NOTIFICATION

The following Order made by the Governor of Sikkim today is published for general information:-

“No: SKM/GOV/2006

ORDER

I, V. Rama Rao, Governor of Sikkim hereby, order that Shri D.D. Bhutia, Minister for Land Revenue & Disaster Management, Urban & Housing Development and Irrigation & Flood Control will remain as the overall in-charge of the Administration during the absence of the Chief Minister who will be on official tour abroad from 11/1/2006 to 22/1/2006.

V. RAMA RAO
GOVERNOR OF SIKKIM”

BY ORDER.

G.K. SUBBA, IAS
ADDITIONAL CHIEF SECRETARY
F.NO. GOS/HOME-II/82/1 VOL-III.
NOTIFICATION

Whereas the State Government has deemed it expedient to fill up 1 (one) post of Confidential Assistant in the Sikkim Sub-ordinate (Ministerial and Executive) Service Rules, 1984 (hereinafter referred to as the said rules) by regularization of services of Mr. Rudra Prasad Sharma who is working on Adhoc basis;

And whereas under rule 7 read with Schedule-II of the Sikkim Sub-ordinate (Ministerial and Executive) Service Rules, 1984, the method of recruitment to the post of Confidential Assistant in Grade-III of the service are as under, namely :-

“50% by direct recruitment through open competitive examination” and “50% by promotion through a limited departmental competitive examination”;

And whereas, Mr. Rudra Prasad Sharma has been working from March, 2005 as Confidential Assistant on Adhoc basis satisfactorily and have gained experience;

And whereas the State Government is of the opinion that it is necessary or expedient to relax the provision relating to the method of recruitment prescribed under rule 7 read with Grade-III (1) of Schedule-II of the said rules to regularize the services of Mr. Rudra Prasad Sharma who is working as Confidential Assistant on Adhoc basis;

Now, therefore, in exercise of the powers conferred by rule 10 of the said rules, the Governor of Sikkim is hereby pleased to relax the provision relating to the method of recruitment prescribed under rule 7 read with Grade-III (1) of the Schedule-II of the said rules with a view to regularize the services of Mr. Rudra Prasad Sharma, Confidential Assistant on Adhoc basis through Sikkim public Service Commission as one time relaxation.

BY ORDER AND IN THE NAME OF THE GOVERNOR.

C.L. SHARMA
SPECIAL SECRETARY TO THE GOVERNMENT
DEPTT. OF PERSONNEL, ADM. REFORMS, TRAINING, PUBLIC GRIEVANCES, CAREER OPTIONS & EMPLOYMENT SKILL DEVELOPMENT AND CHIEF MINISTER’S SELF EMPLOYMENT SCHEME
NOTIFICATION

It is hereby notified that Shri. Bhim Bahadur Gurung, Sabhapati of 20. Sadam Suntaley, Gram Panchayat Unit, South District has been removed from his office by a resolution passed by the Gram Panchayat on 20.12.2005 in accordance with section 27 of the Sikkim Panchayat Act 1993. The resultant vacancy shall be filled by election in pursuance of section 28 of the Sikkim Panchayat Act, 1993.

By order

Director, Panchayat
Rural Management & Development Department
Government of Sikkim
In exercise of the powers conferred by sub-section (2) of section 30 of the Consumer Protection Act, 1986 (68 of 1986) and in supersession of the Sikkim Consumer Protection Rules, 1990, the State Government hereby makes the following rules, namely:-

1. **Short title Commencement**
   (1) These rule may be called the Sikkim State Consumer Protection Rules, 2006.
   (2) They shall come into force on the date of their publication in the Official Gazette.

2. **Definitions.**
   (1) In these rules, unless the context otherwise requires:-
   (a) ‘Act’, means the Consumer Protection Act, 1986 (68 of 1986);
   (b) ‘agent’ means a person duly authorized by a party to present any complaint, appeal or reply on its behalf before the District Forum and the State Commission;
   (c) ‘appellant’ means a party which makes an appeal against the order of the District Forum;
   (d) ‘Chairman’ means a Chairman of the Sikkim State Consumer Protection Council established under sub-section (1) of section 7 of the Act;
   (e) ‘memorandum’ means any memorandum of appeal filed by the appellant;
   (f) ‘opposite party’ means a person who answers complaint or claim;
   (g) ‘President’ means the President of the State Commission or the District Forum as the case may be;
   (h) ‘respondent’ means the person who answers any memorandum of appeal;
   (i) ‘section’ means a section of the Act;

2. Words and expression used in the rules and not defined but defined in the Act shall have the meaning respectively assigned to them in the Act.

3. **State Government to recognize a laboratory as an appropriate laboratory**
   (1) For the purpose of obtaining recognition as an appropriate laboratory, the applicant shall send application, in triplicate, in the proforma prescribed by the Bureau of Indian Standards with the relevant details to the department concerned with the consumer protection work in the State Government.
   (2) The State Government on receiving the application from the applicant, shall forward its two copies to the Bureau of Indian Standards to assess the suitability of the laboratory from the standards prescribed by them (Bureau of Indian Standards). The fee charged by the Bureau of Indian Standards for this purpose, shall be paid by the applicant.
(3) The State Government on receiving the recommendations and approval of the Bureau of Indian Standards shall notify that laboratory as an “appropriate laboratory” for the purpose of Consumer Protection Act, 1986 for a period of three years.

4. **Constitution of the State Consumer Protection Council:-**

   (1) The State Government shall, by notification in the Official Gazette, constitute the State Consumer Protection Council (hereafter referred to as the State Council) which shall consist of the following members, namely:-
   (a) the Minister-in-Charge of the Department of Food and Civil Supplies and Consumer Affairs, who shall be the Chairman of the State Council;
   (b) non-official members representing interests of consumers, trade and industry, public service sector not exceeding 10 (ten);
   (c) representative of Consumer Organisations not less than 20 (twenty);
   (d) representative of women not less than 5 (five);
   (e) senior Officers and Secretaries of the State Government Departments concerned with consumer interests not exceeding 7 (seven);
   (f) representative of farmers and Cooperative Societies not exceeding 10 (ten);
   (g) persons capable of representing consumer interests not specified above not exceeding 5 (five);
   (h) such members of other officials or non-official members, not exceeding ten, as may be nominated by the Central Government;
   (i) the Secretary in the Department of Food and Civil Supplies and Consumer Affairs, shall be the Member-Secretary of the State Council.

   (2) The term of the Council shall be three years
   (3) Any member may, by writing under his/her hand to the Chairman of the State Council resign from the Council. The vacancies so caused or otherwise, shall be filled by the State Government and such persons shall hold office so long as the members whose place he/she fills would have been entitled to hold office, if the vacancy not occurred.

5. **Procedure of the State Council:** - The State Council shall observe the following procedure in regard to the transaction of its business namely:-

   (1) The meeting of the State Council shall be presided over by the Chairman. In the absence of the Chairman, the State Council shall elect a member to preside over the meeting of the Council.
   (2) The State Council may meet as and when necessary but not less than two meeting should be held every year.
   (3) Each meeting of the State Council shall be called by giving not less than 15 (fifteen) days from the date of issue, notice in writing to every member.
   (4) Every notice of a meeting of the State Council shall specify the place and the day and hour of the meeting and shall contain statement of business to be transacted thereat.
   (5) The State Council may constitute from amongst its members such working groups as it may deem necessary and working groups so constituted shall perform such functions as may be assigned to it by the State Council. The findings of such working groups shall be placed before the State Council for its consideration.
   (6) In connection with the journey undertaken to and fro by the non-official members for attending the meeting of the State Consumer Protection Council, he/she shall be entitled to avail T.A. and D.A. as entitled to Grade I Officers of the State Government. Local non-officials members residing at the place of venue of the meeting shall be paid consolidated conveyance charges and incidental charges to cover the daily allowances to the tune of Rs. 100/- per day irrespective of the classification of the area.
   (7) The resolution passed by the State Council shall be sent to the State Government for consideration.

6. **Object of the State Council:**

The object of the State Council shall be to promote and protect the right of the consumer such as:-

(a) the right to be protected against the marketing of goods which are hazardous to life and property;
the right to be informed about the quality, quantity, potency, purity, standards and price of goods
so as to protect the consumer against unfair trade practices;
(c) the right to be assured, wherever possible, access to a variety of goods and services at competitive
prices;
(d) the right to be heard and to be assured that consumer’s interest will receive due consideration
at appropriate forums;
(e) the right to seek redressal against unfair trade practices [or restrictive trade practices] or
unscrupulous exploitation of consumers; and
(f) the right to consumer education.

7. **The District Consumer Protection Council:**

(1) The State Government shall, by notification in the Official Gazette, constitute for every district,
a council to be known as the District Consumer Protection Council with effect from such date as it may
specify in such notification.

(2) The District Consumer Protection Council (hereinafter referred to as the District Council) shall
consist of the following members, namely :
(a) the District Collector, who shall be its Chairman; and
(b) non-official members representing interests of consumers, trade and industry, public service sector-
not exceeding 5 (five);
(c) representative of Consumer Organisations not less than 10 (ten);
(d) representative of women-not less than 3 (three);
(e) senior Officers of the State Government Departments concerned with consumer interests-not
exceeding 4 (four);
(f) representative of farmers and Cooperative Societies- not exceeding 5 (five);
(g) persons capable of representing consumer interests not specified above not exceeding 3 (three)
(h) such members of other officials or non-official members, not exceeding five, as may be nominated by
the State Government;
(i) the Additional District Collector of the District shall be the Member-Secretary of the District Council.
(3) The term of the Council shall be three years
(4) Any members may, by writing under his/her hand to the Chairman of the District Council resign from
the Council. The vacancies so caused or otherwise, shall be filled by the State Government and such
persons shall hold office so long as the members whose place he/she fills would have been entitled to
hold office, if the vacancy not occurred.

**District Consumer Protection Officer:**

8. The District Council will be coordinated by a specific officer in each District being designated as
District Consumer Protection Officer to assist the District Collector in implementation and observance of
above suggested activities

9. **Procedure of the District Council:** The District Council shall meet at such time and place
within the District as the Chairman may think fit and shall observe the following procedure in regard to
the transaction of its business:

(1) The meeting of the District Council shall be presided over by the Chairman. In the absence of the
Chairman, the District Council shall elect a member to preside over the meeting of the Council.
(2) The District Council may meet as and when necessary but not less than two meeting should be held
every year.
(3) Each meeting of the District Council shall be called by giving not less than 15 (fifteen) days from the
Date of issue, notice in writing to every members.
(4) Every notice of a meeting of the District Council shall specify the place and the day and hour of the
meeting and shall contain statement of business to be transacted thereat.
(5) The District Council may constitute from amongst its members such working groups as it may deem
necessary and working groups so constituted shall perform such functions as may be assigned to it by
the District Council. The findings of such working groups shall be placed before the District Council for its consideration.

(6) In connection with the journey undertaken to and fro by the non-official members for attending the meeting of the State Consumer Protection Council, he/she shall be entitled to avail T.A. and D.A. as entitled to Grade –I Officers of the State Government. Local non-official members residing at the place of venue of the meeting shall be paid consolidated conveyance charges and incidental charges to cover the daily allowances to the tune of Rs. 100/- per day irrespective of the classification of the area.

(7) The resolution passed by the District Council shall be sent to the State Government for consideration.

10. **Object of the District Council:**

The object of every District Council shall be to promote and protect within the district the rights of the consumers laid down in clauses (a) to (f) of rule 6.

11. **Salaries and other allowances and terms and conditions of the President and members of the District Forum:**

(1) The President of the District Forum will receive the salary of the Judge of a District Court if appointed on whole-time basis or an honorarium of one hundred fifty rupees per day for the sitting if appointed on part-time basis. Other members shall receive two thousand rupees as consolidated honorarium or one hundred rupees per day for the sitting:

Provided that the non-official members shall receive a consolidated honorarium of three hundred rupees per day for the sitting.

(2) The President and the Members of the District Forum shall be entitled for such traveling allowances and daily allowances on official tour as are admissible to Grade I Officers of the State Government. Local non-official members residing at the District Headquarters shall be paid consolidated conveyance charges and incidental charges to cover the daily allowances to the tune of Rs. 100/- per day irrespective of the classification of the area.

(3) The salary, honorarium and other allowances shall be defrayed out of the Consolidated Fund of the State Government.

12. **Place of sitting and other matters relating to District Forum:**

(1) The office of the District Forum shall be located at the headquarter of the District. Where the State Government decides to establish a single District Forum having jurisdiction over more than one district, it shall notify the place and jurisdiction of the District Forum so established.

(2) The working days and the office hour of the District Forum shall be the same as that of the State Government.

(3) The official seal and emblem of the District Forum shall be such that of the State Government.

(4) Sitting of the District Forum, as and when necessary, shall be convened by the President.

13. **Staff of the District Forum.**

The State Government shall appoint such staff as may be necessary to assist the District Forum in its day to day work and to perform such other functions as are provided under the Act and these rules. The salary to such staff shall be defrayed out of the Consolidated Fund of State Government.

14. **Procedure for selection of members of the District Forum**

(1) Save as otherwise, the process of appointment of a member shall be initiated at least three months before the vacancy arises.

(2) If a vacancy exists due to resignation or death of a member or creation of a new post, the process for filling the post shall be initiated immediately after the post has fallen vacant or is created, as the case may be.
(3) An advertisement of a vacancy inviting application from eligible candidates may be published in leading newspapers in the State or by vacancy circular or both, as may be decided by the State Government.

(4) After scrutiny of the application received till the last date specified for receipt of application, a list of eligible candidates along with their application shall be placed before the Selection Committee constituted under sub-section (1A) of Section 10 of the Act.

(5) The Selection Committee shall consider all the application of eligible applicants referred to it.

(6) The Selection Committee may, if it consider necessary, depending on the number of candidates, short list them on the basis of merit and call such short listed candidates for personal interview to consider their suitability for the post of member.

(7) The Selection Committee may, on the basis of its assessment made by it, recommend a panel of names of candidates for appointment as a Member from amongst the applicants in order of merit for the consideration of the State Government.

(8) Every appointment of a Member shall be subject to his medical fitness.

(9) Before appointment, the President and Members of the District Forum shall have to take an undertaking that he does not and will not have any such financial or other interests as is likely to affect prejudicially his functions as a member.

(10) President and the members of the District Forum shall hold office for a term of five years or up to the age of sixty five years whichever is earlier.

Provided that a member shall be eligible for re-appointment for another term of five years or up to the age of sixty five years, whichever is earlier, subject to the condition that he/she fulfils the qualification and other conditions for appointment mentioned in clause (b) of sub-section (1) of section 10 of the Act and such reappointment is also made on the basis of the recommendation of the Selection Committee.

15. Removal of President or member from the office:-

The State Government may remove from the Office, the President and Member of a District Forum who—

a) has been adjudged an insolvent; or
b) has been convicted of an offence which in the opinion of the State Government, involves moral turpitude; or
c) has become physically or mentally incapable of acting as such member; or
d) has acquired such financial or other interest as it is likely to affect prejudicially his functions as a member; or
e) has so abused his position as to render his continuance in Office prejudicial to the public interest; or
f) has absented himself from three consecutive sitting of the District Forum without reasonable cause.

Provided that the President or Member shall not removed from his office on the ground specified in clauses [d] and [e] exception on inquiry held by the State Government in accordance with such procedure as it may specify in this behalf and finds the member to be guilty of such grounds.

The terms and conditions of the service of the President and the members of the District Forum shall not be varied to their disadvantage during their tenure of Office.

Where any vacancy occurs in the office of the President of the District Forum, the senior most (in order of appointment) member of District Forum, holding office for the time being, shall discharge the functions of the presidential person, appointed to fill such vacancy assumes the office of the president of the District Forum.

When the President of the District Forum is unable to discharge the functions owing to absence, illness or any other cause, the senior most (in order to the appointment) member of the District Forum shall
discharge the functions of the President until the day on which the president resumes the charge of this functions.

The President or any Member ceasing to hold office as such shall not hold any appointment in or be connected with the management or administration of an Organisations which have been the subject of any proceeding under the Act during his tenure for a period of five years from the date on which he cease to hold office.

16. Procedure for selection of members of the State Commission

(1) Save as otherwise, the process of appointment of a member shall be initiated at least three months before the vacancy arises.

(2) If a post vacant due to resignation or death of a member or creation of a new post, the process for filling the post shall be initiated immediately after the post has fallen vacant or is created, as the case may be.

(3) An advertisement of a vacancy inviting application from eligible candidates may be published in leading newspapers in the State or by vacancy circular or both, as may be decided by the State Government.

(4) After scrutiny of the application received till the last date specified for receipt of application, a list of eligible candidates along with their application shall be placed before the Selection Committee constituted under sub-section (1A) of Section 16 of the Act.

(5) The Selection Committee shall consider all the application of eligible applicants referred to it.

(6) The Selection Committee may, if it consider necessary, depending on the number of candidates, short list them on the basis of merit and call such short listed candidates for personal interview to consider their suitability for the post of member.

(7) The Selection Committee may, on the basis of its assessment made by it, recommend a panel of names of candidates for a appointment as Member from amongst the applicants in order of merit for the consideration of the State Government.

(8) Every appointment of a Member shall be subject to his medical fitness.

(9) Before appointment, the President and Members of a District Forum shall have to take an undertaking that he does not and will not have any such financial or other interest as is likely to affect prejudicially his functions as a Member.

(10) President and the members of the State Commission shall hold office for a term of five years or up to the age of sixty seven years whichever is earlier. Provided that a member shall be eligible for re-appointment for another term of five years or up to the age of sixty seven years, whichever is earlier, subject to the condition that he/she fulfils the qualification and other conditions for appointment mentioned in clause (b) of sub-section (l) of section 16 of the Act and such reappointment is also made on the basis of the recommendation of the Selection Committee.

Provided that the President and a Member may —

[a] by writing under his hand and addressed to the State Government resign his office any time;

[b] be removed from his office in accordance with the provisions of rules 17

17. Removal of President or Member from the office:-

The State Government may remove from the Office, the President and Members of the State Commission who-

[a] has been adjuged as an insolvent, or

[b] has been convicted of an offence which in the opinion of the State Government, involves moral turpitude, or

[c] has become physically or mentally incapable of acting as such member, or
[d] has acquired such financial or other interest as is likely to affect prejudicially his functions as a member, or

[e] has so abused his position as to render his continuance in office prejudicial his public interest:

Provided that the president or a member shall not be removed from his office on the ground specified in clauses [d] and [e] of this sub-rule except on an inquiry in this behalf and finds the member to be guilty of such grounds.

"Provided further that clauses [c], [d] and [e] shall not be applicable to the President if he is a sitting Judge of the High Court".

(f) Before appointment, president and a member of the State Commission shall have to take an undertaking that he does not and will not have any such financial or other interests as is likely to affect prejudicially his functions as such member.

(g) The term and conditions of the service of the President and the member of the State Commission shall not be varied to their disadvantage during their tenure of office.

(h) Every vacancy caused by resignation and removal of the president or any other member of the State Commission or otherwise shall be filled by fresh appointments as per the clause 3,4,5,6 and 7 of Rules 16.

(i) Where any such vacancy occurs in the office of the president of the State Commission, the senior most (in order of appointment) members, holding office for the time being, shall discharge the functions of the president until a person appointed to fill such vacancy assumes the office of the president of the State Commission.

(j) When the President of the State Commission is unable to discharge the functions owing to absence, illness or any other cause, the senior most [in order to the appointment] member of the State Commission shall discharge the functions of the president until the day on which the president resumes the charge of his functions.

(k) The president or any member ceasing to hold office as such shall not hold any appointment in or be connected with the management or administration of an Organisations during his tenure for a period of five years from the date on which he cease to hold such office.

18. **Salary and other allowances and terms and conditions of the president and members of the State Commission.**

1. The President of the State Commission will receive the salary of the Judge of a High Court if appointed on whole-time basis or a consolidated honorarium of five hundred rupees per day for the sitting, if appointed on part time basis, other Members shall receive consolidated honorarium of five hundred rupees per day for the sitting.

2. The President and the Members of the State Commission shall be eligible for such traveling allowances and daily allowances on official tour as are admissible to Grade I Officers of the State Government. Local non-official members residing at the State Capital shall be paid consolidated conveyance charges and incidental charges to cover the daily allowances to the tune of Rs. 100/- per day irrespective of the classification of the area.

3. The salary, honorarium and other allowances shall be defrayed out of the Consolidated Fund of the State Government.

19. **Staff of the State Commission:-**

The State Government shall appoint such staff, as may be necessary to assist the state Commission in its work and perform such other functions as are provided under these rules, or assigned to it by the President. The salary payable to such staff shall be defrayed out of the Consolidated Fund of the State Government.

-7-
20. **Place of sitting and other matters relating to State Commission:-**

(1) Office of the State Commission shall be located at the capital of the State.
(2) The working days and the office hours of the State Commission shall be the same as that of the State Government.

· “Provided that if the President of the State Commission is a sitting Judge of the High Court, the working days and other office hours of the Commission shall be the same as that of the High Court.”

(3) The official seal and emblem of the State Commission shall be such as that of the State Government.
(4) Sitting of the State Commission as and when necessary, shall be convened by the President

21. **Fee for making complaint before District Forum:-**

(1) Every complaint filed under sub-section (1) of section 12 of the Act with a District Forum shall be accompanied by a fee, as specified in the table given below in the form of crossed Demand Draft drawn on nationalized bank or through a crossed Indian Postal Order drawn in favour of the Registrar of the State Commission or the District Forum as the case may be, and payable at the respective place where the State Commission/District Forum are situated. The concerned District Forum shall deposit the amount of fee so received in the State Consumer Welfare Fund Account.

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Valued of goods or service and the compensation claimed</th>
<th>Amount of fee payable</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Up to one lakh rupees</td>
<td>Rs. 100/-</td>
</tr>
<tr>
<td>2</td>
<td>One lakh rupees and above but less than five lakhs rupees</td>
<td>Rs. 200/-</td>
</tr>
<tr>
<td>3</td>
<td>Five lakhs rupees and above but less than rupees 10 lakhs</td>
<td>Rs. 400/-</td>
</tr>
<tr>
<td>4</td>
<td>Ten lakhs rupees and above but not exceeding twenty lakhs rupees</td>
<td>Rs. 500/-</td>
</tr>
</tbody>
</table>

22. **Credit of the fine into the Consumer Welfare Fund when consumer are not identified conveniently:**

(1) Where an order is passed by the State Commission or the District Forum as the case may be directing the opposite party to pay such amount as determined by it on account of loss or injury suffered due to defect in goods complained against or alleged deficiency of service to a large number of consumers, who are not identifiable conveniently, such sum shall be credited by the State Commission or the District Forum as the case may be, in the State Consumer Welfare Fund.

(2) Any amount credited to the said fund shall be utilized in accordance with the provisions of the Sikkim State Consumer Welfare Fund Scheme 2000.

**JAYSHREE PRADHAN, I.A.S**
**PRINCIPAL SECRETARY**
**FOOD & CIVIL SUPPLIES AND CONSUMER AFFAIRS DEPARTMENT GOVERNMENT OF SIKKIM GANGTOK**

File No. 1 (168) CP/FCS&CA/04

This is to bring to the notice of the general public and fish farmers (sponsored as well as private) within the state for information and appropriate timely action for destroying existing stock of exotic magur and big head if any in their ponds. The department of Animal Husbandry & Dairying, Fisheries Division, Ministry of Agriculture, Government of India, New Delhi vide letter No:31016/1-96-FY(3) Dt:19th December, 1997 has banned the cultivation of African Cat Fish namely CLARIAS GARIEPINUS which was introduced into the country without official sanction.

A.K. Yadav, IAS
Commissioner-cum-Secretary
DE-ACQUISITION UNDER SECTION 48(1) OF LAND ACQUISITION ACT, 1894 ( ACT I OF 1894 )

Whereas the land whose description is given below was likely to be needed for public purpose and a notification to that effect had been made in the Official Gazette No.211 dated 19th May, 2005 Under Section 4(1) of the Land Acquisition Act, 1894 and whereas it has subsequently been revealed that the land is not required for public purpose and that possession over the land has not been taken over by the Collector, West District the Notification made earlier Under Section 4(1) of the Land Acquisition Act, 1894 is hereby cancelled.

DESCRIPTION OF THE LAND.

Khasra Nos. 657, 658/A, 652, 655, 653 & 650/A.

Block - Karmatar.
District - West Sikkim.

BOUNDARIES:

WEST : Kholsa.
NORTH : Sangkit Lepcha and Chekar Lepcha.
SOUTH : Kaley khola.

K.N.SHRAMA
SECRETARY,
LAND REVENUE & DISASTER MANAGEMENT DEPARTMENT,
GOVERNMENT OF SIKKIM,
GANGTOK.
File No. 47/LR&DMD(S)
DECLARATION UNDER SECTION 6 OF
LAND ACQUISITION ACT, 1894 (ACT I OF 1894)

Whereas the Governor is satisfied that land is needed for a public purpose, not being a purpose of the Union, namely for development of Tourist Village in the block of Barbing, East District, it is hereby declared that a piece of land comprising cadastral Plot Nos. 73/P, 74/P, 74/P(A), 74/P(B), 76, 77, 78, 79, 80/P(A), 80/P(B), 82/P, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 350, 354/P, 355 and 356/P measuring more or less 4.1940 hect. bounded as under:

EAST: Banjo of Topden Lepcha, Banjo and D.F of Kinga Lepcha.
WEST: S.P.W.D. Ranka Sichey Road.
NORTH: Khola and P.F of Rinzing Lepcha.
SOUTH: Banjo of Rinzing Lepcha, DF of Sonam Palden and others, Bhaichung Bhutia and Passang Tshering Bhutia is needed for aforesaid public purpose at the public expense within the aforesaid block of Barbing.

The declaration is made under the provisions of Section 6 of L.A.Act, 1894 (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.

K.N.SHRAMA
SECRETARY,
LAND REVENUE & DISASTER MANAGEMENT DEPARTMENT,
GOVERNMENT OF SIKKIM,
GANGTOK.
FILE NO.328/LR&DMD(S).
DECLARATION UNDER SECTION 6 OF
LAND ACQUISITION ACT, 1894 ( ACT I OF 1894 )

Whereas the Governor is satisfied that the land is needed for a public purpose, not being a purpose of the Union namely for the construction of Agam Singh Path, Namchi to Damthang Road under block Gumpa Ghurpisey, South Sikkim by SPWD (R&B), it is hereby declared that a piece of land comprising cadastral Plot Nos. 127, 128, 128(P), 129, 129(P), 132, 133, 137, 138, 141, 150, 153, 156, 155, 160, 160(P), 274, 275, 282, 283, 284, 285, 288, 289, 290, 293, 297, 298, 299, 308, 309, 312, 313, 313(P), 401, 403, 725, 726, 734, 735, 742, 743, 768, 770, 802, 810, 811, 812, 812(P), 814, 833, 838, 809, 839, 840, 841, 844, 856, 862, 863, 875, 876, 879, 882, 156/480, 225/505, 131/574, 132/575, 140/589, 140/590, 308/604, 132/619, 308/621, 132/662 and 734/983 measuring area more or less 3.8990 hectares bounded as under:

BOUNDARIES:
EAST : Private Holding.
WEST : - do -
NORTH : - do -
SOUTH : Private Holding is needed for the aforesaid public purpose at public expense within the aforesaid block of Gumpa Ghurpisey, South Sikkim.

The declaration is made under the provision of Section 6 of L.A.Act, 1894 ( 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, South, Namchi.

K.N.SHARMA
SECRETARY,
LAND REVENUE & DISASTER MANAGEMENT DEPARTMENT,
GOVERNMENT OF SIKKIM,
GANGTOK.
FILE NO. 334/LR&DMD(S)
NOTIFICATION

In pursuance of clause (v) of section 34 and clause (s) of section 35 of the Sikkim Panchayat Act, 1993, the State Government, hereby constitutes the following Committees for Disaster Management with its respective composition:-

I. Gram Panchayat Ward Disaster Management Committee.
   * Elected Panchayat Member of the Ward - Chairman
   * Ten Members nominated from amongst the following /groups of persons:
     (i) Opinion Leaders.
     (ii) School Teacher.
     (iii) Members of Self Help Groups/Community Based Organizations.
     (iv) Govt. Officials posted to the Gram Panchayat.
     (v) Youth Leaders.
     (vi) Ex-Army, Para-Military or Police personnel.

II. Gram Panchayat Unit Disaster Management Committee.
   * Sabhapati of the Gram Panchayat Unit - Chairman
   * Two Members from each Gram Panchayat Ward Committee nominated by the Chairman of such Committee.

Terms of reference:
* The Committees shall prepare disaster mitigation and preparedness plan.
* The Committees shall conduct mock drills twice a year.
* The Committees shall generate awareness amongst the residents on disaster preparedness and management.
* The Committees shall facilitate training of Disaster Management Teams.
* The Committees shall constitute the following Disaster Management Teams:
  * Search and Rescue Team.
  * First Aid Team.
  * Information Management Team.
  * Relief and Shelter Team.
  * Transport Management Team.

By Order.

V.B. Pathak, IAS
Commissioner-cum-Secretary,
Rural Management & Development Department.
NOTIFICATION

The following Officers are hereby appointed as Guardian Officers for the Gram Panchayat Units listed against their respective names under column No.2. The appointment is by post and shall pass on to a succeeding Officer in the event of transfer of any of the Guardian Officers listed hereunder. The appointment is an additional charge and the Officers shall continue to discharge their respective duties in their administrative Department.

**WEST DISTRICT.**

<table>
<thead>
<tr>
<th>Sl.No.</th>
<th>No &amp; Name of Gram Panchayat Unit</th>
<th>Guardian Officer</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>1. Karzi Mangnam</td>
<td>Assistant Engineer, RM&amp;DD, Gyalshing.</td>
</tr>
<tr>
<td>2</td>
<td>2. Dhupidara Narkhola</td>
<td>Divisional Forest Officer, Social Forestry, Gyalshing.</td>
</tr>
<tr>
<td>3</td>
<td>3. Kongri Labdang</td>
<td>Assistant Engineer, Human Resources Development Department, Gyalshing.</td>
</tr>
<tr>
<td>4</td>
<td>4. Tashiding</td>
<td>Additional District Collector-I, Gyalshing.</td>
</tr>
<tr>
<td>5</td>
<td>5. Arithang Chongrang</td>
<td>Deputy Director (Shri K.C. Gyatso), Human Resources Development Department.</td>
</tr>
<tr>
<td>7</td>
<td>7. Yoksum</td>
<td>Assistant Engineer (Commercial), Power Department, Koysum (Relichu)</td>
</tr>
<tr>
<td>8</td>
<td>8. Thingle Khechodplari</td>
<td>Divisional Engineer, Irrigation Department, Gyalshing.</td>
</tr>
<tr>
<td>9</td>
<td>9. Meli</td>
<td>DSCO, Food &amp; Civil Supplies Department, West Sikkim.</td>
</tr>
<tr>
<td>10</td>
<td>10. Darap</td>
<td>ACF (Territorial), Forest Department, West Sikkim.</td>
</tr>
<tr>
<td>11</td>
<td>11. Singyang Chongphong</td>
<td>Assistant Engineer, Zilla Panchayat, West Sikkim.</td>
</tr>
<tr>
<td>12</td>
<td>12. Yangtsey</td>
<td>Divisional Forest Officer, (Wild Life Division), West Sikkim.</td>
</tr>
<tr>
<td>13</td>
<td>13. Gyalshing Omchung</td>
<td>District Development Officer, West Sikkim.</td>
</tr>
<tr>
<td>14</td>
<td>14. Kyongsa</td>
<td>Deputy Director (Smt. C.K. Kotwal), Human Resources and Development Department, West Sikkim.</td>
</tr>
<tr>
<td>15</td>
<td>15. Yangthang</td>
<td>Deputy Director, Horticulture Department, Gyalshing.</td>
</tr>
<tr>
<td>16</td>
<td>16. Lingchom Tikja</td>
<td>Assistant Engineer, Public Health Engineering, Gyalshing.</td>
</tr>
<tr>
<td>17</td>
<td>17. Sardong Lungzick</td>
<td>Assistant Engineer, Irrigation Department, Gyalshing.</td>
</tr>
<tr>
<td>18</td>
<td>18. Bongten Sapong</td>
<td>Divisional Engineer, Roads &amp; Bridges, Gyalshing.</td>
</tr>
<tr>
<td>19</td>
<td>19. Karmatar Gyaten</td>
<td>Deputy Director (Shri. Namgay Dorjee Bhutia), Soil &amp; Water Conservation, Gyalshing.</td>
</tr>
</tbody>
</table>
20. Maneybong Sopakha
Sub-Divisional Magistrate-I, West Sikkim.

21. Dentam
DRCS, Cooperative Department, West Sikkim.

22. Sangkhu Radhukandu
Assistant Engineer, Rural Management & Development Department, Kaluk.

23. Hee
Sub Divisional Development Officer, Gyalshing.

24. Pechrek Martam
Assistant Project Officer, Sikkim Rural Development Agency, Gyalshing.

25. Bermiok Barthang
The Deputy Director, Fisheries Department, Gyalshing.

26. Chingthang
Divisional Engineer, Rural Management & Development Department, Gyalshing.

27. Sangadorjee
Assistant Engineer, Roads & Bridges, Kaluk.

28. Tadong Rinchenpong
Deputy Director, DESME, West Sikkim.

29. Samdong
CDPO, West Sikkim.

30. Deythang
Deputy Director, A.H & V.S Department, Dentam.

31. Takuthang
ACF (Territorial), Soreng.

32. Suldung Kamling
Range Officer (Wild Life), Forest Department, Soreng.

33. Mabong Segeng
Divisional Engineer, Roads and Bridges, Soreng.

34. Khaniserbong Suntaley
Range Officer (Shri. A.K. Rai) (Territorial), Forest Department, Soreng.

35. Chota Samdong Arubotey
Assistant Engineer, Rural Management & Development Department, Soreng.

36. Samsing Gelling
Senior G.D.O, A.H & V.S Department, Mangalbaria.

37. Chakung
Sub Divisional Development Officer, Rural Management & Development Department, Soreng.

38. Chumbong
Deputy Director, Agriculture Department, Soreng.

39. Zoom
Veterinary Officer, A.H & V.S Department, Soreng.

40. Malbasey
Deputy Director, Agriculture Department, Soreng.

41. Soreng
Sub-Divisional Magistrate, Soreng.

42. Singling
Assistant Project Officer, Sikkim Rural Development Agency, Soreng.

43. Timberbong
Divisional Engineer, Building and Housing, West Sikkim.

44. Dodak
Assistant Engineer, Roads and Bridges, Soreng.

45. Burikhop
Assistant Engineer, Building & Housing, Soreng.

46. Rumbok
Deputy Director, Human Resources Development Department, Soreng.

47. Upper Fambong
Assistant Engineer, Roads & Bridges, Daramdin.

48. Lower Fambong
Deputy Director, Soil & W C, Agriculture, Soreng.

49. Lungchok Sallyangdang
Assistant Director, Human Resources Development Department, Soreng.

50. Siktam Tikpur
Deputy Director, Agriculture Department, Daramdin.

51. Okhrey
Deputy Director, Horticulture, Hillay.

EAST DISTRICT.

1. Sumin Lingzey
Shri Bhawani Pd. Pradhan Divisional Forest Officer, Land Use & Environment, Gangtok.

2. West Pandam
Shri M.K. Tamang Deputy Director, Horticulture, Mazitar.

3. Central Pandam
Dr. Tenzing Bhuita Deputy Director, A.H & V.S, Rongpo

4. East Pandam
Shri P.B. Yonzon, S.D.D.O, Pakyong, R.M & D.D.

5. Pacheykhani
Dr. B.M. Chettri, Deputy Director, A.H & V.S, Pakyong.

6. Pakyong
Shri P.L. Basnett, Deputy Director, Agriculture Department, Pakyong.
7 7-Taza Shri P.R. Dulal, Assistant Director, Human Resources and Development Department, Pakyong.
8 8. Rhenock Tarpin Shri Ajit Pradhan, Assistant Engineer, Power & Energy Department, Rongli.
10 10. Sudunglakha Shri Gaya Tshering Bhutia, ACF (Territorial), Rongli.
11 11. Dalapchen Shri Binod Adhakari, Assistant Engineer, Rongli, R.M & D.D.
12 12. Rongli Changeylakha Shri Kumar Pradhan, Assistant Director, Human Resource Development Department, Rongli.
13 13. Regu Shri Binod Gurung, ARCS, Co-operation Department, Rongli.
14 14. Premlakha Subaneydara Shri P.K. Subba, Deputy Director, Agriculture Department, Rongli.
15 15. Gnathang Shri Karma Legshey, Divisional Forest Officer, (Survey & Demarcation), Forest Department.
16 16. Phadamchen Shri S.G. Bhutia, Deputy Director, Horticulture & Cash Crop Development Department, Rongli.
17 17. Rolep Lamaten Shri N.P. Pandey, Assistant Engineer, Power Department, Rongli.
18 18. Chujachensch Shri Sharma Rai, Chief Veterinary Officer, Chujachen.
19 19. Latuk Chochenpheri Shri Binod Hang Subba, Assistant Engineer, Roads & Bridges Department, Pakyong.
20 20. Riwa Parkha Shri Durga Kamal Rai, Rural Management & Development Department, Pakyong.
21 21. Linkey Tareythang Shri Trilochen Kapoor Sharma, RO/AD, Land Revenue Department, Pakyong.
22 22. Amba Shri Anthoney Lepcha, Deputy Director, Human Resource Development Department, Gangtok.
24 24. Namcheybong Shri Sherab Bhutia, Deputy Director, Horticulture & Cash Crop Development Department, Pakyong.
25 25. Aho Yangtam Shri B.B. Lama, Co-operation Department, Pakyong.
26 26. Assam Lingzey Shri K.B. Pant, Deputy Director, Horticulture & Cash Crop Development Department, Gangtok.
27 27. Naitam Nandok Dr. Sanjay M. Gajmer, Deputy Director (Breeding), A.H & V.S, Gangtok.
28 28. Tathangchen Syari Dr. Sangay Dorjee, Deputy RP/F & D, AD & VS, Gangtok.
29 29. Upper Tadong Shri D.N. Neopaney, Deputy Secretary, Science & Technology Department, Gangtok.
30 30. Tadong Samdur Smt. Tara Sampang, Additional District Collector, (Gangtok).
31 31. Arithang Shri M.K. Gurung, Deputy Director, East, Human Resource Development Department, Gangtok.
32 32. Sichey Lingding Shri J. Lama, Deputy Director, East, Agriculture Department, Gangtok.
33 33. Burtuk Chanmari Shri K.L. Lepcha, Sub-Divisional Development Officer, R.M & D.D, Gangtok.
34 34. Luing Perbing Shri Prakash Pradhan, Deputy Director, East, Human Resource Development Department, Gangtok.
35 35. Ranka Dr. N.B. Chettri, Deputy Director, East, A.H & V.S, Gangtok.
36 36. Rey Mindu Shri Anil Raj Rai, District Development Officer, East, R.M & D.D, Gangtok.
37. Rawatey Rumtek  Shri B.C. Koirala, Divisional Forest Officer (Utilization), Gangtok.
38. Samlik Marchak.  Smt. Asha Lama Deputy Director, Marchak, Agriculture Department.
39. Namli  Shri P.K. Yonzon, Divisional Forest Officer, (Wild Life) East, Forest Department, Gangtok.
40. Martam Nazitam.  Shri M.K. Pradhan, Deputy Director, Agriculture Department, Nazitam.
41. Byang Phegyong  Dr. Ghaneshyam Sharma, Deputy Director, East, A.H & V.S, Gangtok.
42. Sirwani Tshalumthang  Dr. D.S. Tiwari, Chief Veterinary Officer, A.H & V.S, Sirwani.
43. Khamdong  Dr. C.Bhutia, Deputy Director, A.H & V.S, Gangtok.
44. Singbel  Shri T.R. Bhutia, Divisional Forest Officer (NTFP), Forest Department, Gangtok.
45. Simik Lingzey  Shri B.C. Vashista, Senior Scientific Officer, Science & Technology Department, Gangtok.
46. Tumin  Shri D.C. Nepal, Divisional Forest Officer (Social Forestry), Gangtok.
47. Samdong Kambal  Shri Suman Sharma, H.D.O. Horticulture & Cash Crop Development Department, Samdong.
48. Rakdong Tintek  Shri H.B. Pradhan, Deputy Director, East Human Resource Development Department, Gangtok.
49. Lingdok Nampong  Miss. Kinchu Doma, Sub-Divisional Magistrate, Gangtok.
50. Navey Shotak  Shri B.B. Gurung, Divisional Forest Officer (Territorial), Forest Department, Gangtok.

NORTH DISTRICT

<table>
<thead>
<tr>
<th>Sl.No.</th>
<th>No &amp; Name of Gram Panchayat Unit</th>
<th>Guardian Officer</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Kabi-Tingda.</td>
<td>Shri. Phuchung Bhutia, District Planning Officer, North District Zilla Panchayat.</td>
</tr>
<tr>
<td>2</td>
<td>Phensang</td>
<td>Shri. Nehru Pradhan Assistant Engineer, RM&amp;DD, North District Zilla Panchayat.</td>
</tr>
<tr>
<td>3</td>
<td>Men-Rongong</td>
<td>Shri. T.T. Karki, Divisional Engineer, RM&amp;DD, North District Zilla Panchayat.</td>
</tr>
<tr>
<td>4</td>
<td>Rongong Tumlong Sikkim.</td>
<td>Dr. S.K. Subba, Chief Veterinary Officer, A.H &amp; V.S, North Sikkim.</td>
</tr>
<tr>
<td>6</td>
<td>Namok-Sheyam.</td>
<td>Shri. Kashi Raj Limboo, District Labour Officer, North Sikkim.</td>
</tr>
<tr>
<td>7</td>
<td>Thingchim-Mangshila</td>
<td>Miss N. Thapa, Additional District Collector, North District</td>
</tr>
<tr>
<td>8</td>
<td>Ringhim Nampatam</td>
<td>Shri. P.W. Lepcha, SDM, Mangan, North District.</td>
</tr>
<tr>
<td>9</td>
<td>Sentam</td>
<td>Shri Sonam Lepcha, Deputy Director, Human Resource Development Department, North Sikkim.</td>
</tr>
<tr>
<td>10</td>
<td>Toong Naga</td>
<td>Shri Tashi Pintso Bhutia, ARCS, Cooperative Department, North Sikkim.</td>
</tr>
<tr>
<td>11</td>
<td>Chungthang</td>
<td>Dr. Karma Bhutia Dy. Director, A.H. &amp; V.S, North Sikkim.</td>
</tr>
<tr>
<td>12</td>
<td>Shipgyer</td>
<td>Shri Sonam Bhutia, Assistant Engineer, Energy Department, North Sikkim.</td>
</tr>
<tr>
<td>13</td>
<td>Lingthem Lingdem</td>
<td>Shri Bhaichung Lepcha, DCSO, Food &amp; Civil Supplies Department, North Sikkim.</td>
</tr>
<tr>
<td>14</td>
<td>Tingbong</td>
<td>Shri D.I. Chettri, Dy. Director, Horticulture Department, North Sikkim.</td>
</tr>
</tbody>
</table>
15. Sakyong Pentok  Shri Tenzing Kaleon, SDDO, Mangan, R.M & D.D, Mangan.
16. Barlok Lingdong  Shri N.T. Lepcha, DDO (North), R.M & D.D, Mangan.
18. Lum Gor Sangtok  Shri G.M. Subba, C.D.P.O, North Sikkim.
19. Lachen Dzumsa  Shri Binod Yonzon, ACF (T), Forests, North Sikkim.
20. Lachung Dzumsa  Shri Jigmi Dorjee Bhuia, SDDO, Chungthang, RM&DD.

SOUTH DISTRICT

1. Lingi  Shri R.L. Acharya, R.O/ADRavangla
2. Paiyong  Shri D.S. Chettri, Agri-Dev. Officer Ravangla
4. Niya Mangzing  Shri Issac Mukhia, Assistant Director, Human Resources Development, Ravangla
5. Sripatam Gagyong  Shri L.B. Das, Sub-Divisional Magistrate Ravangla.
6. Yangang Rangang  Shri R.K. Basnett, Dy. Director, Agriculture, Namchi
8. Ben Namphirk  Shri L.B. Rai, Joint Director (Accounts), South District Zilla Panchayat, Namchi.
9. Temi  Shri U.M. Rai, CDPO Namchi
10. Tarku  Shri B.S. Sharma, DFO (Land Use) Namchi
11. Namphing  C.K. Pradhan, Dy. Director, Horticulture Namchi
12. Bermiok Tokal  Shri D.S. Chettri, DFO (S/F) Namchi
13. Rameng Nizrameng  Shri G.P. Sharma, Welfare Officer, Namchi
14. Chuba Perbing  Dr. Hom Nath Sharma, Deputy Director, A.H & V.S, Namchi
15. Maneydara  Shri Amrit Rai, R.O/A.D Namchi
16. Nagi Pamphok  Shri Gopal Rajalim, Assistant Project Officer, Namchi
17. Turung Mamring  Dr. Man Jyoti Rai, Deputy Director, A.H & V.S, Namthang.
18. Tanzi Bikmat  Dr. Titloma Bajgai, Deputy Director A. & V.S, Namchi
19. Rateypani  Shri Sunil Pradhan, Deputy Director, Fisheries, Jorethang
20. Sadam Suntaley  Shri L.N. Pradhan, Joint Director, Agriculture, Namchi
21. Mellidara Paiyong  Shri K.P. Gupta, Deputy Director, DESME Namchi
22. Turuk Ramabong  Shri H.K. Sharma, General Manager, DIC Jorethang
23. Lungchok Kamarey  Shri H.B. Gurung, Senior RTO, Jorethang
24. Sumbuk Kartikey  Shri G.P. Chauhan, Joint Director, Horticulture, Namchi
25. Rong Bul  Dr. N.K. Rai, Joint Director, A.H & V.S, Namchi
26. Maniram Phalidara  Shri M.K. Rai, Deputy Director, Human Resources Development, Namchi
27. Singithang  Smt. Sowjanya District Planning Officer, South District Zilla Panchayat, Namchi.
28. Mikhola Kitam  Shri A.B. Gurung, Joint Director, Human Resources Development, Namchi
29. Sorok Shyampani  Mrs. Sangkit Lepcha, Deputy Director, Soil Namchi
30. Salghari  Shri S.C. Bhuia, Joint Director, Soil, Namchi.
31. Assangthang  Shri N.L Bhuia, DRCS Namchi
32. Poklok Denchung  Shri C.B. Bhujel, DFO (Hq), Namchi
33. Tinik Chisopani  Ms. Suchitra Baraily, Sdm (Hq) Namchi
34. Mamley Kamrang  Smt. K.Ongmu, SDM, Namchi.
35. Tingrithang  Shri P.K. Rai, SDDO, RM&DD, Namchi
36. Damthang  Shri C.M. Shilal, Deputy Director, Health Department, Namchi
37. Wok Omchu  Shri Kamal Chettri, Asstt. Comm. IT/CT Jorethang
Functions of Guardian Officer:

1. To guide the Gram Panchayats in convening Gram/Ward Sabhas in accordance with the provision of the Act and Rules. It shall be compulsory for the Guardian Officer to attend the Gram/Ward Sabhas as a non-voting facilitator to steer the proceedings within the agenda and to report the proceedings to the District Collector-cum-Sachiva with his comments thereof.

