. Shri D.B. Thapa, Senior Inspector, Health & Family Welfare Department, is promoted as Entomologist against the existing vacancy.

2. Shri Santaman Subba, A.E.O. (Limboo), Text Rook Unit, Edn Department, is promoted and transferred to the Health & Family Welfare Department, as Store Officer, C.M.S. against the existing vacancy.

3. Smt. J.K. Namchoy, Asstt Officer-in-charge, C.M.S. is promoted as Store Officer, C.M.S. against the post created vide this Department, Notification No. 216/Gen Est. dt. 10.1.86.

As usual, they will be on probation for one year.

By Order.

K. TOBDEN
Under Secretary,
Establishment Department.

OFFICE ORDER
No. 410/(G)/Est.
Dated Gangtok, the 25th March, 1986,

In partial modification of Office Order No: 258/G/Est. of 5.6.1985 to the extent it is relevant on the matter, Lt. Col. N.K. Karumbaiah (M.R.-2188), Medical Specialist, STNM Hospital shall draw his pay and allowances at rates indicated below:

<table>
<thead>
<tr>
<th>From 8.4.85 to 18.4.85</th>
<th>From 19.4.85 onwards</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Basic Pay Rs. 1900/-</td>
<td>Rs. 1900/-</td>
</tr>
<tr>
<td>2. Specialist Pay Rs. 150/-</td>
<td>Rs. 150/-</td>
</tr>
<tr>
<td>3. K.M.A. Rs. 75/-</td>
<td>Rs. 75/-</td>
</tr>
<tr>
<td>4. D.A. Rs. 1270/-</td>
<td>Rs. 1270/-</td>
</tr>
<tr>
<td>5. NPA. Rs. 600/-</td>
<td>Rs. 600/-</td>
</tr>
<tr>
<td>6. Adhoc All. Rs. 780/-</td>
<td>Rs. 780/-</td>
</tr>
<tr>
<td>7. Interim Relief Rs. 350/-</td>
<td>Rs. 350/-</td>
</tr>
<tr>
<td></td>
<td>C.C.A. Rs. 380/-</td>
</tr>
<tr>
<td></td>
<td>Rs. 5125/-</td>
</tr>
<tr>
<td></td>
<td>(30 % of basic pay subject to a maximum of Rs. 52500 p.m. Out of this 20 % will be on account of Winter Allowance, Difficult and H.C.A. subject to maximum of Rs. 400.00 p.m. and 10 % on account of deputation (duty) Allowance subject to a maximum of Rs. 125/-p.m.)</td>
</tr>
<tr>
<td></td>
<td>-----------</td>
</tr>
<tr>
<td></td>
<td>Rs. 5630/</td>
</tr>
<tr>
<td></td>
<td>-----------</td>
</tr>
</tbody>
</table>

By Order.

K. TOBDEN,
Under Secretary,
Establishment Department.

NOTIFICATION
No. 127/Gen 'Est.
Dated Gangtok, the 29th March, 1986.

The Governor is pleased to redesgnate 3 out of 23 posts of Flume Line, Patrolman (created vide Notification No. 158/Gen/Est Dated 18.9.81) as Sweeper in the revised scale of Rs. 635-7-712-8-800 with immediate effect.

T. DHONDUP,
Officer on Special Duty,
Establishment Department.
OFFICE ORDER

No. 423/(Gen)/Est.
Dated Gangtok, the 31st March, 1986.

Shri Tamding Tsewang Bhutia, Director, Printing Department, who will complete 25 years of Service as on 30.4.86, is hereby permitted to retire from service w.e.f. the afternoon of 30.6.86 under Rule 99(2) of the Sikkim Govt. Service Rules.

K.P. ADHIKARI,
Deputy Secretary to the Govt. of Sikkim
Establishment Department.

OFFICE ORDER

No. 426/(G)/Est.
Dated Gangtok, the 31st March, 1986.

Doctor T.T.P.S. Bedi, Ex-Medical Specialist in the S.T.N.M. Hospital, Gangtok, under Health & Family Welfare Department is allowed to draw the monthly pay allowance as under:

<table>
<thead>
<tr>
<th>From</th>
<th>From</th>
<th>From</th>
</tr>
</thead>
<tbody>
<tr>
<td>23.1.85</td>
<td>1.3.85</td>
<td>1.5.85</td>
</tr>
<tr>
<td>28.2.85</td>
<td>30.4.85</td>
<td>12.8.85</td>
</tr>
</tbody>
</table>

1. Basic pay-1900/-
2. Interim Relief 100/-
3. I.R. II –
4. D.A. –
5. Addl.D.A 1120/-
6. Ad-hoc D.A. 780/-
7. K.M.A. 75/-
8. N/A 600/-

The Officer was and receipt of specialist pay @Rs. 150/- while on deputation.

K.P. ADHIKARI,
Deputy Secretary to the Govt. of Sikkim
Establishment Department.
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<table>
<thead>
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<td>II</td>
<td>Notification regarding appointment, postings, transfers, leaves etc.</td>
</tr>
<tr>
<td>III</td>
<td>Nil</td>
</tr>
<tr>
<td>IV</td>
<td>Nil</td>
</tr>
<tr>
<td>V</td>
<td>Nil</td>
</tr>
<tr>
<td>VI</td>
<td>Nil</td>
</tr>
<tr>
<td>VII</td>
<td>Nil</td>
</tr>
<tr>
<td>VIII</td>
<td>Nil</td>
</tr>
<tr>
<td>X (i)</td>
<td>Nil</td>
</tr>
<tr>
<td>X (ii)</td>
<td>Nil</td>
</tr>
</tbody>
</table>
HIGH COURT OF SIKKIM NOTIFICATION
No. 40/HCS/EST
Dated Gangtok, the 12th April, 1986.

It is hereby notified for general information that 14th April and 19th April, 1986 shall be observed as Holidays by this High Court on account of New Year (Vikram Samvat-2043) and Ram Naumi respectively.

By Order,

AMARJIT CHOPRA,
REGISTRAR.

ESTABLISHMENT DEPARTMENT NOTIFICATION
No. 136(Gen)/Est.
Dated Gangtok, the 3rd April, 1986.

The Governor of Sikkim is pleased to set-up an Audit Cell for Diary Co-operatives in the Registrar, Co-operative Services Office,

Consequently, the following posts has been created for the Cell with immediate effect:

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Name of the post created</th>
<th>No. of posts</th>
<th>Scale</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Diary Auditors</td>
<td>2</td>
<td>Rs. 1030-1755</td>
</tr>
<tr>
<td>2.</td>
<td>Diary Audit Officer</td>
<td>1</td>
<td>Rs. 1320-2300</td>
</tr>
</tbody>
</table>

The expenditure on the above posts shall be debitable to Head Plan 2981(1)1, Salaries.

T. DHONDUP,
Officer On Special Duty,
Establishment Department.

NOTIFICATION
No. M(4)137/Gen/Est.
Dated Gangtok, the 3rd April, 1986.

The Governor of Sikkim is pleased to sanction the creation of 130 posts of primary teachers in the revised scale of Grade I Rs. 920-1600/-Grade II Rs. 830-1400/-Grade III Rs. 770-1100 and 165 posts of graduate teachers in the scale of Rs. 1100-1850 for the following junior High Schools, High Schools. Lower Primary Schools and Upper Primary Schools in the Education Department with immediate effect:

CREATION OF 29 GRADUATE TEACHERS FOR PROVIDING ONE GRADUATE TEACHER EACH TO THE FOLLOWING JUNIOR HIGH SCHOOL UPGRADED DURING 1984-85.

NORTH DISTRICT	EAST DISTRICT
1. Gnon-Samdong	1. Ahosanti
2. Phamtam	2. Gaucharan
3. Assangthang	3. Khamdong (Rhenock)
4. Maniram	4. Pabjuyik
5. Melli Pakyong	5. Rey Mindu
6. Syablay-Serdaray
7. Sangmoo	7. Sumin
8. Suntaley	8. Tarethang
10. Rateypani	10. Martam
11. Rong
12. South Rigu

WEST DISTRICT
1. Khendu
2. Khanisirbing
3. Lower Bermiok
4. Lungchok
5. Melli.

Expenditure on the above posts shall be debitable to Head:
277/Education
B. Secondary Education
II Govt. Secondary Schools
(I) Govt. Junior High Schools
1. Salaries (Plan).

T. DHONDUP,
Officer On Special Duty,
Establishment Department.

CREATION OF 98 POSTS OF GRADUATE TEACHERS FOR PROVIDING 2 GRADUATE TEACHERS EACH TO THE FOLLOWING 49 JUNIOR HIGH SCHOOLS UPGRADED DURING 1985-86.

NORTH DISTRICT (MANGAN)
1. Singhik	4. Mangshila
2. Lachung	5. Lingdong
3. Lachen	6. Tingchim
SOUTH DISTRICT (NAMCHI)

1. Tinkitam 10. Thangsing
5. Salghari 14. Sokpay
6. Pabong 15. Tingsey
7. Kamrang 16. Legship
9. Tarku

EAST DISTRICT (GANGTOK)

1. Sichey 10. Simik Lingzey
2. Lower Siyari 11. Patuk. Chadey
4. Sudunglakha 13. Parakha
5. Sumin Lingchey 14. Sama Lingdom
9. Namchebong

WEST DISTRICT (GYALSHING)

1. Gangyap 7. Dodak
2. Goom 8. Deythang
6. Ribdi

Expenditure on the above posts shall be debitable to Head:

277 Education
B. Secretary Education
II Government Junior High Schools
1.Salaries (Plan)

CREATION OF 38 POSTS OF GRADUATE TEACHERS FOR PROVIDING 2 GRADAUTE TEACHERS EACH TO THE FOLLOWING 19 HIGH SCHOOLS UPGRADED DURING 1985-86.

DISTRICT NORTH (MANGAN)

1. Tsunghang 10. Thangdung
2. Dikchu 11. Nandugoan
3. Tingyong 12. Namchi New

DISTRICT SOUTH (NAMCHI)

4. Lingdok 5. Uttarey
5. Middle Camp 5. Khechuperi

Expenditure on the above posts shall be debitable to Head:

277/Education
B. Secondary Education
II Government Secondary Schools
(2) Government Higher Secondary and
High Schools

1. Salaries (Plan).

CREATION OF 70 POSTS OF PRIMARY TEACHERS FOR PROVIDING ONE PRIMARY TEACHER EACH TO 70 LOWER PRIMARY SCHOOLS BROUGHT UNDER GRANT IN AID SCHEME DURING 1985-86.

DISTRICT SOUTH (NAMCHI)

1. Kubindey (Tallindara) 13. Kanzing (Bandey)
2. Ben Kabey (near Den) 14. Upper Niya
3. Tarmim (Tinkitam) 15. Alleydara (Naniram)
4. Chitray (Borang) 16. Chidara (Tingrithang)
5. Chhangoan (Namley) 17. Upper Zubari
6. Singtam-Pallam 18. Dhargown
7. Upper Rangang 19. Alleydara (Rabitar)
10. Mangar Balam 22. Upper Borong
11. Mamblock 23. Paksam

DISTRICT EAST (GANGTOK)

1. Phadamchen 12. Yon (Rakdong Tintek)
2. Ramtek 13. Iumin Dhambari
3. Rinka 14. Deoling (Changeylakha)
4. Thongchung 15. Alleydara (Naniram)

DISTRICT WEST (GYALSHING)

1. Sikk 12. Cham bong (Arithang)
3. Tsik 14. Tikjek
4. Sipsu 15. Middle Gerethang
5. Middle Chongrang 16. Ramegthang (Yoksam)
6. Dima 17. Arithang
7. Lower Hathidunga 18. Tamzibong (Hee)
8. Lower Timberbonb 19. Upper Kyanbari
9. Lower Rumbuk 20. Summuk
10. Sombasty 21. Mamlung Lingding
11. Thongchung

Expenditure on the above posts shall be debitable to Head:

277/Education A-Primary Education
11-Govt. Primary Schools
(2) Primary
1. Salaries (Plan).
CREATION OF 60 POSTS OF PRIMARY TEACHERS FOR PROVIDING ONE PRIMARY TEACHER EACH TO BE 60 UPGRADED UPPER PRIMARY SCHOOLS DURING 1985-86

DISTRICT NORTH (MANGAN)
1. Laven
2. Nadey
3. Ramthang.

DISTRICT SOUTH (NAMCHI)
1. Tinjcr
2. Lingyong
3. Rabitar
4. Rangong
5. Kopchey
6. Lower Tarku
7. Simkharka
8. Donok
9. Badamtam
10. Nangdong
11. Raling Lungsing
12. Kaijale Karik
13. Lower Kamerey
14. Satam Mangli
15. Lower Perbing
16. Karjee
17. Dhargoan
18. Kaw
19. Samsi
20. Upper Yangyang
21. Ganchung (Naya Busty)

DISTRICT EAST (GANGTOK)
1. Arithang
2. Singlobong
3. Tintek Marchak
4. Dodochen
5. Chewribotey
6. Namphok
7. Samdur (Tadong)
8. Zitlang
9. Namong
10. Nandok-Challamthang
11. Reshi (Rhenock)
12. Sakyong Namcheythang
13. Katuk Vidyasagar

DISTRICT WEST (GYALSHING)
1. Sardang
2. Sanku
3. Singphong
4. Chongzong
5. Hoorgoan
6. Singling
7. Salangdong
8. Bi rdang
9. Tarebir (Uttarey)
10. Tinziring
11. 12 Lower Kartok

Expenditure on the above posts shall be debitable to Head :
277/Education
A-Primary Education
II-Govt. Primary Schools
(2) Primary Schools
1. Salaries (Plan).

NOTIFICATION
No. 139/Gen/Est.
Dated Gangtok, the 4th April, 1986.

The Governor of Sikkim is pleased to redesignate the post of Senior Marketing, Officer of Fair Price Shop as Joint Registrar Co-operative Societies and to transfer the post to the Co-operative Department.

T. DHONDUP,
Officer On Special Duty.
Establishment Department.

NOTIFICATION
No. 140/Gen/Est.
Dated Gangtok, the 4th April, 1986.

The Governor of Sikkim is pleased to upgrade the post of Assistant Cameraman to the Cameraman in the revised scale of Rs. 1030-25-1280-Eb-30-1500-Eb-35-1750 in the Information and Public Relation, Department with immediate effect.

T. DHONDUP,
Officer On Special Duty,
Establishment Department.

NOTIFICATION
No. 149/Gen/Est.
Dated Gangtok, the 9th April, 1986.

The Governor of Sikkim is pleased to upgrade the 4 (four) posts of Assistant Education Officers to Assistant Directors in the Information and Public Relation, Department with immediate effect.

T. DHONDUP,
Officer On Special Duty,
Establishment Department.

NOTIFICATION
No. 150/Gen/Est.
Dated Gangtok, the 9th April, 1986.

The Governor of Sikkim is pleased to sanction the creation of the following posts for strengthening the song and Drama Unit in the Culture Department with immediate effect :-

<table>
<thead>
<tr>
<th>SI. No.</th>
<th>Name of the post created</th>
<th>No. of post</th>
<th>Scale</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Research Officer</td>
<td>1</td>
<td>Rs. 1320-2300</td>
</tr>
<tr>
<td>2.</td>
<td>Senior Instructor</td>
<td>1</td>
<td>Rs. 1030-1735</td>
</tr>
<tr>
<td>3.</td>
<td>Store Keeper</td>
<td>1</td>
<td>Rs. 770-1100</td>
</tr>
<tr>
<td>4.</td>
<td>Dancers</td>
<td>16</td>
<td>Rs. 770-1100</td>
</tr>
<tr>
<td>5.</td>
<td>Musician-cum-Singer</td>
<td>3</td>
<td>Rs. 770-1100</td>
</tr>
</tbody>
</table>

(Sl. Nos. 4 and 5 posts are on Contract basis renewal every after 2 years plus an
allowance of Rs. 25/- per month attached to the posts).

The expenditure on the above posts shall be debitable to Head '278' I: Salaries & II (2) I. Salaries (Plan).

T. DHONDUP,
Officer On Special Duty,
Establishment Department.

NOTIFICATION
No. 157/Gen/Es
Dated Gangtok, the 10th April, 1986.

The Governor of Sikkim is pleased to sanction the creation of 26 posts of Work Supervisors (Munshi) in the revised scale of Rs. 635-7-712-8-800 in the Sikkim Public Works Department with immediate effect.

The Expenditure on the above posts shall be debitable to Head "337" 1(1) Salaries-Plan.

T. DHONDUP,
Officer On Special Duty,
Establishment Department.

NOTIFICATION
No. 158/Gen/Est.
Dated Gangtok, the 10th April, 1986.

The Governor of Sikkim is pleased to sanction the creation of 3 (three) posts of Drivers in the revised scale of Rs. 720-12-840-EB-14-980-EB-15-1055 in the Industries Department with immediate effect.

The Expenditure of the above posts shall be debitable to Head "321" B1 (1) (1) Salaries-Plan.

T. DHONDUP,
Officer On Special Duty,
Establishment Department.

NOTIFICATION
No. 159/Gen/Est.
Dated Gangtok, the 10th April, 1986.

The Governor of Sikkim is pleased to sanction the creation of the post of a Driver in the revised scale of Rs. 720-840-EB-14-980-EB-15-1055 in the Ecclesiastical Department with immediate effect.

The Expenditure of the above posts shall be debitable to the Head "295" GSCS.

T. DHONDUP,
Officer On Special Duty,
Establishment Department.

NOTIFICATION
No. 160/Gen/Est.
Dated Gangtok, the 11th April, 1986.

The Governor of Sikkim is pleased to sanction the creation of ex-cadre post of Accounts Officer in the revised scale of Rs. 1320 - 30 - 1650 - Eb-40 - 2050-EB-50-2300 for Sikkim House, New Delhi and downgraded the post of Controller of House affairs, Sikkim House from the old scale of Rs. 660-1400 to 510-90 with immediate effect.

The Expenditure of post shall be debitable to Major Head '265'G(3)(1)- Salaries.

T. DHONDUP,
Officer on Special Duty,
Establishment Department.

NOTIFICATION
No. 162/Gen/Est.
Dated Gangtok, the 14th April, 1986.

The Governor of Sikkim is pleased to upgrade the post of Chief Tourist Guide in the revised scale of Rs. 1320-30-1650-EB-40-2050-EB-50-2300 in the Tourism Department with immediate effect.

T. DHONDUP,
Officer on Special Duty,
Establishment Department.

NOTIFICATION
No. 166/Gen/Est.
Dated Gangtok, the 16th April, 1986.

The Governor of Sikkim is pleased to sanction the creation of the following posts for Leprocy Control Unit under National Leprocy Eradication Programme in the Health and Family Welfare Department with immediate effect:-

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Name of the post</th>
<th>No. of post</th>
<th>Scale</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Paramedical</td>
<td>10</td>
<td>Rs. 830-1400 Workers</td>
</tr>
</tbody>
</table>

Sl. Name of the post No. of post Scale
1. Paramedical 10 Rs. 830-1400 Workers
NOTIFICATION
No. 167/(Gen)/Est,
Dated Gangtok, the 16th April, 1986.

The Governor of Sikkim is pleased to sanction the creation of the following posts for Yoksom Primary Health Centre and for 18 Primary Health Sub Centre with immediate effect:—

(A) PRIMARY HEALTH CENTRE
Yoksom: duly upgrading Present Primary Health Sub Centre.

(B) PRIMARY HEALTH SUB-CENTRE EAST DISTRICT
1. Tnmim
2. Gasilakha
3. 32 No. Middle Camp
4. Sudungalakha
5. North Reghu
6. Rolap

NORTH DISTRICT
7. Loom Linokvong

SOUTH DISTRICT
8. Nandu Gaon
9. Namlung Ralong
10. Katang Sorang
11. Maniram Bhanjyang
12. Tingli (Tinji)
13. Manglely Singchuthang
14. Rayong Tingmo

WEST DISTRICT
15. Samdong Kaluk
16. Ribdi Bhorang
17. Zoom
18. Singling

---

YOKSOM PRIMARY HEALTH CENTRE

Sl. No. Name of the post No. of the post Scale
No. created
1. Medical Officer 1 Rs. 1320-2300
2. A.N.M. 2 Rs. 830-1400
3. Laboratory Technician 1 Rs. 920-1600
4. Jr. Store Keeper 1 Rs. 770-1100
5. Driver 1 Rs. 720-1055
6. Cook 1 Rs. 660-980
7. Dhobi 1 Rs. 650-315
8. Male Ward Attendant 1 Rs. 635-800
9. Sweeper (Male) 1 Rs. 635-800
10. Sweeper (Female) 1 Rs. 635-800
1. Peon-cum-Chawkidar 1 Rs. 635-800

FOR 18 PRIMARY HEALTH SUB CENTRE

Sl. No. Name of the post No. created Post to be Total Scale
1. Compoundar 1 each 18 Rs. 920-1600
2. A.N.M. 1 each 18 Rs. 830-1400
3. Ward Attendant 1 each 18 Rs. 635-800

The Expenditure of the above posts shall be debitable to Head as under:

Yoksom Primary Health Centre- 200A. II(9) (b) 1 plan posts at Sl No. 1 and
3 of PHSCS
(a) East North - 280A II (10)(C)-Plan
(b) West -280A II (10)(b) Plan
(c) South - 280A. II (10)(a)-Plan

For post of ANM of Sl No. 2 of PHSCS
(a) 201 Family Welfare-8- Family Welfare Plan.

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CORRIGENDUM TO NOTIFICATION No:166/Gen/Est:
Dated Gangtok, the 15/4/1986.


T. DHONDUP,
Officer On Special Duty,
Establishment Department.

NOTIFICATION
No. 169/(Gen)/Est.
Dated Gangtok, the 16th April, 1986.

The Governor of Sikkim is pleased to up-grade the post of a Junior Accountant as Accountant in the revised scale of Rs. 920-20-1040-Eb-25-1210-Eb-30~1600 in the Finance Department with immediate effect.

T. DHONDUP,
Officer On Special Duty,
Establishment Department.

NOTIFICATION
No. 170/(Gen)/Est.
Dated Gangtok, the 16th April, 1986.

The Governor of Sikkim is pleased to sanction the creation of a post of Joint
Director in the scale of Rs. 2100-65-2425-EB-75-3025 in the Fisheries Department under the Forest Department with immediate effect.

The expenditure of the above post shall be debitable to Major Head '312 'Fisheries (1) Direction and Administration (1) Salaries (Plan).

T. DHONDUP,
Officer On Special Duty,
Establishment Department.

NOTIFICATION
No. 175/(Gen)Est.
Dated Gangtok, the 22nd April, 1986.

The Governor of Sikkim is pleased to sanction the creation of the following posts for Accounts Service Cell in Finance Department with immediate effect :-

Sl. No. Name of the post created No of post Scale
1. Senior Accountant 1 Rs. 1100-1850
2. Lower Division Clerk 1 Rs. 770-1100
3. Peon 1 Rs. 635-800

The Expenditure of the above posts shall be debitable to Budget Head "252-I(6)-Salaries (Plan).