2. To guide the Gram Panchayat in implementation of various schemes in accordance with the guidelines and directives of the GOS/GOI. To facilitate co-ordination between the Gram Panchayat and line departments in implementation of all programmes. To monitor and evaluate the programmes and furnish report to the District Collector-cum-Sachiva.

3. To convey to the District Collector-cum-Sachiva of lacunas in the PRI system, with special regard to the devolution and decentralization and powers, functions & funds, if any, with recommendations on how, in his opinion, improvement could be brought about.

4. To act as inspecting Officer appointed under section 109 of the Sikkim Panchayat Act, 1993.

5. Be the authorized Officer under section 111 to attend meetings of the Gram Panchayat and the Zilla Panchayat.

6. To prepare Planning Calendar of the Gram Panchayat in consultation with the line department Officials.

7. Facilitate the Gram Panchayats in obtaining information from line departments, whenever such information is sought for by the members.

8. To discharge any responsibility which maybe entrusted by the District Collector-cum-Sachiva, from time to time.

By order and in the name of the Governor.

V.B. Pathak, IAS
Secretary, RM&DD.

NOTIFICATION

The State Government hereby specifies the following Executive Magistrates to deal with the provisions under sub section (5) of section 68 of the Electricity Act, 2003 within their respective jurisdictions, namely:

1. District Magistrates, East, North, South and West Sikkim.
2. Additional District Magistrates, East, North, South and West Sikkim.
3. Sub-Divisional Magistrates, Gangtok, Pakyong, Rongli, Chungthang, Mangan, Namchi, Ravangla, Geyzing and Soreng Sub-Divisions.

BY ORDER AND IN THE NAME OF THE GOVERNOR.

N.D. CHINGAPA, IAS
CHIEF SECRETARY
F. No. 16 (324)LD/2005
GOVERNMENT OF SIKKIM
HOME DEPARTMENT
GANGTOK

No. 03/HOME/2006

NOTIFICATION

Consequent upon the Order of State Government Vide Notification No.76/Home/2005,dated 14.12.2005 on the Guidelines of the Ministry of Environment and Forest for diversion of Forest Land For Non-Forest purpose under the Forest (Conservation)Act,1980, the State Government is hereby pleased to make the following amendment of the aforesaid Notification including the name of persons who are nominated to the Village Level Committee / Block Level Committee and District Level Committee .

I. CHUNGTHANG

Village Level Committee

1. Shri Lendup Lepcha, Panchayat President
2. Shri Samdup Lepcha and Smt. Nagri Lepcha
3. Shri Lakpa Lepcha, Revenue Supervisor
4. Shri Palden Lepcha, President of JFMC
5. Shri Pankaj Pradhan , Block Officer (T)

Block Level Review Committee

1. Ms. Diki Lepcha, Zilla Member
2. Shri B.B. Theengh, Revenue Officer, Chungthang
3. Shri A.B. Gurung, Welfare Inspector
4. Shri Norden Lepcha, Range Officer

II. LACHEN

Village Level Committee

1. Pipon – I
2. Shri Norden Lama Lachenpa and Smt. Tharchang Lachenpa
3. Shri Lakpa Lepcha, Revenue Supervisor
4. Shri Tshering Gyanden Lachenpa, JFMC
5. Shri Arjun Tamang, Block Officer (T)

Block Level Review Committee

1. Pipon-II
2. Shri B.B. Theengh, Revenue Officer, Chungthang
3. Shri A.B. Gurung, Welfare Inspector
4. Shri C.C. Lachungpa, Range Officer

III. LACHUNG

Village Level Committee
1. Pipon-I, Chewang Gyatso Lachungpa
2. Shri Phurbo Lachungpa and Smt. Donka Lachungpa
3. Shri Lakpa Lepcha, Revenue Supervisor
4. Shri Ninda Lachungpa, JFMC
5. Shri Tashi Tshering Lachenpa, Block Officer

Block Level Review Committee
1. Pipon-II, Dongna Lachungpa
2. Shri B.B. Theengh, Revenue Officer, Chungthang
3. Shri A.B. Gurung, Welfare Inspector
4. Shri Ashok Pradhan, Range Officer

IV. SHIPGYER

Village Level Committee
1. Smt. Rinzamu Lepcha, Panchayat President
2. Shri Sonam Dorjee Lepcha and Shri Karzang Lepcha
3. Shri Lakpa Lepcha, Revenue Supervisor
4. Shri Achung Lepcha, President of EDC
5. Shri Pradeep Subba, Block Officer

Block Level Review Committee
1. Shri Angey Lepcha, Zilla Member
2. Shri B.B. Theengh, Revenue Officer, Chungthang
3. Shri A.B. Gurung, Welfare Inspector
4. Shri Norden Lepcha, Range Officer.

V. District Level Committee:
1. Mr. N. Lepcha, Additional Secretary-II, LR & DM Department.
2. Additional District Collector, North District.
3. Mr. B. Yonzon, Assistant Conservator of Forests, Chungthang Sub-Division.
4. Mr. Ugen Gyurmick Bhutia, Welfare Officer, North.
5. Mr. D.K. Rai, Revenue Officer-Cum-Asstt. Director, LR & DM Department.

The Committee will start the inspection/verification of field work of Chungthang Revenue Block w.e.f. 25th January, 2006.

BY ORDER AND IN THE NAME OF THE GOVERNOR.

N.D. CHINGAPA, IAS
CHIEF SECRETARY
F.NO.91/FTC/PART-II

NOTIFICATION

In continuation and in partial modification of Notification No. 66/HOME/95 dated 22nd November, 1995, the State Government is hereby pleased to notify following further procedures relating to issue of Certificate of Identification (COI).

1. The District Officers authorized to issue COI shall issue COI only to direct descendents of SSC/COI holders appearing in the present updated list.

2. All other request for issue of COI shall be forwarded to the Head Office for consideration after completing field verification as usual.

3. A Committee consisting of the following shall consider such application and accord approval for award of COI or otherwise. The Member Secretary shall communicate the cases approved by the Committee to the authorized District Officers for issue of COI.
   (i) Secretary, Home
   (ii) Secretary, DOPART
   (iii) Secretary, Law
   (iv) Secretary, UD & HD
   (v) Secretary, LR & DM – Member Secretary

4. The District Officers shall prepare a revenue blockwise list of persons to whom the COI has been issued and submit a copy to the Head Office on quarterly basis for compilation.

5. The District Offices shall prepare blockwise list of such certificate holders annually and display in public notice boards for public viewing and also send a copy to the concerned Gram Panchayat for its placement in their respective Gram Sabha.

6. In case of death of any of the holder of COI, the concerned Gram Panchayat shall report such death within the year under review, to the District Collector with a copy of death certificate for updation of the record.

7. The District Offices shall make entry of such reports in the concerned revenue block list for annual updation and forward a copy to the Head Office for concurrent updation.

8. In order to facilitate the issue of COI to the descendents of such deceased person, during updation, the name of such deceased persons shall not be deleted in the register. However, his death shall be recorded in the remarks column so that the certificate in the name of such persons stands cancelled.

BY ORDER AND IN THE NAME OF THE GOVERNOR.

N.D. CHINGAPA, IAS
CHIEF SECRETARY
F. No. 124/GOS/LR & DMD (R) 2005-2006

NOTIFICATION

In partial modification of Notification No. 62/Home/2005 dated 17/10/2005, the State Government is pleased to declare 30th January, 2006 (Monday) as restricted holiday to the employees working under the State Government of Sikkim who celebrate Sonam Lhochar.

BY ORDER

N.D. CHINGAPA, IAS
CHIEF SECRETARY
F. No. Gos/Home-II/97/29/VOL-II
GOVERNMENT OF SIKKIM
HOME DEPARTMENT


NOTIFICATION

In view of Rule 12 of the Sikkim Right to Information (Regulation of fee, cost and Miscellaneous) Rules 2005, the earlier Notification No. 80/Home/2005 dated 22.12.2005 issued by Home Department hereby stands rescinded.

By order and in the name of the Governor.

N.D. Chingapa, IAS
Chief Secretary.
NOTIFICATION

The State Government hereby constitutes District Level Committees in all the four Districts of Sikkim for the UNDP – Planning Commission assisted Project “Strengthening State Plans for Human Development”. The composition of the Committee in each District is as under:-

1. District Collector - Chairman
2. Additional District Collector - Member
3. Sub-Divisional Magistrate - Member
4. District Development Officer, RMD - Member
5. District Planning Officer, RMD - Member
6. Joint Director, HRD - Member
7. C.M.O, Health - Member
8. CDPO, Women & Child Welfare - Member
9. D.F.O., Forest - Member
10. District Statistical Officer, DESME - Member Secretary

The Committee shall assist in the project and preparation of the District Human Development Reports.

By Order

G.K. Subba
Additional Chief Secretary -Cum- Development Commissioner

NOTIFICATION

Whereas the State Government has deemed it expedient to fill up the post of Upper Division Clerk and Equivalent and Lower Division Clerk in the Sikkim Sub-ordinate (Ministerial and Executive) Service Rules, 1984 (hereinafter referred to as the said rules) by way of promotion on seniority-cum-merit basis;

And whereas under rule 7 read with Schedule-II of the Sikkim Sub-ordinate (Ministerial and Executive) Service Rules, 1984, the method of recruitment to the post of Upper Division Clerk is 50% by direct recruitment through open competitive examination and 50% through Limited Departmental competitive examination;

And whereas under Schedule –II, under item Grade-IV of the said rules, the Method of recruitment to the post of Lower Division Clerk are as under, namely:

(1) 85% by direct recruitment through open competitive examination.
(2) 5% by promotion of the basis of merit-cum-seniority from amongst Group “D” employees holding Grade I post.
(3) 10% by Promotion through Departmental Competitive Examination from amongst Group “D” employees and having Class X examination passed from a recognized Board”;

And whereas the State Government is of the opinion that it is necessary and expedient to relax the provision relating to the method of recruitment prescribed under Schedule-II, under item Grade-III and Grade-IV of the said rules to promote the Lower Division Clerk, Group “D” employees possessing Class X passed qualification on seniority-cum-merit basis and also Daftaries on seniority-cum-merit basis in view of their long service in their respective post;

And whereas the rule 10 of the said rule provide for relaxing the method of recruitment.

Now therefore, in exercise of the powers conferred by rule 10 of the said rules, the Governor of Sikkim hereby pleased to relax the aforesaid provision of Schedule-II, under item Grade-III and Grade-IV relating to method of recruitment as prescribed in the said rules with a view to promote the Lower Division Clerk, Group “D” employees possessing Class X passed qualification and also Daftaries on seniority-cum-merit basis through respective Departmental Committee;

BY ORDER AND IN THE NAME OF THE GOVERNOR.

JOINT SECRETARY TO THE GOVERNMENT
DEPTT. OF PERSONNEL, ADM. REFORMS, TRAINING, PUBLIC GRIEVANCES, CAREER OPTIONS & EMPLOYMENT SKILL DEVELOPMENT AND CHIEF MINISTER’S SELF EMPLOYMENT SCHEME
NOTIFICATION

Whereas the State Government has deemed it expedient to fill up one post of Panchayat Inspector in the Rural Development and Management Department under the Sikkim Sub-ordinate (Ministerial and Executive) Service Rules, 1984;

And whereas under rule 7 read with Schedule-II of the Sikkim Sub-ordinate (Ministerial and Executive) Service Rules, 1984, the method of recruitment to the post of Panchayat Inspector in Grade-I (3) of the service is 100% by direct recruitment through open competitive examination;

And whereas Mr. Dek Prasad Dahal has been working as Panchayat Inspector on deputation under Rural Development and Management Department since 14th November, 2003;

And whereas the State Government is of the opinion that it is necessary or expedient to relax the provision relating to the method of recruitment prescribed under rule 7 read with Grade-I (3) of Schedule-II of the said rules to regularize the services of Mr. Dek Prasad Dahal who is working as Panchayat Inspector in the said department;

And whereas his inter-se-seniority shall be counted from the date of his absorption and shall be placed below the last person in the seniority.

And whereas rule 10 of the said rules provide for relaxing the provision of method of recruitment.

Now, therefore, in exercise of the powers conferred by rule 10 of the said rules, the Governor of Sikkim is hereby pleased to relax the provision relating to the method of recruitment prescribed under rule 7 read with Grade-I (3) of the Schedule-II of the said rules with a view to regularize the services of Mr. Dek Prasad Dahal who is working as Inspector in the said Department as one time relaxation.

BY ORDER AND IN THE NAME OF THE GOVERNOR.

NOTIFICATION

The Governor of Sikkim is hereby pleased to downgrade 01 (One) post of Director created vide Notification No. 87/GEN/DOP dated 13/12/1995 to that of Additional Director in the scale of Rs. 12500 – 375 – 17000 in the Directorate of Fisheries under Animal Husbandry, Livestock, Fisheries & Veterinary Services Department, with immediate effect.

BY ORDER.

C.L. SHARMA
SPECIAL SECRETARY TO THE GOVERNMENT
DEPARTMENT OF PERSONNEL, ADM. REFORMS, TRAINING, PUBLIC GRIEVANCES, CAREER OPTIONS AND EMPLOYMENT SKILL DEVELOPMENT AND CHIEF MINISTER’S SELF EMPLOYMENT SCHEME

NOTIFICATION

Government of Sikkim hereby notifies the issue of 7.61% Sikkim State Development Loan 2016 of 10 year tenure.

1. Object of the Loan:

   (i) The Proceeds of the loan will be utilised for financing capital expenditure in connection with development programmes of the Government of Sikkim.

   (ii) The consent of Central Government has been obtained to the floatation of this Loan as required by Article 293(3) of the Constitution of India.

2. Nomenclature:

   The Loan offered for subscription is 7.61% Sikkim State Development Loan 2016.

3. Methods of issue:

   I. The State Government Loan will be sold through the Reserve Bank of India. Guwahati (Name of the local PDO) and Mumbai.

   II. The sale will be on tap during banking hours from 16th January 2006. Reserve Bank of India reserves the right to close the sale any time during or after the close of banking hours on or after 16th January 2006 if it deems it appropriate and necessary to do so having regard to the borrowing requirement of Government of Sikkim and subscriptions already received at that time.

   III. Reserve Bank of India will have the discretion to accept or reject any or all applications either wholly or partially if it deems it appropriate to do so, without assigning any reason at the time of closure of sale.
IV. The issue will commence from the date of payment of loan.

4. **Rate of interest**

   The loan will bear interest at 7.61% per annum. The interest will be paid half-yearly on 18th January and 18th July each year.

5. **Application Form**

   I. Applications for purchase of Sikkim Government Loan should be submitted, duly filled in by interested persons in the prescribed form of application that may be obtained from the Public Debt Office of the Reserve Bank of India, Guwahati (Name of the local PDO) and Mumbai on 16th January 2006 (Date of submission of application).

   II. The payment by the bidders will be on 18th January 2006 (Date of Payment).

   III. The Payment in cash or by Demand Draft/Bankers’ Pay Order drawn payable to Reserve Bank of India/ cheque drawn on account with RBI, at the place where the application is tendered should be submitted to the concerned office during the banking hours subject to the conditions as stipulated and also by the terms and conditions as included in the prescribed form of application. As the bidder has to tender only the amount of allotment, the same may be ascertained from the concerned PDO.

6. **Issue Price**

   7.61% Sikkim State Development loan, 2016 will be issued at par i.e. Rs. 100.

7. **Commencement of the tenure**

   The tenure of the loan will commence from 18th January 2006 (Date of commencement).

8. **Date of repayment:**

   The Loan will be repaid at par on 18th January 2016 at the Public Debt Office of the Reserve Bank of India at which they are registered.

9. **Other terms and conditions**

   The other terms and conditions will be as per the provisions contained in the revised General Notification of Government of Sikkim bearing No. 19/Fin/Acctt dated 15.12.2003.

   By order and in the name of the Governor of Sikkim.

   T.T.Dorji, IAS
   Principal Secretary to the Government of Sikkim
   Finance Revenue and Expenditure Department

The following Notification of Ministry of Labour and Employment Wage Cell published in the Gazette of India, Extraordinary, Part II- Section 3- Sub-section (ii) dated 8th November, 2005 is hereby republished for general information:-

MINISTRY OF LABOUR AND EMPLOYMENT

NOTIFICATION

New Delhi, the 8th November, 2005

S.O. 1577 (E).- In exercise of powers conferred by Sub-section (2) of Section 1 of the Payment of Wages (Amendment) Act, 2005 (41 of 2005), the Central Government hereby appoints the 9th day of November, 2005 as the date on which the said Act shall come into force.

[F. No. S-31012/3/94-WC (PW)]
H.N. GUPTA, Labour and Employment Adviser

R.K. Purkayastha (SSJS)
L.R. - cum – Secretary,
Government of Sikkim, Gangtok
The following Act of the Parliament having received assent of the President on 5th day of September, 2005 and published in the Extraordinary issue of Gazette of India, Part II, Section 1 is hereby republished for general information.-

THE NATIONAL RURAL EMPLOYMENT GUARANTEE SCHEME ACT, 2005

CHAPTER I

PRELIMINARY

Sections

1. Short title, extent and commencement.
2. Definitions.

CHAPTER II

GUARANTEE OF EMPLOYMENT IN RURAL AREAS

3. Guarantee of rural employment to households.

CHAPTER III

EMPLOYMENT GUARANTEE SCHEMES AND UNEMPLOYMENT ALLOWANCE

4. Employment Guarantee Schemes for rural areas.
5. Conditions for providing guaranteed employment.
6. Wage rate.
7. Payment of unemployment allowance.
9. Disentitlement to receive unemployment allowance in certain circumstances.

CHAPTER IV

IMPLEMENTING AND MONITORING AUTHORITIES

11. Functions and Duties of Central Council.
13. Principal authorities for planning and implementation of Schemes.
14. District Programme Coordinator.
15. Programme Officer.
17. Social audit of work by Gram Panchayat.
19. Grievance redressal mechanism.

CHAPTER V

ESTABLISHMENT OF NATIONAL AND STATE EMPLOYMENT GUARANTEE FUNDS AND AUDIT

22. Funding pattern.
23. Transparency and accountability.

CHAPTER VI

MISCELLANEOUS

26. Power to delegate.
27. Power of Central government to give directions.
28. Act to have overriding effect.
29. Power to amend Schedules.
30. Protection of action taken in good faith.
32. Power of State Government to make rules.
33. Laying of Rules and Schemes.
34. Power to remove difficulties.

SCHEDULE I

SCHEDULE II

THE NATIONAL RURAL EMPLOYMENT GUARANTEE ACT 2005
(Act No. 42 of 2005)

An

ACT

to provide for the enhancement of livelihood security of the households in rural areas of the country by providing at least one hundred days of guaranteed wage employment in every financial year to every household whose adult members volunteer to do unskilled manual work and for matters connected therewith or incidental thereto.

Be it enacted by Parliament in the Fifty-sixth Year of the Republic of India as follows:-

CHAPTER I

PRELIMINARY

Short title and commencement.  1. (1) This Act may be called the National Rural Employment Guarantee Act, 2005.

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

(3) It shall come into force on such dates as the Central Government may, by notification in the Official Gazette, appoint; and different dates may be
appointed for different States or for different areas in a State and any reference in any such provision to the commencement of this Act shall be construed as a reference to the coming in force of that provision in such State or as the case may be, in such area:

Provided that this Act shall be applicable to the whole of the territory to which it extends within a period of five years from the date of enactment of this Act.

Definitions.

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

(a) “adult” means a person who has completed his eighteenth years of age;

(b) “applicant” means the head of the household or any of its other adult member who has applied for employment under the Scheme;

(c) “Block” means a community development area within a district comprising a group of Gram Panchayats;

(d) “Central Council” means the Central Employment Guarantee Council constituted under sub-section (1) of section 10;

(e) “District Programme Coordinator” means an officer of the State Government designated as such under sub-section (1) of section 14 for implementation of the Scheme in a district;

(f) “household” means the members of a family related to each other by blood, marriage or adoption and normally residing together and sharing meals or holding a common ration card;

(g) “implementing agency” includes any department of the Central Government or a State Government, a Zilla Parishad, Panchayat at intermediate level, Gram Panchayat or any other local authority or Government undertaking or non-governmental organization authorized by the Central Government or the State Government to undertake the implementation of any work taken up under a Scheme;

(h) “minimum wage” in relation to any area, means the minimum wages fixed by the State Government under Section 3 of the Minimum Wages Act, 1948 for agricultural labourers as applicable in that area;

(i) “National Fund” means the National Employment Guarantee Fund established under sub-section (1) of Section 20;

(j) “notification” means a notification published in the Official Gazette;

(k) “preferred work” means any work which is taken up for implementation on a priority basis under a Scheme;

(l) “prescribed” means prescribed by rules made under this Act.

(m) “Programme Officer” means an officer appointed under sub-section (1) of Section 15 for implementing the Scheme;

(n) “project” means any work taken up under a Scheme for the purpose of providing employment to the applicants;
“rural area” means any area in a State except in those areas covered by any urban local body or a Cantonment Board established or constituted under any law for the time being in force;

“Scheme” means a Scheme notified by the State Government under sub-section of Section 4;

“State Council” means the State Employment Guarantee Council constituted under sub-section of Section 12;

“unskilled manual work” means any physical work which any adult person is capable of doing without any skill or special training;

“wage rate” means the wage rate referred to in Section 6;

CHAPTER II

GUARANTEE OF EMPLOYMENT IN RURAL AREAS

3. (1) Save as otherwise provided, the State Government shall, in such rural area in the State as may be notified by the Central Government, provide to every household whose adult members volunteer to do unskilled manual work not less than one hundred days of such work in a financial year in employment accordance with the Scheme made under this Act.

(2) Every person who has done the work given to him under the Scheme shall be entitled to receive wages at the wage rate for each day of work.

(3) Save as otherwise provided in this Act, the disbursement of daily wages shall be made on a weekly basis or in any case not later than a fortnight after the date on which such work was done.

(4) The Central Government or the State Government may, within the limits of its economic capacity and development, make provisions for securing work to every adult member of a household under a Scheme for any period beyond the period guaranteed under sub-section (1) as may be expedient.

CHAPTER III

EMPLOYMENT GUARANTEE SCHEMES AND UNEMPLOYMENT ALLOWANCE

4. (1) For the purpose of giving effect to the provisions of Section 3, every State Government shall, within six months from the date of commencement of this Act, by notification, make a Scheme for providing not less than one hundred days of guaranteed employment in a financial year to every household in the rural areas covered under the Scheme and whose adult members, by application, volunteer to do unskilled manual work subject to the conditions laid down by or under this Act and in the Scheme:

Provided that until any such Scheme is notified by the State Government, the Annual Action Plan or Perspective Plan for the Sampoorna Grameen Rozgar Yojana (SGRY) or the National Food for Work Programme (NFFWP) whichever is in force in the concerned area immediately before such notification shall be deemed to be the action plan for the Scheme for the purposes of this Act.

(2) The State Government shall publish a summary of the Scheme made by it in at least two local newspapers, one of which shall be in a vernacular language circulating in the area or areas to which such Scheme shall apply.
(3) The Scheme made under sub-section (1) shall provide for the minimum features specified in Schedule I.

5. (1) The State Government may, without prejudice to the conditions specified in Schedule II specify in the Scheme the conditions for providing guaranteed employment under this Act.

(2) The persons employed under any scheme made under this Act shall be entitled to such facilities specified in Schedule II.

6. (1) Notwithstanding anything contained in the Minimum Wages Act, 1948, the Central Government may, by notification, specify the wage rate for the purposes of this Act:

Provided that different rates of wages may be specified for different areas:

Provided further that the wage rate specified from time to time under any such notification shall not be at a rate less than sixty rupees a day.

(2) Until such time as a wage rate is fixed by the Central Government in respect of any area in a State, the minimum wage fixed by the State Government under Section 3 of the Minimum Wages Act, 1948 for agricultural labourers, shall be considered as the wage rate applicable to that area.

Payment of unemployment allowance.

7. (1) If an applicant for employment under the Scheme is not provided such employment within fifteen days of his application seeking employment or from the date on which the employment has been sought in the case of application, whichever is later, he shall be entitled to a daily employment allowance in accordance with this section.

(2) Subject to such terms and conditions of eligibility as may be prescribed by the State Government and subject to the provisions of this Act and the Schemes and the economic capacity of the State Government, the unemployment allowance payable under sub-section (1) shall be paid to the applicants of a household subject to the entitlement of the household as such rate may be specified by the State Government, by notification, in consultation with the State Council:

Provided that no such rate shall be less than one-fourth of the wage rate for the first thirty days during the financial year and not less than one-half of the wage rate for the remaining period of the financial year.

(3) The liability of the State Government to pay unemployment allowance to a household during any financial year shall cease as soon as:

(a) the applicant is directed by the Gram Panchayat or the Programme Officer to report for work either by himself or depute at least one adult member of his household; or

(b) the period for which employment is sought comes to an end and no member of the household of the applicant had turned up for employment; or

(c) the adult members of the household of the applicant have received in total at least one hundred days of work within the financial year; or

(d) the household of the applicant has earned as much as from the wages and unemployment allowance taken together which is equal to the wages for one hundred days of work during the financial year.

11 of 1948.

Wage rate.
(4) The unemployment allowance payable to the household of an applicant jointly shall be sanctioned and disbursed by the Programme Officer or such local authority (including the Panchayats at the district, intermediate or village level) as the State Government may, by notification, authorise in this behalf.

(5) Every payment of unemployment allowance under sub-section (1) shall be made or offered not later than fifteen days from the date on which it became due for payment.

(6) The State Government may prescribe the procedure for payment of unemployment allowance under this Act.

8. (1) If the Programme Officer is not in a position to disburse the unemployment allowance in time or at all for any reason beyond his control, he shall report the matter to the District Programme Coordinator and announce such reasons in a notice to be displayed on his notice board and the notice board of the Gram Panchayat and such other conspicuous places as he may deem necessary.

(2) Every case of non-payment or delayed payment of unemployment allowance shall be reported in the annual report submitted by the District Programme Coordinator to the State Government along with the reasons for such non-payment or delayed payment.

(3) The State Government shall take all measures to make the payment of unemployment allowance reported under sub-section (1) to the concerned household as expeditiously as possible.

9. An applicant who-
   (a) does not accept the employment provided to his household under a Scheme or,
   (b) does not report for work within fifteen days of being notified by the Programme Officer or the implementing agency to report for the work; or
   (c) continuously remains absent from work, without obtaining a permission from the concerned implementing agency for a period of more than one week or remains absent for a total period of more than one week in any month, shall not be eligible to claim the unemployment allowance payable under this Act for a period of three months but shall be eligible to seek employment under the Scheme at any time.

CHAPTER IV
IMPLEMENTING AND MONITORING AUTHORITIES

10. (1) With effect from such date as the Central Government may, by notification specify, there shall be constituted a Council to be called the Central Employment Guarantee Council to discharge the functions, and perform the duties, assigned to it by or under this Act.

(2) The headquarters of the Central Council shall be at Delhi.

(3) The Central Council shall consist of the following members to be appointed by the Central Government, namely:-
(a) a Chairperson;
(b) not more than such members of representatives of the Central Ministries including the Planning Commission not below the rank of Joint Secretary to the Government of India as may be determined by the Central Government;
(c) not more than such number of representatives of the State Government as may be determined by the Central Government;
(d) not more than fifteen non-official members representing Panchayati Raj Institutions, organizations of workers and disadvantaged groups;

Provided also that such non-official members shall include two chairpersons of District Panchayats nominated by the Central Government by rotation for a period of one year at a time:

Provided further that not less than one-third of the non-official members nominated under this clause shall be women:

Provided also that not less than one-third of the non-official members shall be belonging to the Scheduled Castes, the Scheduled Tribes, Other Backward Classes and Minorities;

(e) such number of representatives of the States as the Central Government may, by rules, determine in this behalf;

(f) a Member-Secretary not below the rank of Joint Secretary to the Government of India.

(4) The terms and conditions subject to which the Chairperson and other members of the Central Council may be appointed and the time, place and procedure of the meetings (including the quorum at such meetings) of the Central Council shall be such as may be prescribed by the Central Government.

11. (1) The Central Council shall perform and discharge the following functions and duties, namely:

(a) establish a central evaluation and monitoring system;
(b) advise the Central Government on all matters concerning the implementation of this Act;
(c) review the monitoring and redressal mechanism from time to time and recommend improvements required;
(d) promote the widest possible dissemination of information about the Schemes made under this Act;
(e) monitoring the implementation of this Act;
(f) preparation of annual reports to be laid before Parliament by the Central Government on the implementation of this Act;
(g) any other duty or function as may be assigned to it by the Central Government.

(2) The Central Council shall have the power to undertake evaluation of the various Schemes made under this Act and for that purpose collect or cause
12. (1) For the purposes of regular monitoring and reviewing the implementation of this Act at the State level, the State Government shall constitute a State Council to be known as the Sikkim State Employment Guarantee Council with a Chairperson and such number of official members as may be determined by the State Government and not more than fifteen non-official members nominated by the State Government from Panchayati Raj Institutions, organizations of workers and disadvantaged groups:

Provided further that not less than one-third of the non-official members nominated under this clause shall be women:

Provided further that not less than one-third of the non-official members shall be belonging to the Scheduled Castes, the Scheduled Tribes, Other Backward Classes and Minorities.

(2) The terms and conditions subject to which the Chairperson and members of the State Council may be appointed and the time, place and procedure of the meetings (including the quorum at such meetings) of the State Council shall be such as may be prescribed by the State Government.

(3) The duties and functions of the State Council shall include-

(a) advising the State Government on all matters concerning the Scheme and its implementation in the State;

(b) determine its preferred works;

(c) reviewing the monitoring and redressal mechanisms from time to time and recommending improvements;

(d) promoting the widest possible dissemination of information about this Act and the Schemes under it;

(e) monitoring the implementation of this Act and the Schemes in the State and coordinating such implementation with the Central Council;

(f) preparing the annual report to be laid before the State Legislature by the State Government;

(g) any other duty or function as may be assigned to it by the Central Council or the State Government.

(3) The State Council shall have the power to undertake the evaluation of the Schemes operating in the State and for that purpose to collect or cause to be collected statistics pertaining to the rural economy and the implementation of the Schemes and Programmes in the State.

13. (1) The Panchayats at the district, intermediate and village levels shall be the principal authorities for planning and implementation of the Schemes made under this Act.
(2) The functions of the Panchayats at the district level shall be-

(a) to finalise and approve block wise shelf of projects to be taken up under a programme under the Scheme.

(b) to supervise and monitor the projects taken up at the block level and district level; and

(c) to carry out such functions as may be assigned to it by the State Council, from time to time.

(3) The functions of the Panchayat at intermediate level shall be-

(a) to approve the Block level Plan for forwarding it to the district Panchayat at the district level for final approval;

(b) to supervise and monitor the projects taken up by the Gram Panchayat and Block level; and

(c) to carry out such other functions as may be assigned to it by the State Council, from time to time.

(4) The District Programme Coordinator shall assist the Panchayat at the district level in discharging its functions under this Act and any Scheme made thereunder.

14. (1) The Chief Executive Officer of the District Panchayat or the Collector of the district or any other district level officer of appropriate rank as the State Government may decide shall be designated as the District Programme Coordinator for the implementation of the Scheme Coordination in the district.

(2) The District Programme Coordinator shall be responsible for the implementation of the Scheme in the district in accordance with the provisions of this Act and the rules made thereunder.

(3) The functions of the District Programme Coordinator shall be-

(a) to assist the district Panchayat in discharging its functions under this Act and any scheme made thereunder;

(b) to consolidate the plans prepared by the Blocks and project proposals received from other implementing agencies for inclusion in the shelf of projects to be approved by the Panchayat at district level;

(c) to accord necessary sanction and administrative clearance, wherever necessary;

(d) to coordinate with the Programme Officers functioning within his jurisdiction and the implementing agencies to ensure that the applicants are provided employment as per their entitlements under this Act.;

(e) to review, monitor and supervise the performance of the Programme Officers;
(f) to conduct periodic inspection of the works in progress; and

(g) to redress the grievances of the applicants.

(4) The State Government shall delegate such administrative and financial powers to the District Programme Coordinator as may be required to enable him to carry out his functions under this Act.

(5) The Programme Officer appointed under sub-section (1) of section 15 and all other officers of the State Government and local authorities and bodies functioning within the district shall be responsible to assist the District Programme Coordinator in carrying out his functions under this Act and the Schemes made thereunder.

(6) The District Programme Coordinator shall prepare in the month of December every year a labour budget for the next financial year containing the details of anticipated demand for unskilled manual work in the district and the plan for engagement of labourers in the works covered under the Scheme and submit it to the district Panchayat.

15. (1) At every Panchayat at intermediate level, the State Government shall appoint a person who is not below Officer the rank of Block Development Officer with such qualifications and experience as may be determined by the State Government as Programme Officer at the Panchayat at intermediate level.

(2) The Programme Officer shall assist the Panchayat at intermediate level in discharging its functions under this Act and any other Scheme made thereunder.

(3) The Programme Officer shall be responsible for matching the demand for employment with the employment opportunities arising from projects in the area under his jurisdiction.

(4) The Programme Officer shall prepare a plan for the Block under his jurisdiction by consolidating the project proposals prepared by the Gram Panchayats and the proposals received from intermediate Panchayats.

(5) The functions of the Programme Officer shall include-

(a) monitoring of projects taken up by the Gram Panchayats and other implementing agencies within the block;

(b) sanctioning and ensuring payment of unemployment allowance to the eligible households;

(c) ensuring prompt and fair payment of wages to all labourers employed under a programme of the Scheme within the Block;

(d) ensuring that regular social audits of all works within the jurisdiction of the Gram Panchayat are carried out by the Gram Sabha and that prompt action is taken on the objections raised in the social audit;

(e) dealing promptly with all complaints that may arise in connection with the implementation of the Scheme within the Block; and

(f) any other work as may be assigned to him by the District Programme Coordinator or the State Government.

(6) The Programme Officers shall function under the direction, control and superintendence of the District Programme Coordinator.
The State Government may, by order, direct all or any of the functions of a Programme Officer shall be discharged by the Gram Panchayat or a local authority.

16. (1) The Gram Panchayat shall be responsible for identification of the projects in the Gram Panchayat of the Gram area to be taken up under a Scheme as per the recommendations of the Gram Sabha and the Ward Sabhas and for Panchayat executing and supervising such works.

(2) A Gram Panchayat may take up any project under a Scheme within the area of the Gram Panchayat as may be sanctioned by the Programme Officer.

(3) Every Gram Panchayat shall, after considering the recommendations of the Gram Sabha and the Ward Sabhas, prepare a development plan and maintain a shelf of possible works to be taken up by under the Scheme as and when demand for work arises.

(4) The Gram Panchayat shall forward its proposals for the development projects including the order of priority between different works to the Programme Officer for scrutiny and preliminary approval prior to the commencement of the year in which it is proposed to be executed.

(5) The Programme Officer shall allot at least fifty percent of works in terms of its cost under a Scheme to be implemented through the Gram Panchayats.

(6) The Programme Officer shall supply each Gram Panchayat with-

(a) the muster rolls for the works sanctioned to be executed by it; and

(b) a list of employment opportunities available elsewhere to the residents of the Gram Panchayat.

(7) The Gram Panchayat shall allocate employment opportunities among the applicants and ask them to report for work.

(8) The works taken up by a Gram Panchayat under a Scheme shall meet the required technical standards and measurements.

17. (1) The Gram Sabha shall monitor the execution of works within the Gram Panchayat.

(2) The Gram Panchayat shall conduct regular social audits of all the projects under the Scheme taken up with the Gram Panchayat.

(3) The Gram Panchayat shall make available all relevant documents including the muster rolls, bills, vouchers, measurement books, copies of sanction orders and other connected books of account and papers to the Gram Sabha for the purpose of conducting the social audit.

18. The State Government shall make available to the District Programme Coordinator and the Programme Officers necessary staff and technical support as may be necessary for the effective implementation of the Scheme.
19. The State Government shall, by rules, determine appropriate grievance
Grievance Redressal Mechanism redressal mechanisms at the Block level
and at the district level for dealing with any complaint by any person in
respect of implementation of the Scheme and lay down the procedure for
disposal of such complaints.

CHAPTER V

ESTABLISHMENT OF NATIONAL AND STATE EMPLOYMENT
GUARANTEE FUNDS AND AUDIT

20. (1) The Central Government shall, by notification, establish a fund to be
called the National Employment Guarantee Fund for the purposes of this
Act.

(2) The Central Government may, after due appropriation made by
Parliament by law in this behalf, credit by way of grants or loans such sums
of money as the Central Government may consider necessary to the National
Fund.

(3) The amount standing to the credit of the National Fund shall be
utilized in such manner and subject to conditions and limitations as may be
prescribed by the Central Government.

21. (1) The State Government may, by notification, establish a fund to be
called the State Employment Guarantee Fund for the purposes of
implementation of the Scheme.

(2) The amount standing to the credit of the State Fund shall be
expended in such manner and subject to such conditions and limitations as
may be prescribed by the State Government for the purposes of
implementation of this Act and the Schemes made thereunder and for
meeting the administrative expenses in connection with the implementation
of this Act.

(3) The State Fund shall be held and administered on behalf of the
State Government in such manner and by such authority as may be prescribed
by the State Government.

22. (1) Subject to the rules as may be made by the Central Government in
this behalf, the Central Government shall meet the cost of the following, namely:-

(a) the amount required for payment of wages for unskilled manual work
under the Scheme;

(b) up to three – fourths of the material cost of the Scheme including
payment of wages to skilled and semi-skilled workers subject to the
provisions of Schedule II;

(c) such percentage of the total cost of the Scheme as may be determined
by the Central Government towards the administrative expenses, which may
include the salary and allowances of the Programme Officers and his
supporting staff, the administrative expenses of the Central Council, facilities
to be provided under Schedule II and such other item as may be decided by
the Central Government.

2. The State Government shall meet the cost of the following, namely:-

(a) the cost of unemployment allowance payable under the Scheme;
(b) one-fourth of the material cost of the Scheme including payment of wages to skilled and semi-skilled workers subject to the provision of Schedule II;

(c) the administrative expenses of the State Council.

23. (1) The District Programme Coordinator and all implementing agencies in the District shall be responsible for the proper utilization and management of the funds placed at their disposal for the purpose of implementing a Scheme.

(2) The State Government may prescribe the manner of maintaining proper books and accounts of employment of labourers and the expenditure incurred in connection with the implementation of the provisions of this Act and the Schemes made thereunder.

(3) The State Government may, by rules, determine the arrangements to be made for the proper execution of Schemes and programmes under the Schemes and to ensure transparency and accountability at all levels in the implementation of the Schemes.

(4) All payments of wages in cash and unemployment allowances shall be made directly to the person concerned and in the presence of independent persons of the community in pre-announced dates.

(5) If any dispute or complaint arises concerning the implementation of a Scheme by the Gram Panchayat, the matter shall be referred to the Programme Officer.

(6) The Programme Officer shall enter every complaint in a complaint register maintained by him and shall dispose of the disputes and complaints within seven days of its receipt and in case it relates to a matter to be resolved by any other authority it shall be forwarded to such authority under intimation to the complaint.

24. (1) The Central Government may, in consultation with the Comptroller and Auditor General of India, prescribe appropriate arrangements for audits of the accounts of the Schemes at all levels.

(2) The accounts of the Scheme shall be maintained in such form and in such manner as may be prescribed by the State Government.

CHAPTER VI
MISCELLANEOUS

25. Whoever contravenes the provisions of this Act shall on conviction be liable to a fine which may extend to one thousand rupees.

26. (1) The Central Government may, by notification, direct the powers exercisable by it (excluding the power to make rules) may, in such circumstances and subject to such conditions and limitations, be exercisable also by the State Government or such officer subordinate to the Central Government or the State Government as it may specify in such notification.

(2) The State Government may, by notification, direct that the powers exercisable by it (excluding the power to make rules and schemes) may, in such circumstances and subject to such conditions and limitations, be exercisable also by such officer.
27. (1) The Central Government may give such directions as it may consider necessary to the State Government for the effective implementation of the provisions of this Act.

(2) Without prejudice to the provisions of sub-section (1), the Central Government may, on receipt of any complaint regarding the issue of improper utilization of funds granted under this Act in respect of any Scheme if prima facie satisfied that there is a case, cause an investigation into the complaint made by any agency designated by it and if necessary, order stoppage of release of funds to the Scheme and institute appropriate remedial measures for its proper implementation within a reasonable period of time.

28. The provisions of this Act or the Schemes made thereunder shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in any other instrument having effect by virtue of such law:

Provided that where a State enactment exists or is enacted to provide employment guarantee for unskilled manual work to rural households consistent with the provisions of this Act under which the entitlement of the households is not less than and the conditions of employment are not inferior to what is guaranteed under this Act, the State Government shall have the option of implementing its own enactment:

Provided further that in such cases the financial assistance shall be paid to the concerned State Government in such manner as shall be determined by the Central Government, which shall not exceed what the State would have been entitled to receive under this Act had a Scheme made under this Act had to be implemented.

29. (1) If the Central Government is satisfied that it is necessary or expedient so to do, it may, by notification, amend Schedule I or II and thereupon Schedule I or Schedule II, as the case may be, shall be deemed to have been amended accordingly.

(2) A copy of every notification made under sub-section (1) shall be laid before each House of Parliament as soon as may be after it is made.

30. No suit, prosecution other legal proceedings shall lie against the District Programme Coordinator, Programme Officer or any other person who is, or who is deemed to be, a public servant within the meaning of section 21 of the Indian Penal Code in respect of anything which is done or intended to be done under this Act or the rules of Schemes made thereunder.

31. (1) The Central Government may, by notification, and subject to the condition of previous publication, make rules to carry out the provisions of this Act.

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

(a) the number of representatives of the State Government under clause (e) of sub-section (3) of section 10;
(c) the manner in which and the conditions and limitations subject to which the National Fund shall be utilized under sub-section (3) of section 20;

(d) the rules relating to funding pattern to meet the cost of certain items under sub-section (1) of section 22;

(e) any other matter which is to be, or may be, prescribed or in respect of which provision is to be made by the Central Government by rules.

32. (1) The State Government may, by notification, and subject to the condition of previous publication, and consistent with this Act and the rules made by the Central Government, make rules to carry out the provisions 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 terms and conditions upon which eligibility for unemployment allowance may be determined under sub-section (2) of section 7;

(b) the procedure for payment of unemployment allowance under sub-section (6) of section 7;

(c) the terms and conditions subject to which the Chairperson and members of the State Council may be appointed, and the time, place and procedure of the meetings (including the quorum at such meetings) of their appointment to the State Council, under sub-section (2) of section 12;

(d) the grievance redressal mechanism at the Block level and the district level and the procedure to be followed in such manner under section 19;

(e) the manner in which and the conditions and limitations subject to which the State Fund shall be utilized under sub-section (2) of section 21;

(f) the authority who may administer and the manner in which he may hold the State Fund under sub-section (3) of section 21;

(g) the manner of maintaining books of accounts of employment of labourers and the expenditure under sub-section (2) of section 23;

(h) the arrangements required for proper execution of Schemes under sub-section (30) of section 23;

(i) the form and manner in which the accounts of the Scheme shall be maintained under sub-section (2) of section 24;

(j) any other matter which is to be, or may be, prescribed or in respect of which provision is to be made by the State Government by rules.

33. (1) Every rule made by the Central Government under this Act shall be laid, as soon as and Schemes may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive session aforesaid, both Houses agree in making any modification in the rule or both the Houses agree that the rule should not be made, the rule shall have 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.

(2) Every rule or Scheme made by the State Government under this Act shall, as soon as may be after it is made, be laid before each House of the State Legislature where there are two Houses, and where there is one House of the State Legislature, before that House.

34. (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient for removing the difficulty:

Provided that no order shall be made under this section after the expiry of three years from the commencement of this Act.

(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.

SCHEDULE I
(See section 4 (3)

MINIMUM FEATURES OF A RURAL EMPLOYMENT GUARANTEE SCHEME

1. The focus of the Scheme shall be on the following works in their order of priority:-
   (i) water conservation and water harvesting;
   (ii) drought proofing (including afforestation and tree plantation);
   (iii) irrigation canals including micro and minor irrigation works;
   (iv) provision of irrigation facility to land owned by households belonging to the Scheduled Castes and Scheduled Tribes or to land of beneficiaries of land reforms or that of the beneficiaries under the Indira Awas Yojana of the Government of India;
   (v) renovation of traditional water bodies including desilting of tanks;
   (vi) land development;
   (vii) flood control and protection works including drainage in water logged areas;
   (viii) rural connectivity to provide all-weather access; and
   (ix) any other work which may be notified by the Central Government in consultation with the State Government.

2. Creation of durable assets and strengthening the livelihood resource base of the rural poor shall be an important objective of the Scheme.

3. The works taken up under the Scheme shall be in rural areas.

4. The State Council shall prepare a list of preferred works for different areas based on their ability to create durable assets.

5. The Scheme shall be subject to appropriate arrangements as may be laid down by the State Government under the rules issued by it for proper maintenance of the public assets created under the Scheme.

6. Under no circumstances shall the labourers be paid less than the wage rate.
7. When wages are directly linked with the quality of work, the wages shall be paid according to the schedule of rates fixed by the State Government for different types of work every year, in consultation with the State Council.

8. The schedule of rates of wages for unskilled labourers shall be so fixed that a person working for seven hours would normally earn a wage equal to the wage rate.

9. The cost of material component of projects including the wages of skilled and semi-skilled workers taken up under the Scheme shall not exceed forty percent of the total project costs.

10. It shall be open to the Programme Officer and Gram Panchayat to direct any person who applied for employment under the Scheme to do work of any type permissible under it.

11. The Scheme shall not permit engaging any contractor for implementation of the projects under it.

12. As far as practicable, a task funded under the Scheme shall be performed by using manual labour and not machines.

13. Every Scheme shall contain adequate provisions for ensuring transparency and accountability at all level of implementation.

14. Provisions for regular inspection and supervision of works taken up under the Scheme shall be made to ensure proper quality of work as well as to ensure that the total wages paid for the completion of the work is commensurate with the quality and quantity of work done.

15. The District Programme Coordinator, the Programme Officer and the Gram Panchayat implementing the Scheme shall prepare annually a report containing the facts and figures and achievements relating to the implementation of the Scheme within his or her jurisdiction and a copy of the same shall be made available to the public on demand and on payment of such fees as may be specified in the Scheme.