T. DHONDUP,
Officer On Special Duty,
Establishment Department.

NOTIFICATION
No. 185/(Gen)Est.
Dated Gangtok, the 25th April, 1986.

The Governor of Sikkim is pleased to sanction the creation of the following posts in Health and Family Welfare Department with immediate effect:-

Sl. No. Name of the post created No of post Scale
1. Statistical Assistant 4 Rs. 1030-1075
2. Supervisor 4 Rs. 830-1400

The Expenditure of the above posts shall be debitable to Budget Head 288 C IV I.C.D.S. (Plan).

T. DHONDUP,
Officer On Special Duty,
Establishment Department.

FINANCE DEPARTMENT
OFFICE ORDER
No. 569/Fin.
Dated Gangtok, the 20th March, 1986.

Shri S.K. Bardewa, O.S.D., Sikkim Public Service Commission, Government of Sikkim, is hereby declared as Drawing and Disbursing Officer with immediate effect vice Shri N.N. Badola since transferred to Education Department as Joint Director.

By Order.

D. NIODUP,
Chief Accounts Officer,
Finance,
Government of Sikkim.

OFFICE ORDER
No. 570/Fin.
Dated Gangtok, the 25th March, 1986.

Shri N.N. Badola, Joint Director of Education, South District, Namchi, is hereby declared as Head of Office with immediate effect for South District vice Shri M.C. Mathur since transferred on promotion to Head Office.

By Order.

D. NIODUP,
Chief Accounts Officer,
Finance,
Government of Sikkim.

OFFICE ORDER
No. 576/Fin.
Dated Gangtok, the 31st March, 1986.

Shri A.C. Negi, Chief Fire Officer, Sikkim Fire Service Government of Sikkim, is hereby declared as Head of Office as well as Drawing and Disbursing Officer with immediate effect vice Shri A.K. Shrestha since posted as Superintendent, State Jail.

By Order.

D. NIODUP,
Chief Accounts Officer,
Finance,
Government of Sikkim.
OFFICE ORDER
. No. 1/Fin.
Dated Gangtok, the 8 th April, 1986.

Dr. (Lt.Col.) N. K. Karumbaiah, Medical Specialist, S.T.N.M. Hospital, Gangtok, is hereby allowed to draw Conveyance Allowance of Rs. 500/- p.m. with effect from 4.1.1986, that is, the date of approval.

By Order.
D. NIODUP,
Chief Accounts Officer
Finance,
Government of Sikkim.

OFFICE ORDER
No. 2 /Fin.
Dated Gangtok, the 1st April, 1986.

Shri K.B. Gurung, Joint Secretary, Food and Civil Supplies Department, Government of Sikkim, is hereby declared as Head of Office with immediate effect.

By Order.
D. NIODUP,
Chief Accounts Officer
Finance,
Government of Sikkim.

OFFICE ORDER
No. 3 /Fin.
Dated Gangtok, the 1 st April, 1986.

Shri M.K. Tamang, Soil Conservator Officer, Land Use and Environment Department, Government of Sikkim, Namchi, is hereby declared as Drawing and Disbursing Officer for South District with immediate effect vice Shri T.Palden, A.C.F., since placed under suspension.

By Order.
D. NIODUP,
Chief Accounts Officer
Finance,
Government of Sikkim.

OFFICE ORDER
No. 7/Fin.
Dated Gangtok, the 3rd April, 1986.

Shri Yap Tshering Bhutia, Inspector, Special Branch, Sikkim Police, is hereby declared as Drawing and Disbursing Officer for Special Branch with immediate effect vice Shri Nima Tshering, Deputy Superintendent off Police since transferred to Reserve Lines.

By Order.
D. NIODUP,
Chief Accounts Officer
Finance,
Government of Sikkim.

OFFICE ORDER
No. 12/Fin.
Dated Gangtok, the 7th April, 1986.

Shri B.R. Chhetri, Divisional Engineer (West) S.P.W. D., is hereby declared as Drawing and Disbursing Officer for West District with immediate effect.

By Order.
D. NIODUP,
Chief Accounts Officer
Finance,
Government of Sikkim.

OFFICE ORDER
No. 24/Fin.
Dated Gangtok, the 19th April, 1986.

During the absence of Shri John Ballin, Dy. Chief Pay and Accounts Officer, Pay and Accounts Office, North District Mangan, with effect from 21.4.86, Shri M. Subedi, Accounts Officer, Pay and Accounts Office, North District, Mangan, is hereby declared as Drawing and Disbursing Officer with immediate effect till Shri Ballin's return from leave.

Shri Subedi is further allowed to issue cheques relating to North District on behalf of the State Government.

By Order.
D. NIODUP,
Chief Accounts Officer Finance
Government of Sikkim.

OFFICE ORDER
No. 26/Fin.
Dated Gangtok, the 19th April, 1986.

Shri Nima Tshering Bhutia, Deputy Superintendent of Police, is hereby declared as Drawing and Disbursing Officer for Reserve Line, Gangtok, with immediate effect.

Consequently Shri R. K. Pradhan, Superintendent of Police, Police Checkpost,
will cease to function as Drawing and Disbursing Officer for the Reserve Line, Gangtok, from the date of issue of this order.

By Order.

D. NIODUP,
Chief Accounts Officer,
Finance,
Government of Sikkim.

OFFICE ORDER
No. 27/Fin.
Dated Gangtok, the 21st April, 1986.

During the absence of Shri J.P. Tsering, Secretary, Information & Public Relations Department, Government of Sikkim, on leave with effect from 21.4-1986, Shri P.D. Tashi, Joint Secretary, Information & Public Relations Department, Government of Sikkim, is hereby allowed to exercise financial powers of Head of Department with immediate effect till Shri J.P. Tsering's return from leave.

By Order.

D. NIODUP,
Chief Accounts Officer,
Finance,
Government of Sikkim.

OFFICE ORDER
No. 31/Fin.
Dated Gangtok the 24th April, 1986.

During the absence of Shri P.C. Pradhan, Dy. Chief Pay and Accounts Officer, Pay and Accounts Office, Namchi, South Sikkim, on leave with effect from 15.4.1986, Shri B.K. Pradhan, Accounts Officer, Pay and Accounts Office, Namchi, South Sikkim, is hereby declared as Drawing and Disbursing Officer for South District with immediate effect till Shri P.C. Pradhan's return from leave.

Shri B.K. Pradhan is further allowed to issue cheques relating to South District on behalf of the State Government.

By Order.

D. NIODUP,
Chief Accounts Officer,
Finance,
Government of Sikkim.

OFFICE ORDER
No. 32/Fin.
Dated Gangtok, the 24th April, 1986.

During the absence of Shri G.P. Pradhan, Secretary, S.N.T., Government of Sikkim, on training with effect from 12.4 1986, Shri A.K. Pradhan, General Manager, S.N.T., Government of Sikkim, is hereby allowed to exercise financial powers of Head of Department with immediate effect till Shri G.P. Pradhan's return from training

By Order.

D. NIODUP,
Chief Accounts Officer,
Finance,
Government of Sikkim.

OFFICE ORDER
No. 33/Fin.
Dated Gangtok, the 24th April, 1985.

Shri D.B. Pradhan, Accounts Officer, Governor's Secretariat, Raj Bhavan, Gangtok, is hereby declared as Drawing and Disbursing Officer with immediate effect vice Shri Nima Tshering since transferred to Pay and Accounts Office as Accounts Officer.

By Order.

D. NIODUP,
Chief Accounts Officer,
Finance,
Government of Sikkim.

OFFICE ORDER
No. 35/Fin.
Dated Gangtok, the 25th April, 1986.

The following Accounts Officers of Forests Department, Government of Sikkim, are hereby declared as Drawing and Disbursing Officer with immediate effect for the Office shown against each:-
1. Shri B.T. Tamang, - Head Office Accounts Officer
2. Shri T.N. Limbu, - Utilization Circle Accounts Officer

Consequently Shri D.P. Rai, Divisional Forest Officer, Forests Department, Government of Sikkim, will cease to function as
Drawing and Disbursing Officer for Utilization Circle from the date of issue of order.

By Order.

D. NIODUP,
Chief Accounts Officer,
Finance,
Government of Sikkim.

OFFICE ORDER
No. 38/Fin.
Dated Gangtok, the 30th April, 1986.

Shri P.S. Chhetri, Under Secretary, Land Revenue Department, Government of Sikkim, is hereby declared as Drawing and Disbursing Officer with immediate effect vice Shri K.C. Lepcha, Under Secretary. Shri P.S. Chhetri will cease to function as Drawing and Disbursing Officer as and when Shri N.B. Subba, Accounts Officer, Land Revenue Department, returns from leave.

By Order.

D. NIODUP,
Chief Accounts Officer,
Finance,
Government of Sikkim.

OFFICE ORDER
No. 39/Fin.
Dated Gangtok, the 30th April, 1986.

During the absence of GP. Pradhan, Secretary, Food & Civil Supplies Department, Government of Sikkim, on training with effect from 11.4.1986, Shri K.B. Gurung, Joint Secretary, Food and Civil Supplies Department, Government of Sikkim, is hereby allowed to exercise financial powers of Head of Department with immediate effect till Shri Pradhan's return from training.

By Order.

D. NIODUP,
Chief Accounts Officer,
Finance,
Government of Sikkim.

OFFICE ORDER
No. 40/Fin.
Dated Gangtok, the 30th April, 1986.

Shri DP. Barsel, Deputy Director, Industries Department, Government of Sikkim, is hereby declared as Drawing and Disbursing Officer with immediate effect vice Shri M. Sharma, Director, Industries.

By Order.

D. NIODUP,
Chief Accounts Officer,
Finance,
Government of Sikkim.

OFFICE ORDER
No. 123/Fin.
Dated Gangtok, the 19th April, 1986.

Dr. (Miss) H. Lepcha, Additional Director, and Dr. D.P. Kharel, Joint Director, Health and Family Welfare Department, Government of Sikkim, are hereby declared as Head of Office as under with immediate effect:

1. Dr. (Miss) H. Lepcha as Head of Office for Head office, Central Health Stores Organisation and Drug Control and

Consequently Dr. T.R. Gyatso, Joint Director, Health and Family Welfare Department, Government of Sikkim, will cease to function as Head of Office from the date of issue of this order.

By Order.

D. NIODUP,
Chief Accounts Officer,
Finance,
Government of Sikkim.
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<td>II—Notifications regarding appointments, postings transfers, leave etc.</td>
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<td>V—Nil</td>
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<td>VI—Nil</td>
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<td>VIII—Nil</td>
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<td>X— (i) Nil</td>
<td></td>
</tr>
<tr>
<td>X— (ii) Nill</td>
<td></td>
</tr>
</tbody>
</table>
Notifications regarding appointments, postings, transfers, leave etc.

ESTABLISHMENT DEPARTMENT

NOTIFICATION
No. 189/Gen/Est.
Dated Gangtok, the 1st May, 1986.

Inter-se-Seniority of Inspectors of Sikkim Police is notified as under:

Position in the inter-se-Seniority. Name
1. Shri Chewang Norbu Kazi
2. Shri Kama Bahadur Gurung
3. Shri Deoman Lama
4. Shri Pamba Tamang
5. Shri Yap Tshering
6. Shri Ganga Ram Subba
7. Shri Bhim Bahadur Basnet
8. Shri Bhim Kumar Roka
9. Shri Thupden Bhutia
10. Shri Mingma Bhutia
11. Shri Dorjee Dadul
12. Shri T.T. Bhutia
13. Shri Dubo Tshering Bhutia
14. Shri Buddha Bahadur Rai
15. Shri R.B. Pradhan
16. Shri M.K. Tamang
17. Shri Norgyal Bhutia
18. Shri H.P. Tiwari
19. Shri D.B. Thapa
20. Shri Tilak Narayan
21. Shri Dilip Tamang
22. Shri Passang Lama

By Order.

K.P. ADHIKARI,
Deputy Secretary to the Govt. of Sikkim, Establishment Department.

NOTIFICATION
No. 192/Gen/Est.
Dated Gangtok, the 3rd May, 1986.

The Governor of Sikkim is pleased to sanction the creation of 4 (four) posts of Women Sub-Inspectors in the revised scale of Rs. 970-20-1110-EB-25-1210-EB-30-1660 in the Sikkim Police Department with immediate effect.

The Expenditure of the above posts shall be debitable to ‘255 Police (4) 1 Strengthening of Women Police Force’.

T. DHONDUP,
Officer On Special Duty, Establishment Department.

CORRIGENDUM TO NOTIFICATION
NO: 281/Gen/Est.
Dated Gangtok, the 8th May, 1986.

Substitute "Rs. 1320 - 2300" instead of Assistant in the revised scale of Rs. 1030 25-1280-EB-30-1500-EB-35-1755 in the Tourism Department with immediate effect.

The Expenditure of the above post shall be debitable to Head-339-Tourism VI (2) Survey and Statistics.

T. DHONDUP,
Officer On Special Duty, Establishment Department.

NOTIFICATION
No. 193/Gen/Est.
Dated Gangtok, the 3rd May, 1986.

The Governor of Sikkim is pleased to sanction the creation of 4 (four) posts of Women Sub-Inspectors in the revised scale of Rs. 970-20-1110-EB-25-1210-EB-30-1660 in the Sikkim Police Department with immediate effect.

The Expenditure of the above posts shall be debitable to ‘255 Police (4) 1 Strengthening of Women Police Force’.

T. DHONDUP,
Officer On Special Duty, Establishment Department.

NOTIFICATION
No. 195/Gen/Est.
Dated Gangtok, the 3rd May, 1986.

The Governor of Sikkim is pleased to sanction the creation of 6 (six) posts of Rest House Chawkidars in the revised scale of Rs. 635-7-712-8-800 in the Sikkim Public Works Department (Roads) with immediate effect.

The Expenditure of the above posts shall be debitable to ‘337-1 (1) R&B. Direction and Administration- Salaries Plan’.

T. DHONDUP,
Officer On Special Duty, Establishment Department.

CORRIGENDUM TO NOTIFICATION
NO: 281/Gen/Est.
Dated Gangtok, the 8th May, 1986.

Substitute "Rs. 1320 - 2300" instead of
Office Order
No. 608 / (Gen) / Est.
Dated Gangtok, the 6th May, 1986.

In the partial modification of the Office Order No. 215 / G / Est. Dated Gangtok the 18.2.86, the Governor is pleased to allow Shri T. Palden Bhutia, ACF (South), Land Use and Environment Department, to remain in Gangtok during the period under suspension on medical ground.

By Order.
K. P. ADHIKARI,
Deputy Secretary to the Govt. of Sikkim
Establishment Department.

Notification
No. 281 / Gen / Est.
Dated Gangtok the 8th May, 1986.

The Governor of Sikkim is pleased to sanction the creation of the following posts in the Forest Department with immediate effect:-

Sl. Name of the post created No. of post Scale
1. Divisional Forest Officer, Social Forestry N/E 1 Rs. 1800-2700
2. Divisional Forest Officer, Social Forestry, West. 1 Rs. 1800-2700
3. Divisional Forest Officer, Social Forestry, South. 1 Rs. 1800-2700
4. Divisional Forest Officer, Social Forestry (Senior Evaluation & Publicity). 1 Rs. 1800-2700
5. Range Officer (Social Forestry). 10 Rs. 1030-1400
6. Forest Officer (Social Forestry). 16 Rs. 830-1400
7. Forest Guard (Social Forestry). 30 Rs. 660-900
8. Divisional Forest Officer, Survey and Demarcation. 1 Rs. 1800-2700
9. Assistant Conservator of Forest, Survey and Demarcation. 1 Rs. 1540-2500
10. Divisional Forest Officer, State Silviculturist. 1 Rs. 1800-2700
11. Chowkidar. 1 Rs. 635-800
12. Sweeper (on an honorarium pay). 2 Rs. 500.00 per

The Expenditure of the above posts shall be debitable to Head as under:

S I: No. 1 to 7 - '313' (VI) (10) Social Forestry Service (Plan);
S I No. 8 to 9 - '313' (10) (2) (1) - Salaries (Plan).
S I. No. 10 to 12 - '313' (1) (1) (1) - Salaries (Non Plan)

T. DHONDUP,
Officer on Special Duty,
Establishment Department.

Office Order
No. 605 / (Gen) / Est.
Dated Gangtok, the 5th May, 1986.

With the concurrence of the Ministry of Energy, Department of Power as conveyed vide their letter No. A-3501/23/84- Adm. dated 12th March, 1986, the term of deputation in respect of Shri Vijoy Kumar, Additional Chief Engineer, Power Department is hereby extended for a further period of one year w.e.f. 174.86 to 16.4.87 on the existing terms and condition of deputation as amended from time to time.

By Order.
K. TOBDEN,
Undersecretary,
Establishment Department.
NOTIFICATION
No. 282/Gen/Est.
Dated Gangtok, the 8th May, 1986.

The Governor of Sikkim is pleased to redesignate the post of a Demonstrater for Composite training Institute as Senior Demonstrator in the revised pay scale of Rs. 970-20.-1110-EB-25-1210-EB-30-1660 in the Agriculture Department with immediate effect.

T. DHONDUP,
Officer On Special Duty,
Establishment Department.

NOTIFICATION
No. 286/Gen/Est.
Dated Gangtok, the 12th May, 1986.

The Governor of Sikkim is pleased to upgrade the following posts in the Agriculture Department with immediate effect:-

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Present post</th>
<th>Post upgrade</th>
<th>as Scale</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Farm Manager Sr.</td>
<td>Sr. Farm Manager</td>
<td>Rs. 1540-2500</td>
</tr>
<tr>
<td>2.</td>
<td>Horticulture Officer</td>
<td>Sr. Horticulture Officer</td>
<td>Rs. 1540-2500</td>
</tr>
<tr>
<td>3.</td>
<td>Agriculture officer</td>
<td>Senior Marketing officer</td>
<td>Rs. 1540-2500</td>
</tr>
</tbody>
</table>

Further, the Governor is pleased to sanction the creation of the following posts with immediate effect:-

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Name of the post created</th>
<th>No. of post</th>
<th>Scale</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Floriculturist</td>
<td>1 (one)</td>
<td>Rs. 1540-2500</td>
</tr>
<tr>
<td>2.</td>
<td>Regional Project Officer</td>
<td>1 (one)</td>
<td>Rs. 1540-2500</td>
</tr>
</tbody>
</table>

The Expenditure of the above posts shall be debitable to Budget Head as under:-

- '305' A Agri. Non Plan
- III Agriculture Farm Regional Centre (Salaries).
- IX Horticulture Progeny Orchard (Salaries).

T. DHONDUP,
Officer On Special Duty,
Establishment Department.

OFFICE ORDER
No. 638/(Gen)/Est.
Dated Gangtok, the 12th May, 1986.

The Services of Pr. Nima Tshering, Director, Animal Husbandry Department, is hereby extended for a further period of six months beyond the date of superannuation, i.e. 1.9.86 to 28.2.87 in term of Rule 100 of SGS Rules, 1974.

By Order,
K. TOBDEN,
Under Secretary,
Establishment Department

OFFICE ORDER
No. 644/(Gen)/Est.
Dated Gangtok, the 12th May, 1986.

The Governor is pleased to order the following promotions and postings in the Agriculture Department in the revised scale of Rs. 1540-2500 w.e.f. the dates they take over charge of their respective posts:-

1. Shri Uchung Bhutia, Farm Manager, Bermoik is promoted as Sr. Farm Manager, Bermoik against the post upgraded vide this Department Notification No: 286/Gen/Est. dated 12.5.86.
2. Shri T. Dadul Bhutia, A.R.P.O., Gangtok is promoted as Floriculturist against the post created vide the post Department Notification No: 286/Gen/Est. dated 12.5.86.
3. Shri M.K. Chettri, A.R.P.O., Nazitam is promoted as R.P.O. Nazitam against the existing vacancy.
4. Shri H.B. Thapa, Horticulture Officer is promoted as Sr. Horticulture Officer against the post upgraded vide this Department Notification No: 286/Gen/Est. dated 12.5.86.
5. Shri B.B. Gautam, A.R.P.O., Kewzing is promoted and posted as R.P.O., Raoongla Regional Centre against the existing vacancy.
6. Shri I.L. Uprety, Asstt. Plant Breeder Namchi is promoted and posted as Agronomist at Namchi against the existing vacancy.
7. Shri H.C. Singh, A.R.P.O., Namthang is promoted and posted as R.P.O., Melli Dara against the post created vide this Department Notification No: 286/Gen/Est. dated 12.5.86.
8. Shri Dorjee Tenzing, S.R.O., Gangtok, is promoted and posted as Soil Chemist at Gangtok against the existing vacancy.
9. Shri D.K. Mukhia, Agriculture Marketing Officer is promoted as Sr. Market-
ing Officer against the upgraded post vide this Department Notification No: 286 / Gen/ Est. dated 12.5.86.

As usual they will be on probation for oneyeear.

The inter-se seniority of the officers will be the same as it existed in the lower grade irrespective of their date of joining.

By Order.

K.P. ADHIKARI,
Deputy Secretary to the
Govt. of Sikkim
Establishment Department.

OFFICE ORDER
No. l(22)83/649Est.
Dated Gangtok, the 12 th May, 1986.

The Governor is pleased to post Shri Alok Rawat, who already reported at Namchi in the afternoon of 7th May, 1986, as Joint Development Commissioner-cum-Joint Secretary, Planning vice Shri P.T. Gyamtso.

The Office Order No. 600/G/ Est. dated 2.5.1986 posting Shri Alok Rawat as District Collector, South and Shri LB. Rai as Director of Vigilance is hereby withdrawn.

By order and in the name of the Governor.

T. CHHOPHEL,
Secretary,
Establishment Department.

OFFICE ORDER
Dated Gangtok, the 12 th May, 1986.

Shri Hari Kumar Sharma is hereby appointed as Functional Manager Jorethang, in the Industries Dep., in the scale of Rs. 1320-30-1650-Eb-40-2050-Eb-50-2300 w.e.f. the date of his joining.

He will draw a basic pay of Rs. 1320/- p.m. in the above scale with other allowances as admissible under the rules.

As usual, he will be on probation for one year.

By Order.

K. TOBDEN,
Under Secretary,
Establishment Department.
OFFICE ORDER
No. 655/(Gen)/Est.
Dated Gangtok, the 13th May, 1986.

In partial amendment of this Department, Office Order No. 489 / G/ Est. dt. 5.7.1985 to the extent relevant on the matter Shri B. S. Rajput, offg. Principal, Central Pendam Higher Secondary School, Education Department, is hereby deemed to have been promoted as Principal in fulfledged capacity in the revised scale of Rs. 1800-2700 w.e.f. 3.4.85.

By Order.
KP. ADHIKARI,
Deputy Secretary to the Govt. of Sikkim Establishment Department.

OFFICE ORDER
No. 12/(Gen)/Est.
Dated Gangtok, the 6th March 86.

Corrigendum to the Office Order No 12(26)/277/G/Est. Dated, the 6th March 86.

Substitute "5.2.86" for "the date of his joining" in the first para of the Office Order No. 12 (26)/277/G/Est. Dated, the 6th March 86.

K. TOBDEN,
Under Secretary,
Establishment Department.

NOTIFICATION
No. 290/(Gen)/Est.
Dated Gangtok, the 14th May, 1986.

the Governor of Sikkim is pleased to upgrade the 2(two) posts of Lower Division Clerks to Upper Division Clerks in the Department of Culture Affairs with immediate effect.

T. DHONDUP,
Officer on Special Duty,
Establishment Department.

NOTIFICATION
No. 295/(Gen)/Est.
Dated Gangtok, the 15th May, 1986.

In exercise of the power conferred by Section 3 (1) of Sikkim State Co-operative Societies Act, 1978, the Government hereby appoint and declare the Secretary, Co-operative Department as Ex-Officio, Co operative Societies in the State of Sikkim.

By order and in the name of the Governor.

T. DHONDUP,
Officer On Special Duty,
Establishment Department.

NOTIFICATION
No. 299/(Gen)/Est.
Dated Gangtok, the 19th May, 1986.

The Governor of Sikkim is pleased to sanction the creation of 4 (four) posts of lecturers one each in Boteny, Geology, English and Nepali in the U.C.C. scale of Rs. 780-10-1100-Eb-50-1380-Eb-50-1600 in Sikkim Government College with immediate effect.

The Expenditure of the above posts shall be debitable to Budget Head "277/Edn. O.I.(1) Salaries (Plan)."

T. DHONDUP,
Officer On Special Duty,
Establishment Department.

NOTIFICATION
No. 300/(Gen)/Est.
Dated Gangtok, the 20th May, 1986.

The Governor of Sikkim is pleased to upgrade the post of Rolier Driver/Oporater in the revised scale of Rs. 720-12-840-Eb-14-980-Eb-15-1055 in the Sikkim Public Work Department with effect from 1.4.85.

T. DHONDUP,
Officer on Special Duty,
Establishment Department.

NOTIFICATION
No. 301/(Gen)/Est.
Dated Gangtok, the 20th May, 1986.

The Governor of Sikkim is pleased to sanction the creation of the following posts in the Establishment Department with immediate effect:-

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Name of the post</th>
<th>No. of post created</th>
<th>Scale</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Stenographer(Grade III)</td>
<td>2(two)</td>
<td>Rs.920-1600</td>
</tr>
<tr>
<td>2.</td>
<td>Lower Division Clerk</td>
<td>2(two)</td>
<td>Rs.770-1100</td>
</tr>
</tbody>
</table>

T. DHONDUP,
Officer on Special Duty,
Establishment Department.
Adm. of Justice, V.A.G’S office-Salaries.

T. DHONDUP,
Officer on Special Duty,
Establishment Department.

NOTIFICATION
No. 305/(Gen)Est.
Dated Gangtok, the 22 nd May, 1986.

The Governor of Sikkim is pleased to sanction the creation of a post of Typist in the revised scale of Rs. 770-13-900-Eb-14-1040-Eb-15-1100 in the Motor Vehicle Department with immediate effect.

T. DHONDUP,
Officer on Special Duty,
Establishment Department.

NOTIFICATION
No. 306/Gen/Est.
Dated Gangtok, the 27 th May, 1986.

The Governor is pleased to substitute the existing entry No. 48 in schedule 18 of the Sikkim Govt. Service (Revised Pay) Rules, 1986 by the following with effect from 17.5.1986, i.e. the date of approval:

48. Lady Health Visitor 1850:
Attainable on completion of a total service of 28 years with specialised training of Lady Health Visitor. In addition to A.N.M’s training.
Grade II. 1030-1755,

By Order.

D.K. PRADHAN,
Under Secretary,
Establishment Department.

NOTIFICATION
No. 307/Gen/Est.
Dated Gangtok, the 30 th May, 1986.

The Governor of Sikkim is pleased to sanction the creation of a post of Typist in
the revised scale of Rs. 770-13-900-Eb-14-1040-Eb-15-1100 in the Motor Vehicle Department with immediate effect.

The Expenditure on the above post shall be debitable to Head "252"-(13) Motor Vehicle Department 1. Salaries (Non-Plan).

T. DHONDUP,
Officer On Special Duty,
Establishment Department.

FINANCE DEPARTMENT
OFFICE ORDER
No. 45/Fin.
Dated Gangtok, the 3 rd May, 1986.

Shri Kama Raju, Principal Sikkim Government Law College, Gangtok, is hereby declared as Head of Office as well as Drawing & Disbursing Officer with immediate effect.

Consequently this Department’s Office Orders No. 112/Fin. dated 20.7.85 and196/Fin. dated 23.9.85 declaring Shri B. P. Pradhan, the then Administrator, Sikkim Government Law College, Gangtok, as Head of Office as well as Drawing & Disbursing Officer will stand withdrawn for from the date of issue of this order.

By Order.
D. NIODUP,
Chief Accounts Officer Finance,
Government of Sikkim.

NOTIFICATION
No. 2/Fin.
Dated Gangtok, the 17 th May, 1986.

The Local Self Government & Housing Department which has taken over Gangtok Municipal Corporation recently has to execute various development schemes of the nature of public works. At present all bills pertaining to this department are subjected to ore-check by the Pay & Accounts Office before payment. This causes delay and inconvenience to the department and hampers speedy implementation of schemes. The question of declaring this department as a self-drawing department has, therefore, been under consideration of the Government for some time past.

2. It has since been decided that the Local Self Government & Housing Department be vested with cheque drawing powers in respect of works expenditure. All expenditure on works will therefore, be incurred by this department directly without pre-check of the bills by the Pay & Accounts office. Consequently, the department will compile the initial accounts for all expenditure on works and render the same to the Accountant General, Sikkim, direct in such form as may be prescribed by him together with original vouchers and such other document as may be required by him.

3. All other payment viz : pay, travelling allowance, contingencies, medical reimbursement etc. of this department will, however, be made by the Pay & Accounts Office on bills after pre-check. In respect of all these expenditure the initial accounts will be compiled by the Pay & Accounts Office and rendered to the Accountant Genera, Sikkim in the prescribed form.

4. These orders will come into force with effect from 1st. July, 1986.

By Order.
K. C. PRADHAN
Secretary,
Finance Department
<table>
<thead>
<tr>
<th>CONTENTS</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>PAR I—Nil</td>
<td></td>
</tr>
<tr>
<td>PART II—Notifications regarding appointments, postings transfers, leave etc.</td>
<td>38-41</td>
</tr>
<tr>
<td>PART III—Rules, Orders, Press Notes etc.</td>
<td>42</td>
</tr>
<tr>
<td>PART IV—Nil</td>
<td></td>
</tr>
<tr>
<td>PART V—Nil</td>
<td></td>
</tr>
<tr>
<td>PART VI—Nil</td>
<td></td>
</tr>
<tr>
<td>PART VII—Nil</td>
<td></td>
</tr>
<tr>
<td>PART VIII—Nil</td>
<td></td>
</tr>
<tr>
<td>PART X—(i) Nil</td>
<td></td>
</tr>
<tr>
<td>PART X—(ii) Nil</td>
<td></td>
</tr>
</tbody>
</table>
HIGH COURT OF SIKKIM  
NOTIFICATION  
No. 59/HCS/EST.  
Dated Gangtok, the 6th June, 1986.

In accordance with Rule 39 (1) of the Sikkim Government (Leave) Rules, 1982, Shree O. N. Sharma, Secretary to the Hon'ble Chief Justice of this Court, is hereby permitted to encash earned leave for 30 (Thirty) days for the block year 1986-87. He has 177 days earned leave at his credit on full pay as per his leave account.

He shall draw the salary for 30 (Thirty) days as to be drawn in the month of June, 1986, subject to recovery of the Income Tax only, in terms of Notification No. 47/Gen/Estt., of 25.5.1982.

By Order.
AMARJIT CHOPRA,   
REGISTRAR.

NOTIFICATION  
No. 65/HCS/Estt.  
Dated Gangtok, the 26th June, 1986.

Shree Sukhdish Mitter Malhan, Reader on deputation in this High Court, stands reverted to his parent department with effect from the forenoon of 7th July, 1986, and he is directed to report to the Registrar, Punjab and Harayana High Court, at Chandigarh, as soon as thereafter by availing the joining time admissible to him under the rules.

By Order.
AMARJIT CHOPRA,   
REGISTRAR.

ESTABLISHMENT DEPARTMENT  
OFFICE ORDER  
No. 835/(Gen)/Est.  
Dated Gangtok, the 5th June, 1986.

In partial amendment this Department Office order No. 423/G/Est. dated 31.3.86. to the extent relevant on the matter, Shri Tamding Tssewang Bhutia, Director, Printing Department, is hereby permitted to retire from service w.e.f. the afternoon of 6.7.86.

By Order.
K.P. ADHIKARI,   
Deputy Secretary to the Govt. of Sikkim,   
Establishment Department.

NOTIFICATION  
No. 322(Gen)/Est.  
Dated Gangtok, the 7th June, 1986.

Consequent on the re-allocation of the Subject of Agriculture Census to the Agriculture Department vide Notification No. 7 (17)Home/79/81/682 of 10.3.86, the Governor of Sikkim is pleased to order that the Director-cum-Secretary, Agriculture Department will also act as State Agriculture Census Commissioner.

By Order.
T. DHONDUP,   
Officer on Special Duty,   
Establishment Department.

OFFICE ORDER  
No. 874/(Gen)/Est.  
Dated - Gangtok, the 10th June, 1986.

Consequent on her reversion from Govt. of India Ministry of Health & Family Welfare w.e.f. 30.5.86. (AN), Miss Chandrakala Cintury, IAS, is hereby posted as Joint Secretary in the Rural Development Department w.e.f. 3.6.86.

By Order.
K.P. ADHIKARI,   
Deputy Secretary to the Govt. of Sikkim   
Establishment Department.

OFFICE ORDER  
No. 875/(Gen)/Est.  
Dated Gangtok, the 10th June, 1986.

The Governor is pleased to order the following postings and promotion in the
Forest Department with immediate effect:-
1. Shri N.K. Rai, IFS, is posted as Divisional Forest Officer, Land Scaping and Beautification.
2. Shri H.C. Mukhia, ACF, is promoted as Superintendent Parks and Gardens in the scale of Rs. 1800-2700.

By Order.

T. TOBDEN,
Joint Secretary to the Govt. of Sikkim,
Establishment Department.

CORRIGENDUM TO OFFICE ORDER
No. 765/Gen/Est.
Dated Gangtok, the 27th May, 1986.
Substitute "Thendup Palden Bhutia" for "Palden Tshering Bhutia" occurring at S1. No. 4 of the Office Order referred to above.

K. TOBDEN,
Under Secretary,
Establishment Department.

NOTIFICATION
No. 327/Gen/Est.
Dated Gangtok, the 11th June, 1986.
The Governor is pleased to appoint Shri Jiwan Kumar Thapa as a member of the Sikkim Public Service Commission. 2. In pursuance of article 316 (1A) of the Constitution of India, the Governor is further pleased to appoint Shri J.K. Thapa to perform the duties of the Chairman of the Sikkim Public Service Commission with effect from the afternoon of 12th June, 1986 when Shri K.R.K. Menon demits the Office of the Chairman on attaining the age of 62 years.

T. CHHOPHEL,
Secretary,
Establishment Department.

CORRIGENDUM TO NOTIFICATION
No:162/Gen/Est:
Dated Gangtok, the 14th April, 1986.
Read 10.4.86 instead of with immediate effect appearing in the fourth line of the Notification referred to above.

T.DHONDUP,
Officer on Special Duty,
Establishment Department.

NOTIFICATION
No. 328/Gen/Est.
Dated Gangtok, the 11th June, 1986.
The Governor is pleased to upgrade the Mikhola Primary School to that of Junior High School sanction the creation of the following posts in the Education Department with immediate effect:

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Name of the post created</th>
<th>Grade</th>
<th>No. of the post</th>
<th>Scale</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Head Master</td>
<td>Cl.III</td>
<td>(in T.G.T. scale)</td>
<td>l(one)</td>
</tr>
</tbody>
</table>

By Order.

D.K. PARDHAN,
Under Secretary to the Govt. of Sikkim,
Establishment Department.

NOTIFICATION
No. 329/(Gen)Est.
Dated Gangtok, the 12th June, 1986.
The Governor of Sikkim is pleased to sanction the creation of one post of under Secretary in the Establishment Department in the revised pay scale of Rs.1320-30-1650- Eb-40-2050-Eb-70-2300 with effect from 10.5.86.
The expenditure on the above post shall be debitable to Head "252" Secretariat- General Services- (3) Establishment Department 1-Salaries.

T.DHONDUP,
Officer on Special Duty,
Establishment Department.

NOTIFICATION
No.337/Gen/Est.
Dated Gangtok, the 20th June, 1986.
The Governor of Sikkim is pleased to upgrade the Mikhola Primary School to that of Junior High School sanction the creation of the following posts in the Education Department with immediate effect:
2. Graduate Teacher Cl. III (one) Rs. 1100-1850
3. Peon Cl.IV (one) Rs. 635-800

The expenditure on the above posts shall be debitable to Head 277-Education B-Secondary Education II-Secondary School (1)- Government Junior High Schools I-Salaries (Plan).

T.DHONDUP,
Officer on Special Duty,
Establishment Department.

NOTIFICATION
No. 338/Gen/Est.
Dated Gangtok, the 20 th June, 1986.

The Governor is pleased to grant the following grades and-scales to Auxilliary Nurse-cum-Midwife with effect from 17. 5. 1986:--

<table>
<thead>
<tr>
<th>Sl. No</th>
<th>Eligibility for attaining the</th>
<th>Grade and Scale</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Total service of 30 years</td>
<td>Grade-I Rs. 1100-1850</td>
</tr>
<tr>
<td>2.</td>
<td>Total service of 25 years</td>
<td>Grade-II Rs. 1030-1755</td>
</tr>
<tr>
<td>3.</td>
<td>Total service of 15 years</td>
<td>Grade-III Rs. 970-1660</td>
</tr>
<tr>
<td>4.</td>
<td>First appointment as per basic qualification requi-</td>
<td>Grade-IV Rs. 830-1400</td>
</tr>
</tbody>
</table>

By Order.
D.K. PRADHAN,
Under Secretary to the Govt. of Sikkim,
Establishment Department.

CORRIGENDUM TO NOTIFICATION
No. 104/Gen/Est.
Dated Gangtok, the 15 th March, 1986.

Read scale of Rs. 830-1400 in place of Rs. 6904000 appearing at (B) Sl. No. 1. Multipurpose Health Worker of the Notifica-
tion referred to above.

T. DHONDUP,
Officer-On Special Duty,
Establishment Department,

NOTIFICATION
No.339/(Gen)/Est.
Dated Gangtok, the 23 rd June, 1986.

The Governor of Sikkim is pleased to upgrade the post of Upper Division Clerk to that of Head Assistant in the revised scale of Rs. 920-20-1060-Eb-25-1210-Eb-30-1600 in the Cabinet Section of Home Department with effect from 19.3.86.

T. DHONDUP,
Officer on Special Duty,
Establishment Department.

FINANCE DEPARTMENT
OFFICE ORDER
No. 63/Fin.
Dated Gangtok, the 27 th May, 1986.

Shri P.T. Gyamtso, Director, Printing and Stationery Department, Government of Sikkim, is hereby declared as Drawing and Disbursing Officer with immediate effect until further orders.

By Order.
D. NIODUP,
Chief Accounts Officer,
Finance,
Government of Sikkim.

OFFICE ORDER
No. 70/Fin.
Dated Gangtok, the 3 rd June, 1986.

Shri Shyam Kumar Pradhan, Regional Transport Officer, Motor Vehicles Depart-
ment, Government of Sikkim, Jorethang, is hereby declared as Drawing and Disbursing Officer with immediate effect vice Shri Pem Tsering since transferred to head office.

By Order.
Chief Accounts Officer,
Finance,
Government of Sikkim.

OFFICE ORDER
No. 85/Fin.
Dated Gangtok, the 20 th June, 1986.

Shri J.R. Subba, Jt. Director, Agriculture Census, Agriculture Department, Government of Sikkim, is hereby declared as Head of office as well as Drawing and
Disbursing Officer with immediate effect vice Shri S.K. Besnett, Jt. Director, since transferred.

By Order.

D. NIODUP,
Chief Accounts Officer,
Finance,
Government of Sikkim.

OFFICE ORDER
No. 89/Fin.
Dated Gangtok, the 23rd June, 1986.

The following Officers of Pay and Accounts office, Government of Sikkim, are hereby declared as Head of Office as well as Drawing and Disbursing Officers for the District Offices shown against each with immediate effect:-

Further, they are allowed to issue cheques on behalf of the State Government relating to respective Districts.

<table>
<thead>
<tr>
<th>Name of District</th>
<th>District</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Shri John Ballin</td>
<td>West</td>
</tr>
<tr>
<td>Dy. Chief Pay and Accounts Officer</td>
<td></td>
</tr>
<tr>
<td>2. Shri P.T. Wangdi,</td>
<td>North</td>
</tr>
<tr>
<td>Dy. Chief Pay and Accounts Officer</td>
<td></td>
</tr>
</tbody>
</table>

By Order

D. NIODUP,
Chief Accounts Officer,
Finance,
Government of Sikkim.

OFFICE ORDER
No. 90/Fin.
Dated Gangtok the 24th June, 1986.

During the absence of Shri RK Pradhan, Superintendent of Police, Police Checkpost, on leave with effect from 10.6.1986, Shri T. Dhondup, Administrative Officer, Police Checkposts, is hereby declared as Drawing and Disbursing Officer with immediate effect till Shri Pradhan’s return from leave.

By Order.

D. NIODUP,
Chief Accounts Officer,
Finance,
Government of Sikkim.

OFFICE ORDER
No. 93/Fin.
Dated Gangtok, the 30th June, 1986.

During the absence of Shri Palden Tshering Gyamtso, Director, Printing and Stationery Department, Government of Sikkim, on training with effect from 26.6.1986, Shri P.K. Gurung, Deputy Director, Printing and Stationery Department, Government of Sikkim, is hereby declared as Drawing and Disbursing Officer with immediate effect till Shri Gyamtso’s return from Training.

By Order.

D. NIODUP,
Chief Accounts Officer,
Finance,
Government of Sikkim.

NOTIFICATION
No. 248/EST/EDN.
Dated Gangtok the 7th June, 1986.

Department of Education "File No. 2 (1)86-87.
Appointment of Post Graduate Teachers" has been lost. All efforts to recover the file having failed, another file has been re-constructed on the basis of papers available with the officials of the Department.

2. Orders are now being issued on the basis of the copies maintained by the office and placed on the reconstituted file.

3. Any material which is to be produced in further alleging that it was a part of the lost file will not be considered by the Government as genuine.

T.P. SHARMA,
Secretary-Education.
Govt. of Sikkim.
Ref: No. 3(4)GTC/82-83/Vo.(V)/1261                              Dated 14th, May, 1986.

The Government of Sikkim has been pleased to extend the benefit of revised pay scales prescribed for the State Govt. employees as per Sikkim Govt. Services (Revised Pay) Rules, 1986 to the employees of corresponding ranks of the erstwhile Gangtok Municipal Corporation from the date of commencement of the said rules viz. 1st. April, 1985.

2. Provision of rule 24 of the said rules relating to fixation of pay in the revised pay scale shall apply mutatis mutandis to all pay fixation cases of the erstwhile Gangtok Municipal Corporation employees.

3. This issues in consultation with the Establishment and Finance Department.

P.K. PRADHAN,
Secretary,
Local Self Govt. & Housing Deptt.
Govt. of Sikkim.
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<tr>
<td>PART III</td>
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</tr>
</tbody>
</table>
HIGH COURT OF SIKKIM  
NOTIFICATION  
No. 69/HCS  
Dated Gangtok, the 7th July, 1986.

It is hereby notified for general Information that the High Court of Sikkim and its subordinate Courts shall observe holiday for today (7-7-86) account of the sad demise of Shri Jagjivan Ram.

By Order.  
AMARJIT CHOPRA-  
REGISTRAR.

NOTIFICATION  
No. 70/HCS/ESTT.  
Dated Gangtok, the 7th July, 1986.

Shree Sukhdish Mitter Malhan, Reader on deputation in this High Court, stands relieved today the 7th day of July, 1986, (Forenoon).

By Order  
AMARJIT CHOPRA,  
REGISTRAR.

OFFICE ORDER  
No. 293/HCS/ESTT.  
Dated Gangtok, the 28th July, 1986.

Shri A.P. Subba, Civil Judge- cum-Judicial Magistrate, East & North (Gangtok) is hereby appointed as Deputy Registrar, in the High Court Establishment, until further orders against the vacant post created by Shri Gautam Ray, who has since proceeded on deputation as touch in the Calcutta Bench of the Central Administrative Tribunal. Shri Subba is directe to relinquish charge of his present post on 1st August, 1986, and to join in the High Court as Deputy Registrar the same very day. As a consequence, the entire pending file of Shri A.P. Subba is transferred for disposal to the Court of Shri Tashi Wangdi, Civil Judge- cum- Judicial Magistrate, East, who will entertain further institution of the cases relating to the Court of Civil Judge-cum Judicial Magistrate (East & North).

By Order.  
AMARJIT CHOPRA,  
REGISTRAR.

ESTABLISHMENT DEPARTMENT  
OFFICE ORDER  
No. 1084/(Gen)/Est.  
Dated Gangtok, the 4th July, 1986.

Whereas a disciplinary proceeding against Shri Rajendra Kumar Khati, Executive Engineer, Power Department has been initiated as per the Memorandum of Charge served on him to-day.

Now, therefore, the Competent Authority, in accordance of Clause (a) of Sub-Rule 1 of Rule 8 of the Sikkim Government Servant’ (Discipline & Appeal) Rules 1985, places the said Shri Rajendra Kumar Khati, Executive Engineer, under suspension with immediate effect.

As per Rule 96 of the Sikkim Government Service Rules, 1974, Shri Rajendra Kumar Khati, Executive Engineer will be paid subsistance allowance and other allowances as per that Rule.

He shall not leave the headquarters without obtaining the previous permission of the Government.

Receipt of this Order should be acknow ledged by Shri Rajendra Kumar Khati’ Executive Engineer, Power Department.

By Order and in the name of the Governor.

T. CHHOPHEL,  
Secretary,  
Establishment Department.

OFFICE ORDER  
No. 1085/(Gen)/Est.  
Dated Gangtok, the 4th July, 1986.