16. All accounts and records relating to the Scheme shall be made available for public scrutiny and any person desirous of obtaining a copy or relevant extracts therefrom may be provided such copies or extracts on demand and after paying such fee as may be specified in the Scheme.

17. A copy of the muster rolls of each Scheme or project under a Scheme shall be made available in the offices of the Gram Panchayat and the Programme Officer for inspection by any person interested after paying such fee as may be specified in the Scheme.

SCHEDULE II
(See section 5)
CONDITIONS FOR GUARANTEED RURAL EMPLOYMENT UNDER A SCHEME AND MINIMUM ENTITLEMENTS OF LABOURERS
1. The adult members of every household who-
   (i) reside in any rural areas; and
   (ii) are willing to do unskilled manual work,
may submit their names, age and the address of the household to the Gram Panchayat at the village level (hereafter in this Schedule referred to as the Gram Panchayat) in the jurisdiction of which they reside for registration of their household for issuance of a job card.
2. It shall be the duty of the Gram Panchayat to register the household, after making such enquiry as it deems fit and issue a job card containing such details of adult members of the household affixing their photographs, as may be specified by the State Government in the Scheme.

3. The registration made under paragraph 2 shall be for such period as may be laid in the Scheme, but in any case not less than five years, and may be renewed from time to time.

4. Every adult member of a registered household whose name appears in the job card shall be entitled to apply for unskilled manual work under the Scheme.

5. All registered persons belonging to a household shall be entitled to employment in accordance with the Scheme made under the provision of this Act, for as many days as each applicant may request, subject to a maximum of one hundred days per household in a given financial year.

6. The Programme Officer shall ensure that every applicant referred to in paragraph 5 shall be provided unskilled manual work in accordance with the provisions of the Scheme within fifteen days of receipt of application or from the date he seeks work in case of advance application, whichever is later:

Provided that priority shall be given to women in such a way that at least one-third of the beneficiaries shall be women who have registered and requested for work under this Act.

7. Applications for work must be at least fourteen days of continuous work.

8. There shall be no limit on the number of days of employment for which a person may apply, or on the number of days of employment actually provided to him subject to the aggregate entitlement of the household.

9. Applications for work may be submitted in writing either to the Gram Panchayat or to the Programme Officer, as may be specified in this Scheme.

10. The Gram Panchayat and Programme Officer, as the case may be, shall be bound to accept valid applications and to issue a dated receipt to the applicant. Group applications may also be submitted.

11. Applicants who are provided with work shall be so intimated in writing, by means of a letter sent to him at the address given in the job card and by a public notice displayed at the office of the Panchayats at the district, intermediate or village level.

12. As far as possible, employment shall be provided within a radius of five kilometers of the village where the applicant resides at the time of applying.

13. A new work under the Scheme shall be commenced only if-

(a) At least fifty labourers become available for such work; and

(b) The labourers cannot be absorbed in the ongoing works:

Provided that this condition shall not be applicable for new works, as determined by the State Government, in hilly areas and in respect of afforestation.

14. In cases the employment is provided outside such radius, it must be provided within the Block, and the labourers shall be paid ten percent of the wage rate as extra wages to meet additional transportation and living expenses.

15. A period of employment shall ordinarily be at least fourteen days continuously with not more than six days in a week.

16. In all cases where unemployment allowance is paid or due to be paid, the Programme Officer shall inform the District Programme Coordinator in writing the reasons why it was not possible for him to provide employment or cause to provide employment to the applicants.
17. The District Programme Coordinator shall, in his Annual Report to the State Council, explain as to why employment could not be provided in cases where payment of unemployment allowance is involved.

18. Provisions shall be made in the Scheme for advance applications, that is applications which may be submitted in advance of the date from which employment is sought.

19. Provisions shall be made in the Scheme for submission of multiple applications by the same person provided that the corresponding periods for which employment is sought do not overlap.

20. The Gram Panchayat shall prepare and maintain or cause to be prepared and maintained such registers, vouchers and other documents in such form and in such manner as may be specified in the Scheme containing particulars of job cards and pass books issues, name, age and address of the head of the household and the adult members of the household registered with the Gram Panchayat.

21. The Gram Panchayat shall send such list or lists of the names and address of households and their adult members registered with it and supply such other information to the concerned Programme Officer at such periods and in such form as may be specified in the Scheme.

22. A list of persons who are provided with the work shall be displayed on the notice board of the Gram Panchayat and at the office of the Programme Officer and at such other places as the Programme Officer may deem necessary and the list shall be open for inspection by the State Government and any person interested.

23. If the Gram Panchayat is satisfied at any time that a person has registered with it by furnishing false information, it may direct the Programme Officer to direct his name to be struck off from the register and direct the applicant to return the job card:

Provided that no such action under this paragraph shall be directed unless the applicant has been given an opportunity of being heard in the presence of two independent persons.

24. If any personal injury is caused to any person employed under the Scheme by accident arising out and in the course of his employment, he shall be entitled to, free of charge, such medical treatment as is admissible under the Scheme.

25. Where hospitalization of the injured worker is necessary, the State Government shall arrange for such hospitalisation including accommodation, treatment, medicines and payment of daily allowance not less than half of the wage rate required to be paid had the injured been engaged in the work.

26. If a person employed under a Scheme dies or becomes permanently disabled by accident arising out of and in the course of employment, he shall be paid by the implementing agency an ex gratia payment at the rate of twenty five thousand rupees or such amount as may be notified by the Central Government and the amount shall be paid to the legal heirs of the deceased or the disabled, as the case may be.

27. The facilities of safe drinking water, shade for children and periods of rest, first aid box with adequate material for emergency treatment for minor injuries and other health hazards connected with the work being performed shall be provided at the work site.

28. In case the number of children below the age of six years accompanying the women working at any site is five or more, provisions shall be made to depute one of such women worker to look after such children.

29. The person deputed under paragraph 28 shall be paid wage rate.

30. In case the payment of wages is not made within the period specified under the Scheme, the labourers shall be entitled to receive payment of compensation as per the provisions of the Payment of Wages Act, 1936 (4 of 1936).
31. The wages under a Scheme may be paid either wholly in cash or in cash and in kind provided that at least one-fourth of the wages shall be paid in cash only.

32. The State Government may prescribe that a portion of the wages in cash may be paid to the labourers on a daily basis during the period of employment.

33. If any personal injury is caused by accident to a child accompanying any person who is employed under a Scheme, such person shall be entitled to, free of charge, such medical treatment for the child as may be specified in the Scheme and in case of death or disablement, through an ex gratia payment as may be determined by the State Government.

34. In case of every employment under the Scheme, there shall be no discrimination solely on the ground of gender and the provisions of the Equal Remuneration Act, 1976 (25 of 1976) shall be complied with.

By Order.

R.K. Purkayastha (SSJS)
L.R.–cum- Secretary,
Law Department
Government of Sikkim, Gangtok
File No. 11 (256) LD/ 2006
NOTIFICATION

The following Act of the Sikkim Legislative Assembly having received the assent of the Governor on 18th day of January, 2006 is hereby published for general information:-

THE SIKKIM REGULATION OF TRANSFER OF LAND ACT, 2005

AN ACT

to make provision for the regulation of transfer of lands, covering wider section of the population in the State and other matters connected therewith.

Whereas the old laws on transfer of land catered to certain section of the population in the State;

And whereas it has been considered expedient to have law regulating transfer of land covering wider sections of the population in the State and strengthen the existing law further.

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

1. (1) This Act may be called the Sikkim Regulation of Transfer of Land Act, 2005.

(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.

2. (a) "agriculturist" means a landowner who cultivates land personally in a holding situated in Sikkim.

Definition

Explanation (1)-

“to cultivate personally” with its grammatical variations and cognate expression means:-

(i) by one’s own account,

(ii) by one’s own labour,

(iii) by the labour of any member of one’s family, or

(iv) under the personal supervision of oneself or any member of one’s family by hired labour or by servant on wages payable either in cash or kind.

Explanation (2)-

in the case of a joint family the land shall be deemed to have been cultivated personally, if it is cultivated by any member of such family.
“Family” means husband, wife, children and includes his parents, grandparents, brothers and unmarried, widowed, separated or divorced sisters.

3 (1) Save as otherwise provided in any other law, rule or order and as provided hereunder, no transfer of land belonging to any person, by way of sale, gift, exchange, mortgaged or sublet with possession shall be valid in favour of a person who is not an agriculturist.

Explanation.-
For the purpose of this section the expression “transfer of land” shall not include -
(i) transfer by way of inheritance,
(ii) transfer by way of gift made or will executed in favour of any or all legal heirs of the donor or the testator as the case may be but shall include -
(a) a benami transaction in which land is transferred to an agriculturist for a consideration paid or provided by a non-agriculturist and
(b) authorization made by the owner by way of special or general power of attorney or by an agreement with the intention to put a non-agriculturist in possession of the land and allow him to deal with the land in the like manner as if he is a real owner of that land.

(2) Nothing in sub-section (1) shall be deemed to prohibit the transfer of land by any person in favour of -
(a) a person who has become non-agriculturist on account of acquisition of his land for any public purpose under Land Acquisition Act, 1894 or such other law with the permission of the State Government or
(b) a non-agriculturist with the permission of the State Government for the following purposes to such limit as may be prescribed -
(i) For Agricultural purpose or (ii) Horticultural purpose or for both purposes (iii) for construction of or setting up of Hotel, (iv) Restaurant, Industry or (v) Factory or such other enterprise generating economic activity or, (vi) medical or (vii) educational institution etc. (viii) or for such purposes as may be considered by the authority:

Provided that a person who is a non-agriculturist but purchases land either under clause (a) or (b) of the sub-section (2) with the permission granted under the said clauses of sub-section (2) shall irrespective of such purchase of land continue to be a non-agriculturist for the purpose of this Act:

Provided further that a non-agriculturist who purchases land under the above clauses and in whose case permission to purchase land is granted under clause (a) and (b) of the sub-section (2) shall put the land to such use for which the permission has been granted within a period of two years or for further such period not exceeding one year as may be allowed by the State Government for reasons to be recorded in writing to be counted from the date on which the said deed of land is registered and if he fails to do so or diverts the use of the land or transfers by way of sale, gift or otherwise, the land so purchased shall vest in the State Government in the manner prescribed free from all encumbrances.

(3) No Registrar or Sub-Registrar appointed under the relevant provision of law shall register any document pertaining to a transfer of land, which is in contravention of sub-section (1):

Provided that Registrar or the Sub-Registrar may register any transfer where the mortgage is made for procuring the loans for construction or improvements over the land either from the Government or from any other financial institutions constituted or established under any law for the time being in force or recognized by the State Government.

(4) Where the Registrar or the Sub-Registrar appointed under the relevant law before whom any document pertaining to transfer of land is presented for registration comes to know or has reason to believe that the transfer of land is in contravention of sub-section (1) or a Revenue Officer or a Sub-Registrar either on an application made to him or on receipt of
any information from any source comes to know or has reason to believe that any land has been transferred or is being transferred in contravention of the provisions of sub-section (1), such Sub-Registrar, or the Revenue Officer as the case may be shall make a reference to the Collector of the district in which the said land or any part thereof is situated and the Collector on receipt of such reference has reason to believe that any land has been transferred or is being transferred in contravention of the provisions of the sub-section (1) shall after affording to the persons who are parties to the transfer a reasonable opportunity of being heard and holding an enquiry determine whether the transfer of land is or is not in contravention of sub-section (1) and shall within 90 (ninety) days from the date of receipt of reference made to him or such longer period as the authority may allow for reasons to be recorded in writing, record his decision thereon and intimate the findings to the Registrar.

(5) The person aggrieved by the findings recorded by the Collector that a particular transfer of land is in contravention of the provisions of sub-section (1), may, within a period of 30 (thirty) days from the date on which the order recording such findings is made by the Collector file an appeal to the Registrar, to whom such Collector is subordinate, and the Registrar may, after giving the parties an opportunity of being heard and calling for records of the case from the Collector, reverse, alter or confirm the order made by the Collector and the order made by the Registrar shall be final and conclusive.

(6) The State Government may, either on a report of a Sub-Registrar or Revenue Officer or of its own motion, call for the records of any proceedings which are pending before, or have been disposed of, by any Revenue Officer or Sub-Registrar, may for the purpose of satisfying itself as to the legality or propriety of such proceedings or order made therein and may pass such order in relation thereto as it may think fit.

(7) No order shall be passed under this sub-section, which adversely affects any person unless such person has been given a reasonable opportunity of being heard.

(8) Where the Collector of the district sub-section (4) or the Registrar under sub-section (5) or the State Government under sub-section (6) decides that the transfer of land is in contravention of the provisions of sub-section (1), such transfer shall be void ab-initio and the land involved in such transfer together with structures buildings or other attachments if any, shall in the prescribed manner vest in the State Government free from all encumbrances.

(9) It shall be lawful for the State Government to make use of the land, which is vested or may be vested in it under sub-section (8) for such purpose as it may deem fit.

Power to make rules

4. The State Government may make rules for carrying out the purposes of this Act and in particular for any of the matters required to be prescribed under any of the foregoing provisions of this Act.

Saving

5. Notwithstanding the provisions contained in this Act the old law of Revenue Order No. 1 dated 17th May, 1917 and the Govt. of Sikkim, Land Revenue Department, O.O. No. 105/ LR dated Gangtok the 25th February, 1961 shall, however, continue to be validly operative in respect of its enforcement and the present Act shall be in addition and to supplement the aforesaid old laws.

By Order.

R.K. Purkayastha (SSJS)
L.R.-cum-Secretary,
Law Department
Government of Sikkim,
Gangtok.

File No. 16 (82) LD/ 2006

NOTIFICATION

The following Notification of Ministry of Law and Justice (Legislative Department) which has been published in the Gazette of India, Extraordinary, Part II- Section I dated 6th September, 2005 is hereby published for general information:-

MINISTRY OF LAW AND JUSTICE
(Legislative Department)

New Delhi, the 6th September, 2005/Bhadra 15, 1927 (Saka)

The following Act of the Parliament received the assent of the President on 5th September, 2005 and is hereby published for general information:-

THE PAYMENT OF WAGES (AMENDMENT) ACT, 2005

An Act further to amend the Payment of Wages Act, 1936.

Be it enacted by Parliament in the Fifty-Sixth Year of the Republic of India as follows:-

1. (1) This Act may be called the Payment of Wages (Amendment) Act, 2005.
   
   (2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. In section 1 of the Payment of Wages Act, 1936 of (thereinafter referred to as the principal Act), for sub-section (6), the following sub-section shall be substituted, namely:-

   “(6) This Act applies to wages payable to an employed person in respect of a wage period if such wages for that wage period do not exceed six thousand five hundred rupees per month or such other higher sum which, on the basis of figures of the Consumer Expenditure Survey published by the National Sample Survey Organisation, the Central Government may, after every five years, by notification in the Official Gazette, Specify.”.
3. Throughout the principal Act, unless otherwise expressly provided for, the expressions “the Central Government or a State Government” and “the State Government”, wherever they occur, the expression “appropriate Government” shall be substituted and such other consequential amendments as the rules of grammar may require shall also be made.

4. In section 2 of the principal Act,—

   (a) clauses (i), (ia) and (ib) shall be re-numbered, as clauses (ia), (ib) and (ic), respectively, and before clause (ia) as so re-numbered, the following clause shall be inserted, namely:-

   ‘(i) “appropriate Government” means, in relation to railways, air transport services, mines and oilfields, the Central Government and, in relation to all other cases, the State Government;’;

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

   ‘(v) “railway administration” has the meaning assigned to it in clause (32) of section 2 of the Railway Act, 1989;’.

5. For section 3 of the principal Act, the following section shall be substituted, namely:-

   “3. (1) Every employer shall be responsible for the payment of all wages required to be paid under this Act to persons employed by him and in case of persons employed,—

   (a) in factories, if a person has been named as the manager of the factory under clause (f) of sub-section 7 of the Factories Act, 1948;

   (b) in industrial or other establishment, if there is a person responsible to the employer for the supervision and control of the industrial or other establishments;

   (c) upon railways (other than in factories), if the employer is the railway administration and the railway administration has nominated a person in this behalf for the local area concerned;

   (d) in the case of contractor, a person designated by such contractor who is directly under his charge; and

   (e) in any other case, a person designated by the employer as a person responsible for complying with the provisions of the Act, the person so named, the person responsible to the employer, the person so nominated or the person so designated, as the case may be, shall be responsible for such payment.

   (2) Notwithstanding anything contained in sub-section (1), it shall be the responsibility of the employer to make payment of all wages required to be made under this Act in case the contractor or the person designated by the employer fails to make such payment.”.

6. In section 7 of the principal Act,—

   (a) in sub-section (1), for the words, brackets and figures “sub-section (2) of section 47 of the Indian Railways Act, 1890”, the words and figures “the Railways Act, 1989” shall be substituted;

   (b) in sub-section (2), in clause (i), for the words, figures and letter “in section 58A of the Indian Income-tax Act, 1922”, the words, brackets and figures “in clause (38) of section 2 of the Income-tax Act, 1961” shall be substituted;
(c) in sub-section (4), for the words and figures “the Indian Railways Act, 1890”, the words and figures “the Railways Act, 1989” shall be substituted.

7. In section 8 of the principal Act, in sub-section (6), for the words “sixty days”, the words “ninety days” shall be substituted.

8. In section 15 of the principal Act,-

(i) for sub-section (1), the following sub-section shall be substituted, namely:—

“(1) The appropriate Government may, by notification in the Official Gazette, appoint—

(a) any Commissioner for Workmen’s Compensation; or

(b) any officer of the Central Government exercising functions as—

(i) Regional Labour Commissioner; or

(ii) Assistant Labour Commissioner with at least two years’ experience; or

(c) any officer of the State Government not below the rank of Assistant Labour Commissioner with at least two years’ experience; or

(d) a presiding officer of any Labour Court or Industrial Tribunal, constituted under the Industrial Disputes Act, 1947 or under any corresponding law relating to the investigation and settlement of industrial disputes in force in the State; or

(e) any other officer with experience as a Judge of a Civil Court or a Judicial Magistrate, as the authority to hear and decide of any specified area all claims arising out of deductions from the wages, or delay in payment of the wages, of persons employed or paid in that area, including all matters incidental to such claims:

Provided that where the appropriate Government considers it necessary so to do, it may appoint more than one authority for any specified area and may, by general or special order, provide for the distribution or allocation of work to be performed by them under this Act.”;

(ii) for sub-section (3), the following sub-section shall be substituted, namely:—

“(3) When any application under sub-section (2) is entertained, the authority shall hear the applicant and the employer or other person responsible for the payment of wages under section 3, or give them an opportunity of being heard, and, after such further enquiry, if any, as may be necessary, may, without prejudice to any other penalty to which such employer or other person is liable under this Act, direct the refund to the employed person of the amount deducted, or the payment of the delayed wages, together with the payment of such compensation as the authority may think fit, not exceeding ten times the amount deducted in the former case and not exceeding three thousand rupees but not less than one thousand five hundred rupees in the latter, and even if the amount deducted or delayed wages are paid before the disposal of the application, direct the payment of such compensation, as the authority may think fit, not exceeding two thousand rupees:

Provided that a claim under this Act shall be disposed of as far as practicable within a period of three months from the date of registration of the claim by the authority:}
Provided further that the period of three months may be extended if both parties to
the dispute agree for any bona fide reason to be recorded by the authority that the said
period of three months may be extended to such period as may be necessary to dispose
of the application in a just manner:

Provided also that no direction for the payment of compensation shall be made in the
case of delayed wages if the authority is satisfied that the delay was due to-

(a) a *bona fide* error or *bona fide* dispute as to the amount payable to the employed
person; or

(b) the occurrence of an emergency, or the existence of exceptional circumstances,
the person responsible for the payment of the wages was unable, in spite of exercising
reasonable diligence; or

(c) the failure of the employed person to apply for or accept payment.;

(iii) in sub-section (4), for the words :"not exceeding fifty rupees" wherever they
occur, the words "not exceeding three hundred seventy-five rupees" shall be substituted.

9. In section 20 of the principal Act,-

(a) in sub-section (1), for the words "with fine which shall not be less than two
hundred rupees but which may extend to one thousand rupees", the words "with fine
which shall not be less than one thousand five hundred rupees but which may extend to
seven thousand five hundred rupees" shall be substituted;

(b) in sub-section (2), for the words "with fine which may extend to five hundred
rupees", the words "with fine which may extend to three thousand seven hundred fifty
rupees" shall be substituted;

(c) after sub-section (2), the following sub-section shall be inserted, namely:-

“(2A) Whoever being required to nominate or designate a person under section 3
fails to do so, such person shall be punishable with fine which may extend to three
thousand rupees.”;

(d) in sub-section (3), for the words "with fine which shall not be less than two
hundred rupees but which may extend to one thousand rupees", the words "with fine
which shall not be less than one thousand five hundred rupees but which may extend to
seven thousand five hundred rupees" shall be substituted;

(e) in sub-section (4), for the words "with fine which shall not be less than two
hundred rupees but which may extend to one thousand rupees", the words "with fine
which shall not be less than one thousand five hundred rupees but which may extend to
seven thousand five hundred rupees" shall be substituted;

(f) in sub-section (5), for the words "with fine which shall not be less than five hundred
rupees but which may extend to three thousand rupees", the words "with fine which shall
not be less than three thousand seven hundred fifty rupees but which may extend to
twenty-two thousand five hundred rupees" shall be substituted;

(g) in sub-section (6), for the words "one hundred rupees", the words "seven hundred
fifty rupees" shall be substituted.

10. For section 24 of the principal Act, the following section shall be substituted,
namely:-

“24. The appropriate Government may, by notification in the Official Gazette, direct
that any power exercisable by it under this Act shall, in relation to such matters and
subject to such conditions, if any, as may be specified in the direction, be also exercisable-
(a) where the appropriate Government is the Central Government, by such officer or authority subordinate to the Central Government or by the State Government or by such officer or authority subordinate to the State Government, as may be specified in the notification;

(b) where the appropriate Government is a State Government, by such officer or authority subordinate to the State Government as may be specified in the notification.”.

11. In section 26 of the principal Act,-

(a) in sub-section (4), for the words “which may extend to two hundred rupees”, the words “which shall not be less than seven hundred fifty rupees but which may extend to one thousand five hundred rupees” shall be substituted;

(b) after sub-section (6), the following sub-section shall be inserted, namely:-

“(7) All rules made under this section by the State Government shall, as soon as possible after they are made, be laid before the State Legislature.”.

By Order.

R.K. Purkayastha (SSJS)
L.R.-cum-Secretary,
Law Department
Government of Sikkim,
Gangtok.

T.K. VISWANATHAN,
Secretary to the Government of India.
DECLARATION UNDER SECTION 6 OF
LAND ACQUISITION ACT, 1894 (ACT I OF 1894)

Whereas the Governor is satisfied that land is needed for a public purpose not being a purpose of the Union, namely for the construction of Syari to Kopitar road of SPWD Road and Bridges Department in the block of Syari, East Sikkim, it is hereby declared that a piece of land comprising cadastral Plot No. 333(P), 334(P), 335(P), 341(P), 342(P), 346(P) and measuring more or less 0.0834 hectare bounded as under:-

EAST : Housing Colony Syari (Compound).
WEST : Dry field of Kami Tshering.
NORTH : Dry field of Kami Tshering and Dry land of Sonam Paljor Bhutia.
SOUTH : Dry field of Kami Tshering and Dry land of Sonam Paljor Bhutia is needed for the abovesaid public purpose at the public expense within the aforesaid block of Syari, East District.

This declaration is made under the provision of Section 6 of L.A.Act, 1894 to all to whom it may concern.

A plan of the land may be inspected in the Office of the District Collector, East, Gangtok.

K.N.SHARMA
SECRETARY,
LAND REVENUE & DISASTER MANAGEMENT DEPARTMENT,
GOVERNMENT OF SIKKIM,
GANGTOK.
FILE NO. 170/LR&DMD(S).

In exercise of the powers conferred by sub-section (1) and clause (h) of sub-section (2) of section 64, of the Wildlife (Protection) Act, 1972 (Act No. 53 of 1972), the State Government hereby makes the following rules, namely:-

1) Short title, extent and commencement
(1) These rules may be called the Sikkim Wildlife (Regulation of Trekking) Rules, 2005.
(2) They extend to the whole of the Sikkim.
(3) They shall come into force on the date of publication in the official gazette.

2) Definitions
(b) “biodegradable material” includes all those materials that decompose naturally in nature, but excludes all paper products;
(c) “compounding officer” means the person appointed by the State Government under section 54 of this Act;
(d) “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;
(e) “environmental pollutant” means any solid, liquid or gaseous substance in such concentrations as may be, or tend to be injurious to environment;
(f) “environmental pollution” means the presence in the environment of any environmental pollutant;
(g) “wildlife area” for the purpose of these rules means area notified as Sanctuary, National Park, Biosphere Reserve or Conservation Reserve;
(h) “government” means the Government of Sikkim;
(i) “non-biodegradable material” includes all those materials that are not biodegradable materials;
(j) “State” means State of Sikkim.
(k) “trekking service provider” includes porters, pack animal operators, cooks, guides, their assistants and all other support staff;
(l) “trekking company” means the person who at the time the offence or contravention was committed, was in charge of, and was responsible to the company for the conduct of the business of the company that had organized the trekking;
(m) “trek manager” means the trekking company that has organized the trek, or in its absence the group leader of the trekking party or in the absence of both of these, the trekker himself;
(n) “water body” includes lakes, ponds, rivers, streams and glaciers.
(2) Words and expressions used herein but not defined, but defined in the Act shall have the meanings respectively assigned to them in the Act.

3) Actions prohibited in wildlife area

(1) Within a wildlife area a trekker, trekking service provider or trekking company shall not:
   a) use firewood;
   b) damage or cut shrubs or thickets;
   c) dispose non-biodegradable material within wildlife area;
   d) pollute water body;
   e) collect plants or their parts;
   f) be accompanied by stray dogs or pet animals;
   g) feed, shout, tease, chase, disturb or molest wild animals;
   h) play loud music or use loud speakers;
   i) deface or damage rocks, tree trunks or government infrastructure or facilities;
   j) camp outside designated campsites;
   k) trek outside designated nature trails;
   l) defecate within 100 meters of any water body;
   m) camp within 500 meters of the periphery of any lake;
   n) cause environmental pollution;
   o) defile sites of religious and cultural significance such as sacred mountains, lakes, rocks, caves and shrines or
   p) commit any other act that may be injurious to forests, water bodies, plants, animals or
disturb the natural tranquility of such sites or become a nuisance to fellow trekkers.

(2) A trek manager shall:
   a) engage trekking service providers who are genuine Sikkim subjects and possess the Certificate of Identification.
   b) engage pack animals owned by genuine Sikkim subjects who possess the Certificate of Identification
   c) provide adequate cooked food for the trekking service providers while in a wildlife area and
      ensure that they do not use firewood;
   d) obtain a permit and pay prescribed fees before entering a wildlife area;
   e) register at the forest/wildlife checkpost before entering a wildlife area;
   f) bury the biodegradable materials responsibily in designated sites while in a wildlife area;
   g) arrange to carry sufficient kerosene and LPG for heating and cooking purposes

(3) A trekker, trekking service provider or the trek manager shall not leave any non-biodegradable material in wildlife area during a trek, and such materials shall be declared at the forest/wildlife checkpost both before and after the trek.

(4) The pack animal operator shall arrange for fodder for the pack animals and ensure that they do not graze freely in wildlife areas.

(5) No person shall sell liquor, drugs or other intoxicants within a wildlife area.

(6) No person shall carry out any research or study within a wildlife area without the prior permission of the Government.

4) Penalties

(1) Whenever a trekker or a trekking service provider or a trekking company contravenes or attempts to contravene or abets the contravention of sub-rules 1 or 2 of Rule 3, an offence would be deemed to have been committed and the concerned trek manager shall be punishable with a fine which shall not be less than five thousand rupees but may extend to ten thousand rupees apart from the compensation for the damage caused.
(2) Whenever a trekker or a trekking service provider or a trekking company contravenes sub-rule 3 of Rule 3, an offence would be deemed to have been committed and the concerned trek manager shall be punishable with fine which shall not be less than one thousand rupees but may extend to fifteen thousand rupees and the fine so collected shall be used to restore the wildlife area to its original state.

Provided that in case of a subsequent offence the fine shall not be less than ten thousand rupees and may extend to twenty-five thousand rupees and the concerned trekker or trekking service provider or trekking company shall be banned from trekking or organizing trekking in the wildlife areas of the State for a period of five years.

(3) Whenever any pack animal operator contravenes sub-rule 4 of Rule 3, an offence would be deemed to have been committed and the concerned pack animal operator shall be punishable with a fine which shall not be less than five thousand rupees but may extend to ten thousand rupees apart from the compensation for the damage caused.

Provided that in case of a subsequent offence the fine shall not be less than ten thousand rupees and may extend to twenty five thousand rupees apart from the compensation for the damage caused and the pack animal operator and his pack animals shall be banned from entering the wildlife areas of the State for a period of five years.

(4) Whenever any person contravenes sub-rule 5 of Rule 3, an offence would be deemed to have been committed and the person shall be punishable with a fine which shall not be less than five thousand rupees but may extend to ten thousand rupees.

(5) Whenever any person contravenes sub-rule 6 of Rule 3, an offence would be deemed to have been committed and the person shall be punishable with a fine which shall not be less than ten thousand rupees but may extend to twenty thousand rupees and the person shall be henceforth banned from entering the wildlife areas of the state.

5) Detection of such offences

(1) Other than forest officers, the Ecodevelopment Committees (EDC), Joint Forest Management Committees (JFMC) shall be authorized to detect offences under these rules and arrest the offender if there is reason to believe that he will abscond.

(2) Any person arrested under sub-rule (1) shall be handed over forthwith to the nearest forest/wildlife office.

(3) Registered Non Governmental Organizations (NGOs) and the trekking service providers shall be authorized to detect offences and inform the nearest forest/wildlife office.

6) Reward

(1) The compounding officer may order reward to be paid to a person who renders assistance in the detection of the offence or apprehending the offender out of the sum of money accepted as fine not exceeding twenty percent of such money.

(2) The compounding officer may meet up the expenditure incurred for detecting the offence and apprehending the offender out of the sum of money accepted as fine not exceeding twenty percent of such money.

7) Rules to apply in addition to other laws

These rules shall apply in addition to the laws relating to forests, environment, wildlife and biodiversity.

T. R. Poudyal, IFS
Principal Chief Conservator of Forests –cum- Secretary
Department of Forest, Environment & Wildlife Management
Government of Sikkim
File No: 250/WLC/F/05

Guidelines for the Appointment of *Himal Rakshak*

**The Need:**

1. About 59% of Sikkim (4,187 sq. km) lies above 3000 meters and most of this is classified as Reserve Forests. This sub-alpine and alpine landscape of the Sikkim Himalayas locally referred to as *Himal*, has a unique ecosystem and cultural and wildlife values associated with it. It is a repository of unique, globally significant wildlife like the Snow Leopard, Musk Deer and Black Necked Crane and also provides an ideal habitat for their survival. The *Himal* also forms the headwaters of important perennial rivers and conserving this water bank is essential for the survival of thousands of villagers who live at the lower elevations. Improved ecological health of this ecosystem translates to sufficient water in the streams even in the lean season, which sustains agricultural and horticulture crops, directly translating to food and health security of the villagers living downstream. The *Himal* is also a repository of valuable medicinal plants, which form the basis for the indigenous systems of medicine. Most of the peaks, lakes, rivers and caves here are considered sacred and are visited by pilgrims to pay homage.

**Present Status, Gaps and Challenges:**

2. Though most of lower and middle hill forests have been brought under the Joint Forest Management (JFMC/EDC) network, the upper hill forests of the Himalayas, despite determined efforts, still continue to be under inadequate management, beset with threats and need urgent interventions. The main threats being unregulated grazing, unplanned trekking tourism, hunting and trapping of wild animals, smuggling of medicinal and aromatic plants and lack of awareness amongst the security forces. Effective conservation of the *Himal* by forest staff alone is very difficult due to its high altitude, remoteness, tough terrain, harsh climate and limited resources available. Further lack of adequate infrastructure and facilities make every patrolling visit more like an expedition, with a large contingent of support staff and resultant high attendant costs.

**The Strategy:**

3. Hence it is proposed to enlist the support of the villagers, practicing traditional subsistence livelihoods in the high altitudes of the Himalayas, in conservation management. Such villagers, who are willing, shall be recognized as *Himal Rakshaks* (Honorary Mountain Guardians) and their capacity building done. This will
result in a more effective, participatory “on ground” conservation of the Himal jointly with the Forest Department. Since it is their traditional livelihoods which compel the Himal Rakshaks to access the Himal, these livelihoods will be permitted in a regulated manner, provided they perform their duties and responsibilities.

Legal Status:
(4) Section 4(1) of the Wildlife (Protection) Act 1972 empowers the state government to appoint
   a. A Chief Wildlife Warden
   b. Wildlife Wardens
   [(bb) Honorary Wild Life Wardens]
   c. Such other officers or employees as may be necessary for the purposes of the Act. Himal Rakshaks can be appointed on a honorary basis, under sub-section (c) of section 4 of the Act read in conjunction with clause (b) of section 33, read with sub-section (8) of section 35 and sub-section (2) of section 36A of the Wildlife (Protection) Act, 1972 (53 of 1972). Under section 59 of the aforesaid act, such Himal Rakshaks shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code.

(5) The legal status, land tenure and ownership of the Himal shall remain unchanged.

Criteria for Selection:
(6) The following criteria should be kept in mind while assessing the suitability of a person as a Himal Rakshak. (a) Bonafide resident of the state of Sikkim. (b) Genuine concern for wildlife conservation. (b) Personal record free of any current involvement in any activity detrimental to the interests of nature and wildlife conservation. Any person involved in commercial exploitation of wildlife should not be considered. (c) Personally visit the Himal regularly in the normal course of his lifestyle (d) Willingness to render support to the official machinery. The nature of the livelihood is traditional and has been carried out since generations. (e) The livelihood is of subsistence level and for bonafide personal use and not for any commercial purpose. (f) This livelihood is the sole basis for the sustenance of the household. (g) The sensitive habitats / strict conservation zones are not disturbed. (h) Any other regulation that may be assigned by the concerned divisional forest officer or any other high authority.

Yak (and Hybrid Yak) herders from the districts of West, South and East Sikkim are not eligible for selection under this criterion, since there is no cold desert in these districts, which is the only natural home for the yak in the state.

An important point to bear in mind is the identification of Himal areas prone to threats or close to sanctuaries, national parks and conservation reserves. Selection of persons as Himal Rakshaks must be related to such high altitude problem areas because it is these areas which need priority attention and where public participation is needed most.

Procedure for Appointment, Performance Appraisal and Termination:
(7) These guidelines for the appointment of Himal Rakshaks should be approved by the State Government.
(8) When recommending any person for such appointment, the criteria laid down in paragraph 6 above must be kept in mind.
(9) It is very important that the right persons are selected for appointment as Himal Rakshaks. The selection process would involve an initial selection by the concerned JFMC/EDC jointly with the concerned Ward Panchayat and forwarded to the concerned Divisional Forest Officer who shall verify whether the criteria for selection has been adhered to or not. He shall then forward the names of suitable persons to the Chief Wildlife Warden of the state for onward appointment.
(10) The appointment of any Himal Rakshak should in the first instance be generally for a period of one year. Thereafter on the recommendation of the concerned Divisional Forest Officer, it may be renewed for a period not exceeding 2-3 three years at a time.
(10) Each Himal Rakshak should be issued an identity card having his signature and photograph duly attested by the concerned divisional forest officer.
(11) The performance of the Himal Rakshaks shall be reviewed annually by the concerned divisional forest officer jointly with the concerned JFMC/EDC and the Gram Panchayat. In the absence of such appraisal, the appointment of the Himal Rakshak shall be automatically renewed for the next year.
The divisional forest officer may at his/her discretion, terminate the appointment of any *Himal Rakshak* at any time, if he/she does not perform his duties and responsibilities or carries out any activity detrimental to the interests of nature and wildlife conservation.

**Duties and Responsibilities:**

(13) The main duty and responsibility of a *Himal Rakshak* is to assist whole heartedly in wildlife conservation work with regard to the following matters:

- Control of poaching and clandestine trade in wild animals and products / articles thereof
- Detection of offences under the Wildlife (Protection) Act and the rules made thereunder.
- Preventing damage to the habitat of wildlife
- Preventing smuggling of medicinal and aromatic plants for trade
- Preventing instances of bio-piracy by tourists and others
- Reducing the negative impacts from unplanned trekking tourism
- Carrying the message of conservation to the people and enlisting their public support for nature and wildlife conservation
- Carrying our biological surveys and monitoring
- Render assistance to the forest personnel during their visits to the *Himal*
- Any other matter related with the conservation of wildlife, which may be entrusted by the concerned Divisional Forest Officer.

**Powers:**

(14) The *Himal Rakshak* shall report to the concerned JFMC/EDC and the concerned divisional forest officer and under section 59 of aforesaid Act he/she shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code. Protection for action taken in good faith is provided under section 60 of the Act.

(15) With a view of making the *Himal Rakshaks* useful and effective it is necessary that the following specific powers under the Wildlife (Protection) Act 1972 should be delegated to them: (a) Powers of entry, search, seize and detention under section 50 for prevention and detection of offences under the Act.

(16) Apart from the above, the State Government may delegate any other power under the aforesaid Act, as it may consider necessary.

**Benefits and Capacity Building:**

(17) The *Himal Rakshaks* shall be permitted to continue their existing livelihood in the *Himal* in a regulated manner provided they perform their duties and responsibilities. The State Government is however not liable to pay any monetary remuneration to the *Himal Rakshaks*, in lieu of their service.

(18) The State Government should recognize outstanding work or service rendered by a *Himal Rakshak*. Such recognition can be by way of a letter of commendation, or a certificate signed by the Forest Minister or Forest Secretary. Cash awards could also be considered for suitable cases.

(19) The Forest Department shall in partnership with reputed NGOs and others seek to build the capacity of the *Himal Rakshaks* in conservation management. This would include trainings and support for collection of data in prescribed formats on status, distribution and threats to wildlife and their habitat.

**Cooperation:**

(20) If the circumstance warrant, the departmental staff should provide all possible help and assistance. However no staff or vehicle support can be provided to *Himal Rakshaks* as a matter of course.

(21) Just as it is expected that the *Himal Rakshaks* should assist the forest personnel, it is equally essential that the Forest Department should take all possible steps to associate the *Himal Rakshaks* in their work. This can be achieved best by fostering a spirit of mutual trust and confidence.

T.R. Poudyal, IFS
Principal Chief Conservator of Forests cum Secretary
Department of Forest, Env. and Wildlife Management
Government of Sikkim
File No: 250/WLC/F/05

In exercise of the powers conferred by sub-section (8) of section 35 of the Wildlife (Protection) Act, 1972 (53 of 1972) the State Government hereby makes the following notification:-

1. Background and Need

It is impractical to have large National Parks with no zonation, where essentially the entire area is considered as a ‘core zone’. Protected Areas should be zoned according to values in smaller pockets not necessarily as large cores, but a mosaic of smaller, manageable cores, spread in an area with tempered human use. Other areas for incentive programmes such as community based tourism need to be established. The smaller cores should act as ‘source’ populations for sustaining populations of endangered species outside.

2. Aims and Objectives

Conservation of the Musk Deer (Moschus chrysogaster) population – the flagship species of the high altitude alpine ecosystem, and its habitat alongwith other high altitude flora, fauna, and alpine ecosystems at Areylungchok in West Sikkim by declaration of 27 square kilometer of the Khangchendzonga National Park (1.51% of the total area of KNP) as the Areylungchok Musk Deer Conservation Zone (AMDCZ).

3. Conservation Importance and Values

The steep rocky ridge of Areylungchok located between the Rathong chu and Relli rivers has been traditionally free from grazing by both sheep and yaks and also collection of medicinal plants. Steep rocky cliff, shortage of water, heavy wind and snow and severe cold all play a vital role in this area being free from livestock grazing pressure. The lower reaches of this ridge along the Onglaktang valley has extensive Rhododendron thickets which give way to Alpine scrub (Rhododendron and Juniper) in the middle reaches. The upper reaches have a limited extent of alpine sedge meadows.

This area has a population of musk deer and blue sheep and is also important from the point of view of studying the impacts of pastoralism, since it has a very limited grazing history by domestic livestock. Valuable medicinal plants like Sharmaguru, Mykopila, Bikhma, Jatamanshi, Bhuskesh, Pakhanbhed, Dandu and Khokim were also abundantly available. Tussock forming grasses like Bhalu buki and sun buki formed large meadows. This unique vegetation is not available in other parts of KBR. Availability of other fodder plants like Ganar, Cheeru, Suire, Teeure, Khokim and Dandu further enrich the value of these meadows. The presence of a number of urars (caverns) provides cover from inclement weather for wild ungulates. During winter when there is a shortage of winter pastures, these meadows play an important role in providing the much needed fodder during the lean season.

4. Baseline Habitat Survey during summer of 2005
Vegetation sampling was conducted during late July and August based on 30 (1 X 1 meter quadrate) sample plots with the sampling stations at Ghumney, Surkey Danra and Dhurd. This alpine landscape can be categorized as follows:

<table>
<thead>
<tr>
<th>S. No.</th>
<th>Landscape Property</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Habitat Type</td>
<td>Tussock forming Sedge Meadow</td>
</tr>
<tr>
<td>2</td>
<td>Aspect</td>
<td>South west</td>
</tr>
<tr>
<td>3</td>
<td>Biotic Pressure</td>
<td>Very limited history of grazing or collection of medicinal plants</td>
</tr>
<tr>
<td>4</td>
<td>% vegetation cover</td>
<td>75%</td>
</tr>
<tr>
<td>5</td>
<td>% cover of palatable plants</td>
<td>58% (dominated by Bhalu buki (Kobresia duthiei))</td>
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<tr>
<td>6</td>
<td>Species richness (no of species per sample plot of 1m²)</td>
<td>5.5</td>
</tr>
<tr>
<td>7</td>
<td>Valuable fodder plants</td>
<td>Bhalu buki (Kobresia duthiei), Kesari buki (Kobresia nepalensis), Sun buki (Kobresia capillifolia), Rani buki (Festuca vallesiac), Suire buki (Juncus sp.), Ganer (Heracleum sp.), Kenjo (Rheum nobile), Harkat (Carex nivalis) and Shyamphul (Pleuroserpermum sp.)</td>
</tr>
<tr>
<td>8</td>
<td>Evidence of key wildlife (direct and indirect evidence)</td>
<td>Musk Deer, Blue Sheep, Himalayan Tahr, Snow Partridge and Himalayan Monal</td>
</tr>
<tr>
<td>9</td>
<td>Valuable medicinal plants</td>
<td>Bikth (Aconitum ferox), Khokim (Rheum acuminatum), Dandu (Allium wallichii), Bhutkesh (Anemone polyanthes) and Jatamanshi (Nardostachys grandiflora)</td>
</tr>
</tbody>
</table>

Rocky ledges were also present which act as shelter for blue sheep during heavy snowfall. It is also an important Himalayan Tahr habitat. These meadows serve as a critical winter pasture for them. Should be given highest conservation importance and kept free from competition from domestic livestock. Also these meadows are limited in extent.

Feeding signs of musk deer on the nutrient rich inflorescence (flowers) of Ganar and Khokim at Ghumne and Danra Jhareni was found. Pellets and hoof marks of musk deer were found at Upper Chonrigang and Khola Urar. Above Chonripaley we came across hoof mark of musk deer and pellets of blue sheep. Pellets of snow partridge (Larewa) and Himalayan Monal (Danphe) were abundantly available.

The team also came across five traps in the ridge above Rungdung village which were subsequently demolished by the park authorities. Also there are unconfirmed reports of a sheep herder from Dhoopi to have indulged in poaching of musk deer at Areylungchok in the same year.

5. Existing legal status and threats

The Areylungchok Musk Deer Conservation Zone (AMDCZ) falls within the Khangchendzonga National Park which is notified under the Wildlife Protection Act -1972 and the flagship species here is the globally endangered Musk Deer (Moschus chrysogaster) which is protected under schedule I of Wildlife Protection Act-1972. Adult males have a pod under their abdominal skin which is valued for its scent. The musk deer is persecuted for its valuable pod using trained dogs as well as setting traps. The main threat to the musk deer is from hunting by laying traps and also using hunting dogs by sheep herders from Dhoopi village and professional hunters from Karjee village. There are increasing linkages between local persecution of wildlife and the larger illegal wildlife trade. Unplanned tourism also threatens this sensitive and shy animal.

6. Boundaries

Declaring this area within the KNP, with the following borders as a Areylungchok Musk Deer Conservation Zone.

**North**
Khola Urar stream (is contiguous with the southern boundary of the Lampokhri Medicinal Plants Conservation Zone)

**East**
Follows the source of the Khola Urar Stream, crosses the ridge and again follows the stream till it meets with the 3000m contour

**South**
Follows the 3000 meter contour

**West**
Follows the 3000 meter contour till it meets the Khola Urar stream

**Total Area**
27 square kilometers (1.51% of the total area of KNP)
This conservation area includes the areas around Khola Urar, Surgy Danra, Ghumne, Shyarbey, Chongripaley, Sukey Pokhri, Dhurd, Mool Dhunga, Patey Bhanjyang, and Kasturi Urar.

7. Map of the conservation Area

8. Key Issues in the Conservation Management Plan

(A) Conservation Initiatives
   (1) Publicity of these regulations by installing adequate signages at Yuksam, Labdang and near the trekker’s huts, camping sites and the conservation zone.
   (2) Informing the travel agents, tour operators, herders, panchayats, pack animal operators, trekking service providers, Himal Rakshaks, JFMC/EDC and NGOs about these regulations.
   (3) Capacity building of field staff of forest department, travel agents, herders, pack animal operators, Himal Rakshaks, Panchayats, JFMC/EDC and local NGOs.
   (4) Annual census / survey of the population, distribution and status of musk deer and blue sheep and other indicator flora and fauna in this conservation zone shall be conducted.
   (5) Encourage focused conservation and recovery programs for the musk deer.
   (6) Regular patrolling jointly with the local community, JFMC/EDC and Himal Rakshaks especially during monsoons and winters should be conducted to ascertain instances of poaching and status of other threats and controlling them.
   (7) Setting up of a wildlife intelligence network
   (8) Involvement of reputed NGOs in wildlife research, conservation and monitoring
   (9) These conservation initiatives should be incorporated into the existing schemes and programmes of the Khangchendzonga National Park and Khangchendzonga Biosphere Reserve in order to provide adequate funds for implementation of this zonation and conservation management plan.