Whereas a disciplinary proceeding against Shri Ran Bahadur Biswakarma, Assistant Engineer, Power Department, has been initiated as per the Memorandum of Charges served on him today,
Now, therefore, the Competent Authority, in accordance of Clause (a) of Sub-Rule 1 of 8 of the Sikkim Government Servants'(Discipline & Appeal) Rules, 1985, places the said Shri R. B. Biswakarma, Assistant Engineer, under suspension with immediate effect.

As per Rules 96 of the Sikkim Service Rules, 1974, Shri R.B. Biswakarma, Assistant Engineer, will be paid subsistence allowance and other allowances as per that Rule.

He shall not leave the headquarters without obtaining the previous permission of the Government.

Receipt of this Order should be acknowledged by Shri R.B Biswakarma, Assistant Engineer, Power Department.

By Order and in the name of the Governor.

T. CHHOPHEL,
Secretary,
Establishment Department.

OFFICE ORDER
No. 1086(Gen)/Est.
Dated Gangtok, the 4th July 1986.

Whereas a disciplinary proceeding against Shri Aita Bahadur Rai, Assistant Engineer, Power Department, has been initiated as per the Memorandum of Charge served on him today.

Now, therefore, the Competent Authority, in accordance of Clause (a) of Sub-Rule of Rule 8 of the Sikkim Government Servants' Discipline & Appeal) Rules, 1985, places the said Shri Aita Bahadur Rai, Assistant Engineer, under suspension with immediate effect.

As per Rule 96 of the Sikkim Government Service Rules, 1974, Shri Aita Bahadur Rai, Assistant Engineer, will be paid subsistence allowance and other allowances as per that Rule.

He shall not leave the headquarters without obtaining the previous permission of the Government.

Receipt of this Order should be acknowledged by Shri Aita Bahadur Rai, Assistant Engineer, Power Department.

By Order and in the name of the Governor.

T. CHHOPHEL,
Secretary,
Establishment Department.

NOTIFICATION
No. 351/(Gen)/Est.
Dated Gangtok, the 15th July, 1986.

The Governor of Sikkim is pleased to sanction the creation of the following posts in the Health and Family Welfare Department with immediate effect where specific dates of creation are indicated:

<table>
<thead>
<tr>
<th>Sl. No</th>
<th>Name of the post</th>
<th>No of Scale</th>
<th>Debitable Head</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Health Education for Leprosy Control Unit under NLCP w.e.f 24.9.85</td>
<td>1 Rs. 1030-1755</td>
<td>Major Head’ 282 NLCP-A I (2)-CSS (Plan).</td>
</tr>
<tr>
<td>2</td>
<td>Deputy Secretary w.e.f. 1.4.86</td>
<td>1 Rs. 1800-2700</td>
<td>‘280’ A. I(I)I Salaries (Plan).</td>
</tr>
<tr>
<td>3</td>
<td>Deputy Matron in S.T.N.M. Hospital</td>
<td>1 Rs. 13200300</td>
<td>‘280’ A. II I(I) Salaries (Plan)</td>
</tr>
<tr>
<td>4</td>
<td>School Health Officer for the School Health Programme</td>
<td>1 Rs. 1540-2500</td>
<td>‘282’ A. II Health Education A. II (I) Salaries (Non Plan) and Pub.</td>
</tr>
</tbody>
</table>

Further, the Governor is pleased to upgrade two posts of Health Educator to that of District Health Education Officer in the scale of Rs- 1320-2300, with immediate effect.

D. K. PRADHAN,
Undersecretary,
Establishment Department.

NOTIFICATION
No. 353/(Gen)/Est.
Dated Gangtok, the 16th July, 1986.

The Governor of Sikkim is pleased to redesignate the post of Superintendent Sheep Farm as Assistant Dairy Development Officer in the scale of Rs. 1320-2300, in the Animal Husbandry Department with immediate effect.

T. DHONDUP,
Officer On Special Duty,
Establishment Department.
NOTIFICATION
No. 354/Gen/Est.
Dated Gangtok, the 16th July, 1986.

The Governor of Sikkim is pleased to upgrade two posts of Food Inspectors in the Adulteration Cell of the Health and Family Welfare Department to that of Senior Food Inspector in the scale of Rs. 1300-30-1650-Eb—2050—Ed—50—2300, with immediate effect.

T.DHONDUP,
Officer On Special Duty,
Establishment Department.

OFFICE ORDER
No.1248/(Gen)/Est.
Dated Gangtok, the 24th July, 1986.

The post of Joint Secretary in the Information and Public Relation Department, is redesignated as Director IPR Department.

Consequently Shri P.D. Tashi IAS, Joint Secretary will take over as Director, IPR Department w.e.f. 10.7.86.

By Order.
K. TOBDEN,
Joint Secretary
Establishment Department.

NOTIFICATION
No.361/Gen/Est.
Dated Gangtok, the 21st July, 1986.

The Governor of Sikkim is pleased to sanction the creation of a post of Accountant in the scale of Rs. 920-20-1060-Eb-25-1210-Eb-30-1600 in the Culture Department with immediate effect.

The expenditure of the above post shall be debitable to Budget Head 278-I(1) Salaries (Non-Plan).

T.DHONDUP,
Officer on Special Duty,
Establishment Department.

NOTIFICATION
No.365/Gen/Est.
Dated Gangtok, the 22nd July, 1986.

The Governor of Sikkim is pleased to upgrade one of the posts of Under Secretary to that of Deputy Secretary in the Labour Department in the scale of Rs. 1800-45-2250-Eb-2700 with immediate effect.

T.DHONDUP,
Officer On Special Duty,
Establishment Department.

NOTIFICATION
No.369/Gen/Est.
Dated Gangtok, the 25th July, 1986.

The Governor of Sikkim is pleased to sanction the creation of the following posts in the Ecclesiastical Department for the Sikkim Institute of Higher Nyingma Studies (Shada) at Deorali with immediate effect.

<table>
<thead>
<tr>
<th>SI</th>
<th>Name of post</th>
<th>Scale</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Lecturer in Buddhist Philosophy</td>
<td>U.G.C Rs.700-1600</td>
</tr>
<tr>
<td>2</td>
<td>Lecturer in Tibetan/Buthia</td>
<td>(One) Rs. 700-1600</td>
</tr>
<tr>
<td>3</td>
<td>Lecturer in English</td>
<td>(One) Rs. 700-1600</td>
</tr>
<tr>
<td>4</td>
<td>Cook</td>
<td>(One) Rs 66-8-740-10-900</td>
</tr>
</tbody>
</table>

The expenditure of the above posts shall be debitable to the Budget Head -277.
Edu (B) III-Assistance to Non-Govt. Secondary Schools (j) grants in aids to Nyingma Sheda.

T.DHONDUP,
Officer On Special Duty.
Establishment Department.

OFFICE ORDER
No. 1261/(Gen)/Est.
Dated Gangtok the 25 th July, 1986.

The following graduate teachers working in the Education Department are pleased in the P.G.T. scale of Rs. 1320-30-1650-Eb-40-2050-Eb-50-2300 w.e.f. 29.3.86 and posted as under:-

1. Shri Ujala Ram, Mangan Senior Secondary School as P.G.T. (Pol.Sc.) in the same school;
2. Miss Subhadra Pradhan, Magam Senior Secondary School as P.G.T. (Napali) in the same school;
3. Shri Virendra Sharma, Namchi Girls School is posted as P.G.T. (English) at Dikling Senior Secondary School;
4. Shri M.L. Das, Sadam Senior Secondary School as P.G.T. (English) in the same school;
5. Miss Saraswati Sangden, Namchi Girls School is posted as P.G.T. (Biology) at Central Pendam Sr. Secondary School;
7. Shri B.S. Chauhan, Chujachen Sr. Sec School as P.G.T. (Biology) in the same school;
8. Shri B.P. Pathak, Pelling Sr. Sec. School as P.G.T. (Economics) in the same school;
9. Shri Mahendra Nath Singh Pelling Sr. Sec School as P.G.T. (Chemistry) in the same school;
10. Shri Dava Nand Tewari, Pelling Sr. Sec. School as P.G.T. (Hindi) in the same school.

As mutual / agreed and accepted by them their, service will be on contract initially for a period of three years w.e.f. the date of placement in the P.G.T. scale of pay viz. 29.3.86 and shall be governed by the terms and condition laid down in this Deptt. Notification No.,250/Gen/Est. date 4.2.81.

Pay and allowances of the incumbent will be met from (Plan) funds.

By Order.

K.P. ADHIKARI,
Deputy Secretary to the Govt. of Sikkim
Establishment Department.

NOTIFICATION
No. 1265/Gen/Est.
Dated Gangtok, the 26 th July, 1986.

The Governor of Sikkim is pleased to Upgrade two Posts of Training Officers to that of Senior Training Officers in the scale of Rs. 1320-30-1650-Eb-40-2050-Eb-2300 of the Agriculture Department with immediate effect.

T.L. YAPSHI YUTHOK,
Under Secretary
Establishment Department.

OFFICE ORDER
No. 1267/Gen/Est.
Dated Gangtok, the 26 th July, 1986.

The Officiating appointment, on promotion, of Mr. R. N. Pariyar, to the post of Executive Officer, Scheduled Caste and Scheduled Tribe Welfare Department, is hereby regularised w.e.f. 22. 3. 1983.

L.T. YAPSHI YUTHOK,
Under Secretary
Establishment Department.

OFFICE ORDER
No. 1268/(Gen)/Est.
Dated Gangtok, the 26 th June, 1986.

The Services of Shri Ujjal Gurung, Project Officer, Forest Department, is hereby placed at the disposal of SIMFED on deputation.

By Order.

K. TOBDEN,
Under Secretary
Establishment Department.
NOTIFICATION
No. 370/Gen/Est
Dated Gangtok, the 28 th July, 1986.

The Governor of Sikkim is pleased to upgrade the post of Deputy Director (Research) of the Animal Husbandry and Veterinary Services Department to that of Joint Director (Research) in the scale of Rs. 2100-65-2425-EB-75-3025 w.e.f. 17-7.86.

T. DHONDUP,
Officer on Special Duty,
Establishment Department.

OFFICE ORDER
No. 1284/Gen/Est.
Dated Gangtok the 29 th July, 1986.

The Governor is please to order the following transfer and postings in the Health & Family Welfare Department w.e.f. the date they take over the charge of their respective posts:—
1. Dr. Raj Kumar, Medical Officer in-charge, Family Welfare, Rangpo is transferred and posted as G D M O at STNM Hospital, Gangtok vice Dr. Uday Gurung.
2. Dr. Sonant Rabgay Tobden, Medical Officer in-charge, ICDS (East), Singtam is transferred and posted to STNM Hospital, Gangtok, Medical Officer-in-charge Intensive care units vice Dr. S.K. Dewan. On transfer, they will carry their own pay and scale.

By Order.

N. YETHENPA,
Deputy Secretary to the Govt. of Sikkim Establishment Department.

OFFICE ORDER
No. 1287/Gen/Est.
Dated Gangtok the 29 th July, 1986.

Mr. Bhuwan Prakash Pradhan is hereby appointed as Assistant Conservator of Forest in the Forest Department in the scale of Rs. 1320-30-1650-EB-40-2050-EB-50-2300 w.e.f. the date of his joining.

He will draw basic pay of Rs. 1320/- p.m. in the above scale with other allowances as admissible under the rules.

As usual, he will be on probation for one year. Other terms and conditions of service will be as laid down in this Department's Nemorandum No. 10112/G/Est. dt. 26.7.86.

T L. YAPSHI YUTHOK,
Under Secretary,
Establishment Department.

CORRIGENDUM TO OFFICE ORDER
No. 200(G)/Est.
Dated Gangtok, the 24 th April, 1985.


K. TOBDEN,
Under Secretary,
Establishment Department.
OFFICE ORDER

No. 1302/G/Est.
Dated Gangtok, the 30th July, 1986.

Shri Trilochan Sharma is hereby appointed as Statistical Officer in the Animal Husbandry Deptt. In the scale of Rs. 1323-30-1650-EB-40-2050-EB-50-2300 w.e.f. the date of his joining.

He will draw a basic pay of Rs. 1320/-p.m. in the above scale with other allowances as admissible under the rules.

As usual, he will be on probation for one year.

By Order.

K. TOBDEN,
Under Secretary,
Establishment Department.

FINANCE DEPARTMENT
OFFICE ORDER

No. 99/Fin.
Dated Gangtok, the 4th July, 1986.

Mrs. Geeta Sharma, Principal, Teachers' Training Institute, Government of Sikkim, is hereby declared as Drawing and Disbursing Officers with immediate effect vice Mrs. S. Pradhan since transferred to Head Office as Deputy Director.

By Order.

D. NIODUP,
Chief Accounts Officer, Finance,
Government of Sikkim.

OFFICE ORDER

No. 122/Fin.
Dated Gangtok, the 29th July, 1986.

Shri K.P. Mathai, Divisional Engineer, Buildings, Water Supply and Housing Department, Government of Sikkim, Jorethang Sub-Division, South Sikkim, is hereby declared as Drawing and Disbursing Officer with immediate effect.

By Order.

D. NIODUP,
Chief Accounts Officer, Finance,
Government of Sikkim.

OFFICE ORDER

No. 126/Fin.
Dated Gangtok, the 31st July, 1986.

Shri D.K. Gurung, Accounts Officer, Local Self Government and Housing Department, Government of Sikkim, is also allowed to sign cheques pertaining to works expenditure with immediate effect.

By Order.

D. NIODUP,
Chief Accounts Officer Of Finance,
Government of Sikkim.

OFFICE ORDER

No. 1310/Gen/Est.
Dated Gangtok, the 31st July, 1986.

The term of Service in respect of Shri K.K. Jacob, PGT (Eco) of Enchey Higher Secondary School, under Education Department, is hereby extended for a further period of three years with effect from 6.5.86 on the existing terms and conditions as amended for time to time.

By Order.

T. DHONDUP,
Officer On Special Duty,
Establishment Department.

OFFICE ORDER

No. 1311/(Gen)Est.
Dated Gangtok, the 31st July, 1986.

The following sanitary Inspectors of Health & Family Welfare Department- are hereby promoted as Assistant Health Officers with immediate effect against the posts upgraded vide Notification, No. 372/Gen/Est. of 30.7.86:-

1. Hasta Bdr. Rai, Sanitary Inspector
2. Shri Sayamlall Rai, Sanitary Inspector
3. Shri Mani Prasad Rai, Sanitary Inspector

By Order.

K. TOBDEN
Under Secretary,
Establishment Department.
Application are invited to fill one post in the Sikkim Superior Judicial Service, in Sikkim. A candidate for appointment to the service must be -

1. a citizen of India; or
2. a subject of Nepal; or
3. a subject of Bhutan; or
4. a Tibetan refugee who came to India before the 1st January, 1962, with the intention of permanently settling in India; or
5. a person of Indian origin who has migrated from Pakistan, Burma, Sri Lanka (formerly Ceylon) and East African countries of Kenya, Uganda and United Republic of Tanzania (formerly Tanganyika and Zanzibar) with the intention of permanently settling in India.

Provided that a person belonging to category (b), (c), (d) or (e) shall be a person in whose favour a certificate of eligibility has been issued by the Government and is he belongs to category (e), the certificate of eligibility will be issued for a period of one year, after which such person will be retained in the service subject to his having acquired Indian Citizenship.

2. A candidate in whose case a certificate of eligibility is necessary may be appointed to the service subject to the necessary certificate being given to him by the Government of India.

3. No person who has more then one wife living or is married to a person who already has a wife or husband living shall be eligible for appointment to any post in the service unless the Governor, for special reasons, exempts such person from the operation to this rule.

4. No person shall be eligible for recruitment unless he -
   (i) is not less the 35 years and not more then 45 years of age on the first day of January next following the year in which his appointment is made;
   (ii) has been for not less than years, an advocate or a pleader and is recommended by the High Court for such appointment.

5. No person who is recommended by the High Court for appointment under, Sub-rule (i) shall be appointed unless he is found physically fit by a Medical Board set up by the Governor and is also found suitable for appointment in all other respects.

The initial pay of direct recruit shall be fixed at such stage in the permissible senior scale of the Indian Administrative service by allowing him one increment for every three completed years of practice at the bar subject to a maximum of seven incremente.

The application, accompanied by attested copies of the testimonials, should reach the undersigned not later then 30th August, 1986.

The candidates selected, on scrutiny of application shall be called for interview by Full Court at their own travelling and other expense.

AMARJIT CHORA,
REGISTRAR
HIGH COURT OF SIKKIM
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<tr>
<td>VIII</td>
<td>Nil</td>
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<tr>
<td>IX</td>
<td>(i) Nil</td>
</tr>
<tr>
<td>X</td>
<td>(ii) Nil</td>
</tr>
</tbody>
</table>
PART II
Notifications regarding appointments, postings, transfers, leave etc.

HIGH COURT OF SIKKIM
OFFICE ORDER
No. 306/HCS/ESTT.
Dated Gangtok, the 6th August, 1986.

Shree A.P. Subba, Deputy Registrar of this Court, Shall act as Registrar, with effect from 7th August, 1986 till further orders.

By Order
K.D. BHUTIA,
Assistant Registrar.

NOTIFICATION
No. 74/HCS/ESTT.
Dated Gangtok, the 12th August, 1986.

In supercession of all previous Notifications in regard to the delegation of the powers to the Registrar Hon’ble the Chief Justice has been pleased to delegate the following powers to Shri A.P. Subba, Acting Registrar of this Court:—
1. To be the head of the Office with authority to incur any expenditure upto the limit prescribed in the Government Notification No. 5/Fin. dated 21.5.81.
2. To incur expenditure upto Rs. 2000/- on any single item.
3. To be the appointing authority in respect of the Class III and Class IV posts.
4. To sanction leave to all non-gazetted staff.
5. To sign pay bills, TA. bills Medical Bills of all the Office and the staff of the High Court and cheques and
6. To be the Drawing and Disbursing Officer,

A.P SUBBA,
Registrar.

OFFICE ORDER
No. 319/HCS/ESTT.
Dated Gangtok, the 22nd August, 1986.

In partial modification of Office Order No. 268/HCS dated 30th June, 1986 Hon’ble the High Court has been pleased to direct that Shri T. Dorjee, Additional District & Sessions Judge, Gangtok, shall remain in charge of the Court and Office of the District & Sessions Judge at Gangtok, in addition to his own duties with effect from 1/7/86 until further orders. While in charge, Shri T. Dorjee, Additional District & Sessions Judge shall exercise all the powers of the District & Sessions Judge, and dispose of all the Judicial and Administrative work pending in the Court and the Office of District & Sessions Judge.

Shri T. Dorjee shall be entitled to charge allowance as admissible under the Rules.

By Order
A.P. SUBBA,
Registrar.

ESTABLISHMENT DEPARTMENT
OFFICE ORDER
No. 1332/(Gen)/Est.
Dates Gangtok, the 2nd August, 1986.

The resignation tendered by Shri A.K. Banerjee, Architect, Sikkim Public Works Department (Building), is hereby accepted with effect from 3.8.1986 (After Noon).

By Order.
S.D. PHALONTHARPA,
Under Secretary,

Establishment Department
OFFICE ORDER
No. 1340/(Gen)/Est.
Dated Gangtok, the 2nd August, 1986.

Dr. DS. Hamal, GDMO, District Hospital Namchi, Health and Family Welfare Department, is hereby posted against the post of Director for Rongli under Health Guide Scheme and attached to S.T.N.M. Hospital, Gangtok as G DMO-cum-Blood Bank Officer w.e.f. the date he takes over the charge of the post due to shortage of Doctor at S.T.N.M. Hospital.
On transfer, he will carry his own pay and scale.

By Order.

N. YETHENPA, Deputy Secretary to the Govt. of Sikkim Establishment Department.

NOTIFICATION
No. J(11)1349/(Gen)/Est.
Dated Gangtok, the 4th August, 1986.

In exercise of the powers conferred by clause (I) of Article 316 of the Constitution of India, the Governor of Sikkim is pleased to appoint Shri Tashi Chhopel, at present the Secretary to the Government of Sikkim in the Establishment Department, as Chairman of the Sikkim Public Service Commission from the date the assumes charge of the office for a period of six years or until he attains the age of sixty-two years, whichever is earlier.

By order and in the name of the Governor.

T. TOBDEN, Joint Secretary, Establishment Department.

OFFICE ORDER
No. 17 II(17)1350/Gen/Est.
Dated Gangtok, the 4th August, 1986.

Shri Sonam Topden, Manager, Temi Tea Estate, is deemed to have been appointed in the Government of Sikkim with effect from 15.5.1981 with the benefit of seniority from the same date.

By Order.

T. TOBDEN, Joint Secretary to the Govt. of Sikkim Establishment Department.

OFFICE ORDER
No. 1351(Gen)/Est.
Dated Gangtok, the 4th August, 1986.

The Governor is pleased to order the following, promotions, postings and transfers with immediate effect:

1. Shri J.T. Densapa, IAS, Addl. Chief Secretary, will also take over charge of Establishment Department vice Shri Tashi Chhopel, IAS.

2. Shri Karma Tobden, IAS, Secretary to Council of Ministers, Secretary to Hon’ble Chief Minister will also take charge as Secretary Information & Public Relation Department in addition to his present assignments.

3. Shri L. Lepcha, Secretary, Housing Development Board is transferred as Secretary, Mines & Geology Department.

4. Shri Tashi Tobden, IAS, Joint Secretary, Establishment Department is promoted and transferred as Secretary, Industries Department vice Shri Tashi Chhopel.

5. Shri M.C. Mathur, Adl. Director Education Department, is promoted as Director, Education Department.

By Order

N. YETHENPA, Deputy Secretary to the Govt. Sikkim Establishment Department.

OFFICE ORDER
No. 1369/(Gen)Est.
Dated Gangtok, the 6th August, 1986.

Shri Thinley Passang Shangdarpa, is hereby appointed as Assistant Engineer (Planning Cell) Sikkim Public Works Department in the scale of Rs. 1320-30-1650-Eb-40-2050-Eb-50-2300 with effect from 19.6.86 i.e., the date of announcement of his final result of B.E. (Civil) course.

He will draw a basic pay of Rs. 1320/- per month in the above scale with other allowances as admissible under the rules. As usual, he will be on probation for one year & other terms and condition of service will be governed by this Department’s Memorandum No. 10338/G/Est. dated 30.7.86.

By Order.

S.D. PHALONTHARPA, Under Secretary, Establishment Department.

OFFICE ORDER
No. 1370/Gen/Est.
Dated Gangtok, the 6th August, 1986.

Consequent on his nomination for 37th Training Programme for I.A.S.
Officers to be held at the Lal Bahadur Shastri National Academy of Administration Mussorie, commencing from 4.8.86, Mr. K. Sherab, I.A.S. Secretary, Co-operation Department, is hereby relieved w.e.f. 1.8.86.

During his absence on Training, Mr. T. Pintso, Joint Registrar, Co-operation Department will look after the work of Secretary, Co-operation.

By Order

T.L. YAPSHI YUTHOK,
Under Secretary,
Establishment Department.

NOTIFICATION
No. 379(Gen)/Est.
Dated Gangtok, the 7th August, 1986.

The Governor of Sikkim is pleased to sanction the creation of a post of General Manager in the scale of Rs. 1800-45-2250-Eb-50-2700 for the District Industries Centre (East and North) in the Industries Department, Government of Sikkim, Gangtok, with effect from 28.7.86. The expenditure of the above post shall be debitable to the Budget Head: “321” Direction & Administration-Salaries.

T. DHONDUP,
Officer on Special Duty,
Establishment Department.

OFFICE ORDER
No. 1398/Gen/Est.
Dated Gangtok, the 7th August, 1986.

The Governor pleased to order the Following transfer and posting with immediate effect.

1. Shri S.R. Subba, D.G.M., Car Workshop, S.N.T. Department is transferred and posted to S.P.W.D. (Roads) as Engineer Officer vice Shri Laxuman Pradhan

2. Shri Laxuman Pradhan, Engineer, Officer (Roads), S.P.W.D. is transferred and posted to S.N.T. as Deputy General Manager, Car Workshop vice Shri S.R. Subba.

3. Shri Padam Bahadur Gurung, Dy. General Manager, Traffic Workshop is transferred and posted to I.T.I. Rangpo as Principal vice Shri B.N. Sharma.

4. Shri K.B. Gurung, Deputy General Manager, Stores, S.N.T. will look after the Central Traffic Workshop in addition to his own.

5. Shri B.N. Sharma, Principal I.T.I., Rangpo is transferred to Gangtok and posted to General Manager District Industries Centre (East & North) against the post created vide Notification No. 379/Gen/Est. dated 7.8.86.

By Order.

K.P. ADHIKARI,
Deputy Secretary to the Govt. of Sikkim,
Establishment Department.

OFFICE ORDER
No. 382/Gen/Est.
Dated Gangtok the 7th August, 1986.

Shri B.N. Sharma, Principal I.T.I., Rangpo is transferred to Gangtok and posted to General Manager District Industries Centre (East & North) against the post created vide Notification No. 379/Gen/Est. dated 7.8.86.

By Order.

T. DHONDUP,
Officer On Special Duty,
Establishment Department.

NOTIFICATION
No. 382/(Gen) Est.
Dated Gangtok, the 7th August, 1986.

The Governor of Sikkim is pleased to sanction the creation of one post of Driver in the scale of Rs. 720-12-840-Eb-15-1055 in the Home Department With immediate effect.

The expenditure of the above post shall be debitable to the Budget Head: "252" (7)-Home 1-1 Salaries, Demand No. II.

T. DHONDUP,
Officer On Special Duty,
Establishment Department.

NOTIFICATION
No. 383/(Gen) Est.
Dated Gangtok, the 11th August, 1986.

The Governor of Sikkim is pleased to sanction the creation of a post of Accountant in the scale of Rs. 920-1060-Eb-25-1210-Eb-30-1600 in the Culture Department with immediate effect.

The expenditure of the above post shall be debitable to the Budget Head '278' II (2)-Salaries (Plan).

T.DHONDUP,
Officer On Special Duty,
Establishment Department.
OFFICE ORDER  
No. 1414/(Gen)/Est.  
Dated Gangtok, the 12th August, 1986.

The Governor is pleased to promote the following Range Officers to the Forest Department as Assistant Conservator of Forest in the scale of Rs. 1320-30-1650-Eb-40-2050-Eb-50-2300 w.e.f. 16.7-86.  
1. Mr. R. Dorjee Bhutia.  
As usual, they will be on probation for one year.

By Order.  
T.L. YAPSHI YUTHOK.  
Under Secretary  
Establishment Department.

OFFICE ORDER  
No. 1418/(Gen)Est.  
Dated Gangtok, the 12th August, 1986.

The temporary Service of Shri N.B. Lama, P.S. to the Hon'ble Chief Minister is no more required by the Government. Hence Shri N.B. Lama is released of his assignment with immediate effect.

By Order  
T. CHHOPHEL,  
Secretary,  
Establishment Department.

NOTIFICATION  
No. 386/Gen/Est.  
Dated Gangtok, the 15th August, 1986.

The Governor of Sikkim is pleased to sanction the creation of a post of Statistical Officer in the scale of Rs. 1320-30-1650-Eb-40-2050-Eb-60-2300 in the Forest Department with immediate effect.  
The expenditure of the above post shall be debitable to the Budget Head '313'-I (1)(I) Salaries (Plan).

T.DHONDUP,  
Officer on Special Duty,  
Establishment Department.

OFFICE MEMORANDUM  
No.387/Gen/Est.  
Dated Gangtok, the 13th August, 1986.

The Government has been pleased to decide that a Government servant seeking fresh appointment to higher post through competitive examination or otherwise shall take up appointment in the higher post as a fresh candidates. The past services rendered by him/her shall be counted only for the purpose of retirement benefits in accordance with the relevant rules contained in the Sikkim Government (Retirement Benefits) Rules 1974. This is deemed to have come into force w.e.f. 1.7.86. It is not, however, affect normal inter-departmental transfers and transfers on promotion.

T. CHHOPHEL,  
Secretary,  
Establishment Department.

OFFICE MEMORANDUM  
No. 11010/Gen/Est.  
Dated Gangtok, the 13th August, 1986.

It has come to the notice of the Government that Government servants are taking on leave frequently thereby affecting smooth functioning of the State
administration. The Government has, therefore, decided as a matter of policy, that long leave will not be granted except under compelling circumstances as provided in the Sikkim Government Service (Leave) Rules.

T. CHHOPHEL, 
Secretary, 
Establishment Department.

OFFICE MEMORANDUM
No. 389/Gen/Est.
Dated Gangtok the, 13th August, 1986.

The Government has noted with concern the growing tendency on the part of Government servants to pursue Higher Academic studies as In-service trainees with all the service and financial benefits, despite the fact that there are definite rules regulating study leave etc. The Government has, therefore, decided that henceforth no request for higher academic studies as in-service trainee/candidate shall be accepted for a period of three years. It is, however, clarified that this does not apply to normal in-service training which are sponsored by Government with the prior approval of the Cabinet.

Secretaries and Heads of Departments are requested to ensure that these instructions are carried out in letter and spirit.

T. CHHOPHEL, 
Secretary, 
Establishment Department.

OFFICE ORDER
No. 1422/(Gen)/Est.
Dated Gangtok, the 13th August, 1986.

Mr. Yogendra Prasad Gurung, is hereby appointed as ACF (untrained) attached to DFO (W) Territorial Forest Department in the Scale of Rs. 1320-30-1650-Eb-40-2050-Eb-50-2300 w.e.f. the date of his joining his duty.

He will draw a basic pay of Rs. 1320/-p.m. in the above scale and other allowances as admissible under the rules.

As usual, he will be on probation for one year and other terms and conditions of service will be governed by this Department's Memo No. 10976/G/Est. dt. 12.8.86.

By Order.

T.L. YAPSHI YUTHOK, 
Under Secretary, 
Establishment Department.

OFFICE ORDER
No. 1423/(Gen)/Est.
Dated Gangtok, the 13th July, 1986.

Shri A T. Lepcha, Assistant Director (N & E). Animal Husbandry Department, is hereby promoted as Deputy Director (Dairy) in the scale of Rs. 1800-45-2250-EB-50-2700 w.e.f. 2.8.86, i.e. the date of approval, against the post created vide this Department's Notification No. 213/Gen/Est. dated 19.7.84.

As usual, he will be on probation for one year.

By Order.

K.P. ADHIKARI, 
Deputy Secretary to the 
Govt. of Sikkim, 
Establishment Department.

OFFICE ORDER
No. 1425/Gen/Est.
Dated Gangtok, the 13th August, 1986.

Mr. Bhim Singh Siktel, is hereby appointed as ACF (untrained) attached to DFO (South) Territorial, Forest Department in the scale of Rs. 1320-30-1650-Eb-40-2050-Eb-50-2300 w.e.f. the date of joining his duty.

He will draw a basic pay of Rs. 1320/-p.m. in the above scale and other allowances as admissible under the rules.

As usual, he will be on probation for one year and other terms and conditions of service will be governed by this Department's Memo No. 10978/G/Est. dt. 12.8-86.

By Order.

T.L. YAPSHI YUTHOK, 
Under Secretary, 
Establishment Department.
OFFICE ORDER
No. 1444/(Gen)/Est.
Dated Gangtok, the 16th August, 1986.

The Governor is pleased to order the following promotions and transfers in the public interest:-

1. Mr. Pradeep Chandra, Pradhan Deputy Chief Pay & Account Officer, Namchi is promoted and transferred, to the Finance Department as Chief Accounts Officer in-charge of internal Audit.

2. Mr. P.S. Molommu, Senior Accounts Officer, Health and Family Welfare Department, is promoted & transferred to the Home Department as Chief Accounts Officer.

They shall be on probation for a period of six months.

By Order.

T. L. YAPSHI YUTHOK,
Under Secretary,
Establishment Department.

OFFICE ORDER
No.1448/(Gen)/Est.
Dated Gangtok, the 15th August, 1986.

Smt. A. Namgyal, Asstt. Matron of Chest Clinic, S.T.N.M. Hospital, Health & Family Welfare Department is hereby promoted as Deputy Matron in the scale of Rs. 1320-30-1650-Eb-40-2050-Eb-50-2300 against the post created vide Notification No. 351/Gen/Est. dated 15.7.86 w.e.f the date she takes over charge of the post.

As usual, she will be on probation for one year.

By Order.

K. TOBDEN,
Under Secretary,
Establishment Department.

OFFICE ORDER
No. 1462/Gen/Est.
Dated Gangtok, the 20th August, 1986.

Dr. Lt Col. V. Seshan, M.D. Medical Specialist and Dr. Ashok Sinha M. D. Anaesthetist of S.T.N.M. Hospital, Health & Family Welfare Department, are hereby transferred to District Hospital, Namchi with immediate effect.

By Order.

K. TOBDEN,
Under Secretary,
Establishment Department.

OFFICE ORDER
No. 1464/Gen/Est.
Dated Gangtok, the 20th August, 1986.

The Governor is pleased to order the following promotion in the Health & Family Welfare Department with immediate effect.

1. Shri C.K. Pradhan, Assistant Director, Social Welfare is promoted as School Health Officer in the scale of Rs. 1540-2500.

2. Shri Som Tshering Lepcha, Health Educator (West), is promoted as District Health Education Officer in the scale of Rs. 1320-2300 against the upgraded post vide this Department Notification No. 351/Gen/Est. dated 15.7.86.

3. Shri L.N. Pradhan, Health Educator (East) is promoted as District Health Education Officer in the scale of Rs 1320-2300 against the upgraded post vide this Department Notification No. 351/Gen/Est. dated 15.7.86.

As usual, they will be on probation for one year.

By Order.

K. TOBDEN,
Under Secretary,
Establishment Department.

NOTIFICATION
No. 395/Gen/Est.
Dated Gangtok, the 21st August, 1986.

The Governor is pleased to create a temporary post of SYSTEM ANALYST (COMPUTER) on a consolidated pay of Rs. 3,000/-p.m. in the Finance Department with immediate effect.

T. DHONDUP,
Officer on Special Duty,
Establishment Department.
NOTIFICATION
No. 1469/Gen/Est.
Dated Gangtok, the 21st August, 1986.

Pursuant to the O.O. No. 276/Gen/Est. dated 6.2.86 Dr. (Smt.) J.K. Sharma, who has been serving as Lecturer (Botany) in the Sikkim Government College on contract basis, is hereby absorbed into regular Service and appointed as Lecturer (Botany), on a monthly pay of Rs 700/-p.m in the scale of 700 1600 plus other allowance as admissible under rules, w.e.f. 8.7.86.

The period of her contract service will be counted only for the purpose of retirement benefits and leave. The higher pay being drawn by her prior to her appointment as Lecturer will not be protected.

She will be on probation for one year w.e.f. 8.7.86.

By Order.

K.P. ADHIKARI,
Deputy Secretary to the Govt. of Sikkim,
Establishment Department.

OFFICE ORDER
No. 1470/Gen/Est.
Dated Gangtok, the 21st August, 1986.

The following Lecturers who have been serving in the Sikkim Government College on adhoc basis are hereby absorbed into regular service on a monthly pay of Rs. 700/-p.m. in the scale of Rs.700-1600 plus other allowances as admissible under the rules, w.e.f. the date as indicated against their names: -

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Name</th>
<th>Subject</th>
<th>Dated</th>
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</thead>
<tbody>
<tr>
<td>1.</td>
<td>Dr. M.P. Thapa</td>
<td>Zoology</td>
<td>7.6.83</td>
</tr>
<tr>
<td>2.</td>
<td>Smt. Puapa Sharma</td>
<td>Nepali</td>
<td>21.3.84</td>
</tr>
<tr>
<td>3.</td>
<td>Shri M.P. Kharel</td>
<td>History</td>
<td>26.3.84</td>
</tr>
<tr>
<td>4.</td>
<td>Shri P.S. Thapa</td>
<td>English</td>
<td>16.8.86</td>
</tr>
<tr>
<td>5.</td>
<td>Shri S.C. Pal</td>
<td>Mathem.</td>
<td>16.8.86</td>
</tr>
<tr>
<td>6.</td>
<td>Km. Parvati Subba</td>
<td>Pol. Sci.</td>
<td>17.9.84</td>
</tr>
<tr>
<td>7.</td>
<td>Dr. (smt) V.P. Vardini</td>
<td>Education</td>
<td>24.9.84</td>
</tr>
<tr>
<td>8.</td>
<td>Shri M.K. Ghosh</td>
<td>Commerce</td>
<td>25.2.85</td>
</tr>
<tr>
<td>9.</td>
<td>Smt. Rashree Sharma</td>
<td>English</td>
<td>3.8.84</td>
</tr>
</tbody>
</table>

On absorption in regular service as Lecturers the higher pay being drawn by them before their appointment as Lecturers will not be protected. Their past services will be counted for the purpose of retirement benefits and leave.

By Order.

K.P. ADHIKARI,
Deputy Secretary to the Govt. of Sikkim,
Establishment Department.

OFFICE ORDER
No. 1473/(Gen)/Est.
Dated Gangtok, the 21st August, 1986.

Dr. Sonam Tsering, District Vety. Officer, Animal Husbandry Department, is hereby promoted as Deputy Director, (Breeding) in the scale of Rs. 1800-45-2250-EB-50-2700 w.e.f. 2.5.86.

As usual, he will be on probation for a period of one year.

N. YETHENPA,
Deputy Secretary,
Establishment Department.

OFFICE ORDER
No.1475/(Gen)/Est.
Dated Gangtok, the 21st August, 1986.

Mrs. Tshering Sangmo, Statistical Assistant, Forest Department, is hereby promoted as Statistical Officer in the scale Rs. 1320-30-1650-EB-40-2050-EB-40-2300 w.e.f. the date she takes over the charge of the post.

As usual, she will be on probation for one year.

By Order.

T.L. YAPSHI YUTHOK,
Under Secretary,
Establishment Department.

OFFICE ORDER
No.1483/(Gen)/Est.
Dated Gangtok, the 25th August, 1986.

Mr. S.K. Rasaily, Research Assistant is hereby promoted Regional Project Officer, against the existing vacancy in the Agriculture Department in the revised scale , of Rs. 1540-2500 w.e.f. 12-186.

His posting will be at Cardamom Research Centre, Kabi.
As usual, he will be on probation for one year.

His inter-Se-Seniority amongst the Officers promoted earlier vide OO. No. 644/G/Est. dated 12.5.86. will be the same as it existed in the Lower grade.

By Order

K.P. ADHIKARI,
Deputy Secretary,
Establishment Department.

OFFICE ORDER
No. 1498/Gen/Est.
Dated Gangtok, the 26 th August 1986.

Consequent on his promotion as Inspector in the scale of Rs. 660-25-910-EB-30-1240-EB-40-2400- w.e.f. 15.9.85 vide this Department’s O.O. No. 479/G/Est. dated 1.8.85 the basic pay of Shri Indra Singh Pakhrin is hereby fixed at Rs. 660/-p.m. in the above scale w.e.f. 12.9.83. In addition, he will be entitled to draw other allowance as admissible under the rules.

Further, he is allowed to draw an annual increment @ Rs. 25/-p.m. in the above scale, thereby raising his pay from Rs. 660/- to Rs-685/-p.m. w.e.f. 1.9.84.

By Order.

T. DHONDUP,
Officer On Special Duty,
Establishment Department.

OFFICE ORDER
No. 1499/Gen/Est.
Dated Gangtok, the 26th August 1986.

In supersession of this Department’s O.O. No. 930/G/Est. dated 19.12.85., Shri K.C. Kharel, presently Adm-Officer, Animal Husbandry Department, is hereby deemed to have been placed in the Scale of Rs. 660-25-910-EB-30-1240-EB-40-1400 w.e.f. 5.7.88.

This order will partially amend the office order No.II7/G/Est. dated 27.8.82.

By Order.

N. YETHENPA,
Deputy Secretary,
Establishment Department.

OFFICE ORDER
No. 1505/Gen/Est.
Dated Gangtok, the 26 th August, 1986.

The following intra-departmental transfers are hereby made in the Forest Department with immediate effect:-
(1) Mr. D.D. Sharma, I.F.S., Technical Assistant to C.C.F., is transferred and posted as DFO. (West).
(2) Mr. Mangit Singh, I.F.S., D.F.O. (West) is transferred and posted as Technical Assistant to C.C.F.

By Order.

T. L. YAPSHI YUTHOK,
Under Secretary,
Establishment Department.

OFFICE ORDER
No. 1507/Gen/Est.
Dated Gangtok, the 26th August, 1986.

The Governor in accordance with sub-rule (1) of Rule 16 of All India Service (Death-cum-Retirement Benefits) Rules 1958 is pleased to allow Shri J.P. Tsering, IAS, Secretary, I.P.R. Department to retire from service with effect from the afternoon of 30th September, 1986.

By Order.

N. YETHENPA,
Deputy Secretary,
Establishment Department.

OFFICE ORDER
No. 1529/Gen/Est.
Dated Gangtok, the 28th August, 1986.

The following State Police Service officers who have been officiating as the Superintendent of Police in the substantive rank of the Additional Superintendent of Police vide this Department’s office order No. 586/(G)/Estt, dated 24.8.1982 are hereby promoted to the rank of Superintendent of Police with effect from 1.9.1984.

1. Shri A. Dutta.
2. Shri O. H. Subba.
4. Shri T. Norbu.
5. Shri A. K. Shristha.

By Order.

K. P. ADHIKARI,
Deputy Secretary,
Establishment Department.
OFFICE ORDER
No, 1535/Gen/Est.
Dated Gangtok, the 29th August, 1986.

1. Consequent on his nomination for diploma course in Health Planning and Administration run by Nuffield Centre Leeds under the Technical Cooperation Training Programme Fellowship sponsored by the British Council commencing, from 25.9.86, Dr. T.R. Gyatso, Joint Director, Health & Family Welfare Department, is hereby relieved w.e.f. 8.9.86.
2. The period of Training including to and fro journey is hereby treated as "in Service" for all purposes.
3. During his absence on training Dr. DP. Kharel, Joint Director (F.W.) is entrusted with the work of Joint Director in addition to his own.

By Order.
K. TOBDEN,
Under Secretary,
Establishment Department.

CORRIGENDUM TO OFFICE ORDER
No. 1536/G/Est.
Dated Gangtok, the 29th August, 1986.

Substitute "West" for "South" occurring in the first line of Sl. No. 1 of Office Order referred to above.

By Order.
T.L. YAPSHI YUTHOK,
Under Secretary,
Establishment Department.

FINANCE DEPARTMENT
OFFICE ORDER
No. 1546/Gen/Est.
Dated Gangtok, the 30th August 1986.

Miss Puspa Kala Rai, is hereby appointed as Veterinary Officer in the Animal Husbandry Department in the scale of Rs. 1320-30-1650-EB-40-2050-EB-50-2300 w.e.f. 8.8.86 i.e. the date of her joining.
She will draw a basic pay of Rs. 1320/-p.m. in the above scale with other allowances as admissible under the rules.
She will be on probation for one year. Other terms and condition of service will be as laid down in the memorandum No 10902/G/ Est. dated 8.8.86.

By Order.
K. TOBDEN,
Under Secretary,
Establishment Department.
Sikkim, who has been promoted as Deputy Secretary is hereby allowed to continue to act as Drawing and Disbursing Officer until further orders. Further, Shri Chhetri is also declared as Head of office of Labour Department, Government of Sikkim, with immediate effect.

By Order.

D. NIODUP,
Chief Accounts Officer,
Finance,
Government of Sikkim.

OFFICE ORDER
No. 141/Fin.
Dated Gangtok, the 14th August 1986.

Shri K. Stephen, Deputy Director, Education Department, Gyalzing, West Sikkim, is hereby declared as Head of Office for West District with effect from 21.8.1986.

Consequently Shri S.N. Lall Gupta, Joint Director, Education Department, Gyalshing, West Sikkim, will cease to act as Head of office with effect from the aforesaid date.

By Order.

D. NIODUP,
Chief Accounts Officer,
Finance,
Government of Sikkim.

OFFICE ORDER
No. 142/Fin.
Dated Gangtok, the 14th August, 1986.

Shri S. K. Sharma, Executive Engineer, Power Department, Gyalzing, West Sikkim, is hereby declared as Drawing and Disbursing Officer for West District with effect from 20.8.1986.

Consequently, Shri G. Lepcha, Executive Engineer, Power Department Jorethang, South Sikkim, will cease to be the Drawing and Disbursing Officer with effect from the aforesaid date.

By Order.

D. NIODUP,
Chief Accounts Officer,
Finance,
Government of Sikkim.

OFFICE ORDER
No. 146/Fin.
Dated Gangtok, the 20th August, 1986.

Shri Tshering Namgyal Bhutia, Under Secretary, Election Department, Government of Sikkim, is hereby declared as Drawing and Disbursing Officer with immediate effect vice Shri T. Wangchuk, Deputy Chief Electoral Officer.

By Order.

D. NIODUP,
Chief Accounts Officer,
Finance,
Government of Sikkim.

OFFICE ORDER
No. 148/Fin.
Dated Gangtok, the 21st August, 1986.

During the absence of Shri Gopal Basnett, Accounts Officer, Irrigation Department, Government of Sikkim, on leave w.e.f. 18.8.86, Shri M.S. Rawat, Superintending Engineer, Irrigation Department, Govt, of Sikkim, is hereby declared as Drawing and Disbursing Officer with immediate effect till Shri Basnett's return from leave.

By Order.

D. NIODUP,
Chief Accounts Officer,
Finance,
Government of Sikkim.

OFFICE ORDER
No. 152/Fin.
Dated Gangtok, the 22nd August, 1986.

Shri Rajendra Gurung, Assistant Engineer, Power Department, Mangan, is hereby declared as Drawing, and Disbursing Officer for North District with immediate effect vice Shri S.K. Rai, Assistant Engineer, since transferred to Rural Development Department.