(B) Conservation Regulations
   (1) Movement of pack animal (horses, dzos and yaks) beyond Thangsing into Chonrigang, Lampokhri, Chamrey, Khola Urar and Areylungchok is prohibited throughout the year.
   (2) Movement of pack animal (horses, dzos and yaks) beyond Labdang into Kasturi Urar, Patey Bhanjyang, Sukey Pokhri, Areylungchok and Khola Urar is prohibited throughout the year.
   (3) For tourists entering from Thangsing, only day trek is permitted from Thangsing to Lampokhri. Movement of tourists and support staff is permitted only up to Lampokhri. No camping by tourists within this conservation zone is permitted.
   (4) For tourists entering from Labdang on the Areylungchok-Dzongri trek, camping is permitted only at Kasturi Urar and Khola Urar. Pack animals (horses, dzos and yaks) are not permitted on this trek. Lighting fire or cooking food is permitted only at the designated campsites.
(C) Legal provisions and penalty

(1) Pack animal (horse, dzo and yak) operators or yak herders who enter into this conservation zone shall be punishable with a fine which shall not be less than five thousand rupees but may extend to ten thousand rupees apart from the compensation for the damage caused. Provided that in case of a subsequent offence the fine shall not be less than ten thousand rupees and may extend to twenty five thousand rupees apart from the compensation for the damage caused and the concerned pack animal operator or yak herder shall be banned from entering in the forest areas of the state for a period of five years.

(2) If tourists or support staff violate the conservation regulations then the concerned travel company organizing the trek or in its absence the group leader of the trekking party (hereinafter referred to as “trek manager”) shall be punishable with a fine which shall not be less than five thousand rupees but may extend to ten thousand rupees apart from the compensation for the damage caused. Provided that in case of a subsequent offence the fine shall not be less than ten thousand rupees and may extend to twenty five thousand rupees apart from the compensation for the damage caused and the concerned “trek manager” shall be banned from trekking or organizing trekking in the forest areas of the state for a period of five years.

(3) The compounding officer shall include all forest officers not below the rank of a block officer. The compounding officer may order reward to be paid to a person who renders assistance in the detection of the offence or apprehending the offender out of the sum of money accepted as fine not exceeding twenty percent of such money. The compounding officer may meet up the expenditure incurred for detecting the offence and apprehending the offender out of the sum of money accepted as fine not exceeding twenty percent of such money.

(4) These rules shall apply in addition to the laws relating to forests, environment, wildlife and biodiversity.

T. R. Poudyal, IFS
Principal CCF cum Forest Secretary
Department of Forest, Environment and Wildlife Management
Government of Sikkim
File No: 250/WLC/F/05

Lampokhri Medicinal Plants Conservation Zone

In exercise of the powers conferred by sub-section (8) of section 35 of the Wildlife (Protection) Act, 1972 (53 of 1972) the State Government hereby makes the following notification:-

1. Background and Need

It is impractical to have large National Parks with no zonation, where essentially the entire area is considered as a ‘core zone’. Protected Areas should be zoned according to values in smaller pockets not necessarily as large cores, but a mosaic of smaller, manageable cores, spread in an area with tempered human use. Most of the valuable medicinal plants have restricted populations and are now showing signs of recovery. This **insitu** germplasm could be used as a source of planting material for **exsitu** cultivation of these valuable medicinal plants to sustain livelihoods in future.

2. Aims and Objectives

Conserving the wild germplasm and the habitat of valuable and endangered medicinal plants along with other high altitude flora, fauna and wetlands at Lampokhri (near Thangsing) in West Sikkim by the declaration of 15 square kilometer of the Kanchendzonga National Park (0.84% of the total area of KNP) as the Lampokhri Medicinal Plants Conservation Area (LMPCZ). It envisages the creation of **insitu** field gene banks of inter and intra specific diversity of medicinal plants across the alpine zone of the Greater Himalayas in the Eastern Himalayas.

3. Conservation Importance and Values

The Lampokhri area is in the south eastern corner of the Onglaktang valley having a western aspect. This area around Lampokhri (near Thangsing), Chonrigang, Sano Taar, Dalle Pokhri, Chamrey, Khola Urar, Khola Jhareni, Thulo Jhareni, Danra Jhareni and Pairey Jhareni is extremely rich in **insitu** germplasm of valuable medicinal plants like Kurki, Jatamanshi, Panchamla, Bikh, Bikhma, Bhutkesh, Pakhanbhed, Rambu, Dandu and others. A few plants of Bikhma were found only here. Pellets of musk deer were found near the urars (caverns) at Upper Chonrigang and Sano Taar.

4. Baseline Habitat Survey during summer of 2005

Jhareni is a ridge between Aralungchok and Lampokhri, with abundant water availability since it is criss-crossed by three streams namely Khola Jhareni, Thulo Jhareni and Pairey Jhareni. It is covered with rich Silver Fir forests and Rhododendron thickets. This ridge is specially a treasure-house of valuable medicinal plants. The most profuse regeneration of Kurki was inside the yak sheds and in the urars nearby. Local resource persons
inform that the gothala collect Kurki and store it in the yak shed and the nearby urars are used to dry it in makeshift Bhattis. The seeds that got scattered in the process, are now germinating.

There is also abundant growth of valuable medicinal plants like Bikh, Panchamla, Pakhanbhed, Dandu, Jatamanshi and Bhutkesh also many other endangered plants were also found here.

5. Existing legal status and threats
The Lampokhri Medicinal Plants Conservation Area (LMPCZ) falls within the Khangchendzonga National Park which is notified under the Wildlife Protection Act -1972. The biggest threat to the medicinal plant population is from illegal collection and smuggling by the yak herders. Also grazing on the vegetative and sexual parts of these herbs by yaks during summer adversely impacts the reproduction cycle of these plants. As they are not able to complete their life cycle and consequently natural regeneration is hampered. During the habitat survey conducted in the summer of 2005, the yak herder with yak sheds at Chonripaley and Jhareni had just been evicted. However there is grazing pressure from dzos and horses especially at Chongripaley, Lampokhri and Chamrey.

6. Boundaries
Declaring this area within the KNP, with the following borders as Lampokhri Medicinal Plants Conservation Zone (LMPCZ)

<table>
<thead>
<tr>
<th>North</th>
<th>Neer pokhri stream</th>
</tr>
</thead>
<tbody>
<tr>
<td>East</td>
<td>6000 meter contour</td>
</tr>
<tr>
<td>South</td>
<td>Khola Urar stream (is contiguous with the northern boundary of the Aralungchok Musk Deer Conservation Zone)</td>
</tr>
<tr>
<td>West</td>
<td>Prek Chu river</td>
</tr>
<tr>
<td>Total Area</td>
<td>15 square kilometers (0.84% of the total area of KNP)</td>
</tr>
</tbody>
</table>

This conservation area includes the areas around Lampokhri (near Thangsing), Chonrigang, Sano Taar, Dalle Pokhri, Chamrey, Khola Urar, Khola Jhareni, Thulo Jhareni, Danra Jhareni and Pairey Jhareni.

7. Map of the conservation Area

8. Conservation Management Plan

(A) Conservation Initiatives
(1) Ethnobotanical studies in partnership with Bare Foot botanists (BFBs) from local communities. Documentation of all plant taxa occurring in this medicinal plants zone with herbarium records, systematic estimation of plant populations and regeneration, distribution patterns, association, micro habitat and use patterns needs to be carried out.
(2) Encourage focused conservation and recovery programs for endangered medicinal plants like Aconitum spicatum (Bikhma) and others.
(3) Regular patrolling jointly with the local community, trekking service providers, JFMC/EDC and Himal Rakshaks especially during monsoons and winters should be conducted to ascertain instances of illegal collection and smuggling of medicinal plants and the status of other threats.

-2-
(4) Setup a wildlife intelligence network.

(5) Involvement of reputed NGOs in medicinal plants research, conservation and monitoring.

(B) Conservation Regulations

1. Movement of pack animal (horses, dzos and yaks) beyond Thangsing into Chonrigang, Lampokhri, Chamrey, Khola Urar and Aralungchok is prohibited throughout the year.

2. Movement of pack animal (horses, dzos and yaks) beyond Labdang into Kasturi Urar, Patey Bhanjyang, Sukey Pokhri, Aralungchok and Khola Urar is prohibited throughout the year.

3. For tourists entering from Thangsing, only day trek is permitted from Thangsing to Lampokhri. Movement of tourists and support staff is permitted only up to Lampokhri. No camping by tourists within this conservation zone is permitted.

4. For tourists entering from Labdang on the Aralungchok-Dzongri trek, camping is permitted only at Kasturi Urar and Khola Urar. Pack animals (horses, dzos and yaks) are not permitted on this trek. Lighting fire or cooking food is permitted only at the designated campsites.

(C) Legal provisions and penalty

1. Pack animal (horse, dzo and yak) operators or yak herders who enter into this conservation zone shall be punishable with a fine which shall not be less than five thousand rupees but may extend to ten thousand rupees apart from the compensation for the damage caused. Provided that in case of a subsequent offence the fine shall not be less than ten thousand rupees and may extend to twenty five thousand rupees apart from the compensation for the damage caused and the concerned pack animal operator or yak herder shall be banned from entering in the forest areas of the state for a period of five years.

2. If tourists or support staff violate the conservation regulations then the concerned travel company organizing the trek or in its absence the group leader of the trekking party (hereinafter referred to as “trek manager”) shall be punishable with a fine which shall not be less than five thousand rupees but may extend to ten thousand rupees apart from the compensation for the damage caused. Provided that in case of a subsequent offence the fine shall not be less than ten thousand rupees and may extend to twenty five thousand rupees apart from the compensation for the damage caused and the concerned “trek manager” shall be banned from trekking or organizing trekking in the forest areas of the state for a period of five years.

3. The compounding officer shall include all forest officers not below the rank of a block officer. The compounding officer may order reward to be paid to a person who renders assistance in the detection of the offence or apprehending the offender out of the sum of money accepted as fine not exceeding twenty percent of such money. The compounding officer may meet up the expenditure incurred for detecting the offence and apprehending the offender out of the sum of money accepted as fine not exceeding twenty percent of such money.

4. These rules shall apply in addition to the laws relating to forests, environment, wildlife and biodiversity.

T. R. Poudyal, IFS
Principal CCF cum Forest Secretary
Department of Forest, Environment and Wildlife Management
Government of Sikkim
File No: 250/WLC/F/05

In exercise of the powers conferred by sub-section (8) of section 35 of the Wildlife (Protection) Act, 1972 (53 of 1972) the State Government hereby makes the following notification:-

1. Background and Need
   It is essential to have zonation of protected areas for their effective management. Protected Areas should be zoned according to values in smaller pockets not necessarily as large cores, but a mosaic of smaller, manageable cores, spread in an area with tempered human use. Other zones for incentive programmes such as community based ecotourism need to be defined and set aside. The smaller cores should act as ‘source’ populations for sustaining wildlife populations of endangered species outside.

2. Aims and Objectives
   Conservation of the globally endangered Blue Sheep (*Pseudois nayur*) population – the flag ship species of the high altitude alpine ecosystem, and its habitat along with other high altitude flora, fauna, glaciers and alpine ecosystems at Yongzokdrak in West and North Sikkim by declaring 56 square kilometers of the Khangchendzonga National Park (3.14% of the total area of KNP) as the Yongzokdrak Blue Sheep Conservation Zone (YBSCZ).

3. Conservation Importance and Values
   Located at the northern tip of the Onglaktang valley, due north of Sungmoteng Tsho (Samiti Lake), beyond Jemathang, one has to cross the 4800m high Gochela pass to descend into the Yongzokdrak meadows. These meadows are hidden between glaciers and form amongst the last refuge for the globally endangered Blue Sheep in West Sikkim. Yongzokdrak is the sacred rock (*Naydo*) of Sikkim (notified by the Sikkim Government) and Guru Padmasambhava meditated here on the way to Tibet. These are amongst the best summer pastures in KBR with a high abundance of nutritious fodder like *Sun buki* (*Kobresia capillifolia*) and *Harkat* (*Carex sp.*). There is abundant supply of water too, in the form of a number of small lakes. This meadow is bounded by Talung glacier towards the North, Pandim mountain towards the east, Kabur Mountain towards the west and the Forked Peak towards the South.

   The presence of abundant and nutritious fodder plants coupled with abundant water availability make them the most valuable summer pastures of KNP. No wonder these meadows are packed with horses, dzos and sheep during summer. These meadows are an ideal habitat of the globally threatened Blue Sheep and other high altitude flora and fauna.

   This habitat is also critical for the apex predator of the Himalayas - the snow leopard (*Uncia uncia*), wolf (*Canis lupus*), Himalayan yellow throated marten (*Martes flavigula*), Himalayan golden eagle (*Aquila chrysaetos*),
Lammergeier (*Gypaetus barbatus*), Snow partridge (*Lerwa lerwa*), Snow pigeon (*Columba leuconata*), Tibetan snowcock (*Tetraogallus tibetanus*) and others.

4. Baseline Habitat Survey during summer of 2005

Vegetation sampling was conducted during late July and August based on 10 (1 X 1 meter quadrat) sample plots with the sampling stations at Panchpokhri. This alpine landscape can be categorized as follows:

<table>
<thead>
<tr>
<th>S. No.</th>
<th>Landscape Property</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Habitat Type</td>
<td>Sedge Meadow</td>
</tr>
<tr>
<td>2</td>
<td>Aspect</td>
<td>North east</td>
</tr>
<tr>
<td>2</td>
<td>Biotic Pressure</td>
<td>Traditionally grazed by sheep and over the last ten years by pack animals (horses and dzos)</td>
</tr>
<tr>
<td>3</td>
<td>% vegetation cover</td>
<td>95 %</td>
</tr>
<tr>
<td>4</td>
<td>% cover of palatable plants</td>
<td>75% dominated by <em>Sun buki</em> (<em>Kobresia capillifolia</em>)</td>
</tr>
<tr>
<td>5</td>
<td>Species richness (no of species per sample plot of 1m²)</td>
<td>7</td>
</tr>
<tr>
<td>6</td>
<td>Valuable fodder plants</td>
<td><em>Sun buki</em> (<em>Kobresia capillifolia</em>) and <em>Harkat</em> (<em>Carex nivalis</em>)</td>
</tr>
<tr>
<td>7</td>
<td>Evidence of key wildlife</td>
<td>Blue Sheep, direct sighting</td>
</tr>
<tr>
<td>8</td>
<td>Valuable medicinal plants</td>
<td><em>Bhutkesh</em> (<em>Anemone sp.</em>) and <em>Sharmaguru</em> (<em>Lomatogonium sp.</em>)</td>
</tr>
</tbody>
</table>

At Samiti Lake, (Sungmteng Tsho) there is a trekker’s hut of the Tourism Department. Samiti Lake and its environs are prime habitat for the blue sheep. We found about ½ kg of pellets of blue sheep right inside this trekker’s hut. During inclement weather the blue sheep have been using this hut specially during the trekking off season.

In 2005 there were about 80 pack animals (Dzos and horses) and 200 sheep grazing in these rich meadows during summer. Also the survey team came across two herds of blue sheep at Chetruke and Panch Pokhri having a total population of 52, including 8 lambs in this conservation zone.

During the winter habitat survey in January 2006 the survey team came across two herds of blue sheep at Lamune and Zemathang having a total population of 50 in this conservation zone.

5. Existing legal status, threats and gaps

The Yongzokdrak Blue Sheep Conservation Zone (YBSCZ) falls within the Khangchendzonga National Park which is notified under the Wildlife Protection Act -1972 and the globally endangered Blue Sheep (*Pseudois nayur*) is the flagship species, which is protected under schedule I of Wildlife Protection Act-1972. But just assigning high legal protection status is not sufficient unless the existing threats are reduced and gaps plugged.

Many mountain ungulate populations, important prey of carnivores, are being depleted and lost due to competition with livestock, as well as hunting for meat. Overgrazing by dzo, horses and domestic sheep and presence of sheep herders during summer are the current threats from pastoralism. Overstocking rangelands with livestock is causing vegetation degradation, which threatens the sustainability of pastoral production as well as the survival of wildlife populations. There are increasing linkages between local persecution of wildlife and the larger illegal wildlife trade. Seasonally migrating livestock herds, as well as livestock imported into the region for the tourism enterprise pose a serious risk of spreading exotic diseases to wildlife. Also unplanned tourism threatens sensitive and biologically important high altitude wetlands.

During the Winter Habitat Survey conducted in January 2006, the survey team came across a trap laid for snaring blue sheep using salt as bait at Yangzee.

The impacts of these threats can be seen by observing the behaviour of Blue Sheep which have become very shy and the whole herd bolts at the slightest hint of human presence.

There are a number of glaciers originating from the Gochela, Kabur, Pandim, Narsing and Tingchen Khang. The affects of global climate change can be detected in the retreat of these glaciers, and now there are huge boulders, stones and chunks of ice along the glaciated valleys.

The glaciers have receded not only up the valley but also almost half way up the mountain face.
6. Boundaries
Declaring this area within the KNP, with the following borders as a Yongzokdrak Blue Sheep Conservation Zone

**North**
Starts from the ridge on the northern flank of Talung glacier and continues due east along the north eastern flank of Talung glacier

**East**
Starts from the north eastern flank of Talung glacier and continues along the ridge westwards till it reaches the Gochela pass from where it proceeds due south along the ridge trekking trail above Gochela pokhri, Jemathang, Teen kune Pokhri till it reaches Sungmoteng Tsho (Samiti Lake)

**South**
From Sungmoteng Tsho it follows the outlet of the lake till it meets the Prek chu river and then moves due west along the ridge till it scales the Forked Peak.

**West**
From Forked Peak it follows the ridge due north till it reaches Kabur Dome peak, from where it moves due west and descends behind Kabur dome into the Talung glacial valley and follows it till it reaches the base of Gochela peak. From here it follows the 5200 m contour and joins the northern flank of the Talung glacier.

**Total Area**
56 square kilometers (3.14% of the total area of KNP)

This conservation zone includes the areas around Samiti lake, Jemathang, Onglaktang glacier, Teen Kune Pokhri, Gochela Mountain, Pandim Mountain, Kabur Dome Mountain, Forked Peak Mountain, Chetruke, Panch Pokhri, Yongzokdrak and Talung glacier.

7. Map of the conservation Zone

![Map of the conservation zone](image)

8. Key Issues in the Conservation Management Plan

(A) Conservation Initiatives

1. Publicity of these regulations by installing adequate signages at Yuksam, and near the trekker’s huts, camping sites and the conservation zone.

2. Informing the travel agents, tour operators, trekking service providers, herders, panchayats, JFMC/EDC, Himal Rakshaks and NGOs about these regulations.

3. Capacity building of field staff of forest department, travel agents, herders, pack animal operators, Himal Rakshaks, Panchayats, JFMC/EDC and local NGOs.

4. Annual census / survey of the population, distribution and status of blue sheep and other indicator flora and fauna in this conservation zone shall be conducted.

5. Encourage focused conservation and recovery programs for endangered species.

6. Regular patrolling jointly with the local community, JFMC/EDC and Himal Rakshaks especially during monsoons and winters should be conducted to ascertain instances of poaching, status of other threats and controlling them.
(7) Setting up of a wildlife intelligence network
(8) Involvement of reputed NGOs in wildlife research, conservation and monitoring
(9) These conservation initiatives should be incorporated into the existing schemes and programmes of the Khangchendzonga National Park and Khangchendzonga Biosphere Reserve in order to provide adequate funds for implementation of this zonation and conservation management plan.

(B) Conservation Regulations
(1) The conservation regulations shall be enforced by the forest officers in coordination with the Ecodevelopment Committees (EDC), Joint Forest Management Committees (JFMC) and Himal Rakshaks.
(2) Other than forest officers, the Ecodevelopment Committees (EDC), Joint Forest Management Committees (JFMC), registered Non Governmental Organizations (NGO), Himal Rakshaks and the trekking service providers shall be authorized to detect offences under these rules and arrest the offender if there is reason to believe that he will abscond. Any person so arrested shall be handed over forthwith to the nearest forest/wildlife office.
(3) Movement of pack animal (horses, dzos and yaks) beyond Lamune [towards Samiti Lake (Sungmoteng Tsho)] is prohibited.
(4) The trek from Samiti – Jemathang – Teen Kune Pokhri – Gochela Pass is permitted only upto Teen Kune Pokhri. Movement of tourists and support staff is permitted only up to Teen Kune Pokhri.
(5) No camping by tourists is permitted within this conservation zone.

(C) Legal provisions and penalty
(1) Owners of pack animals (horses, dzos and yaks) who enter into this conservation zone shall be punishable with a fine which shall not be less than five thousand rupees but may extend to ten thousand rupees apart from the compensation for the damage caused. Provided that in case of a subsequent offence the fine shall not be less than ten thousand rupees and may extend to twenty five thousand rupees apart from the compensation for the damage caused and the concerned pack animal operator shall be banned from entering in the forest areas of the state for a period of five years.
(2) If tourists or their support staff trek beyond Teen Kune Pokhri or camp within the conservation zone then the concerned travel company organizing the trek or in its absence the group leader of the trekking party (hereinafter referred to as “trek manager”) shall be punishable with a fine which shall not be less than five thousand rupees but may extend to ten thousand rupees apart from the compensation for the damage caused and the concerned pack animal operator shall be banned from entering in the forest areas of the state for a period of five years.
(3) The compounding officer shall include all forest officers not below the rank of a block officer. The compounding officer may order reward to be paid to a person who renders assistance in the detection of the offence or apprehending the offender out of the sum of money accepted as fine not exceeding twenty percent of such money. The compounding officer may meet up the expenditure incurred for detecting the offence and apprehending the offender out of the sum of money accepted as fine not exceeding twenty percent of such money.
(4) These provisions shall apply in addition to the laws relating to forests, environment, wildlife and biodiversity.

T. R. Poudyal, IFS
Principal CCF cum Forest Secretary
Department of Forest, Environment and Wildlife Management
Government of Sikkim
File No: 250/WLC/F/05

GOVERNMENT OF SIKKIM
Office of the PCCF-cum-Secretary
Department of Forest, Environment and Wildlife Management
Forest Secretariat, Deorali, Gangtok –737102, Sikkim

No:892/FEWMD Dated: 10/2/06.

Singalila Ecotourism Promotion Zone

In exercise of the powers conferred by clause (b) of section 33, read with sub-section (8) of section 35 and sub-section (2) of section 36A of the Wildlife (Protection) Act, 1972 (53 of 1972), clause (d) of section 76 of Indian Forest Act 1927 (16 of 1927), and clause (i) of sub-section (2) of section 83 of the Sikkim Forests, Water Courses And Road Reserve (Preservation And Protection) Act, 1988 (6 of 1988), the State Government hereby makes the following notification:-

1. Background and Need

It is essential to have zonation of protected areas for their effective management. Protected Areas should be zoned according to values in smaller pockets not necessarily as large cores, but a mosaic of smaller, manageable cores, spread in an area with tempered human use. Other zones for incentive programmes such as community based ecotourism need to be defined and set aside. The smaller cores should act as ‘source’ populations for sustaining wildlife populations of endangered species outside.

2. Aims and Objectives

With an objective to promote sustainable community based ecotourism with minimum negative impacts and provide incentives to the local community from conservation, the Singalila ecotourism promotion zone is being defined and set aside in West Sikkim district. The Singalila ecotourism zone comprises of 4 approved treks and 27 designated camping sites.

3. Criteria for designating nature trails and camping sites

Existing nature trails and camping sites have been preferred. Three new round trekking trails Everest Singalila, Yambong Singalila and Areylungchok Dzongri are being promoted in order to reduce the impacts along the already overcrowded Khangchendzonga Base Camp trek. Camping right on the bank of high altitude lakes and in areas of critical conservation importance is to be discontinued.

4. Existing status, threats and gaps

Community based Ecotourism is an important source of seasonal income for the villagers residing in remote areas. The impacts of unmanaged tourism are accelerating the rate of destruction in areas, which were once regarded as inaccessible. The negative impacts of unplanned tourism like deforestation due to the use of firewood, unhygienic sanitation, garbage accumulation, smuggling of plants and animals have to be regulated and at the same time the benefits arising from this enterprise equitably shared. Unplanned tourism also threatens sensitive and biologically important high altitude wetlands.
Unplanned tourism related pressure on the forest in terms of the firewood used for heating and cooking purposes has been more distinctly visible at some camping places. Water runoffs along the trail due to continuous trampling by the pack animals are bringing about soil loss along the trail and in the pasturelands. Lack of proper garbage management system by the tourists, Himalayan Mountaineering Institute (HMI) trainees and their support staff in this high altitude tourist destination has led to continuous accumulation of garbage on the route up to Goecha La, HMI base camp and the surrounding sacred lake area. Another concern is the stray dogs, which accompany these trekking groups and prey on the ground nesting birds and lesser mammals. The pack animals e.g. horses, dzos and yaks used in the tourism enterprise compete with the wild herbivores for accessing the limited fodder resources in the summer pastures.

Due to the limited accommodation in the trekkers huts most of the tourists do camping in tents and toilet tents are widely used. Since campsites are not designated this has resulted in camping and setting up of toilet tents as per convenience. The porters and other support staff often defecate in the adjoining forests resulting in a spread of pollution. There is a shortage of permanent, functional, alpine toilets with running water facility in the camping sites. Also the pack animals do not have shelters at the designated camping sites.

5. Baseline Habitat Survey during the summer of 2004 and 2005

Habitat surveys were conducted during the summer of 2004 and 2005 covering the Everest Singalila Trek, Yambong Singalila Trek, Khangchendzonga Base Camp Trek and the Areylungchok Dzongri Trek. During this survey critical wildlife habitats were identified at Yongzokdrak, Lampokhri, Areylungchok, and Narsing for Blue Sheep, Medicinal Plants, Musk Deer and Himalayan Tahr respectively. Subsequently consultations with the villagers was organized at Yuksam, Nambu and Labdang based on which these trekking routes have been finalized, ensuring minimum impact to wildlife sensitive habitats and at the same time providing alternative livelihoods to the local community.

6. Boundaries

The Singalila Ecotourism Promotion Zone in West Sikkim district shall comprise of four approved treks namely Khangchendzonga Base Camp, Yambong Singalilla, Areylungchok Dzongri and the Everest Singalila and comprise of the designated nature trails and designated camping sites.

7. Designated Nature Trails and Designated Campsites for ecotourism

The following treks are operational within Khangchendzonga National Park, Barsey Rhododendron Sanctuary and adjoining Reserve Forests in West Sikkim. The Khangchendzonga Base Camp is a trek operational since a long time, while the Yambong-Singalila, Everest-Singalila and Areylungchok-Dzongri are relatively new. The designated nature trail and camping sites need to be notified to ensure that the trekkers stick to the designated trails. They can switch from one trail to another only at the intersection points of the two trails. The following treks, nature trails and campsites are being notified in the Singalila Ecotourism Promotion Zone in West Sikkim.

<table>
<thead>
<tr>
<th>Trek No.</th>
<th>Trek Name</th>
<th>Designated Nature trails in forest area</th>
<th>Designated Campsites in forest area</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Khangchendzonga Base Camp Trek</td>
<td>Existing nature trail starting from Yuksam and passing sequentially through Sachen, Bakhim, Tshoka, Phedang, Dzongri, Doring Taar, Chonrigang, Koktshurung, Thangsing and Lamune and back</td>
<td>Sachen, Bakhim, Tshoka, Phedang, Dzongri, Doring Taar, Chonrigang, Koktshurung, Thangsing and Lamune</td>
</tr>
<tr>
<td></td>
<td>Entry Point: Yuksam</td>
<td>Only day treks are permitted to Dzongri Top, Llampokhri (Lam Tsho), Sunmoteng Tsho (Samiti Lake) upto Teen Kune Pokhri, Tshoka to Gunsu / Jamlingang, and from Koktshurung to Phedang (lower route)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Exit Point: Yuksam</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Yambong-Singalilla Trek</td>
<td>The nature trail from Rimbi to Dechenphuk (Neytham) and from Chongri passing sequentially through Nayapatal, Lower Yambong, Upper Yambong, Daphey bheer, Gomathang, Pangding, Chonrigang and then to Dzongri where it joins the Khangchendzonga Base Camp trek Only day treks are permitted to Lachmi Pokhri</td>
<td>Dechenphuk (Neytham), Nayapatal, Lower Yambong, Upper Yambong, Gomathang, Pangding</td>
</tr>
<tr>
<td></td>
<td>Entry Point: Nambu</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Exit Point: Yuksam And vice versa</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
3 Everest – Singalila Trek
   Entry Point: Hee Bermiok, Hilley, Soreng
   Exit Point: Uttarey, Nambu or Yuksam
   The nature trail from Hee Bermiok and passing sequentially through Samma Taar, Barsey, Jorbotey, Kalijhaar, Phalut, Chewabhanjyang, Chitrey, and then to Dechenphuk (Neytham) where it joins the Yambong – Singalila trek or drop down to Uttarey village. The nature trail from Hilley to Barsey and from Buriakhop (Soreng) to Barsey and then joining the above trail.

4 Areylungchok – Dzongri Trek
   Entry Point: Labdang
   Exit Point: Yuksam
   Only one way trek is permitted, starting from Labdang
   The nature trail from Labdang and passing sequentially through Kasturi Urar, Khola Urar / Chamrey and then to Thangsing where it joins the Khangchendzonga Base Camp trek.

8. Ecotourism Promotion Plan
   (A) Ecotourism Promotion Initiatives
       (1) Publicity of these regulations by installing adequate signages at Yuksam, Labdang, Nambu, Uttarey, Hee Bermiok, Hilley, Barsey and near the trekkers huts, camping sites and conservation area.
       (2) Informing the travel agents, herders, pack animal operators, panchayats, JFMC/EDC and local NGOs about these regulations.
       (3) Publicity of these regulations by taking out press release and launching a website of the forest department.
       (4) Provide feedback forms and also web enabled feedback to the trekkers so that they can provide feedback on their trekking experience.
       (5) Training and capacity building of travel agents, herders, panchayats, JFMC/EDC and local NGOs about these regulations.
       (6) Designating the boundaries of the camping sites on the ground and providing basic amenities in the camping sites like running water, alpine toilets, kitchen cum porters barrack and pack animal shelters.
       (7) These ecotourism promotion initiatives should be incorporated into the existing schemes and programmes of the Khangchendzonga National Park and Khangchendzonga Biosphere Reserve in order to provide adequate funds for implementation of this zonation and conservation management plan.
       (8) The Tourism Department may also support in the promotion and development of the Singalila Ecotourism Zone in West Sikkim.

(B) Ecotourism Regulations
   (1) Movement of visitors and support staff is prohibited outside the designated nature trails and designated camping sites.
   (2) Lighting of fire, cooking and “hot lunch” is not permitted on day treks.
(3) Movement of pack animals (horses, dzos and yaks) is prohibited into notified conservation zones.

(4) Movement of pack animals (horses, dzos and yaks) is prohibited on day treks.

(5) The “code of conduct” or conservation code for trekking in forest areas has been notified by the State Government under the “Sikkim Wildlife (Regulation of Trekking) Rules 2005”. The punishment and penalty for violation of the same has also been detailed therein.

(6) These ecotourism regulations shall be enforced by the forest officers in coordination with the Ecodevelopment and Joint Forest Management Committees.

(7) Other than forest officers, the Ecodevelopment Committees (EDC), Joint Forest Management Committees (JFMC), registered Non Governmental Organizations (NGO), Himal Rakshaks and the trekking service providers shall be authorized to detect offences under these rules and arrest the offender if there is reason to believe that he will abscond. Any person so arrested shall be handed over forthwith to the nearest forest/wildlife office.

(8) These provisions shall apply in addition to the laws relating to forests, environment, wildlife and biodiversity.

T. R. Poudyal, IFS
Principal CCF cum Forest Secretary
Department of Forest, Environment and Wildlife Management
Government of Sikkim
File No: 250/WLC/F/05

NOTIFICATION

The Governor of Sikkim is hereby pleased to re-designate 01 (one) post of Line Helper to that of Line Assistant in the scale of Rs. 2850 – 55 – 4170 in the Energy & Power Department, with immediate effect.

BY ORDER AND IN THE NAME OF THE GOVERNOR.

C.L. SHARMA
SPECIAL SECRETARY TO THE GOVERNMENT
DEPARTMENT OF PERSONNEL, ADM. REFORMS, TRAINING, PUBLIC GRIEVANCES, CAREER OPTIONS AND EMPLOYMENT SKILL DEVELOPMENT AND CHIEF MINISTER’S SELF EMPLOYMENT SCHEME.
NOTIFICATION

Whereas the State Government has deemed it expedient to fill up 1 (one) post of Co-operative Inspector under the Co-operative Department (Inspectors and Auditors) Recruitment Rules, 1994 by regularization of services of Mr. Binod Giri, Co-operative Inspector, who is working on contract basis;

And whereas under rule 6 read with the Schedule of the Co-operative Department (Inspectors and Auditors) Recruitment Rules, 1994, the method of recruitment to the post of Co-operative Inspector in class III (Non-Gazetted) is 100% by direct recruitment through open competitive examination;

And whereas, Mr. Binod Giri has been working from 01.09.2003 as Co-operative Inspector on contract basis satisfactorily and possess the required qualification for appointment as Co-operative Inspector;

And whereas the State Government is of the opinion that it is necessary or expedient to relax the provision relating to the method of recruitment prescribed under rule 6 read with the Schedule of the said rules to regularize the services of Mr. Binod Giri who is working as Co-operative Inspector on contract basis;

And whereas rule 11 of the said rules provide for relaxing the provision of method of recruitment;

Now, therefore, in exercise of the powers conferred by rule 11 of the said rules, the Governor of Sikkim is hereby pleased to relax the provision relating to the method of recruitment prescribed under rule 6 read with the Schedule of the said rules with a view to regularize the services of Mr. Binod Giri as Co-operative Inspector through Sikkim public Service Commission as one time relaxation.

BY ORDER AND IN THE NAME OF THE GOVERNOR.

T.N.KAZI,
JOINT SECRETARY TO THE GOVERNMENT
DEPTT. OF PERSONNEL, ADM. REFORMS, TRAINING, PUBLIC GRIEVANCES, CAREER OPTIONS & EMPLOYMENT SKILL DEVELOPMENT AND CHIEF MINISTER’S SELF EMPLOYMENT SCHEME
GOVERNMENT OF SIKKIM

DEPARTMENT OF PERSONNEL, ADM. REFORMS, TRAINING, PUBLIC GRIEVANCES, CAREER OPTIONS AND EMPLOYMENT SKILL DEVELOPMENT AND CHIEF MINISTER’S SELF EMPLOYMENT SCHEME

GANGTOK – 737101

No. 247/GEN/DOP

DATED : 8.3.2006.

NOTIFICATION

The Governor of Sikkim is hereby pleased to sanction creation of the following 13 (Thirteen) Posts in the newly establishment of Krishi Vigyan Kendra (KVK) at Mangan, North Sikkim under the Food Security and Agriculture Development Department, with immediate effect:

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Name of Post</th>
<th>No. of Post</th>
<th>Pay Scale</th>
<th>Mode of appointment</th>
</tr>
</thead>
<tbody>
<tr>
<td>01.</td>
<td>Training Organizer</td>
<td>01</td>
<td>Rs. 12000 – 18300</td>
<td>Deputation</td>
</tr>
<tr>
<td>02.</td>
<td>Training Associates</td>
<td>04</td>
<td>Rs. 8000 – 13500</td>
<td>Deputation</td>
</tr>
<tr>
<td>03.</td>
<td>Senior Accountant</td>
<td>01</td>
<td>Rs. 5500 – 9000</td>
<td>Deputation</td>
</tr>
<tr>
<td>04.</td>
<td>Farm Manager</td>
<td>01</td>
<td>Rs. 5000 – 8000</td>
<td>Deputation</td>
</tr>
<tr>
<td>05.</td>
<td>Computer Programmer</td>
<td>01</td>
<td>Rs. 5000 – 8000</td>
<td>Contract</td>
</tr>
<tr>
<td>06.</td>
<td>Training Assistant</td>
<td>01</td>
<td>Rs. 5000 – 8000</td>
<td>Deputation</td>
</tr>
<tr>
<td>07.</td>
<td>Junior Stenographer</td>
<td>01</td>
<td>Rs. 4300 – 6800</td>
<td>Deputation/Contract</td>
</tr>
<tr>
<td>08.</td>
<td>Driver</td>
<td>01</td>
<td>Rs. 3050 – 4550</td>
<td>Contract</td>
</tr>
<tr>
<td>09.</td>
<td>Peon</td>
<td>01</td>
<td>Rs. 2850 – 4170</td>
<td>Contract</td>
</tr>
<tr>
<td>10.</td>
<td>Chowkidar</td>
<td>01</td>
<td>Rs. 2850 – 4170</td>
<td>Contract</td>
</tr>
</tbody>
</table>

**TOTAL:** 13 (Thirteen)

This issues with the concurrence of Development Planning, Economic Reforms and North Eastern Council Affairs and Finance, Revenue & Expenditure Departments.

All the above mentioned technical posts shall be filled-in by deployment from the existing Officers of Food Security and Agriculture Development Department on deputation and other posts will be filled on Contract and on Co-terminus basis as long as the project remains.

The expenditure shall be debited from the fund, provided by the Indian Council of Agriculture Research (ICAR).

**BY ORDER AND IN THE NAME OF THE GOVERNOR.**

C. L. SHARMA

SPECIAL SECRETARY TO THE GOVERNMENT

DEPARTMENT OF PERSONNEL, ADM. REFORMS, TRAINING, PUBLIC GRIEVANCES, CAREER OPTIONS AND EMPLOYMENT SKILL DEVELOPMENT AND CHIEF MINISTER’S SELF EMPLOYMENT SCHEME.
The Governor of Sikkim is hereby pleased to sanction creation of the following 13 (Thirteen) Posts in the newly establishment of Krishi Vigyan Kendra (KVK) at Gyaba (Gyalshing) in west Sikkim and at Namthang, South Sikkim under the Food Security and Agriculture Development Department, with immediate effect:

<table>
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<tr>
<th>Sl. No.</th>
<th>Name of Post</th>
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<th>Pay Scale</th>
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<tr>
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<td>Training Organizer</td>
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<td>04</td>
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<tr>
<td>03</td>
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<td>04</td>
<td>Farm Manager</td>
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<td>Deputation</td>
</tr>
<tr>
<td>05</td>
<td>Computer Programmer</td>
<td>01</td>
<td>Rs. 5000 – 8000</td>
<td>Contract</td>
</tr>
<tr>
<td>06</td>
<td>Training Assistant</td>
<td>01</td>
<td>Rs. 5000 – 8000</td>
<td>Deputation</td>
</tr>
<tr>
<td>07</td>
<td>Junior Stenographer</td>
<td>01</td>
<td>Rs. 4300 – 6800</td>
<td>Deputation/Contract</td>
</tr>
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<td>Driver</td>
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<td>01</td>
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</table>

**TOTAL:** 13 (Thirteen)

This issues with the concurrence of Development Planning, Economic Reforms and North Eastern Council Affairs and Finance, Revenue & Expenditure Departments.

All the above mentioned technical posts shall be filled-in by deployment from the existing Officers of Food Security and Agriculture Development Department on deputation and other posts will be filled on Contract and on Co-terminus basis as long as the project remains.

The expenditure shall be debited from the fund, provided by the Indian Council of Agriculture Research (ICAR).

**BY ORDER AND IN THE NAME OF THE GOVERNOR.**

C. L. SHARMA  
SPECIAL SECRETARY TO THE GOVERNMENT  
DEPARTMENT OF PERSONNEL, ADM. REFORMS, TRAINING, PUBLIC GRIEVANCES,  
CAREER OPTIONS AND EMPLOYMENT SKILL DEVELOPMENT  
AND CHIEF MINISTER’S SELF EMPLOYMENT SCHEME.
The State Government is hereby pleased to declare the followings peaks open for Alpine Expedition with effect from 17th September, 2005.

<table>
<thead>
<tr>
<th>Name of the peak</th>
<th>Location</th>
<th>Grade</th>
</tr>
</thead>
<tbody>
<tr>
<td>Frey’s Peak</td>
<td>Chaurigang</td>
<td>AD+</td>
</tr>
<tr>
<td>5830 mtr</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Name of the peaks</td>
<td>Location</td>
<td>Grade</td>
</tr>
<tr>
<td>(North Sikkim)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lama Wangden</td>
<td>Lachen</td>
<td>AD</td>
</tr>
<tr>
<td>5868 mtr</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Brumkhangse</td>
<td>Yumthang</td>
<td>D</td>
</tr>
<tr>
<td>5635 mtr</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The following peaks already opened by the State Government vide Notification No. 54 (78) Home/84/30 dated 20th July, 1993 are renamed as Alpine peaks and included for Alpine Expedition along with the above three peaks.

<table>
<thead>
<tr>
<th>Name of the peaks</th>
<th>Location</th>
<th>Grade</th>
</tr>
</thead>
<tbody>
<tr>
<td>(West Sikkim)</td>
<td>West Sikkim</td>
<td>D</td>
</tr>
<tr>
<td>Mt. Tinchenkang</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mt. Joponu</td>
<td></td>
<td>D+</td>
</tr>
<tr>
<td>Brumkhangse</td>
<td></td>
<td>D</td>
</tr>
</tbody>
</table>

The permit for Alpine Expedition to above five peaks will be issued by the Home Department to only those local tour operators authorized and notified by Tourism Department for conducting the Alpine Expedition.

The royalty shall be paid under the Revenue Head of Forest, Environment and Wildlife Management Department. The procedure for obtaining permit from Home Department shall be as per Annexure ‘A’.

The following royalty shall be levied for the expedition.
(a) For foreign expedition team : US $ 350 per team of upto four members, US $ 500 per team of upto eight members and US $ 75 for every additional member.

(b) For domestic expedition team : Rs. 15,000/- per team of upto eight members and Rs. 1,500/- for every additional member.

(c) For local expedition team : Rs. 3,000/- per team of upto eight members and Rs. 300/- for every additional member.

IV. The tour operator shall be responsible for rescue operation, if any. The Tourism Department, however, shall render all legitimate assistance to the tour operators including coordination with different agencies.

V. The tour operator conducting expedition shall scrupulously adhere to the code of conduct for eco-tourism in Sikkim and abide by all the terms and conditions laid down by the State Government for conducting the expedition. The code of conduct and terms and conditions will be enclosed with the permit for Alpine Expedition in form ‘D’. The violation of any of the conditions and code of conduct shall debar the tour operator from conducting further Expedition/s.

The Tourism Department will be responsible for ensuring that the trekking/expedition routes are kept litter free and conduct periodical cleaning operations, if necessary.

VI. The following minimum insurance coverage is compulsory.

(a) Expedition members : Rs. 3 lakhs per member.

(b) Camp crews : Rs. 1 lakh per person.

(c) Porters : Rs. 50,000/- per person.

(d) Animals : Rs. 20,000/- per animal.

VII. A total of 10 expeditions (6 foreign and 4 domestic) shall be permitted per year. However, the State Government may permit additional expedition, if such situation arises.

BY ORDER AND IN THE NAME OF THE GOVERNOR.

N.D. CHINGAPA, IAS
CHIEF SECRETARY
F. No. Gos/Home-II/2005/14
FORMAT FOR APPLICATION BY TOUR OPERATOR FOR PERMISSION TO UNDERTAKE ALPINE EXPEDITION IN SIKKIM

- Name of the Alpine Peak :
- Height :
- Name and nationality of the leader of the expedition :
- Period of expedition :
- Date/Schedule :
- Proposed trekking and climbing route :
- Number of Crew Members :
- Name of the tour operator :
- Address :
- Contact Number (s) :
- Registration Number :
- Name of the Proprietor :
- Date of Submission of Form :

Document check list:
1. Personal particular of all the foreigners in Form B in duplicate with photograph.
2. Tour itinerary.
3. Photocopy of passport/Proof of Indian Citizenship.
4. Photocopy of Visa.
5. Summary of personal particular of foreigners with other detail.

Declaration:
1. It is hereby certified that the information provided is true to the best of our knowledge.
2. We agree to abide by all the terms and conditions laid down by the State Government for undertaking proposed expedition.

Signature:
Name:
Designation:
GOVERNMENT OF SIKKIM
HOME DEPARTMENT

PERSONAL PARTICULAR FORM OF APPLICANT

01 Name of the applicant (in CAPITAL) letter
   Mr./Mrs./Ms.
02 Father’s/Husband’s Name
   Mr.
03 Place (town & country) & Date of Birth
04 Nationality
   1. Present:
   2. Past:
05 Occupation (with address of the place of work, if employed)
06 Mailing Address
07 Permanent Address
08 References: a) in Sikkim
   b) in the country of applicant
09 (i) Passport Details
   (enclose photocopy)
   (ii) Proof of Indian Citizenship, if Indian (enclose photocopy)
10 Details of Visa for India, if obtained
   (enclose photocopy)
11 Places proposed to be visited
12 Route intended to be followed
13 Likely date of visit
14 Purpose of visit
15 Likely duration of visit
16 Details of previous visit to Sikkim
17 Have you previously visited any restricted/protected area in Sikkim,
   if so give details
18 Has any earlier request for permit been refused, if so give details
19 Insurance Policy No.

The information given above is correct and complete to the best of my knowledge.

Signature of the Applicant
PERMIT FOR ALPINE EXPEDITION IN SIKKIM

I. Name of the Alpine Peak and height. :

II. Name of the leader of the Expedition :

III. Number of Expedition team :

IV. Detail of Expedition Team : List enclosed.

V. Route to be followed :

VI. Period of Expedition :

VII. Name of the tour operator :

VIII. Full Address with contact No. :

IX. Name of the Liaison Officer
   with address and contact numbers :

X. Terms and conditions : List Enclosed

DEPUTY SECRETARY-III/HOME

Copy to:
1. Chief Warden, KNP.
2. Deputy Inspector General of Police, Check Post.
3. GSO-I (Int.) 17, Mountain Division, C/o 99 APO.
4. Concerned District Collector.
5. Deputy Secretary, Adventure, Tourism.
TERMS AND CONDITIONS:


2. State Government will detail a Liaison Officer for the expedition. The tour operator shall pay a lump sum fee of Rs. 5,000/- to the LO and they shall also bear the cost of their lodging and feeding during the period of expedition.

3. Emphasis should be on employment of local people as cook, porters, guide, etc.

4. The expedition team shall follow the approved trekking/climbing route only.

5. The expedition team leader and the tour operator shall submit their feedback on the expedition to Home Department, Government of Sikkim within seven days from the date of completion of the expedition.

6. The fees, royalty etc. paid for undertaking the expedition shall not be refundable unless the expedition is rendered impractical by natural calamity before reaching the base camp or cancellation of the expedition by the State Government.