By Order.

D. NIODUP,
Chief Accounts Officer,
Finance,
Government of Sikkim.
OFFICE ORDER
No. 153/Fin.
Dated Gangtok, the 23rd August, 1986.

Shri D.S. Basnett, D.F.O. (Soil Conservation), Land Use and Environment Department, Namchi, South Sikkim, is hereby declared as Head of Office for South District with immediate effect.

By Order.

D. NIODUP,
Chief Accounts Officer,
Finance,
Government of Sikkim.

OFFICE ORDER
No. 158/Fin.
Dated Gangtok, the 26th August, 1986.

Shri B.B. Rai, Accounts Officer, Health & Family Welfare Department, Govt. of Sikkim, is hereby declared as Drawing and Disbursing Officer with immediate effect vice Shri P.S. Molommu, Senior Accounts Officer, since transferred on promotion to Home Department.

By Order.

D. NIODUP,
Chief Accounts Officer,
Finance,
Government of Sikkim.

OFFICE ORDER
No. 160/Fin.
Dated Gangtok, the 29th August, 1986.

During the absence of Shri R.K. Pradhan, Superintendent of Police, Police Checkposts, Police Department, on leave, Shri T. Dhondup, Administrative Officer, Police Checkposts Police Department, is hereby declared as Drawing and Disbursing Officer, with immediate effect till Shri Pradhan's return from leave.

By Order.

D. NIODUP,
Chief Accounts Officer,
Finance,
Government of Sikkim.
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<td>II—Notification regarding appointments, postings transfers, leave etc.</td>
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<td>III—Nil</td>
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<td>IV—Nil</td>
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<td>IX—Nil</td>
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<td>X—Nil</td>
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</table>
HIGH COURT OF SIKKIM  
NOTIFICATION No. 76/HCS/ESTT.  
Dated Gangtok, the 1st September, 1986.

Hon'ble the Chief Justice has been pleased to appoint Shree Harish Kumar Sharma, Accounts Officer, as Reader of this Court, in the pay scale of Rs. 1320-30-1650 -- Eb- 40- 2050- Eb - 5G- 2300, plus other allowances as admissible under the rules, on purely temporary basis, with effect from 1st September 1986.

Further, Shree Harish Kumar Sharma shall remain incharge of Accounts Section as before until further orders.

A.P. SUBBA,  
Registrar.

OFFICE ORDER  
No. 322/HCS/ESTT.  
Dated Gangtok, the 6th September, 1986.

Incontinuation of this Court's Office Order No. 306/HCS/ESTT, dated the 6th August, 1986, Shree A P. Subba, Deputy Registrar of this Court, is hereby allowed to draw the Charge Allowances, as admissible under the rules, for performing the additional work of Registrar.

By Order  
K.D. BHUTIA,  
Assistant Registrar.

NOTIFICATION  
No. 78/HCS/ESTT.  
Dated Gangtok, the 29th September, 1986.

Inpartial modification of the Notification No. 26/HCS Dated 13th March,1986 , it is hereby notified for general information that High Court of Sikkim shall remain closed on account of Durga Puja and Laxmi Puja holidays from 6th October, 1986 instead of 8th October, 1986 and will reopen on the 5th November, 1986 instead of 6th November, 1986.

By Order  
A.P. SUBBA,  
Registrar.

HOME DEPARTMENT  
NOTIFICATION  
No. 7(7)/Home/80/1069  
Dated Gangtok ,the 2nd September, 1986.

In exercise of the powers conferred by Section 9 of the National Security Act, 1980 (Central Act, 65 of 1980) the State Government hereby re-constitutes the Advisory Board and appoints the following as members of the same Board:-
2. Shri Justice R. Dayal, Judge, High Court of Sikkim.
3. Shri BR. Pradhan, Secretary, Law Department, Government of Sikkim.

The State Government further appoints Shri Justice D.M. Sen as Chairman of the said Advisory Board.

This supersedes Home Department Notification No. 7 (7) Home/80/1/362 dated 26th December, 1985.

By order and in the name of the Governor.

M.M. RASAILY,  
Home Secretary,  
Government of Sikkim

NOTIFICATION  
No. 6(9)Home/86/1073  
Dated Gangtok, the 4th September, 1986.

The Governor of Sikkim, on the appointment of Shri A. Ghatak as the Inspector General of Police, Sikkim and Shri Tashi Namgyal as the Special Inspector General of Police, Sikkim, is pleased to distribute responsibilities of works between them as follows for the smooth functioning of the Police organisation in the State :-

1. INSPECTOR GENERAL OF POLICE  
1. Range  
2. Check Post  
3. CID  
4. Training  
5. Head Quarters (Quarter Master & Accounts)
6. Reserve Lines
7. Police Housing
9. Civil Defence
10. Fire Services
11. Home Guards

II. SPECIAL INSPECTOR GENERAL OF POLICE.
1. Wireless
2. Establishment
3. Special Branch
4. Armed Police
5. Modernisation

3. The Assistant Inspector General of Police will function both under the Inspector General of Police and Special Inspector General of Police as per the distribution of work, indicated above.
4. The Inspector General of Police and the Special Inspector General of Police will hold independent charges of the works assigned to them and each of them will be directly responsible to the Home Secretary.

M.M. RASAILY,
Home Secretary,
Government of Sikkim.

NOTIFICATION
No. 6(9)Home/86/1084
Dated Gangtok, the 6th September, 1986.

The Governor of Sikkim, on the appointment of Deputy Inspector General of Police, Range, is pleased to order that Superintendent of Police, Crime will report directly to the Inspector General of Police, Sikkim.

M.M. RASAILY,
Home Secretary,
Government of Sikkim.

ESTABLISHMENT DEPARTMENT
OFFICE ORDER
O.O. No. 1562/(Gen)/Estt.
Dated Gangtok, the 2nd September, 1986.

Smt. Idly Alley is hereby appointed as Lecturer (Zology) in Sikkim Govern-

ment College under the Education Department in the scale of Rs. 700-40-1100-50-1300- Assessment-50-1600 w.e.f.-17.21.8.86 i.e. the date of her joining.
She will draw a basic pay of Rs. 700/- p.m. in the above scale with other allowances as admissible under the rules.
As usual, she will be on probation for a period of one year. Other terms and conditions of services will be as laid down in this Department memorandum No. 11376(G)/Estt. dated 21.8.86.

By Order.
T. DHONDUP,
Officer On Special Duty
Establishment Department.

OFFICE ORDER
No. 1576/Gen/Estt.
Dated Gangtok, the 3rd September, 1986.

Shri Tashi Namgyal, I.P.S. (Sikkim), Additional Inspector General of Police is hereby allowed to draw the minimum of the scale of Rs. 2500 w.e.f. 4.12.85 i.e. the date he took over the charge of Inspector General of Police till he Hands over the charge to regular Inspector General of Police.
Further, Shri Tashi Namgyal, I.P.S. (Sikkim,) is promoted as Special Inspector General of Police against the post upgraded vide Notification No. 405/(Gen)/ Estt. dated 3.9.86 in the scale of Rs. 2250-125/2-2500 plus the Special pay of Rs. 250/- w.e.f. 5.7.85.

By Order.
K.P. ADHIKARI,
Deputy Secretary
Establishment Department.
NOTIFICATION
No. 1569/Gen/Est.
Dated Gangtok, the 3rd September, 1986.

The Governor is pleased to redesignate the 10 (ten) posts of Extension Assistants to that of Stockman in the scale of Rs.810-14-950-EB-16-1110-EB-18-1200 in the Animal Husbandry & Veterinary services Department with immediate effect.

By Order
N. YETHENPA,
Deputy Secretary,
Establishment Department.

OFFICE ORDER
No. 1587/(Gen)/Est.
Dated Gangtok, the 3rd September, 1986.

Consequent on his nomination for 12 weeks course on I.R.DP. at Cairo, under A.A.R.R.O. commencing from 15.9.86, Shri L.T. Tonyot, I.A.S., Joint Secretary, Rural Development Department, is hereby relieved w.e.f. 3.9.86.
2. The period on Training including to and from journey is hereby treated as “in service” for all purposes.
3. During his absence on training Miss C.K. Cintury, I.A.S, Joint Secretary, Rural Development Department, is entrusted with the work of Shri Tonyot in addition to her own.

By Order.
K. TOBDEN,
Under Secretary,
Establishment Department.

NOTIFICATION
No. 1600/Gen/Estt.
Dated Gangtok, the 4th September, 1986.

The post of Assistant Director, Industries Department held by the following Officers are hereby re-designated as Functional Manager without change in the pay scale with immediate effect.
1. Shri Edward Lepcha.
2. Shri Tenzing Bhutia.
3. Shri Lok Mani Pradhan.

By Order.
S.D. PHALONTHARPA,
Under Secretary,
Establishment Department.

NOTIFICATION
No. 408/(Gen)/Estt.
Dated Gangtok, the 5th September, 1986.

The Governor of Sikkim is pleased to upgrade the following posts to that of Additional Secretaries, with immediate effect.
1. Joint Secretary, Home Department.
2. Joint Secretary, Establishment Department.
3. Joint Secretary, Education Department.
4. Joint Secretary, to Hon'ble Chief Minister.

T. DHONDUP,
Officer on Special Duty,
Establishment Department.

OFFICE ORDER
No. 1614/(Gen)/Estt.
Dated Gangtok, the 6th September, 1986.

The Governor is pleased to order the following promotion and transfers with immediate effect :-
1. Shri T.P. Sharma, IAS, Secretary, Education, Culture Department is transferred and posted as Secretary, Food and Civil Supplies Department.
2. Shri G.P. Pradhan, IAS, Secretary, Sikkim Nationalised Transport will also take charge as Secretary, Sikkim Legislative Assembly.
3. Shri Sonam Wangdi IAS, Secretary, Sikkim Legislative Assembly is transferred and posted as Secretary, Industries.
4. Shri Tashi Tobden, Secretary, Industries Department is transferred and posted as Secretary, Education and Culture Department.
5. Shri R.S. Basnett, IAS, Joint Secretary, Home Department is promoted as Additional Secretary Home.
6. Shri D.K. Gazmere IAS, District Collector (North) is promoted and transferred as Additional Secretary, Establishment Department.
7. Shri Dorjee Dadul, IAS, Joint Secretary, Education Department, is promoted as Additional Secretary, Education.
8. Shri Tensung Gyatso, IAS, Joint Secretary to Hon'ble Chief Minister is promoted as Additional Secretary to Chief Minister.
9. Shri G.K. Subba, Joint Secretary, Sikkim Nationalised Transport Department is transferred and posted as Joint Chief Electoral Officer.
10. Km. C.K. Cintury, IAS, Joint Secretary, Rural Development Department is transferred and posted as Joint Secretary, Income Tax & Sale Tax Department.
11. Shri Lobzang Bhutia, IAS, Joint Secretary, Income Tax & Sale Tax Department is transferred and posted as District Collector (North).

J. T. DENSAPA,
Secretary,
Establishment Department.

OFFICE ORDER
No. 409/Gen/Estt.
Dated Gangtok, the 8th September, 1986.

The Governor of Sikkim is pleased to redesignate the post of Superintendent of Police (Head Quarters) to that of Assistant Inspector General of Police, with immediate effect.

T. DHONDUP,
Officer on Special Duty,
Establishment Department.

NOTIFICATION
No. 1618/(Gen)/Est.
Dated Gangtok, the 8th September, 1986.

Mr. N.P. Pradhan, A.R.P.O., Agriculture Department, whose date of birth is 15.11.28., shall retire from service on superannuation from the afternoon of 30.11.86, in accordance with Rule 90 of the S.G.S. (Amendment) Rules, 1981.

OFFICE ORDER
No.1619/(Gen)/Estt.
Dated Gangtok, the 8th September, 1986.

In pursuance to Notification No. J (11/327/Gen/Estt. dated 11.6.86 appointing Shri J.K. Thapa, IAS, as a member of the Sikkim Public Service Commission is hereby deemed to have retired from Indian Administrative Service w.e.f. 12.686 (AN) i.e. the date of assumption of the charge of the Member of the Sikkim Public Service Commission in accordance with Regulation 5 of the Sikkim Public Service Commission (member) Regulation 1983.

By Order.

K. TOBDEN,
Under Secretary,
Establishment Department.

OFFICE ORDER
No. 1640/Gen/Estt.
Dated Gangtok, the 9th September, 1986.

Miss Gyampop Palden, Editor (Publication Section) Information & Public Relations Department, is hereby transferred and posted as Assistant Director, Social Welfare Department w.e.f. the date she takes over the charge of the post. On transfer, she will carry her own pay & scale-

T. DHONDUP,
Officer On Special Duty,
Establishment Department.

OFFICE ORDER
No. 1643/(Gen)/Estt.
Dated Gangtok, the 9th September, 1986.

The Governor is pleased to appoint the following persons in a temporary capacity to the post of Accounts Officer in the scale of Pay of Rs.1320-30-1650-EB-40-2050-EB-50-2300 plus allowances as admissible under the rules with effect from their date of joining in the department indicated against each.

By Order.

T. L. YAPSHI YUTHOK,
Under Secretary,
Establishment Department.
2. The appointmen, is subject to the following terms and conditions:-
   (i) They shall be on probation for one year.
   (ii) The appointment is temporary and may be terminated at any time by 30 days’ notice given by either side viz the appointing authority or the appointee, without assign any reason. The appointing authority however reserves the right to terminate the services of an appointee forthwith or before the expiration of the stipulated period of notice by making payment to him of a sum equivalent to the pay and allowances for the period of notice or unexpired portion thereof.
   (iii) The appointment carries with it the liability to serve in any part of Sikkim.
   (iv) Other conditions of service will be governed by the relevant rules and orders in force from time to time.
   3. The appointment will be further subject to production of a certificate of fitness from the competent medical authority and also verification of antecedents.
   4. Those who are already in Government service shall be treated as fresh candidates. The past service rendered by them shall be counted only for the purpose of retirement benefits in accordance with the relevant rules contained in the Sikkim Government (Retirement Benefits) Rules ’974 as stipulated in O.M. 387/Gen/ Estt. dated 138 86.
   5. They will receive two weeks’ training in the Accounts Training Centre and various branches of Pay & Accounts Office from 15.8.86 to 30.9.86 according to programme tobe drawn up separately. Those who have been posted outside Gangtok will be retained initially in the headquarters of the department concerned during the period of training. They will take up their assignment in the District after completion of the Training. This will not be treated as transfer and therefore no TA/DA will be admissible.

J.T.DENAPA,
Secretary,
Establishment Department.

OFFICE ORDER
No. 1644/Gen/Estt.
Dated Gangtok, the 9th September, 1986.

The Governor is pleased to order the following transfers with immediate effect.

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Name &amp; Designation</th>
<th>Transferred to</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Shri D.B. Pradhan, Accounts Officer, Raj Bhawan Secretariat</td>
<td>Accounts Officer, Land Revenue (Land Record) Department, Gangtok</td>
</tr>
<tr>
<td>2.</td>
<td>Shri Tashi Tamang, Accounts Officer, Animal Husbandry Department, Gangtok</td>
<td>Accounts Officer, Pay &amp; Account Office, Gangtok</td>
</tr>
<tr>
<td>3.</td>
<td>Shri D.P. Sharma, Accounts Officer, Education Department, Gangtok</td>
<td>Accounts Officer, Welfare Deptt. (H.Q.) Gangtok</td>
</tr>
<tr>
<td>4.</td>
<td>Shri L.T. Lepcha, Accounts Officer, Power Department, Gangtok</td>
<td>Accounts Officer, S.T.N. M. Hospital, Gangtok</td>
</tr>
<tr>
<td>5.</td>
<td>Shri D.T. Targain, Accounts Officer, Education Department, Gangtok</td>
<td>Accounts Officer, Animal Husbandry Department, Gangtok</td>
</tr>
<tr>
<td>6.</td>
<td>Shri D.K. Gurung, Accounts Officer, Local Self Govt &amp; Housing, Gangtok</td>
<td>Accounts Officer, Gangtokvice Sl.No. 1</td>
</tr>
</tbody>
</table>

2. The incumbent at Sl.No. 2, 3 &5 may be relieved only after the joining of the new incumbent already posted by a separate order.

J.P. DENAPA,
Secretary,
Establishment Department.
NOTIFICATION
No. 411/(Gen) Est.
Dated Gangtok, he 10th September, 1986.

One post of Deputy Secretary in the Rural Development Department, is hereby downgraded to that of Under Secretary in the scale of Rs. 1320-2300 with immediate effect.

By Order.

N. YETHENPA,
Deputy Secretary to the Govt. of Sikkim
Establishment Department.

OFFICE ORDER
No. 1658/(Gen)/Estt.
Dated Gangtok, the 11th September, 1986.

In partial amendment of this Department Office Order No. 1351/G/Est. dated 4.8.86 to the extent relevant on the matter, Shri J.P. Tshering, IAS, Secretary, Information & Public Relations Department will continue to function as Secretary Information & Public Relation from 4.9.86 to 30.9.86 after which Shri Karma Topden, IAS, Secretary to the Council of Ministers and Secretary to the Hon’ble Chief Minister will take over as Secretary, information & Public Relations.

By Order.

K.P. ADHIKARI,
Deputy Secretary to the Govt. of Sikkim
Establishment Department.

OFFICE ORDER
No. 1664/Gen/Est.
Dated Gangtok, the 11th September, 1986.

Miss Sherab Shenga is hereby appointed as Editor in Information and Public Relations Department in the scale of Rs. 1320-30-1650-EB-40-2050-EB-50-2300 w.e.f. the date of her joining. She will draw a basic pay of Rs. 1320/-p.m. in the above scale with other allowances as admissible under the rules.

As usual, she will be on probation for a period of one year. The other terms and Conditions of Service will be as laid down in the memorandum No. 12359 (G)/Estt. dated 8.9.86.

By Order

T. DHONDUP,
Officer On Special Duty, Establishment Department.

OFFICE ORDER
No. 1667/Gen/Estt.
Dated Gangtok, the 11th September, 1986.

Consequent upon the transfer of Shri Lhendup Lepcha as Secretary, Mines and Geology Department Government of Sikkim vide O.O. No. 1351/G/Est. dated 4.8.86. Shri B.N. Sharma, IAS, Joint Commissioner, Excise Department, will function as Secretary, Housing Board in addition to his present duties with immediate effect, until further orders.

By Order

N. YETHENPA,
Deputy Secretary to the Govt. of Sikkim
Establishment Department.

OFFICE ORDER
No. 1669/Gen/Estt.
Dated Gangtok, the 11th September, 1986.

The extension of Service of Shri Palden Yeshey Lama, Technical Officer, Printing Department, which expired on the afternoon of 31.8.86, is hereby extended for a further period of one year w.e.f. 1.9.86 to 31.8.87.

By Order

T. DHONDUP,
Officer on Special Duty, Establishment Department.

OFFICE ORDER
No. 1671(Gen)/Est.
Dated Gangtok, the 11th September, 1986.

The Governor is pleased to order the following transfers, and posting with immediate effect.

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Name &amp; Designation</th>
<th>Transferred to</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Shri D.P. Kaleon D.D.O. (North)</td>
<td>Dy. Secretary, RDD, vice Shri D.R. Khatel;</td>
</tr>
<tr>
<td>2.</td>
<td>Shri Alok Kr. Shrivastava, IAS, Probation;</td>
<td>D.D.O (North) vice Shri D.P. Kaleon;</td>
</tr>
</tbody>
</table>
3. Shri Bisnu Pd. Neopaney, Under Secretary, Rural Development Department;

4. Shri B.P. Gautam, Under Secretary, Law Department;

5. Shri D.R. Kharel, Deputy Secretary, Rural Development Department;

6. Shri D.R. Nepal, P.S. to Hon'ble Minister, Finance;

7. Shri D.B. Rai, Administrative Officer, Industries Department;

8. Shri P.S. Targain, Admin. Officer, Forest Department;


On transfer, they will carry their own pay and scale.

By Order.

N. YETHENPA,
Deputy Secretary,
Establishment Department.

OFFICE ORDER
No. 1672/Gen/Estt.
Dated Gangtok, the 11th September, 1986.

Shri T.W. Barfungpa, IAS, Project Director, S.RDA, is hereby transferred and posted as Joint Secretary, Rural Development Department vice Miss K.C. Cintury recently transferred as Joint Secretary, Income Tax and Sales Tax Department.

By Order.

N. YETHENPA,
Deputy Secretary,
Establishment Department.

NOTIFICATION
No;413/Gen/Estt.
Dated Gangtok, the 11th September, 1986.

The Governor of Sikkim is pleased to constitute a Committee consisting the following to examine the seniority and other allied matters in respect of Overseers of the Government of Sikkim.

1. Secretary, Establishment Department.
2. Chief Engineer-cum-Secretary and Housing.
3. Chief Engineer-cum-Secretary, Roads and Bridges.

T. DHONDUP,
Officer on Special Duty, Establishment Department.

CIRCULAR
No. 414/(Gen)Estt.
Dated Gangtok, the 16th September, 1986.

In order to improve the Educational facilities in the State the Government has decided that henceforward only those local candidates who have done a minimum service of two years as Teachers will be considered for fresh appointment to the lowest gazetted non-technical post.

J. T. DENSAPA
Secretary,
Establishment Department.

OFFICE ORDER
No. 1700/Gen/Estt.
Dated Gangtok, the 16th September, 1986.

Consequent on his nomination for one week compulsory Refresher Course for I.A.S. at HPIPA, Simla, Shri Pasong Namgyal, IAS, Secretary, Land Revenue and Schedule Caste & Schedule Tribe Department, is hereby relieved w.e.f. 10.9.86 (AN).

During his absence on training, Joint Secretary I of the Land Revenue Depart-
ment and Deputy Secretary, SC & ST Department will be the incharge of their respective Departments. Deputy Secretary, SC/ST will submit papers to the Hon'ble Minister, SC & ST.

By Order

N. YETHENPA
Deputy Secretary,
Establishment Department.

NOTIFICATION
No. 417/Gen/Estt.
Dated Gangtok, the 18th September, 1986.

The Governor of Sikkim is pleased to sanction the following posts for the offices of the Chief Medical Officers in 4(four) Districts and S.T.N.M. Hospital, Gangtok, with effect from July, '86.