7. The insurance coverage of expedition team, camp crews, porters and animals are compulsory.

8. The expedition team shall ensure that no defilement of sacred lakes, caves or rocks enroute is done.

9. The foreign expedition team shall hold valid Inner Line Permit with them.

10. Photography and entry into Army installations enroute is strictly prohibited.

11. The State Government reserves the right to cancel the permit at any time.

CODE OF CONDUCT FOR ECO-TOURISM IN SIKKIM

1. Conserve Sikkim’s natural and cultural heritage
   - Do not trample high altitude vegetarian; do not pick any flowers or medical plants.
   - Do not disturb wildlife or its habitats.
   - Do not allow clients to purchase endangered animal parts or antique cultural artifacts.
   - Support local conservation efforts and income generation activities.

2. Avoid use of fuel wood; use alternative fuels
   - Use kerosene, LPG (or other non-wood fuel) for all cooking, heating, lighting including that by staff and porters.
   - Discourage campfires; encourage camp fun
   - Follow safety rules when carrying, storing and using kerosene and gas.
3. Leave all camps and trials clean
   · Separate and properly dispose of litter: burn burnable, bury biodegradable, and carry out all other non-biodegradable materials for deposit at designated trash site or for recycling
   · Use toilet tents on all treks; set up and use toilet tents in an environmentally sound manner so as to avoid pollution of water sources (at least 100m away)
   · Use established campsites and kitchen sites; avoid trenching around tents.

4. Practice conservation in the kitchen
   · Avoid fuel-conservation menu items, e.g. baked foods and large menu selections.
   · Re-package foods into reusable plastic containers to reduce waste.
   · Suggest clients reduce waste by de-and repackaging also.

5. Practice proper hygiene and sanitation
   · Teach all staff about personal hygiene, sanitary kitchen and camp routines.
   · Properly treat the drinking water and uncooked vegetables for clients.
   · Dispose of washing and bathing water well away from streams; use biodegradable soaps.

6. Take responsibility for staff and porter welfare
   · Provide adequate warm clothing, sleeping cover, shoes, snow gear, food or cooking stoves and fuel, and take care of hired staff.
   · Periodically train staff in first aid, guide responsibilities, sanitation, etc.

7. Properly brief clients before leaving on a trek
   · Address cultural “do’s” and “don’ts”; environmentally friendly behavior, safety precautions, proper dress, and respect for local beliefs, peoples and religious sites.
   · Plan days for proper altitude acclimatization when ascending; know how to identify and treat high altitude illness and how to provide emergency rescue.
Notification No. 56/2006/J.S.III Dated 6th March, 2006 of the Election Commission of India, New Delhi is hereby republished for general information.

ELECTION COMMISSION OF INDIA

Nirvachan Sadan,
Ashoka Road,
New Delhi – 110001

No.56/2006/J.S.III
15 Phalguna, 1927 (Saka).

NOTIFICATION

1 WHEREAS, the Election Commission has decided to update its notification No. 56/2005/Jud.III, dated 19th September, 2005, specifying the names of recognised National and State Parties, registered-unrecognised parties and the list of free symbols, issued in pursuance of paragraph 17 of the Election Symbols (Reservation and Allotment) Order, 1968, as amended from time to time;

2 NOW, THEREFORE, in pursuance of paragraph 17 of the Election Symbols (Reservation and Allotment) Order, 1968, as amended from time to time, and in supersession of its aforesaid principal notification No. 56/2005/Jud.III, dated 19th September, 2005 published in the Gazette of India, Extra-Ordinary, Part-II, Section-3, Sub-Section (iii), the Election Commission hereby specifies -

(a) In Table I, the National Parties and the Symbols respectively reserved for them;

(b) In Table II, the State parties, the State or States in which they are State parties and the Symbols respectively reserved for them in such State or States;

(c) In Table III, the registered-unrecognized political parties and postal address of their Headquarters; and

(d) In Table IV, the free symbols.
### TABLE – I

**NATIONAL PARTIES**

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>National Parties</th>
<th>Symbol reserved</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Bahujan Samaj Party</td>
<td>Elephant</td>
<td>12, Gurudwara Rakabganj Road, New Delhi – 110001.</td>
</tr>
<tr>
<td></td>
<td>[ In all States/U.T.s except in the States of Assam and Sikkim, where its candidates will have to choose another symbol from out of the list of free symbols specified by the Commission ]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>Bharatiya Janata Party</td>
<td>Lotus</td>
<td>11, Ashoka Road, New Delhi – 110001</td>
</tr>
<tr>
<td>3.</td>
<td>Communist Party of India</td>
<td>Ears of Corn and Sickle</td>
<td>Ajoy Bhawan, Kotla Marg, New Delhi – 110002</td>
</tr>
<tr>
<td>4.</td>
<td>Communist Party of India (Marxist)</td>
<td>Hammer, Sickle and Star</td>
<td>A.K.Gopalan Bhawan, 27-29, Bhai Vir Singh Marg (Gole Market), New Delhi 110001</td>
</tr>
<tr>
<td>5.</td>
<td>Indian National Congress</td>
<td>Hand</td>
<td>24, Akbar Road, New Delhi – 110011</td>
</tr>
</tbody>
</table>
## TABLE – II

### STATE PARTIES

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Name of the State/Union Territory</th>
<th>Name of the State Party</th>
<th>Symbol Reserved</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.</td>
<td>Arunachal Pradesh</td>
<td>Arunachal Congress</td>
<td>Two Daos Intersecting</td>
<td>G-Extention, Naharlagun, (Arunachal Pradesh)</td>
</tr>
<tr>
<td>3.</td>
<td>Assam</td>
<td>Asom Gana Parishad</td>
<td>Elephant</td>
<td>Head Office: Gopinath Bordoloi Road, Guwahati-781001 (Assam)</td>
</tr>
<tr>
<td>4.</td>
<td>Bihar</td>
<td>Communist Party of India (Marxist-Leninist) (Liberation).</td>
<td>Flag with three Stars</td>
<td>U-90, Shakarpur, Delhi -110092 7, Jantar Mantar Road, New Delhi-110001</td>
</tr>
<tr>
<td>5.</td>
<td>Goa</td>
<td>Maharashtrawadi Gomantak</td>
<td>Lion</td>
<td>Vikas ‘A’ Building, 3rd Floor, Near Pharmacy College, 18th June Road, Panaji-403001 (Goa)</td>
</tr>
<tr>
<td>6.</td>
<td>Haryana</td>
<td>United Goans Democratic Party</td>
<td>Two Leaves</td>
<td>1st Floor, Casa Dos Aliados, Behind Gomat Vidya Niketan, Absde Faria Road, Margao, Goa-403601.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Indian National Lok Dal</td>
<td>Spectacles</td>
<td>100, Lodhi Estate, New Delhi.</td>
</tr>
</tbody>
</table>
7. Jammu & Kashmir

1. Jammu & Kashmir National Conference Plough
   (i) Sher-e-Kashmir Bhavan, Residency Road, Jammu (Jammu & Kashmir)
   (ii) Nawai Subh Complex, Zero Bridge, Srinagar (Jammu & Kashmir).

2. Jammu & Kashmir National Panthers Party Bicycle
   17, V.P. House, Rafi Marg, New Delhi-110001.

   Nowgam Bye-Pass, Srinagar (J & K).

8. Jharkhand

1. Janata Dal (United) Arrow
   7, Jantar Mantar Road, New Delhi-110001.

2. Jharkhand Mukti Morcha Bow & Arrow
   Bariatu Road, Ranchi-834008 (Jharkhand).

3. Rashtriya Janata Dal HurricaneLamp
   13, V. P. House, Rafi Marg, New Delhi-110001.

9. Karnataka

Janata Dal (Secular) A Lady Farmer carrying Paddy on her head
(To be notified later on)
5, Safdarjung Lane, New Delhi – 110003.

10. Kerala

1. Indian Federal Democratic Party Bus
    1, Balwant Rai Mehta Lane, K.G. Marg, New Delhi – 110 001.
    Kerala State Committee Office, Iron Bridge P.O., IAlleppey-688011, Kerala.

2. Janadhipathy Samrakshana Samithi Janata Dal (Secular) A Lady Farmer carrying Paddy on her head
    5, Safdarjung Lane, New Delhi – 110003.

3. Janata Dal (Secular) Bicycle
    State Committee Office, Near Star Theatre Junction, Kottayam South (Kerala)

4. Kerala Congress

Bicycle
    State Committee Office, Near Fire Station, Kottayam (Kerala)

5. Kerala Congress (M) State Committee Two Leaves
    State Committee Office, Near Fire Station, Kottayam (Kerala)

6. Muslim League Kerala Ladder
    Kerala State Committee, League House, Red Cross Road, Calicut-32 (Kerala)

11. Madhya Pradesh

Samajwadi Party Bicycle
18, Copernicus Lane, New Delhi.

12. Maharashtra

Shivsena Bow and Arrow
Shivsena

-4-
13. Manipur
   1. Federal Party of Manipur   Rising Sun
      Soram Leirak, Naga Mapal, Imphal-795001 (Manipur)
   2. Manipur People’s Party   Bicycle
      People’s Road, Imphal-795001 (Manipur)

14. Meghalaya
   1. All India Trinamool Congress   Flowers & 30-B, Harish
      Chatterjee
   2. Meghalaya Democratic Party   Grass
      General Headquarters, Zarkawt, Aizawl (Meghalaya).
   3. United Democratic Party   Bridge Drum
      General Headquarters, Treasury Square, Aizawl-796001 (Meghalaya).

15. Mizoram
   1. Mizo National Front   Star
      General Headquarters, Zarkawt, Aizawl (Mizoram)
   2. Mizoram People’s Conference   Electric Bulb
      General Headquarters, Treasury Square, Aizawl-796001 (Mizoram).
   3. Zoram Nationalist Party   Sun (without rays)
      General Headquarters, Aizawl-796001 (Mizoram).

16. Nagaland
   1. Janata Dal (United)   Arrow
      7, Jantar Mantar Road, New Delhi-110001.
   2. Nagaland Peoples Front   Cock
      Post Box No.565, Kohima-797001, Nagaland.

17. Orissa
   1. Biju Janata Dal   Conch
      Naveen Nivas, Aerodrome Gate, Bhubaneswar-751009 (Orissa).Bariatu Road, Ranchi – 834008, Jharkhand
   2. Jharkhand Mukti Morcha   Bow & Arrow
      275, A vai Shanmugam Salai Royapettah, Chennai-600014 (Tamil Nadu)

18. Pondicherry
   1. All India Anna Dravida Munnetra Kazhagam Two Leaves
      ‘Anna Arivalayam’ 268-269, Anna Salai, Teynampet, Chennai-600018 (Tamil Nadu).
   2. Dravida Munnetra Kazhagam Rising Sun
      63, Nattu Muthu
<table>
<thead>
<tr>
<th>19. Punjab</th>
<th>Shiromani Akali Dal</th>
<th>Scales</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>House No. 256, Sector-9C, Chandigarh.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Upper Deorali, Gongtok, East Sikkim.</td>
<td></td>
</tr>
<tr>
<td>20. Sikkim</td>
<td>Sikkim Democratic Front</td>
<td>Umbrella</td>
</tr>
<tr>
<td></td>
<td>275, Avvai Shanmugam Salai, Royapettah, Chennai-600014 (Tamil Nadu).</td>
<td></td>
</tr>
<tr>
<td>21. Tamil Nadu</td>
<td>1. All India Anna Dravida Munnetra Kazhagam</td>
<td>Two leaves</td>
</tr>
<tr>
<td></td>
<td>‘Anna Arivalayam’ 268-269, Anna Salai, Teynampet, Chennai-600018 (Tamil Nadu)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2. Dravida Munnetra Kazhagam</td>
<td>Rising Sun</td>
</tr>
<tr>
<td></td>
<td>‘THAYAGAM’, No.141, Rukmani Lakshmi Pathi Salai, Egmore, Chennai-600008 (Tamil Nadu).63, Nattu Muthu Muthu Naiken Street, Vanniya Teynampet, Chennai-600018 (Tamil Nadu)</td>
<td></td>
</tr>
<tr>
<td>22. Tripura</td>
<td>Indigenous Nationalist Party of Twipra</td>
<td>Two Leaves</td>
</tr>
<tr>
<td></td>
<td>Abhoyanagar, Agartala-799005 (Tripura)</td>
<td></td>
</tr>
<tr>
<td>23. Uttar Pradesh</td>
<td>1. Rashtriya Lok Dal</td>
<td>Hand Pump</td>
</tr>
<tr>
<td></td>
<td>12-Tughlak Road, New Delhi-110011</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2. Samajwadi Party</td>
<td>Bicycle</td>
</tr>
<tr>
<td></td>
<td>18, Copernicus Lane, New Delhi</td>
<td></td>
</tr>
<tr>
<td>24. Uttarakhand</td>
<td>1. Samajwadi Party</td>
<td>Bicycle</td>
</tr>
<tr>
<td></td>
<td>18, Copernicus Lane, New Delhi</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2. Uttarakhand Kranti Dal</td>
<td>Chair</td>
</tr>
<tr>
<td></td>
<td>Rochipura, P.O. Majra, Dehradun, (Uttaranchal).</td>
<td></td>
</tr>
<tr>
<td>25. West Bengal</td>
<td>1. All India Forward Bloc</td>
<td>Lion</td>
</tr>
<tr>
<td></td>
<td>28, Gurudwara Rakab Ganj Road, New Delhi –110001</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2. All India Trinamool Congress</td>
<td>Flowers &amp; Spade &amp; Stoker</td>
</tr>
<tr>
<td></td>
<td>30-B, Harish Chatterjee</td>
<td></td>
</tr>
<tr>
<td></td>
<td>3. Revolutionary Socialist Party</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Street, Kolkata-700026 (West Bengal)</td>
<td></td>
</tr>
<tr>
<td>Sl.No.</td>
<td>Name of the Registered Unrecognised Political Party</td>
<td>Headquarters Address</td>
</tr>
<tr>
<td>-------</td>
<td>------------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>1.</td>
<td>Adarsh Lok Dal</td>
<td>Abu Nagar, Opposite Police Station Fatehpur City, Distirct, Fatehpur (U.P)</td>
</tr>
<tr>
<td>4.</td>
<td>Advait Ishawasyam Congress</td>
<td>Guruaiyanwari Ashram, Riva Naka, Meher, Distt. Satna, Madhya Pradesh</td>
</tr>
<tr>
<td>6.</td>
<td>Ajeya Bharat Party</td>
<td>A-14, Mohan Estates, Mathura Road, New Delhi.</td>
</tr>
<tr>
<td>7.</td>
<td>Akhand Bharat Maha Sangh Sarvahara Krantikari Party</td>
<td>Sunfool, Kota-1, (Rajasthan)</td>
</tr>
<tr>
<td>9.</td>
<td>Akhand Bharat National Party</td>
<td>22-3-947/33/A/1/1, Mega City No.125, Purani Haveli, Opp. Setwin Office, Hyderabad-500002, Andhra Pradesh</td>
</tr>
<tr>
<td>10.</td>
<td>Akhand Bharti</td>
<td>E-5 (1st Floor), Bali Nagar, Shivaji Marg, New Delhi-110015.</td>
</tr>
<tr>
<td>11.</td>
<td>Akhand Jharkhand People’s Front</td>
<td>At &amp; P.O.- Gidhaur, Disttt. Jamui, Bihar – 811305</td>
</tr>
<tr>
<td>14.</td>
<td>Akhil Bharatiya Ashok Sena</td>
<td>117/0/117, Gita Nagar, Kanpur-208025 (Uttar Pradesh)</td>
</tr>
<tr>
<td>15.</td>
<td>Akhil Bharatiya Bharat Mata – Putra Paksha</td>
<td>Office – Nandubar, Pin-425412, Disttt. Dhulia (Maharashtra)</td>
</tr>
<tr>
<td>16.</td>
<td>Akhil Bharatiya Bhrastachar Nirmoolan Sena</td>
<td>Om Building, Chhatrapathi Shivaji Chowk, Gondhale Nagar, Hadapsar, Pune-411002 (Maharashtra)</td>
</tr>
<tr>
<td>20.</td>
<td>Akhil Bharatiya Desh Bhakt Morcha</td>
<td>Puranderpur G.P.O., Patna (Bihar)</td>
</tr>
<tr>
<td>24.</td>
<td>Akhil Bharatiya Gorkha League</td>
<td>Mahabir Building, Ladenla Road, Darjeeling – 734101 (West Bengal)</td>
</tr>
<tr>
<td>26.</td>
<td>Akhil Bharatiya Jan Sangh</td>
<td>J-394, Shankar Road, New Delhi –110060</td>
</tr>
<tr>
<td>27.</td>
<td>Akhil Bharatiya Janata Congress</td>
<td>4 U.F. Babar Place, Todarmal Road, Near Bengal Market, New Delhi-110001.</td>
</tr>
<tr>
<td>28.</td>
<td>Akhil Bharatiya Kisan Mazdoor Morcha</td>
<td>Shri Mahatma Gandhi Vichar Kendra, Uldan, Jhansi. (Uttar Pradesh)</td>
</tr>
<tr>
<td>No.</td>
<td>Party Name</td>
<td>Address</td>
</tr>
<tr>
<td>-----</td>
<td>------------------------------------------------</td>
<td>-------------------------------------------------------------------------</td>
</tr>
<tr>
<td>30</td>
<td>Jan Morcha Akhil Bharatiya Lokraj Party</td>
<td>Ranchi (Bihar) H.O.Raghubir Nagar, Ballabgarh, Faridabad (Haryana)</td>
</tr>
<tr>
<td>31</td>
<td>Akhil Bharatiya Loktantra Party</td>
<td>Vill &amp; P.O.Dattavali, Distt. Meerut (U.P.)</td>
</tr>
<tr>
<td>32</td>
<td>Akhil Bharatiya Manav Adhikar Dal</td>
<td>1602, D.D.A. Janta Flats, G.T.B.Enclave, Delhi-110093</td>
</tr>
<tr>
<td>33</td>
<td>Akhil Bharatiya Manav Seva Dal</td>
<td>A-74, Sector-12, Noida (U.P.)</td>
</tr>
<tr>
<td>34</td>
<td>Akhil Bharatiya Manavata Paksha</td>
<td>Manavata Bhavan Pentry (Koke), Teh. Sindevahi, Distt.-Chanderpur, Maharashatra</td>
</tr>
<tr>
<td>35</td>
<td>Akhil Bharatiya Muslim League (Secular)</td>
<td>Khari Kuan, Mughalpura Ist, Muradabad-244001, Uttar Pradesh</td>
</tr>
<tr>
<td>36</td>
<td>Akhil Bharatiya Rajyara Sabha</td>
<td>Adarsh GuruKul Shahi, District Pilibhit-262001 (Uttar Pradesh)</td>
</tr>
<tr>
<td>37</td>
<td>Akhil Bharatiya Rajivwadi Congress (Dubey)</td>
<td>WZ-8-93, Tanwar Market, Ring Road, Nairana, New Delhi-110028</td>
</tr>
<tr>
<td>38</td>
<td>Akhil Bharatiya Ram Rajya Parishad (Prem Ballabh Vyas)</td>
<td></td>
</tr>
<tr>
<td>39</td>
<td>Akhil Bharatiya Rashtriya Azad Hind Party</td>
<td>H.O. 1 R 11-12 Vistar Yojna Dadabari, Kota (Rajasthan)</td>
</tr>
<tr>
<td>40</td>
<td>Akhil Bharatiya Revolutionary Shoshit Samaj Dal</td>
<td>Vaishali Nagar, Sidheshwar Ves, At. &amp; Post : Latur, Distt. Latur, 413512 (Maharashtra)</td>
</tr>
<tr>
<td>41</td>
<td>Akhil Bharatiya Sangharsh Dal</td>
<td>Nangli Bhattha, Fatehgarh Choorian Road, Amritsar-143001, Punjab</td>
</tr>
<tr>
<td>42</td>
<td>Akhil Bharatiya Sena</td>
<td>Om Kala Niketan Sankalap, Co-op Housing Society, Anandgar, Vikhoril Park Site (West), Mumbai-400079 (Maharashtra)</td>
</tr>
<tr>
<td>43</td>
<td>Akhil Bharatiya Shivsena Rashtrawadi</td>
<td>Akhil Bharatiya Shivsena Bhawan, Gur Mandi, Ludhiana (Punjab)</td>
</tr>
<tr>
<td>44</td>
<td>Akhil Bhartiya Janata Sahara Party</td>
<td>7/96-97, Vikas Nagar, Lucknow (Uttar Pradesh)</td>
</tr>
<tr>
<td>45</td>
<td>Akhil Bhartiya Janata Vikas Party</td>
<td>21-D, Pocket A-3, Everest Apartment, Kalkaji Extention, New Delhi – 110019</td>
</tr>
<tr>
<td>46</td>
<td>Akhil Bhartiya Loktantrik Congress</td>
<td>F-3, Park Road, Lucknow (Uttar Pradesh)</td>
</tr>
<tr>
<td>47</td>
<td>Akhil Bhartiya Sindhu Samajwadi Party</td>
<td>E-1, 21/7, New Rajendra Nagar, P.O. Ravigram, Raipur, Chhattisgarh</td>
</tr>
<tr>
<td>48</td>
<td>Akhil Jan Vikas Dal</td>
<td>50A/1A, Nahar Pur, Rao S.K. Shopping Complex, Sector-7, Rohini, Delhi-85</td>
</tr>
<tr>
<td>49</td>
<td>Akhil Rashtrawadi Party</td>
<td>Moharvati Sisouidiya Bhawan, Near Dak Bangla, Nadri Gate, Kasganj, District Eta (Uttar Pradesh)</td>
</tr>
<tr>
<td>50</td>
<td>Ali Sena</td>
<td>1/1, Jafrabad, New Seelampur, Delhi-110053</td>
</tr>
<tr>
<td>51</td>
<td>All India Athithanar Makal Katchi</td>
<td>H.O. 24, Thangam Colony, Annagar Weat, Chennai-40, Tamil Nadu</td>
</tr>
<tr>
<td>52</td>
<td>All India Babu Jagiyan Ram Baba Saheb National Congress</td>
<td>C-22, Basement, Chirag Enclave, New Delhi-110048. All India Bharti Jug Party Near Luxmi Narain</td>
</tr>
<tr>
<td>53</td>
<td>Mandir, Grain Market, Mansa - 151 505, Punjab.</td>
<td>Block A-1, Flat 2, Kolkata-700054 (West Bengal)</td>
</tr>
<tr>
<td>54</td>
<td>All India Christian Democratic and Backward People’s Party</td>
<td>Flat No. 44, Sector B-4, Narela, Delhi. 49-M, Mothilal, 1st Street, Madurai-625010 (Tamil Nadu)</td>
</tr>
<tr>
<td>55</td>
<td>All India Dalit Welfare Congress</td>
<td>A-1/126, Sector-6, Rohini, New Delhi</td>
</tr>
<tr>
<td>56</td>
<td>All India Forward Bloc (Subhasist)</td>
<td>Nabagram Garia, P.O. Panchpota, South 24 Parganas-743516 (West Bengal)</td>
</tr>
<tr>
<td>57</td>
<td>All India Gareeb Congress</td>
<td>2680, Chooriwalan, Delhi-11006.</td>
</tr>
<tr>
<td>58</td>
<td>All India Homeless People Congress</td>
<td>184/1469, Moti Lal Nagar-1, Goregaon (West), Mumbai-400104, Maharashtra</td>
</tr>
<tr>
<td>No.</td>
<td>Party Name</td>
<td>Address</td>
</tr>
<tr>
<td>-----</td>
<td>-----------------------------------------------------------</td>
<td>-------------------------------------------------------------------------</td>
</tr>
<tr>
<td>61.</td>
<td>All India Lok Raj Party</td>
<td>Village-Meharban, Tehsill &amp; District-Ludhiana (Punjab).</td>
</tr>
<tr>
<td>62.</td>
<td>All India Mahila Raj Party</td>
<td>5A, Orient Row, Kolkata-700017 (West Bengal).</td>
</tr>
<tr>
<td>63.</td>
<td>All India Majlis-E-Ittehadul Muslimeen</td>
<td>Darussalam Board, Hyderabad (Andhra Pradesh).</td>
</tr>
<tr>
<td>64.</td>
<td>All India Minorities Front</td>
<td>148, South Avenue, New Delhi-110001.</td>
</tr>
<tr>
<td>65.</td>
<td>All India Moovendar Munnani Kazhagam</td>
<td>Lake Area, Melur Road, Madurai-625107 (Tamil Nadu).</td>
</tr>
<tr>
<td>66.</td>
<td>All India Muslim Forum</td>
<td>C-177, Sector’J’, Aliganj, Lucknow (Uttar Pradesh).</td>
</tr>
<tr>
<td>67.</td>
<td>All India People’s Party</td>
<td>Central Committee, Ghandhi Nagar – 1st Line, Berhampur-760001 (Orissa).</td>
</tr>
<tr>
<td>68.</td>
<td>All India Progressive Janata Dal</td>
<td>17, Akbar Road, New Delhi-110001.</td>
</tr>
<tr>
<td>69.</td>
<td>All India Rajiv Krantikari Congress</td>
<td>B-68, Jagat Puri, Delhi-110051.</td>
</tr>
<tr>
<td>70.</td>
<td>All India Sadguna Party</td>
<td>Kalkiri Indlu Village, RKVB Pet Post, Karvet Nagar Mandal, Pin-517582, Chittoor District, Andhra Pradesh.</td>
</tr>
<tr>
<td>71.</td>
<td>All India Shiromani Baba Jiwan Singh Mazhabi Dal</td>
<td>Village &amp; P.O. Majitha, Amritsar (Punjab).</td>
</tr>
<tr>
<td>72.</td>
<td>All India Tafsili United Party</td>
<td>Village Simulpur, Post-Thakur Nagar Distt. 24-Parganas (N) (West Bengal).</td>
</tr>
<tr>
<td>73.</td>
<td>All India Tribes And Minorities Front</td>
<td>Windrush Hill Annexe, Shimla-2 (Himachal Pradesh)</td>
</tr>
<tr>
<td>74.</td>
<td>All J &amp; K Peoples Patriotic Front</td>
<td>Jawaharnagar, House No.97, Police Station, Rahg Bagh, Srinagar (Jammu &amp; Kashmir).</td>
</tr>
<tr>
<td>75.</td>
<td>All Jharkhand Students Union</td>
<td>Saket Vihar, Harmu, Ranchi, Ranchi-834 002 (Jharkhand).</td>
</tr>
<tr>
<td>76.</td>
<td>All Kerala M.G.R. Dravida Munnetra Party</td>
<td>Das Building Nemom P.O.Thiruvananthapuram-695 020 (Kerala)</td>
</tr>
<tr>
<td>77.</td>
<td>All Party Hill Leaders Conference(Armison Marak Group)</td>
<td>P.O. Tura Chandmari, West Garo Hills-794002 (Meghalaya)</td>
</tr>
<tr>
<td>79.</td>
<td>Ambedkar Kranti Dal</td>
<td>8-3-323, Amreetpet Cross Road, Hyderabad (Andhra Pradesh).</td>
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<tr>
<td>80.</td>
<td>Ambedkar National Congress</td>
<td>39, Saravana Street, T. Nagar, Chennai- 600017 (Tamil Nadu).</td>
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<td>81.</td>
<td>Ambedkar Peoples Movement</td>
<td>Dr. Lohia Colony, Shahjhapur, Pin-242001 (Uttar Pradesh).</td>
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<tr>
<td>82.</td>
<td>Ambedkar Pragatisheel Republican Dal</td>
<td>304, Mandakini Enclave, Alaknanda, New Delhi-110019.</td>
</tr>
<tr>
<td>83.</td>
<td>Ambedkar Samaj Party</td>
<td>136/1,Diamond Harbour Road, Kolkata-700063 (West Bengal).</td>
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<tr>
<td>84.</td>
<td>Ambedkarbadi Party</td>
<td>20, Dhandiwal Lay-out, Ring Road, Jokinagar, Nagpur-440 027 (Maharashtra).</td>
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<tr>
<td>85.</td>
<td>Ambedkarist Republican Party</td>
<td>No.2, Ballav Street, Kolkata-70004 (West Bengal)</td>
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<td>86.</td>
<td>Amra Bangalee</td>
<td>68, Habibullah Road, T. Nagar, Chennai-600017, Tamil Nadu.</td>
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<td>87.</td>
<td>Anaithindhia MGR Katchi</td>
<td>10/2, Nalvar Nagar, Kalveerampalayam, Bharathiar University (Post) Coimbatore-641048 (Tamil Nadu)</td>
</tr>
<tr>
<td>88.</td>
<td>Anaithinithya Thamizhaga Munnetra Kazhagam</td>
<td>MB-23, M.G. Road, Middle Point,Port Blair-741 001, (Andaman Nicobar Islands)</td>
</tr>
<tr>
<td>89.</td>
<td>Andaman Nicobar Vikas Congress</td>
<td>10-5-14/1, Masab Tank, Hyderabad-500028 (Andhra Pradesh).</td>
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<td>90.</td>
<td>Andhra Nadu Party</td>
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</table>
91. Andhra Pradesh Navodaya Praja Party
    No.3-11, Thukkuguda, Village, Maheshwaram
    Mandal, Manikhal Post, Ranga Reddy District
    (Andhra Pradesh).
92. Anna Telugu Desam Party
    4-1-825/8,9 and 10, NTR Estates, Abids, Hyderabad-
    500001, Andhra Pradesh.
93. Anndata Party
    Mandir Sri Purushottam Bhagwan, Chandrabhaga-
    326023, Jhalrapatan City, District-Jhalaraw
    (Rajasthan).
94. Antashchetan
    PU-102, 1st Floor, Pitam Pura,Delhi – 110 088.
95. Apna Bharat
    Saini Bhawan, Near Kalkaji Mata Mandir,Kalkaji, New
    Delhi – 110 019.
96. Apna Dal
    1/2A.P. Sen Road, Lucknow, (U.P.)
97. Apna Hindu Ram Bhakat Party
    Village & P.O. Semrikhan Kot, Sidharth Nagar, Uttar
    Pradesh-272 192.
98. Arya Sabha
    7, Jantar Mantar Road, New Delhi-110001.
99. Asom Gana Parishad Pragatisheel
    H.O.-G.S. Road, Ulubari,Guwahati-781 007, Assam.
100. Assam United Democratic Front
    3, Nilgiri Path, Hatigaon Chariali,Guwahati –
    781 038, Assam.
101. Ati Pichhra Jan Dal
    Village: Rampur Bakli, Post & Distt. Bijnor, Uttar
    Pradesh.
102. Autonomous State Demand Committee
    Rongniheng, Diphu-782460, Karbi Anglong (Assam).
103. Awami Party
    E-11/77, New Colony, Hauz Khas Ext., Malviya
    Nagar, New Delhi-110017.
104. Awami Socialist Party of India
    Bukhara, Bakshiwal Road,Bijnaur – 246 701 (Uttar
    Pradesh).
105. B.C. United Front
    15, Saptagiri Nagar, Rethi Bowli, Hyderabad –
    500 028, Andhra Pradesh.
106. Bahujan Ekta Party ( R )
    2151/17A/12, New Patel Nagar, New Delhi-110008.
107. Bahujan Kisan Dal
    Kisan Bhawan, Rishabh Vihar, Circular Road,
    Muzaffarnagar, Uttar Pradesh.
108. Bahujan Loktantrik Party
    G-161, J.J.Colony, Wazirpur, Delhi-110052.
109. Bahujan Mahasangha Paksha
    Ramnagar, Sudhir Colony, Akola – 444001,
    Maharashtra.
110. Bahujan Republican Party
    H.No.1-7-1046/18, SRT Quarters-18, Azamabad,
    Ramnagar, Hyderabad-500020(Andhra Pradesh).
111. Bahujan Samaj Party (Ambedkar)
    Village & Post Office Segti, Distt. Ambala (Haryana).
112. Bahujan Uday Manch
    Ajamgarh, Uttar Pradesh.
113. Bahujan Vikas Party
    B-667, Aman Vihar, Post Office-Sultanpuri, Distt.-
    North-West,New Delhi-110 086.
114. Bajjikanchal Vikas Party
    Sahjanand Nagar, Bhagwanpur, N.H. 28,Muzaffarpur
    – 842002 (Bihar).
115. Barak Valley Territory Demand Committee
    Swaraj Bhawan, Silehar Road, P.O., P.S. and District
    – Karimganj, Pin-788711, Assam.
116. Bharat Bachao Party of India
    S – 528, Greater Kailash Part-1, New Delhi –110048.
117. Bharat Dal
    Bharat Sevadham Arnayak, Krantideep Mourana,
118. Bharat Jan Party
    324, Kailash Nagar, Ghaziabad (Uttar Pradesh)
119. Bharat Ki Lok Jimmedar Party
    3/250, Vishwas Khand, Gomti Nagar, Lucknow-
    226010 (Uttar Pradesh)
120. Bharat Kranti Rakshak Party
    Barakatpur, Post-Badagaon,Distt.-Koshambi,
    Allahabad,Uttar Pradesh.
121. Bharat Mangalam Parishad
    Jamo Bazar, Hospital Chowk, P.O. Jamo Bazar,
    District Siwan, Bihar.
122. Bharat Nav Jyoti Sangh
    18/25-A, Kursava, Fulbagh, Kanpur-208001 (Uttar
    Pradesh).
<p>| 123. | Bharat Pensioner’s Front | R-17, Hauz Khas Enclave, New Delhi–110016. |
| 127. | Bharathiya Dravid Makkal Katchi | 2036, 15th Main Road, Anna Nagar West, Chennai – 600 040, Tamil Nadu. |
| 128. | Bharathiya Nethaji Party | 3857, 4th Cross, Gayathri Nagar, Bangalore-560021 (Karnataka). |
| 129. | Bharathiya Sahayog Congress | Meghavath House, Chandanapura, Mukanapalya Post, Chamrajannagar Taluk and District, Karnataka State – 571 127. |
| 132. | Bharatiya Backward Party | 71, Surya Apartments, Fraser Road, Patna –800001 (Bihar). |
| 133. | Bharatiya Berozgar Mazdoor Kisan Dal | Bansal Gaon, P.O.Dheghat, Patti Malla, Checkaut, Distt- Almora (Uttaranchal). |
| 140. | Bharatiya Hindu Sena | Amer Bhawan, Amer, Jaipur (Rajasthan). |
| 143. | Bharatiya Jan Congress | 5158/XV, Mahalaxmi-Building, Behind Ramakrishna Mission, Paharganj lane, New Delhi – 110055 |
| 144. | Bharatiya Jan Jagriti Party | Brijdham Ashram, Ranhera, Tehsil-Chhata, District-Mathura (Uttar Pradesh) |
| 146. | Bharatiya Jan Sabha | C/o Raja Ram Yadav, Raghuvir Nagar, New Colony, Devaria (U.P). |
| 149. | Bharatiya Jantantrik Parishad | 8/1, Outside Datia Gate, Jhansi-284001 (U.P.). |
| 152. | Bharatiya Kisan Parivartan Party | Nagla Dakhal, Kotla Road, Ferozabad-283203, District Ferozabad, Uttar Pradesh. |</p>
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</tbody>
</table>
221. Champaran Vikas Party
Block-A, Flat No.102, Daroga Roy Path, Patna (Bihar).

222. Chandigarh Vikas Party
House No.230, Sector 9-C, Chandigarh-160009.

223. Chhattisgarh Kisan Mazdoor Party
House of P.R. Negi, Behind Jhule Lal Dham, Gali Dr.
Bhanu Pratap Singh, Katora Talab, Raipur,
Chhattisgarh.

224. Chhattisgarh Mukti Morcha
P.O.Dalli Rajhara, Distt-Durg –491228 (Chhattisgarh)

225. Chhattisgarhi Samaj Party
Handipara, Azad Chowk, Raipur-492001 (Chhattisgarh).

226. Christhava Makkal Katchi
173, Ponnagar, Tiruchirapalli-620001, (Tamil Nadu)

227. Christian Democratic Front
No.9, Rosary, Church Road, San Thome, Chennai (Tamil Nadu)

228. Christian Mannetra Kazhagam
93, Thayyappa Mudali Street, Chennai-600001 (Tamil Nadu)

229. Communist Marxist Party Kerala State Committee
Kunnukuzhy, Trivandrum-695037 (Kerala)

230. Congress (Secular)
Ram Raj Bhavan, Manikkath Road, Cochin-16. (Kerala)

231. Congress Jananayaka Peravai
24, Ormes Road, Kilpank, Chennai-600010.

232. Congress of People
5, Patropolis Colaba, Mumbai-400005 (Maharashtra)

233. Congunadu Makkal Katchi
TTS Complex-58, Mettur Road, Erode District-638011,
Tamil Nadu.

234. Dalit Mazdoor Kishan Party
E-11/77, New Colony, Hauz Rani, Malviya Nagar, New Delhi-110017.

235. Dalit Muslim Vikas Party
2/306, Dakshin Puri, New Delhi-110062.

236. Dalit Samaj Party
Navchetna Path, Shiv Puri P.O. Anishabad, Patna-800 002 (Bihar)

237. Delhi Parivartan Party
E-37, Tagore Garden Extention, New Delhi – 110 027.

238. Delhi Vikas Party
B-600 Jahangir Puri, Delhi – 110033

239. Democratic Bahujan Samaj Morcha
Village-Sotran, P.O. Chak Kalai, Tehsil & District-
Nawanshahar, Punjab.

240. Democratic Bharatiya Samaj Party
Gali No-7, Guru Nank Pura(East),Near Chintpurni
Mandir,Jalandhar,Punjab.

241. Democratic Congress Party
291, Odeon Wali Gali, Near Gopal Mandir, Majitha Road,
Amritsar (Punjab).

242. Democratic Dal of Haryana
Paintawas House, Bhiwani Road, Charkhi Dadri, Distt.
Bhiwani, Haryana.

243. Democratic Forward Bloc
66, Tamil Sangam Road, Madurai-625001 (Tamil Nadu)

244. Democratic Indira Congress (Karunakaran)
Priyadarshini Bhavan, T.C. 12/1443 (12)Law College
Road, P.M.G. Junction, Thiruvananthapuram, Kerala.

245. Democratic Insaf Party
D-62, G.T.B.Nagar (Kareli), Allahabad (Uttar Pradesh).

246. Democratic Janta Dal (J & K)
344 EP, Cristen Colony (Shaheedhi Chowk), Jogi Gate,
Jammu (Jammu & Kashmir).

247. Democratic Jharkhand Mukti Morcha
Pump Road, Tonka Toli. P.O.Chakradharpur-833 102,
Shinghbhum West (Jharkhand)

248. Democratic Movement
Ward No.1, Kathua (Jammu & Kashmir)

249. Democratic Party Of India
162,Anandrao Umra Marg, Ashok Nagar, Nagpur-17
(Maharashtra)

250. Democratic Revolutionary Peoples Party
Akham Leikai, Kwakaithal Airport Road,Imphal-795001,
Manipur.

251. Democratic Secular Party
At. Kohinoor Bakery,Umred Road, Tajabad, Aulia Nagar,
Nagpur –24, (Maharashtra).

252. Democratic Socialist Party (Prabodh Chandra)
63- Ananda Plit Road, 1st Floor, Kolkata-700014, West
Bengal.

253. Deseeya Praja Socialist Party
N.S. Bhavan, Vellayani, P.O. Nemom,
Thiruvananthapuram-695020, Kerala

254. Desh Bachao Jan Morcha
D-6/171, Sector-31, Noida-201301 (Uttar Pradesh).

255. Desh Bhakt Party
B-114, Preet Vihar, Delhi- 110092

256. Desia Pathukappu Kazhagam
“ARIVAGAM” 33, Ramakrishna Street, Gandhi Nagar,
Saligramam, Chennai-600 093 (Tamil Nadu).
257. Desiya Murpokku Dravida Kazhagam
125/7, Jawaharlal Nehru Salai (100 Ft. Road), Koyambedu, Chennai-600 107, Tamil Nadu

259. Dharam Nirpeksh Dal
24/42, Loknath Chowk, Allahabad (Uttar Pradesh).

260. Driravida Thelugar Munnetra Kalagam
4/802, Kurunji Street, Tansilhodh Nagar, Madurai- 625020.

261. Divya Shakti Party
7/106, Ground Floor, Geeta Colony, Delhi-110031.

262. Dravida Makkal Congress
No.11, Jawharlal Nehru Road, 1st Avenue, Ashok Nagar, Chennai-600083, Tamil Nadu.

263. Dravida Peravai
69, Rangapillai Street, Pondicherry-605001.

264. Dravida Vizhipunarchi Kazhagam
17-A, Gangappa Street, (Opp. To A.V.M. Studio), Vadapalani, Chennai-600026, Tamil Nadu.

265. Ekta Kranti Dal U.P.
C/o Satyapal Sagar Amanjai Jalal Nagar, Opp. Chhotti Line, Shahjahapur (Uttar Pradesh).

266. Ekta Samaj Party
6898, Neem Street, Ahata Kidara, Bara Hindu Rao, Delhi-110006.

267. Ekta Shakti

268. Ephraim Union
Tlangdinglgiana Building, Bawngkawn South, Aizawl-796012, (Mizoram).

269. Farmers Developments Party
149, Mambalam High Road, T. Nagar, Chennai-600017, Tamil Nadu.

270. Federal Congress of India

271. Federation Of Sabhas

272. Forward Bloc (Socialist)
Temple Street, P.O. & Distt. Jalpaiguri-735101 (West Bengal).

273. Gandhiwadi Rashtriya Congress
Teachers Colony, Tehsil Road, Mahaoria, Post Mahaoria Town And Distt. Mirjapur (Uttar Pradesh).

274. Gareebjan Samaj Party
450, Jaidebvi Nagar, Garh Road, Meerut (Uttar Pradesh).

275. Garib Ekta Party
A-71 Group, Vazirpur Industrial Area, Vazirpur, Delhi – 110052.

276. Garib Janata Party
Rajinder Nagar, Main Bazar, P.O. Vijay Nagar, Batala Road, Amritsar (Punjab).

277. Garo National Council
New Tura, West Garo Hills (Meghalaya).

278. Goa People’s Congress
Opp. Menezes Building, Altinho, Panaji, Goa-403 001.

279. Goa Pokx

280. Goa Rajiv Congress Party
Ist Floor Dias Building, Rua Ormuz Road, Opp. Ferry Wharf, Panaji, Goa-403 001.

281. Goa Su-raj Party
383-A, Pirazona, Moira, Bardez-Goa (Pin-403514).

282. Goa Vikas Party
Laxmi Sadan, Ground Floor, Opp. Assembly Complex, Near Journalist Colony, Porvorim, Goa-403507.

283. Golden India Party
‘Nandan Van’, B-94, Gyan Marg, Tilak Nagar, Jaipur-302004 (Rajasthan).

284. Gommant Lok Pokx
31st January Road, P.O.Box-242, Panjim (Goa).

285. Gondvana Gantantra Party
 Village & P.O. Tiverth, Tehsil Kutghora, District-Bilaspur (Chhattisgarh).

286. Gorakha National Liberation Front
Dr. Zakir Hussain Road (Jalpahar Road), P.O. and District-Darjeeling, Darjeeling Gorkha Hill Council (West Bengal).

287. Grama Munnetra Kazhagam
‘Z’ Mangammal Salai, Renga Nagar, Tiruchirapalli-620021 (Tamil Nadu).

288. Gujarat Adijati Vikash Paksh
Block No.6/4, MLA Nivas, Sector-21, Gandhi Nagar (Gujarat).
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<th>Party Name</th>
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<td>Gujarat State Janta Congress</td>
<td>Indubhai Patel Bhawan, Vasant Chowk, Bhar德拉, Ahmedabad-380001 (Gujarat)</td>
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<td>290.</td>
<td>Gujarat Yuva Vikas Party</td>
<td>C/o Darbar Kruba Transport, Near Bus Station, Vadnagar-384 355, District-Mehsana (Gujarat)</td>
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<td>292.</td>
<td>Haryana Jankrakshak Dal</td>
<td>249/3, Park Road, Adarsh Nagar, Gohana, Distt. Sonepat, Haryana.</td>
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<td>293.</td>
<td>Haryana Lok Dal</td>
<td>705, Sonipat Road, Rohtak (Haryana)</td>
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<td>295.</td>
<td>Hill State Peoples Democratic Party</td>
<td>Kench’s Trace, Laban, Shillong-793004, (Meghalaya)</td>
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<td>Hind Kisan Mazdoor Party</td>
<td>31/419, Kela House, Maharana Pratap Nagar, Agra-4. (U.P.)</td>
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<td>299.</td>
<td>Hind Morcha</td>
<td>Samaj Sudhar Ashram, Siraspur, Delhi</td>
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<td>Hind Swarajya Ganatantra Party</td>
<td>S-41, Panchsheel Park, New Delhi-110017</td>
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<td>301.</td>
<td>Hind Vikas Party</td>
<td>P.O. Sri Harbhagwan Nagar, Tapakalan, Near Kali Mandir, Jalesar Road, Ferozabad (Uttar Pradesh)</td>
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<td>303.</td>
<td>Hindu Samaj Party</td>
<td>117/K-36, Sarvodaya Nagar, Kanpur (U.P.)</td>
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<td>Hindustan Janta Party</td>
<td>M/s Sono Sales Corporation, Subji Mandi, Khokadpura, Aurangabad (Maharashtra)</td>
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<td>305.</td>
<td>Hindustan Party</td>
<td>202, Devika Apts., Baba Jan, Poona-411001, (Maharashtra)</td>
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<td>307.</td>
<td>Hindusthan Suraksha Party</td>
<td>North East Zone, Berpeta Road, Near Tourists Lodge, Ward No. 6, District Berpeta (Assam).</td>
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<td>308.</td>
<td>Hmar Peoples Convention</td>
<td>C/o Lalauva, House No. A/56, Bawngkawn Chimveng, Aizawl - 796 014 (Mizoram)</td>
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<td>309.</td>
<td>Ikkiya Makkal Munnetra Kazhagam</td>
<td>Makkalagam No.11, Pearl Empire Apartments, Kuppam Beach Road, Tiruvaniyur, Chennai (Tamil Nadu)</td>
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<td>311.</td>
<td>Indian Christian Front</td>
<td>Plot No. 660, East Last Road, Anna Nagar, Madurai-625020, Tamil Nadu.</td>
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<td>314.</td>
<td>Indian Justice Party</td>
<td>5, Pusa Road, Illrd Floor, Karol Bagh, New Delhi – 110 005.</td>
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<td>315.</td>
<td>Indian Liberation Front</td>
<td>T-16, Green Park Extension, New Delhi-110016.</td>
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<td>317.</td>
<td>Indian National Labour Party</td>
<td>Rajani Mukherjee Smriti, Bhabar, Coal Dock Road, (Former Coal Controller’s Office) Kolkata-700043 (West Bengal).</td>
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<td>318.</td>
<td>Indian National League</td>
<td>No. 7, Balwant Rai Mehta Lane, Kasturba Gandhi Marg Cross, New Delhi-110001.</td>
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<td>319.</td>
<td>Indian Peace Party</td>
<td>X-919, Chand Mohalla, Gandhi Nagar, Delhi-110031.</td>
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<td>320.</td>
<td>Indian People’s Congress</td>
<td>79, Lawyers Chambers, Supreme Court, New Delhi-110001.</td>
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<td>321.</td>
<td>Indian People’s Forward Bloc</td>
<td>Tangra Housing Estate,Block-L/1, Flat -5, 40/1, Trangra Road, Kolkata-15, West Bengal.</td>
</tr>
<tr>
<td>322.</td>
<td>Indian Republican Front</td>
<td>36/19/3, P.D. Kidganj, Allahabad, (Uttar Pradesh).</td>
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<tr>
<td>324.</td>
<td>Indian Union Muslim League</td>
<td>18, Feroz shah Road, New Delhi – 110001</td>
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<td>325.</td>
<td>Indian Voters Welfare Party</td>
<td>No. 608, 14th Main, Gokula 1st Stage, Bangalore – 560 054, Karnataka.</td>
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<td>326.</td>
<td>Indians Victory Party</td>
<td>54-B, Henry Road, Nagercoil-629001, Tamil Nadu.</td>
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<td>331.</td>
<td>Jai Bharat Party</td>
<td>RZH-710E (E/54), Raj Nagar II (Near Dev Hospital), Palam Colony, New Delhi-45.</td>
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<td>334.</td>
<td>Jai Prakash Janata Dal</td>
<td>16 H.M.D., Purani Colony, Shahadara, Delhi - 110032</td>
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<td>335.</td>
<td>Jai Telangana Party</td>
<td>H.No.34/9, SBH Colony, Shrinagar, Hyderabad-500073 (Andhra Pradesh)</td>
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<td>338.</td>
<td>Jammu &amp; Kashmir People Conference</td>
<td>General Office, Old Secretariat Road, Sri Nagar-190001 (Jammu &amp; Kashmir)</td>
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<td>339.</td>
<td>Jammu And Kashmir Awami League</td>
<td>Central Office, No.1, Durganag Road, Adjacent Burn Hall School, Senawar, Srinagar-190001 (Jammu &amp; Kashmir).</td>
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<td>341.</td>
<td>Jan Chetna Party</td>
<td>Chamber No.475, Western Wing, Tis Hazari Courts, Delhi-110054.</td>
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<td>342.</td>
<td>Jan Kranti Morcha</td>
<td>89-M, Kidwai Nagar, Kanpur (Uttar Pradesh)</td>
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<td>345.</td>
<td>Jan Samarthan Dal</td>
<td>12, Krishna Vihar, Jwala Nagar, Rampur, Uttar Pradesh.</td>
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<td>350.</td>
<td>Jana Priya</td>
<td>A/2, Kastel, 5, Cornwell Road, Bangalore-17-</td>
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<tr>
<td>No.</td>
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<td>Address</td>
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<td>351</td>
<td>Jana Unnayan Mancha</td>
<td>C/o Dolphin Engineering Co., 39, Shakespeare Sarani, Kolkata-700017 (West Bengal)</td>
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<tr>
<td>352</td>
<td>Jananayaka Munnetra Kazhagam</td>
<td>No.32, New Tank Street, Nungambakkam, Chennai-600034, (Tamil Nadu)</td>
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<td>353</td>
<td>Jananishta</td>
<td>Mohan Villa, A-1/347, Janak Puri, New Delhi 110058</td>
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<td>355</td>
<td>Janata Party</td>
<td>A-77, Nizamuddin East, New Delhi.</td>
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<td>356</td>
<td>Janata Uday Party</td>
<td>860, Gali No.4, Sanjay Enclave, Chacha Chowk, Parvatiya Colony, N.I.T. Faridabad, Haryana</td>
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<td>357</td>
<td>Janata Vikas Party</td>
<td>Abashek Bhavan, Udainagar Colony, Sagar Road, Vidisha (Madhya Pradesh).</td>
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<td>358</td>
<td>Janhit Morcha</td>
<td>Kothi No.75, Sector-17, Panchkula-134 109 (Haryana).</td>
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<td>359</td>
<td>Janhit Samaj Party</td>
<td>Bhagwati Market, Near Shiv Mandir,Belli Road, Jagdev Path, Post: B.V. College,Patna – 800 014 (Bihar)</td>
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<tr>
<td>360</td>
<td>Janmangal Paksh</td>
<td>Ram Pratap, Geeta Nagar, Main Road, Near Gurukul, Rajkot – 360 002 (Gujarat).</td>
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<td>361</td>
<td>Jansatta Party</td>
<td>L-14, Mahendra Park, Adarsh Colony,New Delhi-110-003.</td>
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<td>362</td>
<td>Jansevak Samaj Party</td>
<td>159, Bodhashram, Tapa Road, Mohalla-Khera, Ferozabad-283203 (Uttar Pradesh).</td>
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<td>363</td>
<td>Janvadi Party (Socialist)</td>
<td>B-32/2, Behind Jain Mandir,Nariya, Varanasi, Uttar Pradesh.</td>
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<td>364</td>
<td>Jawan Kisan Morcha</td>
<td>Nirmal Palace, New Colony, Pakri, Aara, Bihar-802301.</td>
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<td>365</td>
<td>Jebamani Janata</td>
<td>No.33, Second Street, East Abiramapuram,Mylapore, Chennai-600004, (Tamil Nadu).</td>
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<td>366</td>
<td>Jharkhand Disom Party</td>
<td>12, Road No.21, Kadma Farm Area, Jamshedpur-831005, Jharkhand.</td>
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<td>367</td>
<td>Jharkhand Ki Krantikari Party</td>
<td>23, Purvi Jail Road, Ranchi-1, (Jharkhand).</td>
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<tr>
<td>368</td>
<td>Jharkhand Mukti Morcha (Ulgulan)</td>
<td>Shukla Colony, Post Hinoo, Ranchi Distt, Ranchi-834002 (Jharkhand).</td>
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<td>369</td>
<td>Jharkhand Party</td>
<td>Main Road, Ranchi (Jharkhand).</td>
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<td>370</td>
<td>Jharkhand Party (Naren)</td>
<td>At-Raghanathpur, P.O.Jhargram, District- Midnapur-721507 (West Bengal).</td>
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<td>372</td>
<td>Jharkhand Vananchal Congress</td>
<td>5, Ratu Road, Ranchi-834005, Jharkhand.</td>
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<td>373</td>
<td>Jharkhand Vikas Dal</td>
<td>10, A.P.N. Bose Compound, Ranchi-834001 (Jharkhand).</td>
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<tr>
<td>374</td>
<td>Kaivinayger Munnetra Kazhagam</td>
<td>Sri Visweswara Bhavanam, 76, Millers Road, Kilpauk, Chennai-600010, (Tamil Nadu)</td>
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<td>375</td>
<td>Kalinga Sena</td>
<td>19A, Madhusudan Nagar,Unit-4, Bhubaneswar-751 001, Khurda, Orissa.</td>
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<td>376</td>
<td>Kamarajar Adithanar Kazhakam</td>
<td>6-E, Sasthan Koil Street, Pudhukudieruppu, Nagercoil-629001, Tamil Nadu.</td>
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<tr>
<td>377</td>
<td>Kamarajar Desheeya Congress</td>
<td>7-Velayudha Raja Street, Raja Annamalaipuram, Mandaveli, Chennai-600028 (Tamil Nadu)</td>
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<td>379</td>
<td>Kamtapur Progressive Party</td>
<td>‘Chilla Roy Bhawan’ Village - Bidhanpally, P.O.</td>
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<td>380</td>
<td>Kanchee Aringer Anna Dravida</td>
<td>No.10A, Natham Mettu St., Chengalpattu (Tamil Nadu).</td>
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<td>381</td>
<td>Kannada Chalavali Vatal Paksha</td>
<td>154, Rangswamy Temple Street, Bangalore-560053 (Karnataka).</td>
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</tbody>
</table>

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382. Kannada Naadu Party  
Giriraj Annexe, Circuit House Road, Hubli-580 029, (Karnataka).

383. Kannada Paksha  
No. 259/1, 1st Floor, Ranghaswamy Temple Street (Opp. to Jain Temple) Bangalore-560053 (Karnataka).

384. Karnataka Kranthi Dal  
No.240, 16th Main, 6th Cross, 1st Phase, 2nd Stage, BTM (EWS) Layout, Bangalore-560076 (Karnataka).

385. Karnataka Rajya Ryota Sangha  
636, Ideal Homes Layout, Rajarajeshwarinagar, Bangalore-560098 (Karnataka).

386. Karnataka Thamizhar Munnetra Kazhagam  
No.6, Innd Floor, Chick Bazar Road Cross, Shivaji Nagar, Bangalore-560051 (Karnataka).

387. Kerala Congress (B)  
P.T. Chacko Smarka, Mandiram, S.S. Kovil Road, Thampanoor, Thiruvanathapuram-695001 (Kerala).

388. Kerala Congress (Jacob)  
Ward XIII, Building 346, T.B. Road, Kottayam (Kerala).

389. Kerala Congress Secular  
Kerala Congress Secular State Committee Office, Bharath Building, Pulimood Jn., Kottayam - 1, (Kerala).

390. Khasi Farmers Democratic Party  
Malki Chinapatty, Shillong-793001, Meghalaya.

391. Khun Hynnietrip National Awakanaing Movement  
C/o Office of the Khasi Students Union, Jaiaw (Meghalaya).

392. Kisan Kranti Dal  
Nangla Sukhdev, Neemkhara – Jalesar Distt: Etah (Uttar Pradesh).

393. Kisan Mazdoor Bahujan Party  
J-1/2, Dali Bagh Colony, Lucknow (Uttar Pradesh).

394. Kisan Naujawan Party  
Rajendra Nagar, Karmer Road, Orai, District Jalaun, Uttar Pradesh.

395. Kisan Vikas Party  
Abdul Pura, Distt. Meerut (Uttar Pradesh).

396. Kisan Vyawasayee Mazdoor Party  
Praeksh Bhavan, Narhi Bazar, Lucknow (Uttar Pradesh).

397. Kongu Nadu Munnetra Kazhagam  
320, Best Complex, Kumaran Road, Tirupur-641601, Coimbatore (District), Tamil Nadu.

398. Kosal Party  
G.M. College Road, Sambhalpur-768004 (Orissa).

399. Kosi Vikas Party  

400. Kranti Dal  
132, Babuganj, Lucknow (U.P.)

401. Kranti Kari Jai Hind Sena  
C/o Advocate R.N. Kachave, Near Devi Prasad Hotel, M.I.D.C., Central Road, Andheri (E), Mumbai-400093, Maharashtra.

402. Kranti Parishad  
House No.2019, Mistrikhan Road, Nargarh Road, Jaipur (Rajasthan).

403. Krantikari Berozgar Party  
H.No.86, Vinoba Ward, Ward No.6, Behind Jain Temple, Govt. Girls School Road, Sihora District, Jabalpur-483 225, (Madhya Pradesh).

404. Krantikari Manuwadi Morcha  
F-62, Sector-11, Noida-201301 (Uttar Pradesh).

405. Krantikari Samajwadi Party Lohia  
Civil Lines, Allahabad (U.P.)

406. Krantikari Samyavadi Party  
MLA Flat No.26, Veerchand Patel Pat, Patna. (Bihar)

407. Kudi Makkal Katchi  
No.7, Kamarajar Street, Pallikkaranai, Chennai-601302 (Tamil Nadu).

408. Kuki National Assembly  
Grace Cottage, Paiteveng, Kwakelthel, P.O. Imphal, Pin-795001, (Manipur).

409. Labour And Job Seeker’s Party Of India  
66, Royapettah High Road, Mypore, Chennai-600004 (Tamil Nadu).

410. Labour Party (Secular)  
382/4, Gali Hardev, Sant Nirankari Colony, Delhi – 110 009.
411. Labour Party Of India (V.V. Prasad) B – 5, Kanti Nagar, Delhi –110051.
412. Labour Vikas Party 1407, New Preet Nagar, Tibba Road, Ludhiana (Punjab).
413. Lairam People Party Hqrs. Lawngtlai, P.O.-Lawngtlai-796891 (Mizoram)
415. Life Peaceful Party Sarvadharma Bhawan, Hindu-Muslim Viswa Shanthi Ashrama and Komusowhada Vishwashanthi, Sarvadharma Ashrma Trust, Rajanagara, Poona-Bangalore Road, Tumkur-572 106 (Karnataka)
416. Lok Bhalai Party 5-FF, Raj Guru Nagar, Ferozepur Road, Ludhiana, Punjab.
417. Lok Dal (Uttar Pradesh). Central Office, 8, Mall Avenue, Lucknow (Uttar Pradesh).
418. Lok Hit Party Basti Abdulapura, Ludhiana-3 (Punjab)
419. Lok Paritran “Saubhagya” 12-13 Tilak Nagar -II,Mahamandir, Jodhpur-342010(Rajasthan).
420. Lok Rajya Party 221/20, Geet Gunjan Society, Sector-2, Charkop, Kandivali (West), Mumbai-400067, (Maharashtra).
422. Lok Shakti 83, Lodhi Eastate, New Delhi-110003.
423. Lok Vikas Party 41, Vigyan Vihar, Delhi-110002.
424. Loknayak Party 172/3 C, East Moti Bagh, Sarai Rohilla, Delhi-110 007.
426. Lokpriya Samaj Party Prajapati Dharmshala Mandir Shri Kalkaji, Nehru Place, New Delhi-110019.
428. Loktantrik Jan Samta Party C-7/166, Yamuna Vihar, Delhi-110053.
431. Loktantrik Samata Dal D-104, Daroga Prasad Rai Path, Patna-800 001. (Bihar)
432. Loktantrik Janata Front D-351/12, Laxmi Nagar, Delhi-110092.
433. M.G.R. Kazhagam 32, New Tank Street, Nungambakkam, Chennai-600034 (Tamil Nadu)
434. M.G.R. Mannetra Kazhagam Konnoor High Road (Canal Area) Otteri, Chennai-600012 (Tamil Nadu)
436. Madhya Pradesh Kisan Mazdoor Adivasi Kranti Dal Vidhayak Vishram Girh, Room No. 95, Part-III, Bhopal-462 003. (Madhya Pradesh)
437. Madhya Pradesh Loktantrik Party 19-Durga Colony, Sanjivani Nagar, Gadda, Jabalpur-482003 (Madhya Pradesh)
438. Mahabharath Mahajan Sabha Plot No, 10, Vivekananda Nagar, Inner Ring Road, Kolathur, Chennai-600099 (Tamil Nadu)
439. Mahakaushal Vikas Party ‘Shanti Kutir’ 281, Sanjivani Nagar, Jabalpur (M.P.)
441. Maharashtra Rajiv Congress Dr. Babasaheb Ambedkar Nagar, Near Bus Stop, No. 379, P.L. Lokhande Marg, Chembur, Mumbai-400089 (Maharashtra)
442. Maharashtra Secular Front Hill View, 109, A/2, Vaishali Nagar, (S.V.P. Road, Dharkhadi), Dahisar (East), Mumbai-68, (Maharashtra).
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<th>Address</th>
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<td>Maharashtra Vikas Congress</td>
<td>At &amp; Post-Jalgaon, Distt. Jalgaon-425001(Maharashtra)</td>
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<td>Mahashakti Inqalab Party</td>
<td>Tigri, Khushhalpur, Muradabad, Uttar Pradesh.</td>
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<td>445</td>
<td>Mahila Adhikar Party</td>
<td>29-A, Naharpur, Sector-7, Rohini, Delhi-110085.</td>
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<td>446</td>
<td>Majlis Bachao Tahreek</td>
<td>16-4-593/A, Chenehalguda, Hyderabad-500024 (Andhra Pradesh)</td>
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<td>Makkal Congress Vazhapadiyar</td>
<td>18, Telugu Brahmian Street, Velacheri, Chennai-600 042, Tamil Nadu.</td>
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<td>Makkal Nalaurimaik Kazhagam People’s Liberal Party</td>
<td>629, Anna Salai, Chennai-600006 (Tamil Nadu)</td>
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<td>449</td>
<td>Makkal Tamil Desam</td>
<td>14, Hanumantha Road, Balaji Nagar, Royapettah, Chennai-600014, Tamil Nadu.</td>
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<td>450</td>
<td>Makkal Vilipunaruvo Eyakkam</td>
<td>Seeranampalayam, Palakkarai-638057, Thudupathi (via) Perundurai Taluk, Erode District, Tamil Nadu.</td>
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<td>451</td>
<td>Manav Jagriti Manch</td>
<td>552, Bank Colony, Devli Village, New Delhi – 110062.</td>
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<td>452</td>
<td>Manav Kalyan Sangh Dal</td>
<td>Gadi Sthan-Mehtwara, Tahsil Astha, District Sehore (Madhya Pradesh)</td>
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<td>454</td>
<td>Manav Samaj Party</td>
<td>9538, Gausala Baradari, Kishanganj, Delhi-110006.</td>
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<td>C-6/28, Saffarjung Development Area, New Delhi-110016.</td>
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<td>Manava Party</td>
<td>G-23, Eureka Towers, Kuttur, Chennammma Circle, Hubli-580029 (Karnataka)</td>
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<td>457</td>
<td>Manipur National Conference</td>
<td>Babupara Imphal, Manipal-795001.</td>
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<td>458</td>
<td>Manipur People’s Party (Democratic)</td>
<td>Qtr. No.1, Type-IV, Babupara, Imphal-795001 (Manipur).</td>
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<td>459</td>
<td>Manipur State Congress Party</td>
<td>Keishampat (Opposite Raj Bhawan), Imphal-795 001 (Manipur).</td>
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<td>460</td>
<td>Manuvadi Party</td>
<td>201, Birhana Pandeyganj, Subhash Marg, Lucknow-226004, Uttar Pradesh.</td>
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<td>461</td>
<td>Maraland Democratic Front</td>
<td>Saiha-796901, Chhimtuiupi District (Mizoram).</td>
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<td>462</td>
<td>Marumalarchi Thamizhakam</td>
<td>1/19, Onangudi (P.O.) Arimalam (Via) Pudukottai District, Tamil Nadu.</td>
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<td>463</td>
<td>Marxist Communist Party of India (S.S. Srivastava)</td>
<td>Saidpur Patna-800004 (Bihar)</td>
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<td>464</td>
<td>Marxist Co-ordination</td>
<td>115 MLA Flat, Bir Chand Patel Path, Patna-800004 (Bihar)</td>
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<td>465</td>
<td>Matra Bhoomi Vikas Party</td>
<td>C/o Shri Kashi Nath Tripathi, Aspathal Road Mau Chibee, Bandha-210209 (Uttar Pradesh)</td>
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<td>466</td>
<td>Ministerial System Abolition Party</td>
<td>25, Burtolla Street, Kolkata.</td>
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<td>Lake Area, Melur Road, Madhurai-625 107 (Tamil Nadu)</td>
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<td>470</td>
<td>Mudiraj Rashtriya Samithi</td>
<td>Mudiraj Bhavanam, H. No. 6-7-537/1, New Boignda, Secunderabad-500003 (Andhra Pradesh).</td>
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<td>471</td>
<td>Mukt Bharat</td>
<td>H-22, Kailash Colony, New Delhi-110048.</td>
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<td>472</td>
<td>Muslim Majlis Uttar Pradesh</td>
<td>Sultan Manzil, Takia Peer Jaleel, Lucknow (Uttar Pradesh)</td>
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<td>473</td>
<td>Naari Shakti Party</td>
<td>C/11, Sunderdham, Rambauglane, Off. S.V. Road, Borivali (W), Mumbai-400 092 (Maharashtra).</td>
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<td>Nag Vidarbha Andolan Samiti</td>
<td>Pardesi Telepura, Bajeeriya, Near Shukla Lodge, Nagpur-440018 (Maharashtra).</td>
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<td>Naga National Party Imphal, Manipur</td>
<td>Hd.Qtrs. Aja Daily Office, Church Road, Dewlahland,</td>
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<td>H.No.65, Residency Colony (P.W.D.), Near State Stadium, Dimapur, Nagaland, Pin-797112</td>
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<td>477</td>
<td>Nagrik Ekta Dal</td>
<td>B-15, Deen Dyal Nagar, Phase-II, M.D.A. Muradabad-244001, Uttar Pradesh</td>
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<td>478</td>
<td>Namadhu Makkal Katchi</td>
<td>No.3, Pillayar Kail Street, Kasba, Vellore-632001, Tamil Nadu</td>
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<td>479</td>
<td>National Citizens Party</td>
<td>Flat no. 202, Sri Rama Nivas, Behind Maruti Towers, Kukatpally, Hyderabad-500 072, Andhra Pradesh</td>
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<td>480</td>
<td>National Congress Of Youth</td>
<td>Post Box No. 6204, 2A/37-38 Ramesh Nagar, New Delhi-110015</td>
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<td>481</td>
<td>National Democratic Party</td>
<td>Central Office-Changanacherry-2, Kottayam District (Kerala)</td>
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<td>482</td>
<td>National Democratic Peoples Front</td>
<td>C-4D, 42 B, Janakpuri, New Delhi</td>
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<td>483</td>
<td>National Lokantrik Party</td>
<td>46, Gulista Colony, Lucknow-226001 (Uttar Pradesh)</td>
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<td>484</td>
<td>National Minorities Party</td>
<td>7A-Junction S.V. Road and Bandra Railway Station Road, Opp. Lucky Hotel, Bandra (W), Mumbai-400050 (Maharashtra)</td>
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<td>485</td>
<td>National Organisation Congress</td>
<td>No.1, Jeevananandam, Salia, K.K.Nagar, Chennai-600078 (Tamil Nadu)</td>
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<td>486</td>
<td>National Party</td>
<td>Rudain Badayun-202 524 (Uttar Pradesh)</td>
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<td>National People’s Party</td>
<td>C/o Uripok Naoremthong, Imphal-795001 (Manipur)</td>
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<td>National Republican Party</td>
<td>T-42/6, Old Barracks, Chamber Camp, Mumbai – 400007 (Maharashtra)</td>
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<td>National Students Party</td>
<td>16/2, Karaneeshwar Pagoda Street, Mylapore, Chennai-600004 (Tamil Nadu)</td>
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<td>Nationalist Charity Congress</td>
<td>Bishop House, Gabriel Compound, Panavilai Thuckaley-629175, Kanniyakumari District, Tamil Nadu</td>
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<td>H.O. Gote Nivas, Tisgaon Road, Kalyan (East) – 421306. (Maharashtra)</td>
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<td>493</td>
<td>Nav Maharashtra Vikas Party</td>
<td>C-6, Bhaskar Darshan, Arunoday Nagar, Mulund East, Mumbai-400081, (Maharashtra)</td>
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<td>494</td>
<td>Nava Nirmana Nagarika Samithi</td>
<td>6/7/8, Shankarmutt Road, Basavanagudi, Bangalore-560004 (Karnataka)</td>
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<td>495</td>
<td>Navbharat Nirman Party</td>
<td>30, DSIDC Complex, Mata Sundri Road, New Delhi-110 002.</td>
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<td>496</td>
<td>Nesavaalar Munnetra Kattchi</td>
<td>No. 34, Koladi Road, Thiruverkadu (P.O.), Chennai (Tamil Nadu)</td>
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<td>497</td>
<td>Netaji Congress Sena</td>
<td>Ranga Building, S. No. 123, Katraj P.O., Pune – 411 046, (Maharashtra)</td>
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<td>498</td>
<td>Netaji Subhash Party</td>
<td>Shajanwara, Distt. Gorakhpur (Uttar Pradesh)</td>
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<td>499</td>
<td>New India National Movement</td>
<td>2, Bigcity House, Behind Maszid, Kasturba Gandhi Marg, New Delhi-110 001</td>
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<td>500</td>
<td>New India Party</td>
<td>H. No. 20-3-314, Vidyanagar Godavari khan, Distt. Karimnagar (Andhra Pradesh)</td>
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<td>501</td>
<td>News Congress</td>
<td>Baimahal, 2nd Floor, Wadia Street, Tardeo, Mumbai – 400 034, Maharashtra</td>
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<td>503</td>
<td>Nissabada Bhooripaksham</td>
<td>113, Pattukal Shopping Complex, IInd Floor, East Fort, Trivendrum Fort, P.O. Trivendrum, Kerala</td>
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<td>504</td>
<td>Niswarth Sewa Party</td>
<td>Ved Ayurvedic Store, Near Bus Stand, Mahendragarh, Haryana</td>
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<td>505</td>
<td>NTR Telugu Desam Party (Lakshmi Parvathi)</td>
<td>Road No. 13, Banjara Hills, Hyderabad-500034 (Andhra Pradesh)</td>
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</table>
506. Nyaynishth Prajatantra
Central Head Quarter and P.O. - Dewar (Gopeshwar)-
246401, District Chamoli, Uttranchal.

507. Orissa Communist Party
MLA Colony, Unit-4, Bhubaneswar (Orissa).

508. Orissa Congress
Q.No.D.S. 1/19, MLA Colony, Unit-4, Bhubaneswars
750001 (Orissa).

509. Orissa Gana Parishad
A/52, Kharvela Nagar, Unit-III, Bhubaneswar-751001.

510. Orissa Socialist Party
Municipal Compound, Choudhury Bazar, Cuttack-
753009 (Orissa).

511. Pahachan Mangalkari Party
L-II-56, Madangir, Delhi-110 062.

512. Panchal Morcha
137 B-1, Gautam Nagar, New Delhi-110049.

513. Panchayat Raj Party
106, Pocket A-3, Sector-3, Rohini, New Delhi –
110034

514. Parcham Party of India
1-Rahmat Bano Market, Medical College Road, Civil
Lines, Aligarh-202002, Uttar Pradesh.

515. Parivartan Samaj Party
Gande Wali Sarak, Laskar, Gwalior-474001, Madhya
Pradesh.

516. Parmarth Party
E-27, Kamla Nagar, Delhi-110 007.

517. Party for Democratic Socialism
183, Jodhpur Park, Kolkata-700068, West Bengal.

518. Party Kisan Mazdoor Vyapari
Railway Road, Hathras Junction, Mahatma Prakriti
Chikitsalya, Nangla Hira, Hathras Junction, Mahamaya Nagar, Hathras, (Uttar Pradesh).

519. Parvatiya Purnrutthaan Parishad
64, 1st Floor, Adhchini, Sri Aurobindo Marg, New
Delhi – 110016.

520. Paschim Banga Rajya Muslim League
129, Collin Street, Kolkata-700016 (West Bengal).

521. Paschimbanga Ganatantrik Mancha
Flat No.56, Block-H, C.I.T. Building, Christopher
Road, Kolkata-700014 (West Bengal).

522. Paschimi Uttar Pradesh Swaraja Party
Sardhana Road, Kankar Khara, Meerut (Uttar
Pradesh).

523. Patriot
28-Appavu Street, Cuddalore Port, Pin-607003, Tamil
Nadu.

524. Pavitra Hindustan Kaazhagam
11, Harish Chandra Mathur Lane, New Delhi-110001.

525. Peasants And Workers Party Of India
Hari Kharude Niwas, Mahatma Phule Road, Naigaon,
Dadar, Mumbai (Maharashtra).

526. People’s Democratic Front
H.O. Guwahati, H.O. Udalgiri, Distt. Darrang, Bodoland
(Assam).

527. People’s Justice Party
‘KAAR ARUL’, A-87, Kandasamy Salai 8th Street,
Periyar Nagar, Chennai-600028 (Tamil Nadu).

528. People’s Party Of Arunachal
P.O. Nahar Lagon – 791110 (Arunachal Pradesh)

529. Peoples Democratic League Of India
Building No. 25, Flat No.8, Chinnavisnagar Layout,
Byramji Town, Near Mental Hospital, Nagpur-13
(Maharashtra).

530. People’s Democratic Movement
Mawli Nongkwr, Shillong-793 008 (Meghalaya).

531. Peoples Democratic Party
MASS Building Ernakulam North, P.O. Cochin-18
(Kerala).

532. Peoples Republican Party
Saptahik Jaibheem, Opp. Anand Talkies, Sitabadi,
Nagpur-440012 (Maharashtra).

533. Phule Bharti Lok Party
1793, Street No.1, New Kailash Nagar, P.O. Basti
Jodhewal, Ludhiana, Punjab.

534. Pichhra Samaj Party
Mohalla Jati, Nagina, District-Bijnor, Uttar Pradesh.

535. Plains Tribals Council Of Assam

536. Political Party Of National Management Service
C-546, Defence Colony, New Delhi-110024.

537. Pondicherry Mannila Makkal Munnani
17 Kumran Street, Kamarajar Nagar Pondicherry-
605001.

538. Prabuddha Republican Party
MD-26-17/6, SRTRMCH Chanai Road, Ambajogai,
District Beed-431517, Maharashtra.

539. Pragatisheel Manav Samaj Party
Village Wari (Naipurva) Post Dashrathpur-221304, Distt.
Bhadohi (Uttar Pradesh).
540. Pragatisheel Party
111, Badshah Nagar, Lucknow-226007 (Uttar Pradesh).

541. Praja Party
3-5-898/1, Himayatnagar, Hyderabad-500029 (Andhra Pradesh).

542. PRISM
Top Floor, 4-CHHA-30, Vigyan Nagar, Kota-324005 (Rajasthan).

543. Prithak Bastar Rajya Party
8, Senior H.I.G., Sector-3, Shankar Nagar, Raipur, Chhattisgarh.

544. Proutist Sarva Samaj
Sewa Niketan Compound, Agra Road, Etah, Uttar Pradesh.

545. Pudhucherry Munnetra Congress
No. 82, Chetty Street, Pondicherry – 605 001

546. Punjab People’s Party
14, Sector 28, Arun Vihar, Noida-201303 (Uttar Pradesh)

547. Punjab Janata Morcha
Panj Pir, Jalandhar City -144001 (Punjab).

548. Punjab Pradesh Vikas Party
H.O. HIG-970, PHB Colony, Urban Estate, Focal Point, Ludhiana (Punjab)

549. Punjab Vikas Congress Party
Panj Peer Chowk, Jalandhar, Punjab.

550. Punjabi Dal
H.No. BV/30A, Ramgarhia, Gurdwara Road, Barnala-148101, Distt. Sangrur (Punjab).

551. Puratchi Bharatham
No. 54, National Highways, Poonamalla, Chennai-56, Tamil Nadu.

552. Purvanchal Janshakti Party,
ShreeVishveshwar Ashram Satuabhar, Post – Bihari Bujurg, Khajni, Gorakhpur-273 212 Uttar Pradesh.

553. Purvanchal Vikas Party
L-131, Street No.5, Mahipal Pur Ext., New Delhi-110037.

554. Puthiya Needhi Katchi
6, North Boag Road, T-Nagar, Chennai-600017, Tamil Nadu.

555. Puthiya Tamilagam
132, New M.L.A.s Hostel, Govt. Estate, Chennai-600002 (Tamil Nadu)

556. Pyramid Party of India
2-1-83, Kola Street, Tirupati-517 501, (Andhra Pradesh)

557. Quami Party
930, Street No.30/7, Jaffrabad, Delhi – 110053

558. Quami Janta Dal
9-B, Triloknath Road, Lal Bagh, Lucknow (Uttar Pradesh).

559. Rajasthan Dev Sena Dal
Opposite to Bus Stand, Dhamai Haveli, Dufu, Jaipur, Rajasthan.

560. Rajasthan Samajik Nyaya Manch
5/8, Vidhyanagar (West), Opposite New Vidhan Sabha, Jyoti Nagar, Jaipur, Rajasthan.

561. Rajasthan Veer Sena
1-8-17(SFS), Dr. Sheela Chowdhary Road, Talwandi, Kota-324005 (Rajasthan).

562. Rajasthan Vikas Party
43, Chand Bihari Nagar, Khatipura Road, Jaipur-302012. (Rajasthan).

563. Rajdal Haryana
D/S 45, Brass Market, Bawal Road, Rewari-123401, Haryana.

564. Rajiv Makkal Congress
No.16 (Old No.18), Viswanathapuram, III Street, Kodambakkam, Chennai-600024, Tamil Nadu.

565. Rajya Nojawan Shakti Party
Near Gandhinagar Police Station, Jammu, Jammu & Kashmir.

566. Ram Sena Rashtravadi

567. Ramraja Marg
No.17, Venus Colony, Second Street Alwarpet, Chennai-600018 (Tamil Nadu).

568. Rashtra Shakti
1112, S/S Tegore Garden, Near Bus Stand, Yamuna Nagar-135001, District – Yamuna Nagar, Haryana.

569. Rashtra Suraksha Parishad

570. Rashtravadi Communist party
Begaria Ka Khera, P.O. Brawan Kalan, Kakori, Lucknow, Uttar Pradesh.

571. Rashtravadi Janata Party
43-A, Sukhbir nagar, Karala, New Delhi-110081.
572. Rashtravadi Vikas Dal
A-37, Sector-26, Noida-201301, District Gautam Budh Nagar, Uttar Pradesh.

573. Rashtrawadi Samaj Party
16/17, Civil Lines, Near Padam Apartment, Kanpur, Uttar Pradesh.

574. Rashtriya Aikta Manch Party

575. Rashtriya Awami Dal
152, Kazi Tola, Sailani Road, Old City, Bareli-243 005, Uttar Pradesh.

576. Rashtriya Bahujan Congress Party
TA-137/3, Tughlakabad Extension, New Delhi-110019.

577. Rashtriya Bahujan Ekta Party
Alok Nagar, Air Force, Bareilly-243122 (Uttar Pradesh).

578. Rashtriya Balmiki Sena Paksha
Jagadguru Maharishi Balmiki Swami Mandir Marg, C.M.E. Ram Nagar Bopkhel, Pune-411 031 (Maharashtra).

579. Rashtriya Bhrasthachar Virodhi Morcha
Central Office : Shivaji Nagar, Abu Parbat, 307501, Distt. Sirohi (Rajasthan).

580. Rashtriya Dehat Morcha Party
601, Rohit House, 3-Tolstoy Marg, New Delhi-110001.

581. Rashtriya Deshbhakt Party
B-61, Shanker Garden, Vikas Puri, New Delhi-110018.

582. Rashtriya Dharmanirpeksha Nava Bharat Party
108, Shankar Shah Nagar, Jabalpur (Madhya Pradesh).

583. Rashtriya Garib Dal
110, Ram Nagar, Panipat, Haryana.

584. Rashtriya Garima Party
B-14, Kasturba Nagar, Near Chetak Bridge, Bhopal-462001, (Madhya Pradesh).

585. Rashtriya Gramin Party
Village Chakershanpur (Kemrala), P.O. Ghori Bachera (Dadri), District Gautam Budh Nagar, Uttar Pradesh.

586. Rashtriya Gurujan Party
Gurujan Vidyabhuvam, Doodh Sagar Marg, Rajkot – 3, Gujarat.

587. Rashtriya Hamara Dal
22/191, Dholi Khar, Mantola, Agra (Uttar Pradesh).

588. Rashtriya Hindu Sangathan
30, Jati Colony, Ram Bagh, Opposite Sainath Mandir, Indore, Madhya Pradesh.

589. Rashtriya Hith Congress
712, G-Block, Military Road, Karol Bagh, New Delhi – 110005.

590. Rashtriya Indira Party
Dattpura, Near Subzi Mandi, Morena, (Madhya Pradesh).

591. Rashtriya Jan Kalyan Party
G-290, Old Seema Puri, Delhi 110095.

592. Rashtriya Jan Sahay Dal
112, New Connaught Place, Dehradun, Uttaranchal.

593. Rashtriya Jan Samanatavadi (Ambedkar)

594. Rashtriya Jan Sangam
Sharma Kunj, Shivpuri, Bulandshahar (Uttar Pradesh).

595. Rashtriya Janardhan Party
61, Mangla Puri Phase-I, Palam, New Delhi-110045.

596. Rashtriya Jananndolan Paksha
"Powrabhavan", No.587(38), 60 Ft. Road, Gokula Mathikere Layout, Bangalore-560054 (Karnataka).

597. Rashtriya Janata Janardan Party
Suraj Ka-Purva, Atarrarural, P.O. Atarra, District Banda, Uttar Pradesh.

598. Rashtriya Jansevak Parishad
Devkanya Sadan, Near Water Tank, Tripolia Road, Banswara-327001 (Rajasthan).

599. Rashtriya Janta Congress
A-4, Swaran Singh Road, Adarsh Nagar, New Delhi-110033.

600. Rashtriya Jantantrik Dal
Shukla Bhavan, Budhpara, Raipur-429 001, Chhattisgarh.

601. Rashtriya Kamjor Varg Party

602. Rashtriya Kisan Party
Village & P.O. Dhandauntha, Teh. & Distt. Mahendragarh (Haryana).

603. Rashtriya Komi Ekta Party
Limda Lane, Makrani Pada, Jamnagar-361001, Gujarat.

604. Rashtriya Kranti Party
Lodhi Pragyapeeth, Lahur Purush Dr. Sakshi Nagar, Shikohabad Road, Etah, District: Etah –
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<th>No.</th>
<th>Name of the Party</th>
<th>Address</th>
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<td>Rashtriya Krantikari Dal</td>
<td>207 001, Uttar Pradesh.</td>
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<td>208</td>
<td>Rashtriya Krantikari Samajwadi Party</td>
<td>House No. 65/25 K, Chhitwapur Road, Laluan, Lucknow, Uttar Pradesh.</td>
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<td>210</td>
<td>Rashtriya Lok Seva Morcha</td>
<td>206, Lovekush Tower, Exhibition Road, Patna-800 001, Bihar.</td>
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<td>211</td>
<td>Rashtriya Maha Janshakti Dal</td>
<td>Room No.17, M. Naresh Munna Chawl, Jaihind Nagar, Pipe Line, Khar East, Mumbai-400 051, Maharashtra.</td>
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<td>213</td>
<td>Rashtriya Manav Adhikar Party</td>
<td>17/700, Village-Gopalpur, Post-Azadpur (Timarpur), Delhi-110009.</td>
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<td>216</td>
<td>Rashtriya Mazdoor Ekta Party</td>
<td>Block-B, Sant Nagar, Gali No.57, Burari Road, Delhi – 110009.</td>
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<td>218</td>
<td>Rashtriya Parivartan Dal</td>
<td>Jan BSPA House, 4/93, Vishal Khand, Gomti Nagar,</td>
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<td>219</td>
<td>Rashtriya Party</td>
<td>Gaya Prasad Dharmshala Complex, Charbagh Sabzi Mandi, Lucknow (Uttar Pradesh).</td>
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<td>221</td>
<td>Rashtriya Praja Congress (Secular)</td>
<td>12-11-113, AB-Nageswara Rao Street, Arya Puram, Rajamundry, Andhra Pradesh.</td>
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<td>222</td>
<td>Rashtriya Rajdhani Congress Delhi</td>
<td>8, Nath Market, Nai Sarak, Delhi-110006.</td>
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<td>223</td>
<td>Rashtriya Raksha Dal</td>
<td>C/o Hotel Pankaj, Sector-22A, Chandigarh.</td>
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<td>226</td>
<td>Rashtriya Samaj Paksha</td>
<td>C/o L.W. Kale, 17-Raghunath Dadoji Street, 4th Floor, Near Handloom House, Fort,Mumbai-400 001 (Maharashtra).</td>
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<td>227</td>
<td>Rashtriya Samaj Sevak Dal</td>
<td>Bheera Khiri, Janpad-Khiri-262901 (U.P.)</td>
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<td>228</td>
<td>Rashtriya Samaj Sudhar Party</td>
<td>Village Thanthri, Post Ghodi, Distt. Faridabad (Haryana).</td>
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<td>229</td>
<td>Rashtriya Samajik Nyay Paksha</td>
<td>88/703, Motilal Nagar No.1, Goregaon (W), Mumbai – 400 104, Maharashtra.</td>
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<td>231</td>
<td>Rashtriya Samajwadi Party (United)</td>
<td>9, Community Centre, Ashok Vihar, Phase-II, Delhi-110052.</td>
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<td>232</td>
<td>Rashtriya Samajwadi Party ‘Pragatisheel’</td>
<td>B-248, Mohan Nagar, Thatipur, Morar, Gwalior (Madhya Pradesh)</td>
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<td>233</td>
<td>Rashtriya Samanta Dal</td>
<td>8/440, Trilok Puri, Delhi-110091.</td>
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<td>234</td>
<td>Rashtriya Sawarn Dal</td>
<td>Dubey Ka Parav, Aligarh-202001 (Uttar Pradesh).</td>
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<td>235</td>
<td>Rashtriya Sindhi Congress</td>
<td>437/B/1, Rubia House,B/H, Ellis Bridge Shopping Centre, Ashram Road, Ahmedabad-380 006, Gujarat.</td>
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<td>236</td>
<td>Rashtriya Surajya Parishad</td>
<td>Mrudul Tower, Ground Floor, Kailash Society, H.K.House Lane, Ashram Road Ahmedabad-380009 (Gujarat)</td>
</tr>
</tbody>
</table>
635. Rashtriya Swabhimaan Party
104-B-Block, Darulshafa, Lucknow, Uttar Pradesh.

636. Rashtriya Swajan Party
Ghagra Ghat Road, Near Malaria Office, Mahendru, Patna-800006 (Bihar).

637. Rashtriya Unnatisheel Dal
F.167, Chand Bagh, P.O. Kulpur, Delhi – 110094.

638. Rashtriya Vikas Party
195, Main Ashoka Enclave, Faridabad, Haryana.

639. Rashtriya Yuva Loktantrik Party
Chamber No.461, New Chamber Complex, Patiala House Courts, New Delhi-110001.

640. Rashtrrotthan Party
Arya Samaj, Kishanpol Bazaar, Jaipur, Rajasthan.

641. Republican Janata Party
D-29, Gandhi Vihar, D.D.A. Colony, Mukherjee Nagar, Delhi – 110009.

642. Republican Movement
Post Box No.117, Tadoba Road, Tukum, Chandrapur – 442401, Maharashtra.

643. Republican Paksha (Khoripa)
Ensa Hutments, 8-9, Azad Maidan, Infront of Mumbai Maha Nagar Palika, Fort, Mumbai-400 001, (Maharashtra).

644. Republican Party of India
ENSA Hutment, I-Block, Mahapalika Marg, Azad Maidan, Mumbai-400001 (Maharashtra).

645. Republican Party Of India (Democratic)
Mukund Niwas, India Nagar, Latur-413512 (Maharashtra).

646. Republican Party Of India (Kamble)
11/174, Adarsh Nagar, Prabhadevi, Mumbai-400025 (Maharashtra).

647. Republican Party Of India (Sivaraj)
10, Solai Street, Ayanavaram, Chennai-600023 (Tamil Nadu).

648. Republican Party Of India(A)
1/16, Sanjay Complex, T.T. Nagar, Bhopal-462003, (Madhya Pradesh)

649. Republican Party Of India(Khobragade)
Gita Villa, East Marredpally, Secunderbad, (Andhra Pradesh)

650. Republican Presidium Party Of India
Uruli-Kanchan, Pune-412202 (Maharashtra)

651. Revolutionary Communist Party Of India (Bolshevik)
84-Ashutosh Mukherjee Road, Kolkata-700025 (West Bengal)

652. Revolutionary Socialist Party of India
84-Ashutosh Mukherjee Road, Kolkata-700025 (West Bengal)

653. Sabka Dal Bharatiya Samajwadi Congress
N-14/169, Sarainandan (Khojva), Varanasi-221010 (Uttar Pradesh).

654. Sachet Bharat Party
13/A/5, Shivaji Nagar, No.1, Govandi, Mumbai-43 (Maharashtra)

655. Sadan Vikas Party
North Office Para, Gauri Shankar Nagar, House No.276, Doranda, Ranchi, Jharkhand.

656. Sadbhavana Party
Room No.14, Ist, Floor, Lucknow Hotel, Sri Ram Road Choraha, Aminabad, Lucknow-226018 (Uttar Pradesh).

657. Sakhthi Baratha Desam
2/58, Vairavan Che tty Store, Pachiyamman Paduthurai, Madurai-625001, Tamil Nadu.

658. Samajik Ekta Party
22, Housing Board Colony, Sonipat-131001 (Haryana)

659. Samajik Jantantrik Party
Mukam Raja Market, Cinema Road, Gopalganj Nagar Palika Post, Gopalganj-841428, Distt. Gopalganj (Bihar).