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>District</th>
<th>Name of the post</th>
<th>No. of Debitable post</th>
<th>Head</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Singtam (East District)</td>
<td>Accounts-cum-Administrative Officer (1320-2300)</td>
<td>l(one)</td>
<td>280-A Medical (5) Singtam Hospital-All/S (Plan).</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Accountant (920-1600)</td>
<td>l(one)</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Office Peon (635-800)</td>
<td>l(one)</td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>Gyalzing (West District)</td>
<td>Accounts-cum-Administrative Officer (1320-2300)</td>
<td>l(one)</td>
<td>280-A-All (2) Gyalzing Hospital.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Accountant (920-1600)</td>
<td>l(one)</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Office Peon (635-800)</td>
<td>l(one)</td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>Namchi (South District)</td>
<td>Accounts-cum-Administrative Officer (1320-2300)</td>
<td>l(one)</td>
<td>280-All (4) Namchi Hospital</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Accountant (920-1600)</td>
<td>l(one)</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Office Peon (635-800)</td>
<td>l(one)</td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>Mangan (North District)</td>
<td>Accounts-cum-Administrative Officer (1320-2300)</td>
<td>l(one)</td>
<td>280-All (3) Mangan Hospital-All/Salaries (Plan)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Accountant (9201600)</td>
<td>l(one)</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Office Peon (635-800)</td>
<td>l(one)</td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td>Central Referral (S. T. N. M. Hospital)</td>
<td>Accounts-cum-Administrative Officer (1320-2300)</td>
<td>l(one)</td>
<td>280-All(1-1) C.R.H. All (1)-Salaries (Plan).</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Junior Accountant (830-1400)</td>
<td>l(one)</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Office Peon (635-800)</td>
<td>l(one)</td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td>Primary Health Centre (South District)</td>
<td>Upper Division Clerk (830-1400)</td>
<td>l(one)</td>
<td>280-All (9) (a) South District (P.H.C.) All (9) (a)-Salaries (Plan).</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Primary Health Centre (West District)</td>
<td>2(two)</td>
<td>280-All (9) (b) West District (P.H.C.) All/ (9)</td>
</tr>
</tbody>
</table>

T. DHONDUP,
Officer On Special Duty,
Establishment Department.

NOTIFICATION
No. 1753/Gen/Estt.
Dated Gangtok, the 19th September, 1986.

The Governor of Sikkim, in consultation with the High Court of Sikkim, is pleased to appoint Shri Tsewang Dorjee Rinzing, Additional District and Sessions Judge, Sikkim as District and Sessions Judge, Sikkim with immediate effect.

By order and in the name of the Governor of Sikkim.

J.T. DENSAPA
Secretary,
Establishment Department

OFFICE ORDER
No. 1771/Gen/Estt.
Dated Gangtok, the 22nd September, 1986.

The contract term of Mr. RP. Kukraty, Secretary, Sikkim Public Service Commission is hereby extended w.e.f. 22.1.86 to 21.1.88 on the existing terms and condition of contract as amended from time to time.

By Order

S.D. PHALONTHARPA,
Under Secretary,
Establishment Department.

OFFICE ORDER
No. 1780/Gen/Estt.
Dated Gangtok, the 22nd September, 1986.

Shri L.T. Bhutia, Milk Procurement Officer (North), Animal Husbandry & Veterinary Services Department, is hereby promoted as Assistant Director (N & E) in the scale of Rs. 1540-35-1960-Eb-40-200-Eb-50-2500 w.e.f. 17.9.86, i.e. the date of approval.
As usual, he will be on probation for period of one year.
The inter-se-seniority will be the same as it existed in the tower grade.

By Order

N. YETHENPA
Deputy Secretary,
Establishment Department.

OFFICE ORDER
No. 1783 /(Gen)/Estt.
Dated Gangtok, the 22nd September 1986.

In accordance with Rule 9 (2A) of the Indian Police Service (Pay) Rules 1954, Shri T.N. Tenzing, IPS, Superintendent of Police on completion of thirteen years of service is hereby placed in the selection grade of the I.P.S. in the scale of Rs.1800-100-2000 w.e.f. 1.1.85.

Further Shri T.N. Tenzing is promoted as Deputy Inspector General of Police, in the scale of Rs. 2000-125/2-2500, w.e.f. 24.8.86.

This is in supersession of O.O. No. 1581/(G)/Est. of 3.9,86.

By Order.

N. YETHENPA
Deputy Secretary,
Establishment Department.

OFFICE ORDER
No. 1786 /G/Est.
Dated Gangtok, the 22nd September, 1986.

In accordance with Rule 3(2A) of the Indian Police Service (Pay) Rules 1954, Shri R.K. Pradhan, IRS, Superintendent of Police on completion of thirteen years of service is hereby placed in the selection grade of the IPS in the scale of Rs. 1800-100-2000 w.e.f. 1.7.86.

By Order.

N. YETHENPA
Deputy Secretary,
Establishment Department.

OFFICE ORDER
No. 1790/Gen/Est.
Dated Gangtok, the 23rd September, 1986.

The terms of deputation in respect of Shri B.K. Sharma, Deputy Manager, SIMFED, is hereby extended for a further period of two years w.e.f. 1.5.84 to 30.4.87 on the existing terms and conditions of deputation as amended from time to time.

By Order.

D.K. PRADHAN,
Under Secretary,
Establishment Department.

OFFICE ORDER
No. 1800/Gen/Estt.
Dated Gangtok, the 23rd September, 1986.

Mr. Padam Subba is hereby appointed on a purely temporary capacity to the post of Farm Management Specialist, vice Mr. T. Tashi while on higher studies, under the Agriculture Department, in the scale of Rs. 1320-30-1650-Eb-40-2050-Eb-50-2300 w.e.f. 14.8.86 (AN) i.e. the date of his joining.

He will draw a basic pay of Rs. 1320-p.m. in the above scale and other allowances as admissible under the rules.

As usual he will be on probation for one year and other terms and conditions of service will be governed by the Department’s memo No 11143 / G / Est dated 14:8.86.

By Order.

T.L. TENZING YUTHOK,
Under Secretary,
Establishment Department.

No. 1808(G)/Estt.
CORRIGENDUM TO OFFICE ORDER
No. 1469/G/EST.Dt. 21.8.86.
Dated Gangtok, the 24th September1986,

In the O. O. No. 1469 / G/Est. dated 21.8.86.

(a) read "24.2.1984 (F N)" FOR "8.7.86" appearing, in the last sentence of first paragraph;

(b) Delete the last paragraph;

By Order.

KP. ADHIKARI,
Deputy Secretary
Establishment Department.
OFFICE ORDER
No. 1815/Gen/Estt.
Dated Gangtok, the 25th September, 1986.

Mr. Chandra Kumar Pradhan, is hereby appointed as Senior Soil Surveyor, Agriculture Department in the scale of Rs. 1320-30-1650-Eb-40-2050-Eb-50-2300 w.e.f. 14.8.86 (A.N) i.e. the date of his joining the duty.

He will draw a basic pay of Rs. 1320/- per month and other allowance as admissible under the rules.

As usual, he will be on probation for one year. Other terms and conditions of service will be governed by Establishment Department Memo No. 11143/G/Est. dated 14.8.86.

By Order.  
K.P. ADHIKARI,  
Deputy Secretary,  
Establishment Department.

NOTIFICATION
No. 427/Gen/Estt.
Dated Gangtok the 26th September 1986.

The Governor of Sikkim is pleased to sanction the creation of the following posts in the Land Revenue Department, with immediate effect :-

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Name of post</th>
<th>No. of post</th>
<th>Scale</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Accountant</td>
<td>1 (one)</td>
<td>920-20-1060-Eb-25-1210 Eb-30-1600.</td>
</tr>
<tr>
<td>2.</td>
<td>Junior Accountant</td>
<td>1 (one)</td>
<td>830-20-1050-Eb-25-1400</td>
</tr>
</tbody>
</table>

The expenditure of the above post shall be debitable to the Budget Head:- ‘289’ Natural calamities- Direction & Administration.

By Order.  
D. K. PRADHAN,  
Under Secretary,  
Establishment Department.

OFFICE ORDER
No. 1831/(Gen)/Estt.
Dated Gangtok, the 26th September 1986.

In partial amendment of this Department Office Order No. 336/(G)/Estt. dated 25.6.85 the basic pay of Shri Rinzing Dorjee Bhutia, Assistant Engineer, Sikkim Public Work Department presently transferred to Power Department is hereby fixed at Rs. 1320/- per month in the revised scale of Rs. 1320-30-1650-Eb-40-2050-Eb-50-2300 with effect from 21.5.85. In addition he will draw other allowance as admissible under the rules.

The date of next increment will be 1.5.86.

By Order.  
S.D.PHALONTHARPA,  
Under Secretary,  
Establishment Department.

OFFICE ORDER
No. 1836/(Gen)/Estt.
Dated Gangtok, the 27th September 1986.

Miss Hemanta Basnett is hereby appointed as Statistical Investigator in Animal Husbandry Department, in the Scale of Rs. 1320-30-1650-Eb-40-2050-Eb-50-2300 w.e.f. the date of her joining.

She will draw a basic pay of Rs. 1320/- p.m. in the above scale with other allowances as admissible under the rules.

As usual, she will be on probation for a period of one year. Other terms and
condition of service will be laid down in the memorandum No. 12379/G/Est. dt. 8.9.86.

By Order

N.YETHENPA
Deputy Secretary,
Establishment Department,

OFFICE ORDER
No. 1852/(Gen)/Estt.
Dated Gangtok, the 29th September 1986.

Shri P. K. Lamichaney, v Foreman, Police Department, is hereby promoted as Inspector in the scale of Rs. 1320-50-1650-Eb-40-2050-Eb-50-2300we.f. 30.8.86 against the post upgraded vide this Department’s Notification No. 404/G/Est. dated 30.8.86.

By Order

K. P. ADHIKARI, 
Deputy Secretary,
Establishment Department.

FINANCE DEPARTMENT
OFFICE ORDER
No. 165/Fin.
Dated Gangtok, the 1st September 1986.

Shri P.S. Malommu, Chief Accounts Officer, Home Department, Government of Sikkim, is hereby declared as Drawing and Disbursing Officer with effect from 2.9.86.

By Order

D. NIODUP, 
Chief Accounts Officer Finance, Government of Sikkim.

NOTIFICATION
No. 10/Fin.
Dated Gangtok, the 2nd September 1986:

Items of Expenditure          Extent of delegation          Condition for exercising the power
1. All schemes both plan and Non-plan. up to Rs. 2.00 lakhs in each case and subject to a maximum of Rs. 8.00 lakhs per month. Schemes must be approved by the District Co-ordination Committee and subject to availability of budget provision and allotment made there from by the concerned Heads of Department to the District Co-ordination Committee.

K. C. PRADHAN
Secretary, Finance Department.

NOTIFICATION
No 11/Fin.
Dated Gangtok, the 4th September 1986,

In Finance Department Notification No. 13/Fin. Dated 5.3.86 it was decided that the rate of road freight charge for transportation of goods by private transporters from Calcutta to Siliguri should be enhanced to 23 paise per kg. On a representation received from the transporters the matter has been reviewed by the Government and it has since been decided, in partial modification of Notification No. 13/Fin. dated 5.3.86, that the private transporters will be allowed to transport goods not only from Calcutta to Siliguri but also from other places upto the delivery points within Sikkim. The transportation of goods from Siliguri to various destinations within Sikkim will, however, be made by S.N.T. fleet only. The private transporters will be responsible for any losses, damage, shortages, leakages etc. of goods occurring at any point of the route upto the destination. Thus it will be the overall responsibility of the private transporters to make delivery of the goods at the destination in time and at their own risk. The indenting department will not be responsible for such losses, damages, shortages, leakages etc. in transit. An additional handling charge of 20% over the prevailing rate of S.N.T. will be paid to the private transporters.

2. The private transporters will pay the freight to S. N. T. in advance for hiring S.N.T. Vehicles.
3. These orders will take retrospective effect from 1.4.86.

K.C. PRADHAN,
Secretary,
Finance Department.

OFFICE ORDER
No. 171/Fin.
Dated Gangtok, the 6th September 1986.

During the absence of Shri T. Norbu, Superintendent of Police, North District, Mangan, on leave, Shri D. Dadul, Circle Inspector, Mangan Police Station, North District, Mangan, is hereby declared as Drawing and Disbursing Officer with immediate effect till Shri Norbu’s return from leave.

By Order.
D. NIODUP,
Chief Accounts Officer,
Finance,
Government of Sikkim.

OFFICE ORDER
No. 172/Fin.
Dated Gangtok, the 6th September 1986.

The following Officers of Power Department, Government of Sikkim, are hereby declared as Head of Office of the District shown against each with immediate effect:

<table>
<thead>
<tr>
<th>Name of Officers</th>
<th>District</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Shri S.K. Sharma,</td>
<td>West Executive Engineer (Civil)</td>
</tr>
<tr>
<td>2. Shri Rajendra Gurung,</td>
<td>North Assistant Engineer (Civil)</td>
</tr>
</tbody>
</table>

By Order.
D. NIODUP,
Chief Accounts Officer,
Finance,
Government of Sikkim.

OFFICE ORDER
No. 177/Fin.
Dated Gangtok, the 15th September 1986.

Shri P. B. Gurung, Principal, I.T. I., Rangpo, Industries Department, Government of Sikkim, is hereby declared as Drawing and Disbursing Officer with immediate effect vice Shri B.N. Sharma since transferred as General Manager, D.I.C., East and North.

By Order.
D. NIODUP,
Chief Accounts Officer,
Finance,
Government of Sikkim.

OFFICE ORDER
No. 178/Fin.
Dated Gangtok, the 18th September 1986.

Shri Bidhan Datta, Accounts Officer, Local Self Government and Housing Department, Government of Sikkim, is hereby declared as Drawing and Disbursing Officer with immediate effect vice Shri D. K. Gurung, Accounts Officer, since transferred to Raj Bhawan.

Shri Datta is further allowed to sign cheques pertaining to works expenditure with immediate effect.

By Order.
D. NIODUP,
Chief Accounts Officer,
Finance,
Government of Sikkim.

OFFICE ORDER
No. 180/Fin.
Dated Gangtok, the 19th September 1986.

Shri T. Norbu, Chief Fire Officer, Sikkim Fire Service, Government of Sikkim, Gangtok, is hereby declared as Head of Office as well as Drawing and Disbursing Officer with immediate effect vice Shri A.C. Negi since transferred.

By Order.
D. NIODUP,
Chief Accounts Officer,
Finance,
Government of Sikkim.

OFFICE ORDER
No. 183/Fin.
Dated Gangtok, the 20th September 1986.

Shri D.K. Gurung, Accounts Officer, Governor's Secretariat, Raj Bhawan, Gangtok, is hereby declared as
Disbursing Officer with immediate effect vice Shri D.B. Pfadhan, Accounts Officer, since transferred to L.R. Department (Land Record), Tashiling.

By Order.

D. NIODUP,
Chief Accounts Officer,
Finance,
Government of Sikkim.

OFFICE ORDER
No. 1-87/Fin.
Dated Gangtok, the 23rd September 1986.

Shri Gobind Kaushik, Accounts Officer, Irrigation Department, Government of Sikkim is hereby declared as Drawing and Disbursing Officer with immediate effect vice Shri Gopal Basnett. Shri Kaushik is further allowed to sign cheques pertaining to works expenditure.

By Order.

D. NIODUP,
Chief Accounts Officer,
Finance,
Government of Sikkim.

OFFICE ORDER
No. 188/Fin.
Dated Gangtok, the 23rd September 1986.

Shri Sonam Dorjee Pradhan, Accounts Officer, Power Department, Government of Sikkim, is hereby declared as Drawing and Disbursing Officer with immediate effect vice Shri L.T. Lepcha, Accounts Officer, since transferred to S.T.N.M. Hospital, Gangtok.

By Order.

D. NIODUP,
Chief Accounts Officer,
Finance,
Government of Sikkim.

SIKKIM LEGISLATIVE ASSEMBLY
SECRETARIAT GANGTOK

NOTIFICATION
No. SLAS/86-87/707(188)
Dated Gangtok, the 3rd September 1986,

In pursuance of Rule 11 of Rules of Procedure and Conduct of Business in Sikkim Legislative Assembly. Shri T.R. Sharma, Hon'ble Speaker, who will attend the 32nd Commonwealth Parliamentary Association Conference in London, United Kingdom of Great Britain and Northern Ireland, and visit other countries, has been pleased to delegate to Shri Ram Lepcha, Deputy speaker, his powers and functions with effect from the forenoon of the 15th September, 1986 to the afternoon of the 10th October, 1986,

SONAM WANGDI,
Secretary to the Governor of Sikkim.

OFFICE ORDER
No: SLAS/86-87/15/(745)/
Dated Gangtok, the 9th September 1986.

In pursuance of Rule 5(4) of the Sikkim Legislative Assembly Secretariat (Recruitment and Conditions of Service) Rules, 1983, and in consultation with the Chief Minister, I appoint Shri G.P. Pradhan, IAS, as Secretary, Sikkim Legislative Assembly with immediate effect.

T.R. SHARMA,
Speaker,
Sikkim Legislative Assembly,
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<td></td>
</tr>
<tr>
<td>X</td>
<td>(ii) Rainfall. Nil</td>
<td></td>
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</tbody>
</table>
ESTABLISHMENT DEPARTMENT 
NOTIFICATION 
No. 439/(Gen)/Estt. 
Dated Gangtok, the 7th October, 1986.

The Governor of Sikkim is pleased to upgrade the post of Under Secretary to the Cabinet to that of Deputy Secretary to the Cabinet with immediate effect.

K.P. ADHIKARI, 
Deputy Secretary 
Establishment Department.

OFFICE ORDER 
No. 1885/Gen/Estt. 
Dated Gangtok, the 8th October, 1986.

The following graduate teachers working in the Education Department are placed in the post Graduate Teacher scale of Rs.1320-30-1650-Eb-40-2050-Eb-50-2300, w.e.f. 29.3.86. and posted as under:

1. Shri G. S. Sisht, Sadam Senior Sec. School as P.G.T. (History).

As mutually agreed and accepted by them their service will be on contract initially for a period of three years w.e.f. the date of placement in the post Graduate Teacher scale of Pay viz. 29.3.80 and shall be governed by the terms and condition laid down in this Department Notification No.250/ (Gen)/Estt. dated 4.2.81.

Pay and Allowances of the incumbents will be met from (Plan) fund.

By Order. 
K.P. ADHIKARI, 
Deputy Secretary, 
Establishment Department.

OFFICE ORDER 
No. 1901/Gen/Estt. 
Dated Gangtok, the 9th October, 1986.

Shri Nima Wangdi Tamang is hereby appointed as A.C.F. (North) Territorial, Forest Department, in the scale of Rs 1320-20-1650-Eb-40-2050-Eb-50-2300 w.e.f. the date of his joining.

By Order. 
N. YETHENPA, 
Deputy Secretary to the 
Govt. of Sikkim, 
Establishment Department.

OFFICE ORDER 
No. 1902/(Gen)/Estt. 
Dated Gangtok, the 9th October, 1986.

The Governor is pleased to order the following transfers and postings with immediate effect.

1. Mr. Churamani Sharma, Amusement Tax Officer, Local Self Govt. & Housing Department, is transferred and posted as Under Secretary, Law Department, in the post vacated by Mr. B.P. Gautam on his transfer to the post of Under Secretary, Rural Development Department, vide O.O. No. 1671/G/Est. dated 11.9.86.
2. Mrs. Tshering Doma, Under Secretary, Grievance Cell, Home Department, is transferred and posted as Amusement Tax Officer, Local Self Government & Housing Department vice Sl. No. 1 above. On transfer they will carry their own pay and scale.

By Order.
T. L. YAPSHI YUTHOK,
Under Secretary,
Establishment Department.

OFFICE ORDER
No. 1903(Gen)/Est.
Dated Gangtok, the 9th October, 1986.

Mr. Jangabir Subba is hereby appointed as A.C.F., (Survey & Demarcation), Forest Department, in the scale of Rs. 1320-30-1650- Eb-40-2050- Eb-50-2300 w.e.f. 3.10.86.

He will draw a basic pay of Rs.1320/- p.m. in the above scale, in addition to such other allowances as admissible under the rules.

As usual, he will be on probation for one year and other terms and conditions of service will be governed by this Department’s memo No.v 14269/G/Est. of 24.9.86-

By Order.
N. YETHENPA
Deputy Secretary,
Establishment Department.

OFFICE ORDER
No. 1904/G/Est.
Dated Gangtok, the 9th October, 1986.

The Resignation tendered by Dr. B.S. Prasad, Lecturer-in-Charge, of Botany, Sikkim Government College, Education Department is hereby accepted with effect from 30.9.86 (A.N.)

By Order.
T. DHO NDUP,
Officer On Special Duty,
Establishment Department.

OFFICE ORDER
No. 1905/Gen/Estt.
Dated Gangtok, the 9th October, 1986.

The Governor is pleased to order the following transfers and postings with immediate effect:-

1. Shri Tashi Wangchuk, Deputy C.E.O Election Department, is transferred and posted as Dy. Secretary, Labour Department, vice Shri A.K. Chhetri.

2. Shri A.K. Chhetri, Dy. Secretary, Labour Department, is transferred and posted as Dy. Secretary, Law Department, vice Shri D.P. Sharma.

3. Shri D.P. Sharma, Dy. Secretary, Law Department, is transferred and posted as Dy. Secretary, Home Department vice Miss Jemima Pradhan.

4. Miss Jemima Pradhan, Deputy Secretary, Home Department, is transferred and posted as Deputy General Manager (Adm.), Sikkim Nationalised Transport Department, against the existing vacancy.

On transfer, they will carry their own pay and scale.

By Order.
N. YETHENPA
Deputy Secretary,
Establishment Department.

OFFICE ORDER
No. 17/I(26)83/Gen/Estt/1911
Dated Gangtok, the 16th October 1986.

The services rendered by Shri Tashi Densapa presently Managing Director, SIDICO, in Sikkim Research Institute of Tibetology w.e.f. 14/12/1972 to 31/8/1975 is hereby counted towards his present service for all purposes.

Further, the period of absence from duty w.e.f. 1/9/1975 to 17/3/1977 is treated as extra-ordinary leave.

By Order.
N. YETHENPA,
Deputy Secretary,
Establishment Department.

OFFICE ORDER
No. 17/I(26)83/Gen/Estt/1912
Dated Gangtok, the 16th October, 1986.

Shri Tashi Densapa, Managing Director, SIDICO is appointed to the Sikkim State Civil Service in the initial continuation w.e.f. 1/6/1976.

By Order.
D.K. GAZMEER,
Addl. Secretary,
Establishment Department.
OFFICE ORDER
No. 1943/Gen/Estt.
Dated Gangtok, the 20th October, 1986.

Shri Shiva Kumar Pradhan hereby appointed as Functional Manager, District Industries Centre Jorethang in the Industries Department in the scale of Rs. 1320-30-1650-Eb-40 - 2050 - Eb - 50-2300 w.e.f the date of his joining.

He will draw a basic pay of Rs. 1320/- per month in the above scale with other allowances as admissible under the rules.

As Usual, he will be on probation for one year.

By Order.

K.P. ADHIKARI,
Deputy Secretary
Establishment Department.

OFFICE ORDER
No. 1951/Gen/Estt.
Dated Gangtok, the 21st October, 1986.

Mrs. K. Densapa, Joint Director, G.I.C.I., is hereby sanctioned 60 days Commuted leave with effect from 2.9.86.

During her absence on leave Shri P. Thendup, Deputy Director G.I.C.I., is entrusted with the duties of the Joint Director in addition to his own on Charge Allowance @ 20 % of Rs. 2100/-

Further the delegation of powers to the Joint Director G.I.C.I. vide Notification No. 275/G/Est. dated 12.9.84, is hereby allowed to be exercised by Shri P. Thendup, Deputy Director, G.I.C.I., for the leave period.

By Order.

K. TOBDEN
Under Secretary,
Establishment Department.

OFFICE ORDER
No. 1954/Gen/Est.
Dated Gangtok, the 22nd October, 1986.

Mrs. Namgay Dolma, Under Secretary (Cabinet), Home Department is hereby promoted as Deputy Secretary (Cabinet) in the Home Department in the scale of Rs. 1800-45-2250-EB-50-2700 with effect from 7.10.86 against the post upgraded vide this Department Notification No. 439/(Gen)/Est. dated 7.10.86.

As usual, she will be on probation for one year.

By Order.

K.P. ADHIKARI,
Deputy Secretary
Establishment Department.

OFFICE ORDER
No. 1955/Gen/Estt.
Dated Gangtok, the 22nd October, 1986.

The Governor is pleased to order the following transfers and postings with immediate effect:

1. Miss B.M. Singh, IAS, Joint Director, Tourism Department is transferred and posted as Joint Secretary, Land Revenue Department vice Shri Nari Tshering.
2. Shri Nari Tshering, Joint Secretary, Land Revenue Department, is transferred and posted as Joint Director Tourism Department vice Miss B.M. Singh. On transfer, they will carry their own pay and scale.

By Order.

N. YETHENPA
Deputy Secretary,
Establishment Department.

OFFICE ORDER
Dated Gangtok, the 24th October 1986.

The following intre – departmental transfers are hereby made in the Information and Public Relation Department with immediate effect:

1. Shri P. Wangyal, District Information Officer (North) is transferred and posted as District Information Officer (West) vice Shri L. P. Barfungpa.
2. Shri L.P. Barfungpa, District Information Officer (West) is transferred and Posted as District Information Officer (North) vice Sl. No 1.

On transfer they will carry their own pay and scales.

T. DHONDUP,
Officer on Special Duty,
Establishment Department.
OFFICE ORDER
No. 1977/(Gen)/Estt.
Dated Gangtok, the 24th October, 1986.

Resignation tendered by Dr. Motilal Keshari, Medical Officer, District Hospital, Gyalsing, Health & Family Welfare Department, is hereby accepted w.e.f. 4.5.86

By Order.
K. TOBDEN,
Under Secretary,
Establishment Department.

OFFICE ORDER
No. 2014/(Gen)/Est.
Dated Gangtok, the 28th October 1986.

The following inter-departmental transfers are hereby made in the Agriculture Department with effect from the date they take over charge of their respective post:

1. Mr. Navin Karki, Horticulture Officer Daramdin, is transferred and posted as Horticulture Officer, Kamling-Birdang, along with his post;
2. Mr. Mani Kumar Pradhan, Agriculture Information Officer, Gyalsing is transferred and posted as Plant Protection Officer, Daramdin, vice Sl. No. 3 below;
3. Mr. Chhatra Bahadur Rai, Plant Protection Officer, Daramdin, is transferred and posted as Agriculture Information Officer, vice Sl. No. 2 above. On transfer, they will carry their own pay & scale.

By Order.
T.L-YAPSHI YUTHOK,
Under Secretary,
Establishment Department.

OFFICE ORDER
No. 2017/(Gen)/Estt.
Dated Gangtok, the 28th October, 1986.

Mrs. Usha Ganden Lachungpa is hereby appointed as Project Officer, Forest Department in the scale of Rs. 1320-2300 with effect from 25.10.86 i.e. the date of approval.

She will draw a basic pay of Rs.1320 p.m. in the above scale with such other allowances as admissible under the rules.

As usual, she will be on probation for one year and other terms and conditions of service will be governed by this Department’s Memorandum No.1044/-G/Est, dated 26.7.86.

By Order.
K. P. ADHIKARI,
Deputy Secretary,
Establishment Department.

OFFICE ORDER
No. 2026/(Gen)/Estt.
Dated Gangtok, the 30th October, 1986.

Mrs. Prava Rai, Information Assistant, Tourism Department, Government of Sikkim is hereby promoted as Assistant Director in the Department in the scale of Rs. 1320-2300 with effect from 25.10.86 i.e. the date of approval.

As usual, she will be on probation for one year.

By Order.
N. YETHENPA
Deputy Secretary,
Establishment Department.
FINANCEDEPARTMENT
NOTIFICATION
No./15/Fin.
Dated Gangtok, the 21st October 1986.

The Governor is pleased to delegate to the Inspector General of Police the power to sanction Rs. 5 (five) only per head per day as meal charge to the Police Personnel (Civil SAP and CRP) deployed on emergency duty in connection with law and order problems whenever the duty period is stretched continuously for more than eight hours.

K.C. PRADHAN,
Secretary,
Finance Department.

OFFICE ORDER
No.194/Fin.
Dated Gangtok, the 1st October, 1986.

Shri A.C Negi, AIG.P., is declared As Head of Office only for the Police Headquarters, Gangtok, and not as Drawing and Disbursing Officer as declare vide this Department Office Order No. 181/Fin Dated 9th September, 1986.

By Order.
D. NIODUP,
Chief Accounts Officer,
Finance,
Government of Sikkim.

OFFICE ORDER
No. 195/Fin.
Dated Gangtok, the 3rd October, 1986.

During the absence of Shri M.B. Ruchal, Sr. Accounts Officer, Agriculture Department, Government of Sikkim, on leave with effect from 3.10.86, Shri M.C. Khati, Deputy Director (Horticulture), Agriculture Department, Government of Sikkim, is hereby declared as Drawing and Disbursing Officer with immediate effect till Shri Ruchel's return from leave.

By Order.
D. NIODUP,
Chief Accounts Officer
Finance,
Government of Sikkim.

OFFICE ORDER
No. 197/Fin.
Dated Gangtok, the 18th October, 1986.

Smt. T. Dolkar, Under Secretary, Election Department, Government of Sikkim, is hereby declared as Drawing and Disbursing Officer with immediate effect vice Shri Tshering Namgyal Bhutia since transferred to Scheduled Caste and Tribe Welfare Department.

By Order.
D. NIODUP,
Chief Accounts Officer,
Finance,
Government of Sikkim.

OFFICE ORDER
No. 198/Fin.
Dated Gangtok, the 18th October, 1986.

Shri G.K. Subba, Joint Chief Electoral Officer, Election Department, Government of Sikkim, is hereby declared as Head of Office with immediate effect vice Shri H R. Gupta since relieved from Service.

By Order.
D. NIODUP,
Chief Accounts Officer
Finance,
Government of Sikkim.

OFFICE ORDER
No. 213/Fin.
Dated Gangtok, the 24th October, 1986.

Shri A.K. Srivastava, Deputy District Officer, Rural Development Department North District, Mangan, is hereby declared as Head of Office vice Shri D.P. Kaleon since transferred to Head Office.

By Order.
D. NIODUP,
Chief Accounts Officer
Finance,
Government of Sikkim.
OFFICE ORDER
No. 216/Fin.
Dated Gangtok, the 25th October, 1986.
Shri L.T. Lepcha, Accounts Officer, S.T.N.M. Hospital, Health and Family Welfare Department, Government of Sikkim, is hereby declared as Drawing and Disbursing Officer with immediate effect.

By Order.
D. NIODUP,
Chief Accounts Officer,
Finance,
Government of Sikkim.

OFFICE ORDER
No. 217/Fin.
Dated Gangtok, the 25th October, 1986.
Shri D.T. Targain, Accounts Officer, Animal Husbandry Department, Government of Sikkim, is hereby declared as Drawing and Disbursing Officer with immediate effect vice Shri Tashi Tamang, Accounts Officer, since transferred to Pay & Accounts Office.

By Order.
D. NIODUP,
Chief Accounts Officer,
Finance,
Government of Sikkim.

OFFICE ORDER
No. 221 /Fin.
Dated Gangtok, the 27th October, 1986.
During the absence of Shri L. Gyaltsen, Planning Officer, Planning & Development Department, Government of Sikkim, on tour to New Delhi with effect from 26.10.1986, Mrs. G. Wangyal, Under Secretary, Planning & Development Department, Government of Sikkim, is hereby declared as Drawing and Disbursing Officer with immediate effect till Shri Gyaltshen's return from tour.

By Order.
D. NIODUP,
Chief Accounts Officer,
Finance,
Government of Sikkim.

OFFICE ORDER
No. 222/Fin.
Dated Gangtok, the 27th October, 1986.
During the absence of Shri P.S. Moktan, Secretary-Cum-Chief Conservator of Forests, Forests Department, Government of Sikkim, on tour to New Delhi with effect from 2610.1986, Shri P.K. Basnett, Additional Chief Conservator of Forests, Forests Department, Government of Sikkim is hereby allowed to exercise financial powers of Head of Department with immediate effect till Shri Moktan's return from tour.

By Order.
D. NIODUP,
Chief Accounts Officer,
Finance,
Government of Sikkim.

OFFICE ORDER
No. 223/Fin.
Dated Gangtok, the 27th October, 1986.
During the absence of Shri B.S. Basnet, Director-Cum-Secretary, Agriculture Department, Government of Sikkim, on tour to New Delhi with effect from 26.10.86, Shri P. Bhutia, Additional Director, Agriculture Department, Government of Sikkim, is hereby allowed to exercise financial Powers of Director-Cum-Secretary till Shri Basnet's return from tour.

By Order.
D. NIODUP,
Chief Accounts Officer,
Finance,
Government of Sikkim.
FINANCE DEPARTMENT
NOTIFICATION
No. 14/Fin.
Dated Gangtok, the 9th October, 1986.

On the basis of representation received from the private transporters Finance Department Notification No. 11/Fin dated 4.9.86. stands withdrawn with effect from 1.10.86. A separate order regarding the transportation charges to be paid to private transporters is being issued.

R.C PRADHAN,
Secretary,
Finance Department.
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<td></td>
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</table>
Notifications regarding appointments, postings, transfers, leave etc

HOME DEPARTMENT
OFFICE ORDER
No. 7(7)/Home/80/3129
Dated Gangtok, the 12th November, 1986.

The State Government hereby appoints Shri Tsegyal Tashi, Under Secretary, Home Department, Government of Sikkim to function as the Secretary to the Advisory Board constituted under the National Security Act, 1980 with effect from 11th November, 1986.

This assignment shall be in addition to his normal duties.

M.M. RASAILY,
Home Secretary,
Government of Sikkim.

NOTIFICATION
No.7(7)Home/80/1326
Dated Gangtok, the 15th November, 1986.

In partial modification of Notification No 7 (7) Home / 80 / 1069 dated the 2nd September, 1986 in the Home Department, Government of Sikkim constituting the Advisory Board under the National Security Act, 1980, the State Government hereby appoint Shri M. P. Pradhan, Advocate, to be a member of the Advisory Board in place of Shri Justice R. Dayal since resigned.

By order and in the name of Governor.

M.M. RASAILY,
Home Secretary,
Government of Sikkim.

ESTABLISHMENT DEPARTMENT
NOTIFICATION
No. 469/(Gen)/Estt.
Dated Gangtok, the 22nd November, 1986.

The Governor is pleased to sanction creation of a post of Deputy Secretary, in the Establishment Department in the scale of Rs. 1800-45-2250-Eb-50-2700 with immediate effect.

The expenditure on the above post shall be debitable to Head “252” Secretarial General Services A Secretarial A 1 (1) Salaries.

N. YETHENPA,
Deputy Secretary to the Govt. of Sikkim,
Establishment Department.

NOTIFICATION
No. 475/Gen/Estt.
Dated Gangtok, the 28th November, 1986.

The Governor of Sikkim is pleased to sanction the creation of one post of Technical Officer in the scale of Rs. 1320-30-1650-Eb-40-2050-Eb-50-2300 and one post of Stenographer in the scale of Rs. 920-20-1060-Eb-25-1210-Eb-30-1660 under the Goiter Cell, Health and Family Welfare Department with immediate effect.

The expenditure of the above posts is debitable to M.H. ‘282’ ‘A’ I (5) Plan.

T. DHONDUP,
Officer On Special Duty,
Establishment Department.

NOTIFICATION
No. 476/(Gen)/Estt.
Dated Gangtok, the 28th November, 1986.

The Governor of Sikkim is pleased to sanction the creation of one post of a Deputy on adhoc basis in the scale of Rs. 720-12-840-Eb-14-960-Eb-15-1055 in the Home Department (Protocol Section) with effect from 19.11.86.

The expenditure of the above post shall be debitable to Head “252” “7” Home Departmental Salaries (Non-Plan).

T. DHONDUP,
Officer On Special Duty,
Establishment Department.

NOTIFICATION
No. 477/Gen/Estt.
Dated Gangtok, the 28th November, 1986.

The Governor of Sikkim is pleased to sanction the creation of the following posts under Health and Family Welfare Department with immediate effect:

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Name of the post</th>
<th>Post</th>
</tr>
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<tbody>
<tr>
<td>1</td>
<td>Officer-In charge</td>
<td>l(1)</td>
</tr>
<tr>
<td></td>
<td>Cold chain</td>
<td>Rs.1320-2300</td>
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<tr>
<td>2</td>
<td>District Immunisation</td>
<td>l(1)</td>
</tr>
<tr>
<td></td>
<td>Officer</td>
<td>Rs. 1320-2300</td>
</tr>
<tr>
<td>3</td>
<td>Mechanic (Refrigerator)</td>
<td>l(1)</td>
</tr>
<tr>
<td></td>
<td>Rs.770-1100</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Driver</td>
<td>l(1)</td>
</tr>
<tr>
<td></td>
<td>Rs. 720-1055</td>
<td></td>
</tr>
</tbody>
</table>

The expenditure of the above posts shall be debitable to major Head “281” Family Welfare (100% CCS) B-II Rural Family Welfare Services.

T. DHONDUP,
Officer On Special Duty,
Establishment Department.
OFFICE ORDER
No. 599/Home/86
Dated Gangtok, the 20th November, 1986.

Shri Robin Prakash Chettri, Peon who was transferred from Tourism Department to Home Deptt. did not join his duty even after lapse of 7 months and publication of Notice in Sikkim Herald as such he is hereby declared as deserter.

By Order

G. GOPARMA,
Deputy Secretary,
Home Department.
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<td>VI— Nil</td>
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<tr>
<td>VIII—Nil</td>
<td></td>
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<td>X—(ii) Rainfall—Nil</td>
<td></td>
</tr>
</tbody>
</table>
NOTIFICATIONS REGARDING APPOINTMENTS, POSTINGS, TRANSFERS, LEAVE ETC.

HIGH COURT OF SIKKIM
OFFICE ORDER
No/532'HCS.
Dated Gangtok, the 23rd December, 1986.

Hon'ble the Chief Justice has been pleased to allow 15 days special casual leave to Shri T. Dorjee, Additional District & Sessions Judge, Sikkim at Gangtok, with effect from 15-1-87 to 29-1-87 duly prefixing the Maghe Sankranti Holidays on 13th 14th January, 1987 with permission to remain away from the station during the above period.

During the above leave period the Civil Judge-cum-Judicial Magistrate (East) shall remain in charge of both the offices and courts of District/Additional Sessions Judges.

By Order
A.P. SUBBA,
Registrar.

ESTABLISHMENT DEPARTMENT
OFFICE ORDER
No. 2271/Gen/Estt.
Dated Gangtok, the 5th December, 1986.

Leave for 8 days w.e.f. 22.11.86 to 29.11.86 applied for and availed of by Shri K.M.L. Chhabra, Chief Secretary, Government of Sikkim, is hereby sanctioned as Commutted Leave.

By Order
K. TOBDEN,
Under Secretary,
Establishment Department.

OFFICE ORDER
No. 2279/Gen/Est.
Dated Gangtok, the 8th December, 1986.

Shri Rajen Sharma is hereby appointed as Assistant Engineer, Sikkim Public Works Department (Roads & Bridges) in the scale of Rs. 1320-30-1650-EB-40-2050-EB-50-2300 with effect from 1.7.86.

He will draw a basic pay of Rs. 1320/-p.m. in the above scale with other allowances as admissible under the rules.

As usual, he will be on probation for one year.

N. YETHENPA,
Deputy Secretary,
Establishment Department.

OFFICE ORDER
No. 2280/(Gen)/Estt.
Dated Gangtok, the 8th December, 1986.

Shri K. M.L. Chhabra, IAS (T.N: 1957), Chief Secretary to the Government of Sikkim, is hereby relieved with effect from 9.12.86.

N. YETHENPA,
Deputy Secretary,
Establishment Department.

OFFICE ORDER
No. 2274/Gen/Estt.
Dated Gangtok, the 6th December, 1986.

Extension of leave for 4 days w.e.f. 30.11.86 to 3.12.86 applied for and availed of by Shri K.M.L. Chhabra, Chief Secretary, Government of Sikkim in continuation of previous leave granted vide O.O. No. 2271/G/Est. dated 5.12.86 is hereby sanctioned as Commutted leave.

By Order
K. TOBDEN,
Under Secretary,
Establishment Department.

OFFICE ORDER
No. 2272/(Gen)/Estt.
Dated Gangtok, the 8th December, 1986.

Consequent on the upgradation of the post of Technician (Nutrition) to that of Assistant Nutrition Officer in the scale of Rs. 1320-30-1650-EB-40-2055-EB-50-2300, vide Notification 488/(Gen)/Estt. Dated 8.12.86, Shri Jiwan Kumar Dayali is hereby promoted against the upgraded post w.e.f. 2.12.86, i.e. the date of approval.

As usual, he will be on probation for one year.

N. YETHENPA,
Deputy Secretary,
Establishment Department.
OFFICE ORDER
No.2294/(Gen)/Est.
Dated Gangtok, the 10th December, 1986.

Mr. M.B Gurung, A. R. P. O. Agriculture Department, shall retire from service on superannuation with effect from the afternoon of 31.12.86 in accordance with Rule 98 of Sikkim Government Service Rules, 1974, as amended by Notification No. 5(56)86/Gen/Est. Dated 20.7.83.

By Order.

T. L. YAPSHI YUTHOK,
Under Secretary,
Establishment Department.

OFFICE ORDER
No. 2408/(Gen)Estt.
Dated Gangtok, the 1st December, 1986.

Under the Rule 8 of the Sikkim Government Rules of Business, 1975, the Chief Minister is pleased to appoint Shri H. M. Singh, Chief Secretary, as Secretary to the Council of Ministers with immediate effect.

J.T. DENSAPA,
Secretary,
Establishment Department.

OFFICE ORDER
No. 2413/(Gen)/Est.
Dated Gangtok, the 31st December, 1986.

Mr. BB. Rai, Accounts Officer, Health and Family Welfare Department, is hereby promoted as Sr. Accounts Officer against the existing vacancy in the same Department in the scale of Rs. 1800-45-2250-EB-50-2700 with immediate effect.

As usual, he will be on probation for one year.

By Order.

K.P. ADHIKARI,
Deputy Secretary,
Establishment Department.

OFFICE ORDER
No. 2414/Gen/Estt.
Dated Gangtok, the 31st December, 1986.

Shri Ngwang Thinley, Gendrung, Ecclesiastical Department, is hereby placed in the scale of Rs. 2100-65-2425-EB-75-3025 as personal to him with immediate effect.

By Order

K.P. ADHIKARI,
Deputy Secretary
Establishment Department.

NOTIFICATION
No. 505/(Gen) Est.
Dated Gangtok, the 31st December, 1986.

The Governor of Sikkim is pleased to up-grade the existing posts of Assistant Text Book Writer (Nepali Language) and Asst. Text Book Writer (Limboo Language) to that of Text Book Officer, (Nepali Language) and Text Book Officer (Limoo Language), respectively, in the scale of Rs. 1320-2300 with immediate effect.

By Order

K.P. ADHIKARI,
Deputy Secretary,
Establishment Department.
OFFICE ORDER
No. 502/(Gen)/Estt.
Dated Gangtok, the 29th December, 1986.

The Governor, of Sikkim is pleased to sanction creation of a post of Driver in the Industries Department in the scale of Rs. 720-1055 with immediate effect.

The expenditure shall be debitable to Budget Head "321-B,1(I)-Salaries (Plan)"

C.M. CHHETRI,
Deputy Secretary,
Establishment Department.

FINANCE DEPARTMENT
OFFICE ORDER
No. 281/Fin.
Dated Gangtok, the 16th December, 1986.

During the absence of Dr. B.S. Basnet, Director-cum-Secretary, Agriculture Department, Government of Sikkim, on one month's leave with effect from 15.12.1986, Shri S. Lama, Additional Director (Plant Protection), Agriculture Department, Government of Sikkim, is hereby allowed to exercise financial powers of Head of Department with immediate effect till Dr. B.S. Basnet's return from leave.

By Order.

D. NIODUP,
Chief Accounts Officer,
Finance,
Government of Sikkim.

OFFICE ORDER
No. 282/Fin.
Dated Gangtok, the 16th December, 1986.

Shri P.T. Gyamtso, Director, Printing & Stationery Department, will be leaving for Hyderabad for the compulsory Refresher Programme for a week commencing from 20.12.86, and he will be proceeding on 15 days' privilege leave thereafter. During the absence of Shri P.T. Gyamtso on training/privilege leave, Mr. P.K. Gurung, Dy. Director, Printing & Stationery Department, Government of Sikkim, is hereby allowed to act as Drawing & Disbursing Officer with effect from 20.12.1986 till Shri Gyamtso return from training/privilege leave.

By Order

D. NIODUP,
Chief Accounts Officer
Finance
Government of Sikkim

NOTIFICATION
No. 16/Fin.
Dated Gangtok, the 19th December, 1986.

In exercise of the powers conferred by the proviso to Article 309 of Constitution of India, the Governor pleased to amend the General Provident Fund (Sikkim Services) Rules, 1984 following namely:

1. Short title (1). These rules may be called the General Provident Fund Sikkim Service (Amendment) Rules 1986.

2. Rule 12 Rule 12 shall be deleted.

This will be effective from 1.4.86.

By Order.

K.C. PRADHAN
Secretary,
Finance Department

NOTIFICATION
No. 17/Fin.
Dated Gangtok, the 19th December, 1986.

In terms of rule 11 of the General Provident Fund (Sikkim Services) Rules 1984 it is announced for general information that the accumulation at the credit of the subscribers to the General Provident Fund shall carry interest at the rate of 12% (twelve percent) per annum. The rate will come into force with effect from 1.4.86.

2. In cases where withdrawals of the nature of non-refundable advance are made during the year an among equivalent to one percent of the amount withdrawn, rounded to the nearest shall be deducted from the interest table to the account of the subscriber.

3. There will be no separate interest bonus.

By Order.

K.C. PRADHAN,
Secretary,
Finance Department