660. Samajik Nyaya Party
M-22, Mahavir Park, Marris Road, Aligarh-202001 (Uttar Pradesh).

661. Samajtantric Party of India
40/1, B – Road, Bamanghachi,Howrah – 711 006, (West Bengal).

662. Samajvadi Youva Dal
3/19-C/2, Sita Kunj, Behind Civil Court, Civil Lines, Agra, Uttar Pradesh.

663. Samajwadi Jan Parishad
Jai Malha Prasad, Reti Bunder Road, Mahagiri, Thane (W)-400601 (Maharashtra).
665. Samajwadi Janata Dal Democratic
14, Dr. Bishambhar Das Marg, New Delhi – 110 001.
666. Samajwadi Janata Party (Rashtriya)
Narendra Niketan, Behind Police Headquarters,
Indraprastha Estate, New Delhi-110002.
667. Samajwadi Janata Party (Maharashtra)
Barrack No.4, Behind Yashodhan Dinsha Wacha Road,
Church Gate, Mumbai-400020 (Maharashtra).
668. Samata Party
220, Vithalbai Patel House, Rafi Marg, New Delhi –
110001.
669. Samata Samaj Party
Opposite to Padav Police Station, Laxmanpura, P.O.
Lashkar, Gwalior, Madhya Pradesh.
670. Samata Sangharsh Party
618-F 2/2/1, Shankar Gali, Vishwas Nagar, Delhi-
110032.
671. Sampurna Vikas Dal
88, South Avenue, New Delhi-11.
672. Sanatan Samaj Party
Ramanand Nagar, Begumpura, Ayodhya, Faizabad
(Uttar Pradesh)
673. Sanyukt Dastkar Party
P-205, Basti Khwaja Meer Dard, Barron Road, New
Delhi-110002.
674. Sarb Hind Shiromani Akali Dal
103, New Officers Colony, Patiala, Punjab.
675. Sardar Patel Congress Party
7/17, (2nd Floor), Kalkaji Extension, New Delhi – 110019.
676. Sarva Seva Party
B-51, Pratap Vihar, Part-3, Nangloi, Delhi-110041.
677. Sarvadharam Party (Madhya Pradesh)
C-44, Padmanab Nagar, Bhopal-462023 (Madhya
Pradesh).
678. Sarvahara Samaj Party
68-A Block, Darulshafa, Lucknow (Uttar Pradesh).
679. Sarvarsha Dal
Kewala Fariyatta, Via. Gidhour, Distt- Jamui (Bihar).
680. Sarvodaya Karnataka Paksha
“Aniketana” First Floor, SJM Samudaya
Bhavana, Kalidasa Road, Gandhi nagar, Bangalore-
560 009, (Karnataka).
681. Sarvodaya Party
P3, University Campus, University Of Rajasthan,
Jaipur-302004 (Rajasthan)
682. Satya Mave Party
548, Ramdass Pate, Nagpur-10 (Maharashtra).
683. Satya Vijay Party
101-C, Press House, 22, Phiroz Gandhi Press
Complex, Agra – Mumbai Road, Indore –
452 008, Madhya Pradesh,
684. Satyayug Party
Flat No.203, Bldg. No.6-4-323/A, Vivek Vanshi
Residency, Mekala Mandi Road, Bholakpur,
Secunderabad-500080, (Andhra Pradesh)
685. Savarn Samaj Party
East Of Stadium, Nand Hardware, Sirmore Road, Rewa-
486001 (M.P.)
686. Secular National Dravida Party
Kadakkavor Buildings, Thumpara Nagar, Mundakkal,
Kollam City, Kollam-691001, Kerala.
687. Secular Party of India
House No.122-A, Ramvihar, Old Janipur, Jammu-
180007 (Jammu & Kashmir)
688. Sehajdhari Sikh Federation
622/9, Near Telephone Exchange, Raikot, District
Ludhiana, Punjab.
689. Shakti Dal
A-4, Maharani Bagh, New Delhi-110065.
690. Shetkari Vichar Dal
49, Mamta, Anandnagar Co-op. Housing, Gulmohar
Road, Savedi, Ahmednagar-414001, Maharashtra.
691. Shikshit Berozgar Sena
Kammu Katra Sadarang, Shabnam Tailor Maryahun,
Jaipur, Uttar Pradesh.
692. Shiromani Akali Dal (Simranjit Singh Mann)
Flat No. 36, Sector-4, Chandigarh.
693. Shiromani Youth Akali Dal (Kahlon)
5/5051, Shakti Nagar, Khandwalla, Chaharta, Amritsar
(Punjab).
694. Shivrajya Party
6-A, Ground Floor, Sarvoday Trust Building, Gokhale
Maharashtra.
695. Shoshrut Dal
Road (South), Dadar (West), Mumbai-400028,
Center Office : Dakshnini Mandiree, Patna-800001
(Bihar)
696. Shoshit Samaj Party  Head Office-16/280-I, Bapa Nagar, Pyare Lal Road, Karol Bagh, New Delhi-110 005.
700. Sikkim Himali Rajya Parishad  Metro Point, 5th Mile Tadong, Gangtok (East Sikkim).
701. Sikkim Janashakti Party  Ranipool Marchak, Chakung House, P.O. Raniopool, Gangtok (Sikkim)
702. Sikkim National Liberation Front  Sangram Bhavan, Jeevan Theeng Marg, Gangtok (Sikkim).
703. Sikkim Sangram Parishad  Near Public Library, Veraval-362265 (Gujarat)
707. Social Justice Party  No.73, Ellaiaman Colony, Teynampet, Chennai-600086 (Tamil Nadu).
709. Socialist Republican Party  State Committee Office, Tutors Lane, Statue, Trivandrum – 695001 (Kerala).
712. Swaraj Dal  No.5, Kamraj Street, Vasanta Nagar, Villianur, Pondicherry-605 110.
716. Tamil Desiyak Katchi  80-A, Chamundi Shopping Complex, Salem-636007 (Tamil Nadu).
717. Tamil Maanila Congress (Moopanar)  5/58, Maniam Building, Theethipalayam Post, Coimbatore-641010 (Tamil Nadu).
718. Tamil Maanila Kamraj Congress  310- V-Block Boopathy Nagar, Chennai-600024 (Tamil Nadu).
719. Tamil Maanila Quaide Milleth League  310-V Block Boopathy Nagar, Chennai-600024 (Tamil Nadu).
720. Tamil Nadu Deseeya Grameeya Thohailalar Conress  5/58, Maniam Building, Theethipalayam Post, Coimbatore-641010 (Tamil Nadu).
721. Tamil Nadu Makkal Congress  310- V-Block Boopathy Nagar, Chennai-600024 (Tamil Nadu).
722. Tamil Nadu Peasants & Workers Party  No. 1, Jayammal Road, Teynampet, Chennai-600018 (Tamil Nadu).
723. Tamil Nadu People’s Party  16/2 K.P. Street Mylapore, Chennai-600004 (Tamil Nadu).
724. Tamilaga Makkal Munnetra Kazhagam  563, Shanti Colony, N.K.B. Nagar, Palayamkottai, Tirunelveli, Tamil Nadu.
725. Tamilar Kazhagam  180, Longly Road, Shevapet, Salem-636002 (Tamil Nadu).
726. Tamizhaga Munnetra Munnani
No.152 A, North Usman Road, T. Nagar, Chennai-600017 (Tamil Nadu)

727. Tamizhaga Rajiv Congress
6-II, Main Road, Raja Annamalaiipuram, Chennai-600028 (Tamil Nadu).

728. Tamizhar Party
8/43, M. T.C. Road, Mattur Dam, 1, Salem District, Chennai-600017 (Tamil Nadu)

729. Tarai Kranti Dal
21/2, Indira Nagar, Lucknow (Uttar Pradesh).

730. Telangana Congress Party
Flat No.4, Block-18, MIG Phase-II, Bagh Lingampally, Hyderabad, Andhra Pradesh.

731. Telangana Praja Party

732. Thaayaga Makkal Katchi
7, Y.V.D.Complex, Chathiram Bus Stand, Tiruchirappalli-620002, Tamil Nadu.

733. Thalli Telangana Party
Plot No.50, Road No.5, Jubilee Hills, Hyderabad-500 033, Andhra Pradesh.

734. Thamilar Bhoomi
5, Dr. Sir C.V. Raman, 1st Street, Kumaran Nagar, Tiruchirappalli-620017, (Tamil Nadu).

735. Tharasu Makkal Mandram
14-Sait Colony, First Street Egmore- 600008 (Tamil Nadu).

736. The Consumer Party of India
Deshmukhwadi Complex, P.K. Road and Zaver Road Junction, Mulund (West), Mumbai-400080 (Maharashtra).

737. The Great India Revolutioners
4/55, Roop Nagar, Delhi-110007.

738. The Humanist Party Of India
34, Lavina, 52A, Tagore Road Santa Cruz (West), Mumbai-400054 (Maharashtra)

739. The Religion Of Man Revolving Political Party Of India
Kabiltirtha, Kabitanagar, P.O. Bongaon, Distt. 24-Parganas (North)-743235 (West Bengal).

740. Thesia Jananayaka Makkal Katchi
New No. 2, Old No. 33, 2nd Cross Street, West C.I.T. Nagar, Nandanam, Chennai-600 035 (Tamil Nadu).

741. Third View Party
203, Hill View, Plot No. 85, Lullanagar, Near Mount Carmel Convent School, Pune-411 040, (Maharashtra).

742. Thondar Congress
40-Venkatanarayana Road, Thiyagarayanagar, Chennai-600017, Tamil Nadu.

743. Tribal People Party
170, Lingi Chatty Street, Chennai-600 001 (Tamil Nadu).

744. Trilok Shakti Congress Bharat
49-D, Triveni Nagar, Naini, Udyog Nagar, Allahabad, Uttar Pradesh.

745. Trinamool Gana Parishad
Ananda Plaza Complex, 4th Floor, Ganeshguri Chariali, Guwahati-781006 (Assam).

746. United Bodo Nationalist Liberation Front
C/o Deori Bora, Rambhapuri, Kahilipara, Guwahati, (Assam)

747. United Citizen Party
D-29, Kondli, Delhi-110096.

748. United Communist Party of India
29/116, Gali No.10, Vishwas Nagar, Shahdra, Delhi-110 032.

749. United India Peoples Party
Manjamattam, Mooloor P.O., Kottayam Distt. (Kerala).

750. United Indian Democratic Council
No.1205, II-Stage, Rajaji Nagar, Bangalore-560010 (Karnataka)

751. United Minorities Front, Assam
Ulubari, Guwahati-781007 (Assam)

752. United Peoples Party of Assam
S.S. Road, Lakhtokia, Guwahati-781001, Assam.

753. United Reservation Movement Council Of Assam
Post Box No. 2, P.O.Rehabari, Guwahati-781008 (Assam).

754. United Tribal Nationalists Liberation Front
Deulguri, Harisingh Darroong-784510 (Assam)

755. Urs Samyuktha Paksha
No. 46, Palace Road, Bangalore – 560 001, Karnataka.

756. Uttar Pradesh Jan Manas Party
A-1445/6, Indira Nagar, Lucknow-226016 (Uttar Pradesh).
<table>
<thead>
<tr>
<th>No.</th>
<th>Party Name</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>757.</td>
<td>Uttar Pradesh Republican Party</td>
<td>552/2, Rajendra Nagar, 2nd Street, Lucknow-226004 (U.P.)</td>
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<tr>
<td>758.</td>
<td>Uttarakhand Kranti Dal (Democratic)</td>
<td>85/12 – B, Nash Villa Road, Dehradun-248001, (Uttaranchal).</td>
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<tr>
<td>759.</td>
<td>Uttarakhand Sanskrit Parishad</td>
<td>D-355, Vinod Nagar (West), Delhi-110092.</td>
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<tr>
<td>760.</td>
<td>Uttarkhand Janwadi Party</td>
<td>53-K, Rajpur Road, Dehradun, Uttaranchal.</td>
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<tr>
<td>761.</td>
<td>Uzhaippalar Katchi</td>
<td>70-D, Palanisamy Street, Vaniyambadi Road,Tirupattur-635601, Vellore District, Tamil Nadu.</td>
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<tr>
<td>762.</td>
<td>Uzhaippalar Podhu Nalakatchi</td>
<td>Tirupattur, Vellore District, Tamil Nadu-635601.</td>
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<tr>
<td>763.</td>
<td>Vidarbha Janata Congress</td>
<td>Antar Bharti Ashram, Dabha, Behind Vayusena Nagar, Amraoti Road, Nagpur, (Maharashtra).</td>
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<tr>
<td>764.</td>
<td>Vidarbha Vikas Party</td>
<td>Block A, Second Floor, Poonam Chambers, Chhindwara Road, Nagpur-13 (Maharashtra).</td>
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<tr>
<td>765.</td>
<td>Vidharabha Rajya Mukti Morcha</td>
<td>Kamgar Bhawan, Near Baidyanath Chowk, Great Nag Road, Nagpur-3, Maharashtra.</td>
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<td>766.</td>
<td>Vidharbha Rajya Party</td>
<td>HIG-205, Sector-1, Vikas Nagar, Lucknow, Uttar Pradesh.</td>
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<td>767.</td>
<td>Vidhayak Dal</td>
<td>18, Chinthai Street, T-Nagar, Chennai – 17, Tamil Nadu.</td>
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<td>768.</td>
<td>Viduthalai Chiruthaigal Katchi</td>
<td>501, Abhishek Plaza, Exhibition Road, Patna-800001 (Bihar).</td>
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<td>770.</td>
<td>Vikas Party</td>
<td>Mahendra Marg, Mawana Kalan250401, Distt. Meerut (U.P.)</td>
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<td>772.</td>
<td>Vishwa Vikas Sangh</td>
<td>6D-6-18 (House No.), Near Markandeswara Swamy Temple, Southern Street, Eluru-534001, West Godavari District, Andhra Pradesh.</td>
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<tr>
<td>773.</td>
<td>Viswa Maya Political Party</td>
<td>No.14, Raghava Nattan Street, Uthiramerur-603 406, Tamil Nadu.</td>
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<td>774.</td>
<td>Vivasayi Anbhu Katchi</td>
<td>House No.363, 1st Floor, Street No.9, Jawahar Nagar, Hissar, Haryana.</td>
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<tr>
<td>775.</td>
<td>Voluntary Indian People Party Haryana</td>
<td>42-Aranda Palit Road, Kolkata-700014,(West Bengal).</td>
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<tr>
<td>776.</td>
<td>West Bengal Socialist Party</td>
<td>D 3/303, Pancharathna, Anand Nagar, Pandurang Wadi, Dombivli (East) – 421201 (Maharashtra)</td>
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<tr>
<td>777.</td>
<td>Womanist Party of India</td>
<td>R.P. Estates, 4/1, Poonamallee High Road, Koyambedu, Chennai-600 107.</td>
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<tr>
<td>778.</td>
<td>Youth and Students Party</td>
<td>Village Kalgachi, P.O-Bhandari, District Hooghly, Chhattisgarh.</td>
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<td>779.</td>
<td>Youth Brigade</td>
<td>Sardar Patel Nagar, Jamnipali-Korba, District Bilaspur, Chhattisgarh.</td>
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<td>780.</td>
<td>Yuva Gantantra Party</td>
<td>Bahalolpur, Bulandshaher-202391, Uttar Pradesh.</td>
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<td>781.</td>
<td>Yuva Jan Jagriti Party</td>
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<td>No.</td>
<td>Symbol</td>
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<td>1.</td>
<td>Aerophane</td>
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<td>2.</td>
<td>Almirah</td>
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<td>3.</td>
<td>Axe</td>
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<td>4.</td>
<td>Balloon</td>
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<td>5.</td>
<td>Banana</td>
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<td>6.</td>
<td>Bangles</td>
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<td>8.</td>
<td>Bat</td>
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<td>Batsman</td>
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<td>10.</td>
<td>Battery Torch</td>
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<td>Bead Necklace</td>
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<td>Bell</td>
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<td>13.</td>
<td>Black Board</td>
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<td>14.</td>
<td>Book</td>
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<td>15.</td>
<td>Bread</td>
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<td>16.</td>
<td>Brick</td>
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<td>17.</td>
<td>Brief Case</td>
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<td>18.</td>
<td>Brush</td>
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<td>19.</td>
<td>Cake</td>
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<td>20.</td>
<td>Camera</td>
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<td>21.</td>
<td>Candles</td>
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<td>22.</td>
<td>Carrot</td>
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<td>23.</td>
<td>Ceiling Fan</td>
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<td>24.</td>
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<td>25.</td>
<td>Coconut</td>
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<td>Comb</td>
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<td>28.</td>
<td>Cup &amp; Saucer</td>
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<td>29.</td>
<td>Dao</td>
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<td>30.</td>
<td>Diesel Pump</td>
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<td>31.</td>
<td>Dolli</td>
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<td>32.</td>
<td>Electric Pole</td>
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<td>33.</td>
<td>Fork</td>
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<td>34.</td>
<td>Frock</td>
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<td>35.</td>
<td>Frying Pan</td>
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<td>36.</td>
<td>Gas Cylinder</td>
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<td>37.</td>
<td>Gas Stove</td>
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<td>38.</td>
<td>Glass Tumbler</td>
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<td>39.</td>
<td>Harmonium</td>
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<td>40.</td>
<td>Hat</td>
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<td>41.</td>
<td>Ice Cream</td>
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<td>42.</td>
<td>Iron</td>
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<td>43.</td>
<td>Jug</td>
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<td>44.</td>
<td>Kettle</td>
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<td>45.</td>
<td>Kite</td>
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<td>46.</td>
<td>Lady Purse</td>
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<td>Letter Box</td>
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<td>48.</td>
<td>Lock and Key</td>
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<td>49.</td>
<td>Maize</td>
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<td>50.</td>
<td>Maize (In all States and Union Territories except in the North Eastern States of Arunachal Pradesh, Assam, Manipur, Meghalaya, Mizoram, Nagaland and Tripura)</td>
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<tr>
<td>51.</td>
<td>Neck Tie</td>
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<td>52.</td>
<td>Pressure Cooker</td>
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<td>53.</td>
<td>Railway Engine</td>
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<td>54.</td>
<td>Ring</td>
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<td>55.</td>
<td>Road Roller</td>
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<td>56.</td>
<td>Saw</td>
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<td>57.</td>
<td>Scissors</td>
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<td>58.</td>
<td>Sewing Machine</td>
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<td>59.</td>
<td>Shuttle</td>
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<td>60.</td>
<td>Slate</td>
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<td>61.</td>
<td>Spoon</td>
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<td>62.</td>
<td>Stool</td>
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<td>63.</td>
<td>Table</td>
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<td>64.</td>
<td>Table Lamp</td>
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<td>65.</td>
<td>Television</td>
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<td>66.</td>
<td>Tent</td>
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<td>67.</td>
<td>Toffee</td>
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<td>68.</td>
<td>Violin</td>
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<td>69.</td>
<td>Walking Stick</td>
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<td>70.</td>
<td>Whistle</td>
<td></td>
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<tr>
<td>71.</td>
<td>Wool</td>
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</tbody>
</table>

By Order,

Sd/-

(K.F. WILFRED)
SECRETARY TO THE
ELECTION COMMISSION OF INDIA

(T.T.DORJI)IAS
CHIEF ELECTORAL OFFICER, SIKKIM,GANGTOK.

NOTIFICATION

In partial modification of notification No: SGS/871/03, dated 6.9.2003, the Governor of Sikkim is pleased to approve conversion of the post of Photographer-cum-Media Coordinator vide Sl. No: 15 of the said notification to that of post of a Driver carrying the same pay scale of Rs 3200-80-4800.

BY ORDER AND IN THE NAME OF GOVERNOR.

S.D. Basi, IAS
Principal Secretary to the Governor
The following Act of the Sikkim Legislative Assembly having received the assent of the Governor on 24th day of March, 2006 is hereby published for general information:-

THE SIKKIM TRANSPORT INFRASTRUCTURE DEVELOPMENT FUND (AMENDMENT) ACT, 2006

(ACT No. 3 OF 2006)

AN ACT

further to amend the Sikkim Transport Infrastructure Development Fund Act, 2004.

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

Short title, extent and commencement

1. (1) This Act may be called the Sikkim Transport Infrastructure Development Fund (Amendment) Act, 2006.
(2) It extends to the whole of Sikkim.
(3) It shall come into force at once.

Amendment of section 4

2. In the Sikkim Transport Infrastructure Development Fund Act, 2004,-

(i) in sub-section (1) of section 4,-

(a) after the words “a cess on every sale” and before the words “in Sikkim”, the words “or self consumption, or utilization for commercial purpose or consumption in the process of manufacturing of goods, or execution of works contract, or operation of machine, equipment or motor vehicles employed for any commercial activities, by importing from outside the State, by making purchase or otherwise,” and,-
(b) after the words “by any person” and before the words “of goods”, the words “or the State or Central Government including department of other States situated in Sikkim, any local body, any authority or Corporation, established by or under any statute and any State or Central Government undertaking”, shall respectively be inserted;

(ii) in sub-section (2) of section 4,-

(a) after the words “the person” and before the words “who sells”, the words “or the State or Central Government including department of other States situated in Sikkim, any local body, any authority or Corporation, established by or under any statute and any State or Central Government undertaking”, and,-

(b) after the words “who sells” and before the words “such goods in Sikkim”, the words “or consumes for self or utilizes for commercial purpose or consumes in the process of manufacturing of goods, or execution of works contract, or operation of machine, equipment or motor vehicles employed for any commercial activities.”, shall respectively be inserted;

(iii) In sub-section (3) of section 4, after the opening words “The person” and before the words “referred to”, the words “or the Government or the body or the organizations” shall be inserted.

(iv) In sub-section (4) of section 4, after the words “leviable on sale” and before the words “of the goods”, the words “or self consumption or utilization for commercial purpose or consumption in the process of manufacturing of goods, or execution of works contract, or operation of machine, equipment or motor vehicles employed for any commercial activities”, shall be inserted.

(v) For the existing First Schedule, the following Schedule shall be substituted, namely:-

```
"The First Schedule
(See section 4)

<table>
<thead>
<tr>
<th>Sl. No</th>
<th>Name of goods</th>
<th>Rates of Cess</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)</td>
<td>(2)</td>
<td>(3)</td>
</tr>
<tr>
<td>1.</td>
<td>Motor spirit commonly known as petrol</td>
<td>Rupees two per litre.</td>
</tr>
<tr>
<td>2.</td>
<td>High-speed diesel oil</td>
<td>Rupees two per litre.</td>
</tr>
</tbody>
</table>
```
The following Act of the Sikkim Legislative Assembly having received the assent of the Governor on 24th day of March, 2006 is hereby published for general information:-

THE SIKKIM TAX ON PROFESSIONS, TRADES, CALLINGS AND EMPLOYMENTS ACT, 2006

(Act No. 5 of 2006)

AN ACT
to provide for the levy and collection of a tax on professions, trades, callings and employments for raising additional resources for the benefit of the State.

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

1. (1) This Act may be called the Sikkim Tax on Professions, Trades, Callings and Employments Act, 2006.
(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.

2. In this Act, unless the context otherwise requires:-
(a) "Act" means the Sikkim Tax on Professions, Trades, Callings and Employments Act, 2006;
(b) "appointed day" means the date on which this Act comes into force;
(c) "Commissioner" means the Commissioner of Profession Tax appointed under section 3 of the Act;
(d) "employee" means a person employed on salary or wages and includes-
(i) a Government servant receiving pay from the revenues of the Central Government or any State Government;
(ii) a person in the service of a body, whether incorporated or not, which is owned or controlled by the Central Government or any State Government, any authority or corporation, established by or under any statute, where the body or authority or corporation operates in the State of Sikkim, even though the headquarters may be outside the State; (iii) a person engaged in any employment of an employer, not covered by clauses (i) and (ii) above;
“employer” in relation to an employee earning any salary or wages on regular basis under him, means the person or the officer who is responsible for disbursement of such salary or wages, and includes the head of the office or any establishment as well as the manager or agent of the employer; (f)

“month” means a month reckoned according to the British calendar;

“notification” means a notification published in Official Gazette;

“person” means any person who is engaged in any profession, trade, calling or employment in the State of Sikkim, and includes a Hindu undivided family, firm, company, corporation or other corporate body, any society, club or association, so engaged, but does not include any person who earns wages on a casual basis;

“prescribed” means prescribed by rules made under this Act;

“prescribed authority” means the authority that may be appointed under and for any of the purposes of this Act;

“profession tax” means the tax on professions, trades, callings and employments levied under this Act;

“quarter” means a period of three months commencing from 1st April, 1st July, 1st October and 1st January;

“salary” or “wage” includes pay, dearness allowance and all other remunerations received by any person on regular basis, whether payable in cash or in kind, and also includes perquisites, and profits in lieu of salary, but does not include any form of bonus or gratuity;

“Schedule” means the Schedule appended to this Act;

“State Government” means the Government of Sikkim;

“tax” means the profession tax;

“year” means the financial year beginning from 1st April and ending on 31st March.

3. (1) For carrying out the purposes of this Act, the Government shall appoint—

(i) an officer to be the Commissioner of Profession Tax;

(ii) such other officers as Special Commissioner, Additional Commissioner, Joint Commissioner, Deputy Commissioner, Assistant Commissioner and Inspector of Professional Tax and in such number, as it thinks necessary, to assist the Commissioner.

(2) An officer appointed under clause (ii) shall, within limits of such area as the Government or any authority or officer empowered by it in this behalf may assign to him, exercise such powers and perform such duties as may be delegated or conferred or imposed upon him by or under this Act.

(3) The superintendence and control for the proper execution of the provisions of this Act and the rules made thereunder relating to the levy and collection of tax shall vest in the Commissioner.

4. (1) Subject to the provisions of Article 276 of the Constitution of India, there shall be levied and collected a tax on professions, trades, callings and employments, in accordance with the provisions of this Act.

(2) Every person engaged in any profession, trade, calling or employment and falling under one or the other of the classes mentioned in column II of the Schedule shall be liable to pay to the State Government the tax at the rate mentioned against the class of such persons in column III of the said Schedule:

Provided that entry 18 in the Schedule shall apply only to such classes of persons as may be specified by the State Government by notification from time to time.

5. The State Government, if deemed necessary to do so, may, by notification, add to, amend or alter the Schedule to this Act.
6. The tax payable under this Act by any person earning salary or wage shall be deducted by his employer from the salary or wage payable to such person, before such salary or wage is paid to him, and such employer shall, irrespective of whether such deduction has been made or not when the salary or wage is paid to such person, be liable to pay tax on behalf of all such persons:

Provided that if the employer is an officer of Government, the State Government may, notwithstanding anything contained in this Act, prescribe by rules the manner in which such employer shall discharge the said liability:

Provided further that where any person earning a salary or wage-
(i) is also covered by one or more entries other than entry 1 in the Schedule and the rate of tax under such entry or any of such entries is higher than that in entry 1, or
(ii) is simultaneously engaged in employment of more than one employer, and such person furnishes to his employer or employers a certificate in prescribed form declaring inter alia, that he shall obtain a certificate of enrolment under sub-section (2) of section 7 and pay the tax himself, then the employer or employers of such person shall not deduct the tax from the salary or wage payable to such person and such employer or employers, as the case may be, shall not be liable to pay tax on behalf of such person.

7. (1) Every employer, not being an officer of Government, liable to pay tax under section 6 shall obtain a certificate of registration from the prescribed authority in the prescribed manner.

(2) Every person liable to pay tax under this Act (other than a person earning salary or wages, in respect of whom the tax is payable by his employer), shall obtain a certificate of enrolment from the prescribed authority in the prescribed manner.

(3) Every employer required to obtain a certificate of registration or every person required to obtain a certificate of enrolment, as the case may be, within ninety days of his becoming liable to pay tax, apply for a certificate of registration or enrolment, as the case may be, to the prescribed authority in the prescribed form, and the prescribed authority shall, after making such inquiry as may be necessary, within thirty days of the receipt of the application, grant him such certificate, if the application is in order:

Provided that the time period for grant of registration by the prescribed authority shall be six months in the first year from the commencement of this Act.

(4) Any person who is liable to pay tax or who is granted registration under subsection (1) or sub-section (2) under this Act from any particular date shall also be liable after the grant of such registration, for tax for the period prior to such date during which he was liable to pay tax under this Act.

(5) The prescribed authority shall mention in every certificate of registration or certificate of enrolment the amount of tax payable by the holder according to the Schedule, and the date by which it shall be paid, and such certificate shall serve as a notice of demand for purposes of section 15.

(6) The prescribed authority may, from time to time, amend any certificate of registration or certificate of enrolment in accordance with the information furnished under section 8 or section 9, or, after providing an opportunity of being heard, on the basis of information received otherwise.

(7) Where an employer or a person liable to registration or enrolment fails without reasonable cause to apply for such certificate within the required time, the prescribed authority may, after giving him a reasonable opportunity of being heard, impose a penalty not exceeding rupees twenty-five for each day of delay in case of an employer and not exceeding rupees ten for each day of delay in case of others.
(8) Where an employer or a person liable to registration or enrolment has deliberately given false information in any application submitted under this section, the prescribed authority may, after giving him a reasonable opportunity of being heard, impose a penalty not exceeding rupees one thousand.

(9) The prescribed authority shall, after making such inquiry as it may deem necessary and after giving the employer or the person, as the case may be, an opportunity of being heard, fix the date on and from which such employer or person shall become liable to pay tax under this Act.

8. (1) In the event of any changes in the trade or business or any part thereof carried out by an employer registered under this Act or changes in the ownership of such trade or business, due to sale or otherwise, or changes in the nature of profession, trade or business, or changes in the constitution of board of directors in the case of a company, or discontinuation of the profession, trade or business of any person liable for tax under this Act, or changes of place of work, the employer or the person concerned shall, within thirty days from the date of such changes or discontinuance, inform the prescribed authority in an application furnishing necessary particulars together with the copy of the certificate of registration or enrolment, as the case may be, and in the absence of the employer or the person for any reason whatsoever, his legal representative, shall, in the like manner, inform the said authority:

(2) If the prescribed authority, after making such inquiry as he deems necessary, is satisfied that the contents of the application are in order, he shall, by an order in writing, amend or cancel the certificate of registration or enrolment, as the case may be, accordingly:

Provided that the prescribed authority may determine the liability of tax, if necessary, in view of the changes taken place due to the reasons specified hereabove.

9. (1) Every employer registered under this Act shall furnish to the prescribed authority a return in respect of every quarter, on or before the end of the month following the end of the quarter showing therein the salaries and wages paid by him and the amount of tax deducted by him in respect thereof, in such form and manner as may be prescribed.

(2) Every such return shall be accompanied by a challan of payment prescribed under the standing financial rules of the Government or any other documents showing payment and acceptable as such, in proof of payment of full amount of tax due according to the return, and a return without such proof of payment shall not be deemed to have been duly filed:

Provided that if an employer, having furnished a return discovers any omission, error or wrong statement therein, he may furnish a revised return in prescribed form and in such manner and time as may be directed by the prescribed authority.

(3) Where an employer, without reasonable cause, fails to file such return or revised return within the stipulated time, the prescribed authority may, after giving him a reasonable opportunity of being heard, impose upon him a penalty not exceeding rupees fifteen for each day of delay or if he has willfully filed return with incorrect or false particulars in such return or revised return, the prescribed authority may impose a penalty not exceeding rupees one thousand.

10. (1) If the prescribed authority is satisfied that the return or revised return filed by any employer is correct and complete, he shall accept the return.

(a) If the prescribed authority is not satisfied that the return or revised return filed is correct and complete he shall serve upon employer a notice requiring him to attend in person or through an authorized representative, and to produce accounts and papers in support of the return, on a date specified in the notice.
(b) The prescribed authority shall, on examination of the accounts and papers, assess the amount of tax payable by the employer.

(c) If the employer fails to comply with the terms of the notice, or if, in the opinion of the prescribed authority, the accounts and papers are incorrect or incomplete or unreliable, such authority shall, after such inquiry, as it deems fit or otherwise, assess the tax to the best of its judgment.

(3) If an employer fails to get himself registered or being registered fails to file any return, the prescribed authority shall, after giving the employer a reasonable opportunity of being heard and after holding such inquiry as it deems fit or otherwise, pass an order assessing the amount of tax due, to the best of its judgement.

(4) The amount of tax so assessed shall be paid within thirty days of receipt of the notice of demand issued by the prescribed authority in the prescribed form and manner.

11. (1) If a person liable to obtain a certificate of enrolment under sub-section (2) of section 7 has failed to get himself enrolled or, being enrolled, has failed to make payment of the whole or any part of the amount of tax as required by or under this Act, the prescribed authority shall, after giving such person a reasonable opportunity of being heard, and after holding such inquiry as he deems fit or otherwise, determine the amount of tax due from him, and if such amount cannot be determined properly on the basis of the available material, determine the same to the best of his judgement.

(2) The amount of tax due as determined shall be paid within thirty days of receipt of the notice of demand served by the prescribed authority in the prescribed form and manner.

12. If the Commissioner is satisfied to do so, he may order for a detail audit of any of the employer or person liable to pay tax under this Act by an appropriate auditing authority, either individually or as a team consisting of such appropriate auditing authorities or the prescribed authorities as he may decide.

13. (1) The tax payable under this Act shall be paid in the prescribed manner.

(2) The amount of tax due from any person who stands enrolled before the commencement of any year shall be paid by him before the 30th day of September of that year:

Provided that subject to such conditions and restrictions as may be prescribed, an enrolled person shall not be required to make payment of tax in terms of his certificate of enrolment in respect of the year or years, during which he is not temporarily engaged in any profession, trade or calling in Sikkim.

14. (1) If an employer, not being an officer of Government, fails to pay tax as required by or under this Act, he shall, without prejudice to any other consequences and liabilities which he may incur, be deemed to be an assessee in default in respect of such tax.

(2) Without prejudice to the provisions of sub-section (1), an employer referred to in that sub-section shall be liable to pay, in addition to the amount of tax, simple interest at two per centum of the amount of tax due for each month or part thereof for the period for which the tax remains unpaid.

(3) If an enrolled person fails to pay tax as required by or under this Act, he shall be liable to pay, in addition to the amount of tax, simple interest at the rate and in the manner laid down in sub-section (2).

15. If a registered employer or an enrolled person fails without reasonable cause, to make payment of any amount of tax within the required time or date as specified in the notice of demand, the prescribed authority may, after giving him a reasonable opportunity of being heard, impose upon him a penalty not exceeding fifty percent of the amount of tax due.
| Recovery of tax, penalty, interest and fee | 16. (1) The provisions of the Sikkim (Collection of Taxes and Prevention of Evasion of Payment of Taxes) Act, 1987 (7 of 1987) and the rules made thereunder shall apply for recovery of all arrears of any tax, penalty, interest or fees due under this Act from any person.  
(2) The State Government may appoint, by notification, such number of Tax Recovery Inspectors under section 4 of the Sikkim (Collection of Taxes and Prevention of Payment of Taxes) Act, 1987 (7 of 1987) for the purpose of this Act. |
| Appeal | 17. (1) Subject to such rules as may be made by the State Government, any person or employer aggrieved by any order made under this Act or by an authority, not being an authority under section 18, may, in the prescribed manner, appeal to the authority prescribed.  
(2) The appellate authority shall dispose of the appeal in the prescribed manner. |
| Revision | 18. Any order passed by any authority under this Act may be revised, either on application or on own motion, by such authority and in such manner as may be prescribed. |
| Rectification of mistakes | 19. Any authority under this Act may, on its own motion or on an application made in this behalf, by order, rectify any mistake apparent on the face of the record. |
| Accounts | 20. (1) Every employer or person shall keep and maintain a true and up-to-date accounts and documents pertaining to his business, profession, trade or calling along with a true and up-to-date records relating to disbursement of salaries and wages in respect of his employees or workers and in addition to such accounts, documents and records, he shall maintain and keep such registers or accounts in such form as may be directed by the prescribed authority.  
(2) Where an employer or person willfully fails to maintain the books of accounts or other registers or documents as referred to or directed under sub-section (1), the Commissioner may, after giving him an opportunity of being heard, impose a penalty not exceeding rupees one hundred for each day of such failure. |
| Special mode of recovery | 21. (1) Notwithstanding anything to the contrary contained in any law or in any contract, the Commissioner may, at any time or from time to time, by notice in the prescribed form, a copy of which shall be forwarded to the assessee at his last address known to the Commissioner, require-  
(a) any person from whom any amount of money is due or may become due to an assessee on whom notice of demand has been served under this Act, or  
(b) any person who holds or may subsequently hold money for or on account of such assessee, to pay the Commissioner, either forthwith upon the money becoming due or being held or at or within the time specified in the notice (but not before the money becomes due or is held as aforesaid), so much of the money as is sufficient to pay the amount due by the assessee in respect of arrears of tax, penalty and interest under this Act, or the whole of the money when it is equal to or less than that amount.  
Explanation- For the purposes of this section, the amount of money due to an assessee from, or money held for or on account of an assessee by any person, shall be calculated after deducting therefrom such claims, if any, lawfully subsisting, as may have fallen due for payment by such assessee to such person.  
(2) The Commissioner may, at any time or from time to time, amend or revoke any such notice, or extend the time for making any payment in pursuance of the notice.  
(3) Any person making any payment in compliance with a notice under this section shall be deemed to have made the payment under the authority of the assessee, and the receipt of the Commissioner shall constitute a good and sufficient discharge of the liability of such person, to the extent of the amount referred to in the receipt. |
(4) Any person discharging any liability to the assessee after receipt of the notice referred to in this section, shall be personally liable to the Commissioner to the extent of the liability discharged, or the extent of the liability of the assessee for tax, penalty and interest, whichever is less.

(5) Where a person to whom a notice under this section is sent proves to the satisfaction of the Commissioner that the sum demanded or any part thereof is not due to the assessee or that he does not hold any money for or on account of the assessee, then, nothing contained in this section shall be deemed to require such person to pay any sum or part thereof, as the case may be, to the Commissioner.

(6) The provisions of section 16 shall apply for recovery of any amount of money, if remains unpaid, which a person is required to pay to the Commissioner or for which he is personally liable to the Commissioner under this section.

Explanation- For the purpose of this section, “assessee” means any person by whom tax or any other sum of money is payable under this Act.

22. Any authority under this Act may, at all reasonable time, inspect and search any premises, where any profession, trade, calling or employment liable to tax under this Act is carried on and may seize or cause production of books, registers, accounts or documents as may be necessary for examination or prosecution:

Provided that if the said authority seized from the said premises any book, register, account or document, he shall give to the person in charge of the place, a receipt describing the book, register, account or register so seized by him and retain the same only for so long as may be necessary for the purpose of examination thereof or prosecution.

23. The prescribed authority shall refund to a person the amount of tax, penalty, interest and fees, if any, paid by such person in excess of the amount due from him. The refund may be made either by cash payment or, at the option of such person, by deduction of such excess from the amount of tax, penalty, interest and fees due from him:

Provided that such excess amount shall first be adjusted towards the recovery of any amount due from an employer under the Act or from a person to whom a certificate of enrolment has been issued, and thereafter the balance, if any, shall be refunded.

24. (1) Under this Act-

(i) violation of section 6, sub-section (1) and sub-section (2) of section 7, sub-section (1) of section 8, sub-section (1) and sub-section (2) of section 9, sub-section (2) of section 11, sub-section (1) and sub-section (2) of section 13, sub-section (2) of section 14, sub-section (1) of section 20;

(ii) furnishing any incorrect information in a return under sub-section (1) of section 9;

(iii) furnishing any incorrect information as required under section 13 and the rules made thereunder;

(iv) refusing to comply with any direction given under section 22;

(v) neglecting or refusing to furnish information required by section 29;

(vi) knowingly producing incorrect accounts, registers or documents, or suppressing material information;

(vii) obstructing any officer making inspection or search or seizure or taking other actions under section 22, shall constitute to be punishable offences.

(2) Whoever commits any of the offence enumerated in sub-section (1) of this section shall, on conviction, be punished with fine not exceeding rupees ten thousand and when the offence is continuing one, with fine not exceeding rupees fifty per day during the period of continuance of the offence, and for subsequent commission of the same offence by the same person, on conviction,
shall be punished with simple imprisonment which may extend to three months or with fine which may extend to fifteen thousand rupees or with both, and when the offence is continuing one, with fine not exceeding one hundred rupees during the period of continuance of the offence.

(3) Any offence punishable under sub-section (1) shall be cognizable and bailable.

(4) No court shall take cognizance of any offence under this Act or the rules made thereunder except with the previous sanction of the Commissioner and no court inferior to that of a Judicial Magistrate shall try such offence.

(5) No prosecution for any offence enumerated here in before in this section shall be instituted in respect of the same facts for which a penalty has been imposed under this Act and no such penalty shall be imposed where a prosecution is instituted under this section.

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

Provided that nothing contained in this sub-section shall render any such person liable to any punishment, if he proves that the offence was committed without his knowledge or that he had exercised 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 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,-

(c) “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.

26. (1) The Commissioner may by order in writing,-

(i) transfer any proceeding or proceedings under this Act relating to any person or assessee or class of assesses pending before a prescribed authority to another prescribed authority or to himself, or

(ii) specify any one of the prescribed authorities which shall deal with any proceeding or proceedings relating to any person or assessee or class of assesses.

(2) Where any proceeding is transferred to a prescribed authority under sub-section (1) of this section, such prescribed authority may deal with the proceeding either de novo or from the stage at which it was transferred.

27. (1) Subject to such conditions as may be prescribed, the Commissioner may, either before or after the institution of proceedings for an offence under this Act, permit any person charged with the offence to compound the offence on payment of such sum, not exceeding double the amount of tax to which the offence relates, as the Commissioner may determine.

(2) On payment of such sum as may be determined by the Commissioner under sub-section (1), no further proceedings shall be taken against the person in respect of the same offence.

28. The authorities under this Act shall have power to summon and enforce the attendance of any person and any witness and compel the production of any document by the same means and, so far as may be, in the same manner as is provided in the case of a Civil Court under the Code of Civil Procedure, 1908 (5 of 1908).
29. (1) The prescribed authority may, for the purposes of this Act, require any person including any individual, Hindu undivided family, firm, company, corporation or other corporate body, society, club or association to furnish to him particulars relating to profession, trade, calling or employment of any person in the State of Sikkim.

(2) The person from whom any information is sought for by the prescribed authority under sub-section (1) shall furnish such information accordingly.

30. (1) No suit shall lie in any Civil Court against any assessment made or order passed under this Act.

(2) No suit, prosecution or other legal proceeding shall lie against any authority under this Act or against any employer for anything which is in good faith done or intended to be done in pursuance of this Act or rules made thereunder.

31. The Commissioner may, subject to such conditions and restrictions as the State Government may by general or special order impose, by order in writing delegate to any of the authorities subordinate to him, either generally or in respect of any particular matter or class of matters any of his powers under the Act.

32. (1) Notwithstanding anything contained in any other law for the time being in force,-

(a) no Government, local authority, educational institution, corporation or body corporate established by or under a Central or State Act shall place order with, or make purchases of any goods from any person or make any payment to such person for such purchases, or

(b) no Government, local authority, educational institution, corporation or body corporate established by or under a Central or State Act, or company incorporated under the Companies Act, 1956 (1 of 1956), or registered co-operative society, shall enter into any contract with any person for execution by him of such contract and shall make payment to such person for execution of such contract, or

(c) no Government, local authority, educational institution, corporation or body corporate established under a Central or State Act, shall renew any license issued by them to any person, unless the Commissioner certifies in the prescribed manner that such person-

(i) has no liability to pay tax or has not defaulted in furnishing any returns together with the receipted challan or challans showing payment of all taxes payable under this Act, or

(ii) has not defaulted in making payment of tax otherwise payable by, or due from him under this Act.

(2) The application for the certificate required under sub-section (1) shall be made by the person referred to that sub-section to the Commissioner.

33. (1) Nothing contained in this Act shall apply to the persons who are subject to the Army Act, 1950, the Navy Act, 1957 or the Air Force Act, 1950 and are serving in any part of the State of Sikkim.

(2) Subject to such conditions as it may impose, the State Government may, if it considers it necessary so to do in the public interest, by notification, exempt any class of persons from payment of the whole or any part of the tax payable under this Act.

34. (1) The State Government may, by notification, 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 matters which, under any provisions of this act, are required to be prescribed or provided by rules.
<table>
<thead>
<tr>
<th>Entry Sl. no.</th>
<th>Class of persons</th>
<th>Rate of tax (Proposal)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Salary and wage earners - such persons whose monthly salaries or wages are-</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(i). Rs. 20000 or less</td>
<td>Nil</td>
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<td></td>
<td>(ii). Rs. 20001 or more, but less than Rs. 30001</td>
<td>Rs. 125 per month</td>
</tr>
<tr>
<td></td>
<td>(iii). Rs. 30001 or more, but less than Rs. 40001</td>
<td>Rs. 150 per month</td>
</tr>
<tr>
<td></td>
<td>(iv). Rs. 40001 and more</td>
<td>Rs. 200 per month</td>
</tr>
<tr>
<td>2.</td>
<td>(a) Legal practitioners including solicitors and notaries public.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(b) Medical practitioners including medical consultants and dentists.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(c) Directors (other than those nominated by Government) of companies registered under the Companies Act 1956 (1 of 1956) and under the Registration of Companies Act, Sikkim, 1961.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(d) Technical and professional consultants including architects, engineers, chartered accountants, actuaries, management consultants and tax consultants, where the annual gross income of the persons mentioned above is-</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(i). Rs. 25000 or less</td>
<td>Nil</td>
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<tr>
<td></td>
<td>(ii). Rs. 25001 or more but less than Rs. 35001</td>
<td>Rs. 100 per annum</td>
</tr>
<tr>
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<td>(iii). Rs. 35001 or more but less than Rs. 60001</td>
<td>Rs. 150 per annum</td>
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<td>(iv). Rs. 60001 or more but less than Rs. 75001</td>
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<td>(v). Rs. 75001 or more but less than Rs. 85001</td>
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<td>(vii). Rs. 95001 or more but less than Rs. 110000</td>
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<td>(viii). Rs. 110000 or more but less than Rs. 170001</td>
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<tr>
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<td>(ix). Rs. 170001 or more but less than Rs. 180001</td>
<td>Rs. 1500 per annum</td>
</tr>
<tr>
<td></td>
<td>(x). Rs. 180001 or more but less than Rs. 270001</td>
<td>Rs. 2000 per annum</td>
</tr>
<tr>
<td></td>
<td>(xi). Rs. 270001 and above</td>
<td>Rs. 2500 per annum</td>
</tr>
<tr>
<td>3.</td>
<td>Postal agents under the National Savings Scheme or Chief agents, principal agents, special agents, insurance agents and surveyors or loss assessors, registered or licensed under the Insurance Act, 1938 (4 of 1938), where the annual gross income of the persons mentioned above is-</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(i). Rs. 25000 or less</td>
<td>Nil</td>
</tr>
<tr>
<td></td>
<td>(ii). Rs. 25001 or more but less than Rs. 35001</td>
<td>Rs. 100 per annum</td>
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<td>(iii). Rs. 35001 or more but less than Rs. 60001</td>
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<td>(x). Rs. 180001 or more but less than Rs. 270001</td>
<td>Rs. 2000 per annum</td>
</tr>
<tr>
<td></td>
<td>(xi). Rs. 270001 and above</td>
<td>Rs. 2500 per annum</td>
</tr>
</tbody>
</table>

**Explanation.** - For the purposes of the entries against serial nos. 2 and 3, “annual gross income”, in relation to a person, means the aggregate of the amounts of fee, remuneration, commission or any other charge, by whatever name called, relating to his profession or calling in the State of Sikkim, receivable by him during the immediate preceding year.

| 4.     | (a) Members of recognized Stock Exchange | Rs. 1000 per annum |
|        | (b) Remisiers recognized by a Stock Exchange | Rs. 250 per annum |
| 5.     | (a) Estate agents or promoters or brokers or commission agents | -10- |
or del credere agents or mercantile agents
Rs.1500 per annum
(b) Contractors of all descriptions engaged in any work-such contractors whose gross business in a year is-
(i) less than Rs. 1,00,000
Rs. Nil
(ii) Rs.1,00,000 to Rs.2,00,000
Rs.150 per annum
(iii) Rs.2,00,000 to Rs.5,00,000
Rs.300 per annum
(iv) Rs.5,00,000 to Rs.20,00,000
Rs.500 per annum
(v) Rs.20,00,000 to Rs.50,00,000
Rs.1000 per annum
(vi) Rs.50,00,000 to Rs.1 crore
Rs.1500 per annum
(vii) Rs.1 crore to Rs. 2 crores
Rs.2000 per annum
(viii) Above Rs. 2 crores
Rs. 2500 per annum

6. Clearing agents, customs agents
Rs.2000 per annum

7. (a) Owners of Subscribers Trunk Dialing (STD) or International Subscriber Dialing (ISD)-Situated in Gangtok Town (including Development area, Deorali, Tadong, Sichey, Siyari)
Rs.400 per annum
(b) situated in other area (excluding rural areas)
Rs.200 per annum
(c) Persons engaged in courier services
Rs.2000 per annum
(d) Signal provider, cable operator, and cable hirer, in television network, and their agents
Rs.400 per annum

8. Dealers as defined under the Sikkim Sales Tax Act, 1983 and the Sikkim Value Added Tax Act, 2005, whose annual gross sales turnover is-
(i) less than Rs.1,00,000
Nil
(ii) Rs.1,00,000 to Rs.2,00,000
Rs.150 per annum
(iii) Rs.2,00,000 to Rs.5,00,000
Rs.300 per annum
(iv) Rs.5,00,000 to Rs.20,00,000
Rs.500 per annum
(v) Rs.20,00,000 to Rs.50,00,000
Rs.1000 per annum
(vi) Rs.50,00,000 to Rs.1 crore
Rs.1500 per annum
(vii) Rs. 1 crore to Rs.2 crores
Rs.2000 per annum
(viii) Above Rs.2 crores
Rs.2500 per annum

9. Owners or lessees of petrol/diesel filling stations and service stations and agents and distributors including retail dealers of liquefied petroleum gas (who are not covered by any other entry of the Schedule)
Rs.2500 per annum

10. (i) Owners or occupiers of distilleries, breweries and bottling plants
Rs.2500 per annum
(ii) Licensed foreign liquor vendors
Rs.1500 Per annum
(iii) Warehouse owners/licencees
Rs.2500 per annum
(iv) Owners or occupiers or lessees of residential hotels of three-star category and above
Rs.2500 per annum
(v) Licensed country liquor vendors and owners or occupiers or lessees of residential hotels below three-star category
Rs.1500 per annum
(vi) Owners of eateries, non-residential hotels, fast food centers.
	Explanation- entries i to vi above shall be applicable provided they are not covered in any other entries in the Schedule.
Rs.500 per annum
(vii) Owners, lessees or licencees, as the case may be, of-
(a) nursing homes and pathological laboratories
Rs.2500 per annum
(b) cinema houses and theaters
Rs.2500 per annum
(c) video parlours, video game centers or play stations, video halls and video rental libraries, pool parlours
Rs.1000 per annum
(d) health clinics
Rs.1000 per annum
(e) tours and travel agencies
Rs.1000 per annum
(f) cyber cafes
Rs.1000 per annum
(g) transport firms, companies or agencies
Rs.2500 per annum
10A. Owners, lessees or licencees, as the case may be, of-
(a) carpentry, plumbing, wielding and electricians, Rs. 250 per annum
(b) mobile photo units, photo studios and still photography Rs. 500 per annum
(c) (i) motor garages (running conventionally), motor driving schools, Rs.1000 per annum
(ii) motor garages running with modern technologies/equipments Rs. 1500 per annum
(d) audio recordings and editing studios Rs.1000 per annum
(e) video filming Rs. 1000 per annum
(f) cinematic moving pictures or feature filming Rs.2500 per annum
(g) adventure sports Rs. 500 per annum
(h) holiday homes Rs. 1000 per annum

11. (a) Owners, licencees or lessees, as the case may be, of premises let out for social functions Rs.1000 per annum
(b) Owners or occupiers of cold storages Rs.2000 per annum

12. Owners or lessees of-
(a) beauty parlour Rs.1000 per annum
(b) health resorts, gym centers and aerobic centres Rs.1000 per annum
(c) hair-dressing saloons Rs.500 per annum

13. Holders of permits granted under the Motor Vehicles Act, 1988, for transport vehicles, which are adapted to be used for hire or reward. Where any such person holds permit or permits for any taxis including goods vehicles, trucks or buses-
(a) in respect of each taxi Rs.500 per annum
(b) in respect of each truck or bus Rs.1000 per annum

14. (a) Individuals or institutions conducting chit funds and lotteries Rs.500 per annum
(b) Authorized stockists or distributors of lottery tickets

Explanation- items no. a and b in this entry 14 shall apply provided they are not covered in any other entries of this Schedule

15. Banking companies as defined under the Banking Regulation Act Rs.2500 per annum

16. (i) Companies registered under the Companies Act, 1956 and under the Registration of Companies Act, Sikkim, 1961 and engaged in any profession, trade or calling Rs.2500 per annum
(ii) Partnership firms when engaged in any profession, trade or calling. Such firms whose gross annual turnover is-
(a) less than Rs.1 lakh Nil
(b) Rs.1 lakh to Rs 2 lakhs Rs. 150 per annum
(c) Rs. 2 lakhs to Rs. 5 lakhs Rs. 300 per annum
(d) Rs.5 lakhs to Rs.20 lakhs Rs.500 per annum
(e) Rs.20 lakhs to Rs.50 lakhs Rs.1000 per annum
(f) Rs.50 lakhs to Rs.1 crore Rs.1500 per annum
(g) Rs.1 crore to Rs. 2 crores Rs.2000 per annum
(h) Above Rs.2 crores Rs.2500 per annum

Explanation- this entry no.16 shall apply provided they are not covered in any other entries of this Schedule.

17. Owners, licencees, or lessees as the case may be, of tutorial homes and training institutes of any description, when engaged in any profession, trade or calling.

Explanation-For the purpose of this entry, “training institutes” engaged in any cultural, social or welfare activity shall be excluded. Rs.1200 per annum

18. Persons, other than those mentioned in any preceding entries, who are engaged in any profession, trade, calling or employment, and in respect of whom a notification is issued under section 4 of this Act Not exceeding Rs.2500 per annum as may be fixed by notification
Notwithstanding anything contained in this Schedule, where a person is covered by more than one entry in this Schedule, the highest rate of tax specified under any of those entries shall be applicable in his case.

By Order

R.K. Purkayastha
Legal Remembrancer- cum- Secretary
Law Department

File no. 16(82) LD/ 2005
NOTIFICATION

The following Act of the Sikkim Legislative Assembly having received the assent of the Governor on 24.03.2004 is published for general information:-

THE SIKKIM CO-OPERATIVE SOCIETIES (AMENDMENT) ACT, 2006

(Act No 1 of 2006)

AN ACT

Further to amend the Sikkim Co-operative Societies Act, 1978.

Be it enacted by the Legislature of Sikkim in the Fifty-sixth year of the Republic of India as follows:

1. (i) This Act may be called the Sikkim Co-operative Societies (Amendment) Act, 2006.

(ii) It shall come into force at once.

2. In the Co-operative Societies Act, 1978 (hereinafter referred to as the said Act,) in section 26,

   (i) for the figure “5000” wherever it occurs, the figure “20,000” shall be substituted,

   (ii) after the words “whichever is less” the following shall be inserted, namely:- “except in case of Urban Co-operative bank where the maximum ceiling will be Rs. 1.00 (one) lakh”.

3. In the said Act, for the existing section 90, the following shall be substituted, namely:

   “90. The committee of the State Co-operative Bank shall consists of 14 (fourteen) members of whom 4 (four) shall be nominated by the Government, 7 (seven) shall be representatives of societies of which one shall be women representative elected from amongst the women Presidents of Multi-purpose Co-operative Societies and if not one women Director having some experience and background about cooperative to be nominated by the State Government, 2 (two) shall be representatives of members other than societies to be elected or nominated as per the bye-laws of the Bank and one Managing Director to be appointed by the State Government in consultation with the Reserve Bank of India”.

By Order.

R.K. Purkayastha (SSJS)
Legal Remembrancer- Cum- Secretary
Law Department

File no. 16(82) LD/P/2006

NOTIFICATION

The following Act of the Sikkim Legislative Assembly having received the assent of the Governor on 25.03.2006 is hereby published for general information:-

SIKKIM ANTI DRUGS ACT, 2006
(Act No. 2 of 2006)

AN ACT

to control, regulate and prevent the abuse of drugs and controlled substances with abuse potential being misused by addicts and traffickers, to make stringent provisions to deal with the ever increasing phenomenon of abuse of medicinal preparations and for matters connected therewith.

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

CHAPTER I

PRELIMINARY

1. (1) This Act may be called the Sikkim Anti Drugs Act, 2006.
   (2) It extends to the whole of Sikkim.
   (3) It shall come into force on the date of publication in the Official Gazette.

2. In the Act, unless the context otherwise requires –
   (i) “Act” means the Sikkim Anti Drugs Act, 2006;
   (ii) “addict” means a person who has dependence in any drug having abuse potential and consumes the said drug;
   (iii) “controlled substances” means any substance declared by the Government by notification, published in the Official Gazette;
   (iv) “conveyance” means a conveyance of any description whatsoever and includes any aircraft, vehicle (two-or-three wheeled) or vessel;
   (v) “Government” means the State Government of Sikkim;
   (vi) “illicit traffic” in relation to controlled substances means production, possession, sale, purchase, transportation, warehousing, concealment, use or consumption, import or export inter-State of controlled substances;
“licensed dealers” means the traders who have the drug license or the trade license to sell the controlled substances or the holders of trade license to sell the substances mentioned;

“prescribed” means prescribed by rules under this Act;

“rule” means the rules framed under the Sikkim Anti Drugs Act, 2006.

CHAPTER II

AUTHORITIES AND OFFENCES

3. (1) Subject to the provisions of this Act, the Government shall take all such measures as it deems necessary or expedient for the purpose of preventing and combating abuse of controlled substances and the illicit traffic therein.

(2) In particular and without prejudice to the generality of the provisions of sub-section (1), the measures which the Government may take under that sub-section include measures with respect to all or any of the following matters, namely:-

(a) co-ordination of action by various officers, departments and other authorities-
   (i) under this Act, or
   (ii) under any other law for the time being in force in connection with the enforcement of the provisions of this Act;

(b) identification, treatment, education, after care, rehabilitation and social re-integration of addicts;

(c) such other matters as the Government deems necessary or expedient for the purpose of securing the effective implementation of the provisions of this Act and preventing and combating the abuse of controlled substances and illicit traffic therein.

(3) The Government may, if it considers necessary or expedient so to do for the purposes of this Act, by order, published in the Official Gazette, constitute an Authority or a hierarchy of authorities, by such name or names as may be specified in the order for the purpose of exercising such of the powers and functions of the Government under this Act and for taking measures with request 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 Government and the provisions of such order, such authority or authorities may exercise the powers and take the measures so mentioned in the order as if such authority or authorities has been empowered by this Act to exercise those powers and take such measures.

4. (1) Without prejudice to the provisions of sub-section (3) of Section 4, the Government shall appoint an officer not below the rank of Joint Secretary or equivalent as the Programme Officer and may also appoint such other officers with such designation as it thinks fit for the purposes of this Act.

(2) The Programme Officer shall, either by himself or through officers subordinate to him, exercise all powers or perform all functions entrusted to him by the Government.

CHAPTER II A

STATE FUND FOR CONTROL OF DRUG ABUSE

5. (1) The Government may, by notification in the Official Gazette, constitute a Fund to be called the State Fund for Control of Drug Abuse (hereafter referred to as the Fund) and there shall be credited thereto –
(a) an amount the Government may, after the appropriation made by the State Legislature by law in this behalf, provide;
(b) the sale proceeds of any drugs seized or property forfeited;
(c) any grants that may be made by any person, institution or organization;
(d) any income from investments of the amounts credited to the Fund under the aforesaid provisions.

(2) The Fund shall be applied by the State Government to meet the expenditure incurred in connection with the measures taken for –
(a) combating illicit traffic in controlled substances;
(b) controlling the abuse of controlled substances;
(c) identifying, treating, rehabilitating addicts;
(d) preventing drug abuse;
(e) educating public against drug abuse; and
(f) supplying drugs to addicts where such supply is a medical necessity.

(g) training of personnel.

Annual report of activities financed under the Fund.

6. The State Government shall, as soon as may be, after the end of each financial year, give an account of activities financed under Section 4A during the financial year, together with a statement of accounts.

CHAPTER III
PROHIBITION, CONTROL AND REGULATION

Prohibition of certain operations

7. No person shall –
(a) sale, stock for sale or trade in any controlled substance; or
(b) transport either inter-State or intra-State any controlled substance,

Without a valid license under the Drugs and Cosmetics Act, 1940 or Sikkim Trade License Act:

Provided that, and subject to the other provisions of the Act and the rules made thereunder, the possession of small quantities of controlled substances for medicinal purposes with a valid prescription, or for a legal use of the substance, shall be permissible:

Provided further that the amount of controlled substance in possession shall not be beyond the limit prescribed in prescription slip/card, or in cases of other substances other than drugs, the amount permissible shall be proportionate to its purported use.

Power of Government to permit, control and regulate

8. Subject to the provisions of Section 7, the Government may, by rules-
(a) permit and regulate –
(i) the possession of controlled substances by the authorized person;
(ii) the sale of controlled substances by the licensed dealers;
(iii) the use and consumption of controlled substances in any chemical form;
(iv) the manufacture of the controlled substances by the licensed manufacturers;
(v) the transport of controlled substances by licensed dealers and authorized persons;
(b) prescribe any other matter requisite to render effective the control of Government over any of the matters specified in clause (a).
CHAPTER IV
OFFENCES AND PENALTIES

9. Whoever, contravenes any provision of this Act or any rule or any order made thereunder shall be punishable –

(a) where the contravention is by the licensed dealers, with suspension or cancellation of the license, or with imprisonment for a term which may extend to six months, or with fine which may extend to twenty thousand rupees, or with all;

(b) where the contravention involves use or consumption of the controlled substances, without valid medical prescription, by any means/route of intake, in any chemical form, such person shall undergo with compulsory detoxification, and to be followed by rehabilitation and also will remain under observation/probation, and such person shall also be liable to pay a fine which may extend to ten thousand rupees, if the user is young, unmarried or unemployed;

(c) where the contravention involves a person who is a State Government employee, or an employee in an Organisation or Undertaking under the State Government, such person shall be liable to imprisonment which may extend to six months, and also liable to pay a fine which may extend to twenty thousand rupees. Further, such person shall also be liable to dismissal from service;

(d) where the contravention involves a person using a mode of transport or any other form of conveyance, either inter-State or intra-State, such person shall be liable to imprisonment for a term which may extend to five years or with fine which may extend to one lakh rupees, or with both, and the vehicle as used, shall be liable to be seized and confiscated, which may be released on payment of twenty thousand rupees;

(e) where the contravention involves the manufacturer of controlled substances, such person shall be liable to imprisonment which may extend to three years or with fine which may extend to fifty thousand rupees, or with both;

(f) where a person who has been convicted for an offence under this Act and if such person is unemployed, such conviction shall be a disqualification for employment under the State Government.

10. Whoever, being the owner or occupier or having the control or use of any house, room, enclosure, space, place, animal or conveyance, knowingly permits it to be used for the commission by any other person of an offence punishable under any provision of this Act, shall be punishable with imprisonment which may extend to one year or with fine which may extend to fifty thousand rupees, or with both.

11. Whoever indulges in financing, directly or indirectly, any of the activities specified in clause (vi) of Section 2 or harbours any person engaged in any of the aforementioned activities, shall be punishable with imprisonment for a term which shall not be less than two years or with fine which shall not be less than one lakh rupees:

Provided that the court may, for reasons to be recorded in the judgement, impose a fine exceeding one lakh rupees.

12. Whoever abets, or is a party to a criminal conspiracy to commit an offence punishable under this chapter, shall, whether such offence be or be not committed in consequence of such abetment or in pursuance of such criminal conspiracy and notwithstanding anything contained in Section 116 of the Indian Penal Code, punishable with punishment provided for the offence.
13. If any person who has been convicted of the commission of, or attempt to commit, or abetment of, or criminal conspiracy to commit, an offence punishable under this Act with the same amount of punishment shall be punished for the second and every subsequent offence with rigorous imprisonment for a term which may extend to twice the maximum term of punishment, and also be liable to fine which shall extend to twice the maximum amount of fine:

Provided that the court may, for reasons to be recorded in the judgement, impose a fine exceeding the fine for which a person is liable.

14. Whoever contravenes any provisions of this Act or any rule or order made thereunder for which no punishment is separately provided in this chapter, shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to twenty thousand rupees, or with both.

15. Notwithstanding anything contained in the Code of Criminal Procedure, 1973 or any other law for the time being in force, no sentence awarded under this Act (other than Section 7 (b) ) shall be suspended, remitted or commuted.

16. (1) In any prosecution for an offence under this Act which requires a culpable mental state of the accused, the court shall presume the existence of such mental state but it shall be a defense for the accused to prove the fact that he had no such mental state with respect to the act charged as an offence in that prosecution.

Explanation: In this section “culpable mental state” includes intention, motive, knowledge of a fact and belief in, or reason to believe a fact.

(2) For the purpose of this section, a fact is said to be proved only when the court believes it to exist beyond a reasonable doubt and not merely when its existence is established by a preponderance of probability.

17. (1) The Government may, for the purpose of speedy trial of the offences under this Act, by notification in the Official Gazette, in consultation with the High Court of Sikkim, designate a Court of District and Sessions Judge as the Special Court for the purpose of trial of the offences under this Act.

(2) A special court shall consist of a single Judge who shall be appointed by the Government with the concurrence of the Chief Justice of the High Court.

(3) Save as otherwise provided in this Act, the provisions of the Code of Criminal Procedure, 1973 (including the provisions as to bail and bonds) shall apply to the proceedings before a special court and for the purposes of the said provisions, the special court shall be deemed to be a Court of Session and the person conducting a prosecution before a special court, shall be deemed to be a Public Prosecutor.

No prosecution under this Act shall be instituted except by a Gazetted Officer or an officer not below the rank of Deputy Superintendent of Police.

18. (1) Notwithstanding anything contained in the Code of Criminal Procedure, 1973 –

(a) every offence punishable under this Act shall be cognizable;

(b) no person accused of an offence punishable under this Act shall be released on bail or on his own bond unless –

(i) the Public Prosecutor has been heard and also given an opportunity to oppose the application for such release, and
where the Public Prosecutor opposes the application, the court is satisfied that there are reasonable grounds for believing that he is not guilty of such offence and that he is not likely to commit any offence while on bail.

(2) The limitations on granting of bail specified in clause (b) of sub-section (1) are in addition to the limitations under the Code of Criminal Procedure, 1973 or any other law for the time being in force on granting of bail.

19. (1) When an addict is found guilty of an offence punishable under Section 9 (b) and if the court by which he is found guilty is of the opinion, regard being had to the age, character, antecedents or physical or mental condition of the offender, that it is expedient so to do, notwithstanding anything contained in this Act or any other law for the time being in force, the court may, instead of sentencing him at once to any imprisonment, with his consent, direct that he be released for undergoing medical treatment for detoxification or de-addiction from a hospital or an institution maintained or recognized by the Government, and to appear and furnish before the court within a period not exceeding six months, a report regarding the result of his medical treatment and, in the meantime, to abstain from the commission of any offence under Chapter IV.

(2) If it appears to the court, having regard to the report regarding the result of the medical treatment furnished under sub-section (1), that it is expedient so to do, the court may direct the release of the offender after due admonition, and for abstaining from the commission of any offence under Chapter IV during such period as the court may deem fit to specify or on his failure so to abstain, to appear before the court and receive sentence when called upon during such period.

CHAPTER V

PROCEDURE

20. (1) A Magistrate of the first class or any Magistrate of the second class specially empowered by the Government in this behalf, may issue a warrant for the arrest of any person whom he has reason to believe to have committed any offence punishable under this Act, as for the search, whether by day or by night, of any building, conveyance or place in which he has reason to believe any controlled substance in respect of which an offence punishable under this Act has been committed or any document or other article which may furnish evidence of the commission of such offence.

(2) Any such officer of gazetted rank of the departments of drug control, excise, police or any other department of the Government as he is empowered in this behalf by general or special order of the Government if he has reason to believe from personal knowledge or information given by any person and taken on writing that any person has committed an offence punishable under this Act or any document or other article which may furnish evidence of the commission of such offence is kept or concealed in any building, conveyance or place authorize any officer subordinate to him but superior in rank to a peon, helper or a constable to arrest such a person or search a building, conveyance or place.

(3) The officer to whom a warrant under sub-section (1) is addressed and the officer who authorized the arrest or search or the officer who is so authorized under sub-section (2) shall have all the powers of an officer acting under Section 21.
21. (1) Any such officer (being an officer superior in rank to a peon, helper or constable) to the departments of drugs control, excise, police or any other department of the Government as is empowered in this behalf by general or special order of the Government, if he has reason to believe from personal knowledge or information given by any person and taken down in writing that any controlled substance in respect of which an offence punishable under this Act has been committed or any document or other article which may furnish evidence of the commission of such offence is kept or concealed in any building, conveyance or enclosed place, may between sunrise and sunset—

(a) enter into and search any such building, conveyance or place;

(b) in case of resistance, break open any door and remove any obstacle to such entry;

(c) seize any drug or substance or any other article and any animal or conveyance which he has reason to believe to be liable for confiscation under this Act and any document or other article which he has reason to believe may furnish evidence of the commission of any offence punishable under this Act; and

(d) detain and search, and, if he thinks proper, arrest any person whom he has reason to believe to have committed any offence punishable under this Act:

Provided that if such officer has reason to believe that a search warrant or authorization cannot be obtained without affording any opportunity for the concealment of evidence or facility for the escape of an offender, he may enter and search any building, conveyance or enclosed place at any time between sunset and sunrise after recording the grounds of his belief.

(2) Where an officer takes down any information in writing under sub-section (1) or records grounds for his belief under the proviso thereto, he shall within seventy-two hours send a copy thereof to his immediate official superior.

22. Any officer of any of the departments mentioned in Section 21 may—

(a) seize in any public place or in transit, any controlled substance in respect of which he has reason to believe an offence punishable under this Act has been committed, and, along with such drug or substance, any animal or conveyance or article liable to confiscation under this Act, any document or other article which he has reason to believe may furnish evidence of the commission of any offence punishable under this Act; and

(b) detain and search any person whom he has reason to believe to have committed an offence punishable under this Act, and if such person has any controlled substance in his possession and such possession appease to him to be unlawful, arrest him and any other person in his company.

Explanation: For the purposes of this section, the expression “public place” includes any public conveyance, hotel, shop, or other place intended for use by, or accessible to, the public.

23. Any officer authorized under Section 21, may, if he has reason to suspect that any animal or conveyance is, or is about to be, used for the transport of any controlled substance in respect of which he suspects that any provision of this Act has been, or is being, or is about to be, contravened at any time stop such animal or conveyance and—

(a) rummage and search the conveyance or part thereof;

(b) examine and search any goods on the animal or in the conveyance;
24. (1) When any officer duly authorized under Section 21 is about to search any person under the provisions of Section 20, Section 21 or Section 22, he shall, if possible, take such person to the nearest gazetted officer of any of the departments mentioned in Section 21 or to the nearest Magistrate.

(2) When an officer duly authorized under Section 19 has reason to believe that it is not possible to take the person to be searched to the nearest gazetted officer or Magistrate without the possibility of the person to be searched parting with possession of any controlled substance or article or document, he may, instead of taking such person to the nearest gazetted officer or Magistrate, proceed to search the person as provided under Section 100 of the Code of Criminal Procedure, 1973.

(3) After a search is conducted under sub-section (2), the officer shall record the reasons for such belief which necessitated such search and within seventy-two hours send a copy thereof to his immediate official superior.

(4) No female shall be searched by anyone except female or in presence of a female.

25. (1) Any officer arresting a person under Section 20, Section 21, or Section 22 shall, as soon as may be, inform him of the grounds for such arrest.

(2) Every person arrested or article seized under warrant issued under sub-section (1) of Section 20 shall be forwarded without unnecessary delay to the Magistrate by whom the warrant was issued.

(3) Every person arrested and article seized under sub-section (2) of Section 20, Section 21 or Section 22 shall be forwarded without unnecessary delay to –

(a) the officer-in-charge of the nearest police station;
(b) the officer empowered under Section 27.

(4) The authority or officer to whom any person or article is forwarded under sub-section (2) or sub-section (3) shall, take such measures as may be necessary for the disposal according to law of such person or article.

26. (1) The Government may, having regard to the nature of any controlled substances, their vulnerability to theft, substitutions, constraints of proper storage space or any other relevant considerations, by notification published in the Official Gazette, shall specify, as soon as may be after their seizure, be disposed by such officer and in such manner as the Government may, from time to time, determine after following the procedure hereinafter specified.

(2) When any controlled substance have been seized and forwarded to the officer-in-charge of the nearest police station or to the officer concerned under Section 27, the officer referred to in sub-section (1) shall prepare an inventory of such substances containing such details relating to their description, quality, quantity, mode of packing, marks, numbers or such other identifying particulars of the controlled substances or the packing in which they are packed, the name of the manufacturer and other particulars as the officer referred to in sub-section (1) may consider relevant to the identity of the controlled substance in any proceedings under this Act and make an application, to any Magistrate for the purpose of –

(a) certifying the correctness of the inventory so prepared;
(b) taking, in the presence of such Magistrate, photographs of such drugs or substances and certifying such photographs as true;
allowing to draw samples of such drugs and substances by the Drugs Inspector for analysis of the samples in a designated and approved testing laboratory.

(3) Where an application is made under sub-section (2) the Magistrate shall, as soon as may be, allow the application.

(4) Notwithstanding anything contained in the Indian Evidence Act, 1872 or the Code of Criminal Procedure, 1973, every court trying an offence under this Act, shall treat the inventory, the photographs of controlled substances, the list of samples drawn or the analytical reports thereof under sub-section (2) and certified by the Magistrate, as primary evidence in respect of such offence.

27. The Government may, by notification published in the Official Gazette, invest any officer of the department of drugs control, excise or any other department or any class of such officers with the powers of an officer-in-charge of a police station for the investigation of offences under this Act:

Provided where a police officer is authorized, such officer shall not be below the rank of Deputy Superintendent of Police.

28. An officer-in-charge of a police station shall take charge of and keep in safe custody, pending the orders of the Magistrate, all articles seized under this Act within the local area of that police station and which may be delivered to him.

29. All officers of the several departments mentioned in Section 21 shall, upon notice given or request made, be legally bound to assist each other in carrying out the provisions of this Act.

30. Whenever any person makes any arrest or seizure under this Act, he shall, within forty-eight hours of the arrest or seizure, make a full report of all the particulars of such arrest or seizure to his immediate superior official.

31. (1) Any person empowered under Section 21 or Section 22, who—

(a) without reasonable ground of suspicion enters or searches, or causes to be entered or searched, any building, conveyance or place;

(b) vexatiously or unnecessarily seizes the property of any person on the pretence of seizing or searching for any controlled substance or other article liable to be confiscated under this Act, or of seizing any document or other article liable to be seized under Section 21 or Section 22; or

(c) vexatiously or unnecessarily detains, searches or arrests any person,

shall be punishable with imprisonment for a term which may extend to six months or with fine which may extend to ten thousand rupees, or with both.

(2) Any person willfully or maliciously giving false information and so causing an arrest or search being made under this Act shall be punishable with imprisonment for a term which may extend to one year or with fine which may extend to twenty thousand rupees, or with both.

32. (1) Any officer, on whom any duty has been imposed by or under this Act and who ceases or refuses to perform or withdraws himself from the duties of his office shall, unless he has obtained the written permission of his official superior or has other lawful excuse for so doing, be punishable with imprisonment which may extend to six months or with fine or with both.
(2) Any officer on whom any duty has been imposed by or under this Act or any person who has been given the custody of any addict or any other person who has been charged with an offence under this Act, and who willfully aids in, or connives at, the contravention of any provisions of this Act or any rule or order made thereunder, shall be punishable with rigorous imprisonment for a term which shall not be less than one year but which may extend to two years, and shall also be liable to fine which shall not be less than fifty thousand rupees but which may extend to one lakh rupees.

(3) No court shall take cognizance of any offence under sub-section (1) or sub-section (2) except on a complaint in writing made with the previous sanction of the Government.

33. Whenever any offence punishable under this Act in respect of controlled substances, articles, documents, etc. or animal or conveyance used in carrying controlled substances, shall be liable to confiscation.

34. Any goods used for concealing any controlled substance which is liable to confiscation under this Act shall also be liable to confiscation.

35. Whenever any controlled substance is sold by a person having knowledge or reason to believe that such substance is liable to confiscation under this Act, the sale proceeds thereof shall also be liable to confiscation.

36. (1) In the trial of offences under this Act, whether the accused is convicted or acquitted or discharged, the court shall decide whether any article or thing seized under this Act is liable to confiscation under Section 33 or Section 34 or Section 35 and, if it decides that the article is so liable, it may order confiscation accordingly.

(2) Where any article or thing seized under this Act appears to be liable to confiscation under Section 33 or Section 34 or Section 35, but the person who committed the offence in connection therewith is not known or cannot be found, the court may inquire into and decide such liability, and may order confiscation accordingly:

Provided that no order of confiscation of an article or thing shall be made until the expiry of one month from the date of seizure, or without hearing any person who may claim any right thereto and the evidence, if any, which he produces in respect of his claim.

37. Any addict, who is charged with an offence punishable under 9 (b), voluntarily seeks to undergo medical treatment for de-addiction from a hospital or an institution maintained or recognized by the Government and undergoes such treatment shall not be liable to prosecution under Section 9 (b):

Provided that the said immunity from prosecution may be withdrawn if the addict does not undergo the complete treatment for de-addiction.

38. Any officer referred to in Section 21 who is authorized in this behalf by the Government may, during the course of any enquiry in connection with the contravention of any provisions of this Act –

(a) call for information from any person for the purpose of satisfying himself whether there has been any contravention of the provisions of this Act or any rule or order made thereunder;

(b) require any person to produce or deliver any document or thing useful or relevant to the enquiry;
39. No officer acting in exercise of powers vested to him under any provision of this Act or any rule or order made thereunder shall be compelled to say when he got any information as to the commission of any offence.

### CHAPTER VI
MISCELLANEOUS

39. Information as to commission of offence

40. Protection of action taken in good faith

41. Power of Government to establish centres for identification, treatment, education, after-care, rehabilitation, social re-integration of addicts.

42. Power of Government to make rules

43. Power to remove difficulties

44. Saving of other laws

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(c) examine any person acquainted with the facts and circumstances of the case.

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R.K. Purkayastha (SSJS)
Legal Remembrancer- cum- Secretary
Law Department

File no. 16(82) LD/P/2006

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NOTIFICATION

The following Act of the Sikkim Legislative Assembly having received assent of the Governor on 24.03.2006 is published for general information:

EASTERN INSTITUTE FOR INTEGRATED LEARNING IN MANAGEMENT UNIVERSITY, SIKKIM ACT 2006

ACT NO. 4 of 2006

AN

ACT

to establish and incorporate a University in the State, with emphasis on providing high quality and industry relevant education in the areas of Business & Management, Engineering & Technology (with emphasis on Hydel Power – Training & Development ), Computing & Information Technology, Entrepreneurship, Rural Development, Biotechnology, Biosciences & Environmental Sciences, Architecture, Media & Communication, Film & Television Production, Basic Sciences, Humanities, Juridical Sciences, Life Sciences, Liberal Art & Sciences, Performing Arts, Nursing, Quality Training & Development of State Government Officers etc. and related areas sponsored by the Eastern Institute for Integrated Learning in Management (EIILM), Kolkata, West Bengal and to provide for matters connected therewith or incidental thereto.

Be it enacted by the Legislature of Sikkim in the Fifty-seventh year of the Republic of India as follows:
The manner of winding up of the University would be such as may be prescribed by the State Government in this behalf:

Provided that no such action will be initiated without affording a reasonable opportunity to show cause to the Sponsor.

On receipt of the notice referred to in sub-section (1), the State Government shall, in consultation with the AICTE and UGC make such arrangements for administration of the University from the proposed date of dissolution of the University by the Sponsor and until the last batch of students in regular courses of studies of the University complete their courses of studies in such manner as may be prescribed by the Statutes.

The expenditure for administration of the University during the taking over period of its management under section 47 shall be met out of the endowment fund, the general fund or the development fund.

If the funds referred to sub-section (1) are not sufficient to meet the expenditure of the University during the taking over period of its management, such expenditure may be met by disposing of the properties or assets of the University, by the State Government.

Every Statute or rules made under this Act shall, as soon as may be after it is made, be laid before the State Legislature.

If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by a notification or order, make such provisions, not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient, for removing the difficulty:

Provided that no notification, order under sub-section (1) shall be made after the expiration of a period of three years from the commencement of this Act.

Every order made under sub-section (1) shall, as soon as may be after it is made, be laid before the State Legislature.

By Order,

R. K. Purkatyastha (SSJS)
Legal Remembrancer-Cum-Secretary
Law Department
File No. 16 (82) LD/P/2006

NOTIFICATION

The following Act of the Sikkim Legislative Assembly having received assent of the Governor on 24.03.2006 is published for general information:-


ACT NO. 6 OF 2006

AN ACT

further to amend the Sikkim Manipal University of Health, Medical and Technological Sciences Act, 1995.

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

1. (1) This Act may be called the Sikkim Manipal University of Health, Medical and Technological Sciences (Amendment) Act, 2006.

(2) It shall come into force at once.

2. In the Sikkim Manipal University of Health, Medical and Technological Sciences Act, 2005, in Section 5, -(i) in clause (a), the following proviso shall be added, namely :-

“Provided that the University may offer its academic programmes through Distance Education mode and for this purpose establish and collaborate with resource centers in various parts of the country and abroad” ;

(ii) in clause (w), the following proviso shall be added, namely :-

“Provided that the University for the purpose of offering its academic programmes through Distance Education mode, may establish and maintain Study Centers/ Learning Centers in various parts of the country and abroad”.

By Order.

R.K. Purkayastha (SSJS)
Legal Remembrancer- Cum- Secretary
Law Department
File no. 16/82/LD/06

NOTIFICATION

The following Act of the Sikkim Legislative Assembly having received the assent of the Governor on 24.03.2006 is hereby published for general information:-

THE SIKKIM APPROPRIATION BILL, 2006
(Act No. 7 of 2006)

AN 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 2005-2006.

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

1. This Act may be called the Sikkim Appropriation Act, 2006.

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 5 of the Schedule amounting in aggregate to the sum of Rupees Forty Three crores Ninety Five Lakhs and Seven Thousand only towards defraying the several charges which will come in course for payment during the Financial Year 2005-2006 in respect of the services and purposes 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.
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By Order.

R.K. Purkayastha (SSJS)
Legal Remembrancer-Cum-Secretary
Law Department

File no. 16(82)/LD/P/2006

NOTIFICATION

The following Act of the Sikkim Legislative Assembly having received the assent of the Governor on 27.03.2006 is published for general information:–

THE SIKKIM APPROPRIATION BILL, 2006
(Act No. 8 of 2006)

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 2006 – 2007.

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

1. This Act may be called the Sikkim Appropriation Act, 2006.

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 5 of the Schedule amounting in aggregate to the sum of Rupees Two Thousand Five Hundred Four Crores Sixty Lakhs Fifty Eight Thousand) only towards defraying the several charges which will come in course for payment during the Financial Year 2006-2007 in respect of the services and purposes 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.
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**By Order.**

R.K. P urkayastha (SSJS)
Legal Remembrancer-Cum-Secretary
Law Department
File no. 16(82)/LD/P/2006

NOTIFICATION

In exercise of the powers conferred by sub-section (3) of Section 1 of the Sikkim Labour Protection Act, 2005 (20 of 2005), the State Government hereby appoints the 1st day of June, 2006 as the date on which the provisions of the Sikim Labour Protection Act, 2005, shall come into force.

R.K.Purkayastha ,SSJS,
Secretary
Labour Department
F.No.GOS/DL/215/04-05
NOTIFICATION

In exercise of the powers conferred by clauses (a) and (b) of Section 3 of the Sikkim Labour Protection Act, 2005 (20 of 2005), the State Government hereby appoints the following Officers mentioned in Column (1) of the Table below, as the Registering Officers for the purpose of Chapter II of the said Act, who shall exercise the powers conferred and perform the duties imposed on the Registering Officers by or under the said Act, within the limits of their respective jurisdiction specified in Column (2) of the said Table.

TABLE

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Designation of Officers</th>
<th>Local limits of Jurisdiction</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Labour Enforcement Officer, (East)</td>
<td>East District</td>
</tr>
<tr>
<td>2.</td>
<td>Labour Enforcement Officer, (West)</td>
<td>West District</td>
</tr>
<tr>
<td>3.</td>
<td>Labour Enforcement Officer, (North)</td>
<td>North District</td>
</tr>
<tr>
<td>4.</td>
<td>Labour Enforcement Officer, (South)</td>
<td>South District</td>
</tr>
</tbody>
</table>

R.K.Purkayastha, SSJS
Secretary,
Labour Department.
F.No.GOS/DL/215/04-05

NOTIFICATION

In exercise of the powers conferred by sub-section (1) of Section 4 of the Sikkim Labour Protection Act, 2005 (20 of 2005), the State Government hereby notifies that every Principal Employer/Employer/Contractor/Owner of an Establishment to which the provisions of the Sikkim Labour Protection Act, 2005, applies, shall make application in Form-I as provided under sub-rule (1) of rule 3 of the Sikkim Labour Protection Rules, 2006, within a period of 30 (thirty) days from the date of publication of this notification for registration of all individual workers employed.

R.K. Purkayastha, SSJS,
Secretary
Labour Department
F.No. GOS/DL/215/04-05

NOTIFICATION

In exercise of the powers conferred by sub-section (2) of Section 4 of the Sikkim Labour Protection Act, 2005 (20 of 2005), the State Government hereby notifies that every Individual Worker or Bazar Porter, Carpenter, Mason, Ragpicker, Quilt Maker, Plumber, Fitter, Cook, Waiter, Chanawala, Electrician, Driver (other than the Government Driver), Gothala, Domestic Servant, Mechanic, Barber, Cobbler, Hawker, Umbrella Repairer, Scrap-paper and Bottle Collector, to whom the provisions of the Sikkim Labour Protection Act, 2005, applies, shall make application in Form-II as provided under sub-rule (2) of rule 3 of the Sikkim Labour Protection Rules, 2006, within a period of 30 (thirty) days from the date of publication of this notification for registration of all individual workers.

R.K. Purkayastha, SSJS,
Secretary
Labour Department
F.No. GOS/DL/215/04-05
The State Government is pleased to order that female Muster Roll Labourer/worker shall be eligible for Maternity Leave for two months with full wages.

By order and in the name of the Governor

R. K. Purkayastha, SSJS
Secretary- Labour
F. No. GOS/DL/97/03-04
NOTIFICATION

In exercise of the powers conferred by sub-section (1) of section 16 of Consumer Protection Act, 1986 and in terms of the proviso to sub-section (3) of section 16 of Consumer Protection (Amendment) Act, 2002, the State Government, on the recommendations of the Selection Committee constituted for the purpose, hereby appoints the following persons as members of the State Consumer Disputes Redressal Commission for the State of Sikkim as per the details given below:-

1. Shri D.T.Bhutia,  
   (Retd. Special Secretary to the  
   Govt. of Sikkim),  
   MG Marg,  
   Gangtok.  
   - Member

2. Ms. Man Kumari Pradhan,  
   (Retd. Additional Secretary to the  
   Govt. of Sikkim,  
   Bhansari Lodge, Pani House,  
   Gangtok).  
   - Member

This supersedes the Notification No. 01/WM/FCS & CA dated 27-6-05.

The appointment shall be deemed to have come into effect from 1st April’2006.

They shall hold office for 5 (five) years or upto the age of 67 (Sixty Seven) years, whichever is earlier.

(JAYSHREE PRADHAN)  
PRINCIPAL SECRETARY  
FILE NO. 1 (13) 91-92/WM/FCS&CA
NOTIFICATION

The Governor of Sikkim is hereby pleased to notify the following to amend the Notification number 36/Home/2005, dated the 23/06/2005 regarding the constitution of the High Level Committee to monitor/ensure proper utilization of the grants recommended by the 12th Finance Commission, namely: -

In the said Notification after serial number (viii), the following entries shall be inserted, namely: -

“(ix). Principal Secretary, Urban Development and Housing Department. - Member

(x). Commissioner-cum-Secretary, Rural Management and Development Department - Member

(xi). Secretary, Human Resource Development Department - Member

(xii). Director, Finance Commission, Finance, Revenue and Expenditure Department - Member Secretary”

BY ORDER AND IN THE NAME OF THE GOVERNOR.

(N.D. CHINGAPA) IAS
CHIEF SECRETARY
F. No. 12 (52) FCD/Fin
NOTIFICATION

In continuation of Notification No. 73/HOME/2005 dated 1st December, 2005 published in Extra Ordinary Gazette No. 445 dated the 1st December, 2005, the State Government is hereby pleased to appoint Shri Umesh Ranpal, Advocate to assist the Commission on usual fees with immediate effect.

BY ORDER AND IN THE NAME OF THE GOVERNOR.

(N.D. CHINGAPA) IAS
CHIEF SECRETARY
F. No.GOS/HOME-II/2005/19
NOTIFICATION

In exercise of the powers conferred by section 153 of the Electricity Act, 2003 (36 of 2003), the State Government in consultation with High Court of Sikkim hereby constitutes the following Courts as Special Courts for the purposes of providing speedy trial of offences under sections 135 to 139 to the said Act.

1. Court of District and Sessions Judge, (East and North) at Gangtok for East and North Districts, Sikkim.

2. Court of District and Sessions Judge, (South and West) at Namchi for South and West Districts, Sikkim.

(N.D. CHINGAPA) IAS
CHIEF SECRETARY
F. No. Gos/Home-II/ 99/

2
NOTIFICATION

The Governor of Sikkim is hereby pleased to notify the following to amend the notification number 75/HOME/2005 dated the 13/12/2005, published in extraordinary Gazette number 458 dated the 13th December, 2005, namely:

1. In the said Notification, for the existing paragraph one, the following shall be substituted, namely:

   “The Governor of Sikkim is hereby pleased to notify further in terms of Notification number 73/HOME/2005 dated 01/11/2005 and in pursuance of Section 3 of the Commission of Inquiry Act, 1952, as follows”

2. In the said Notification, in serial number 4, for the words “Shri S.C. Gupta, the words “Smt. Upma Srivastava” shall be substituted.

BY ORDER AND IN THE NAME OF THE GOVERNOR.

(N.D. CHINGAPA) IAS
CHIEF SECRETARY
F. No. Gos/Home-II/2005/19
Sikkim

GOVERNMENT

GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

Gangtok Wednesday 3rd May, 2006 No. 131

RURAL MANAGEMENT & DEVELOPMENT DEPARTMENT
GOVERNMENT OF SIKKIM
GANGTOK, SIKKIM

No.35(127)88-89/RM&DD/P/37 Dated: 03. 02. 2006.

NOTIFICATION

In exercise of the powers conferred by sub-section (1) of section 33 of the Sikkim Panchayat Act, 1993, Shri. Ganga Prasad Pradhan has been elected as Sabhapati of 20 Sadam Suntaley Gram Panchayat Unit, South District as a result of the vacancy created by the removal of Shri. Bhim Bhadur Gurung. Shri. Ganga Prasad Pradhan shall deemed to have taken charge w.e.f the date of this notification.

By order.

V.B. Pathak, IAS
Commissioner-cum Secretary

NOTIFICATION

Whereas criminal/legal proceedings have been initiated against certain elected members of the following Gram Panchayats:-

2. Wok Omchu GPU, South Sikkim.
3. Temi GPU, South Sikkim.
4. Mabong Segeng GPU, West Sikkim.

And whereas the functioning of the Gram Panchayat Unit should not be affected by such proceeding, the State Government, in pursuance of section 125 of the Sikkim Panchayat Act, 1993, does hereby delegate the powers of approval and authorization of payments to the Sub-Divisional Development Officer under whose jurisdiction the Gram Panchayats fall. The Sub-Divisional Officer shall counter-sign all cheques issued by the Gram Panchayat. The Sub-Divisional Development Officer shall, however, seek clearance from the District Development Officer before according any approval, authorizing payments and counter-signing any cheques.

This notification is effective to the Gram Panchayat Units listed above till further orders.

By order.

V. B. Pathak, IAS
Commissioner-cum Secretary
NOTIFICATION

In exercise of the powers conferred by sub-section (1) of section 68 of the Sikkim Panchayat Act, 1993, Ms. Namrata Thapa, Additional District Collector, North District is hereby appointed as Sachiva of the North District Zilla Panchayat till further orders.

By Order.

P. T. Euthenpa
Director/Panchayat
Prescribed Authority
NOTIFICATION

In pursuance of Section 30(1) of the Sikkim Panchayat Act, 1993, it is hereby notified that the membership of Ward 6.SMC of 3.Central Pendam Gram Panchayat Unit, East District has become vacant as a result of the demise of Shri H.Barailly on 30.3.2006. The consequent vacancy shall be filled by election conducted in accordance with the Sikkim Panchayat (Conduct of election) Rules, 1995.

By Order.

Director/Panchayat
Prescribed Authority
GOVERNMENT OF SIKKIM
SOCIAL JUSTICE, EMPOWERMENT AND WELFARE DEPARTMENT
(WOMEN AND CHILD DEVELOPMENT DIVISION)
GANGTOK

No.41/SJEND/2006                        Date: 17.4.2006

NOTIFICATION

Whereas the Ministry of Human Resource Development (Department of Women & Child) Government of India has on request of State Govt. approved and sanction of creation of 6 (six) additional I.C.D.S. Project in addition to existing ICDS projects vide letter no. 127/SJEWD/2004 dt. 29.6.04.

The State Government is therefore pleased to notify the sanction of additional 6 (six) ICDS Projects with effect from 1.3.06 increasing the total strength of ICDS Projects from existing 5 (five) to 11 (eleven) in total. Each Project will have functional areas co-terminus with the Sub-Divisional Blocks with specific number of Anganwadi Centres. Areas of existing Projects also have been re-demarcated for universal coverage and to facilitate the process for administrative and financial decentralization. After re-demarcation the Projects will be as under:

1. Gyalshing Rural Project - area co-terminus with Gyalshing Sub-Division
2. Soreng Rural Project - area co-terminus with Soreng Sub-Division
3. Namchi Rural Project - area co-terminus with Namchi Sub-Division
4. Ravang Rural Project - area co-terminus with Ravang Sub-Division
5. Singtam Rural Project - area co-terminus with Gangtok Sub-Division
6. Pakyong Rural Project - area co-terminus with Pakyong Sub-Division
7. Rongli Rural Project - area co-terminus with Rongli Sub-Division
8. Mangan Rural Project - area co-terminus with Mangan Sub-Division
9. Chungthang Tribal Project - area co-terminus with Chungthang Sub-Division
10. Gangtok Urban Project - for Gangtok Urban area
The Project-wise list of Anganwadi Centers as stated above is as under:

### EAST DISTRICT

**RONGLI RURAL PROJECT**

1. **RONGLI ZONE – I**

<table>
<thead>
<tr>
<th>No.</th>
<th>Village</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Lower Dalapchan</td>
</tr>
<tr>
<td>2.</td>
<td>Chujachen Lungchuk</td>
</tr>
<tr>
<td>3.</td>
<td>Rolep</td>
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<tr>
<td>4.</td>
<td>Latuk</td>
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<tr>
<td>5.</td>
<td>Chageylakha</td>
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<tr>
<td>6.</td>
<td>Chujachen Pam</td>
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<td>7.</td>
<td>Lokdara</td>
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<tr>
<td>8.</td>
<td>Lamaten</td>
</tr>
<tr>
<td>9.</td>
<td>Aarubotey</td>
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<tr>
<td>10.</td>
<td>Sudeunglakha</td>
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<td>11.</td>
<td>Mulukey</td>
</tr>
<tr>
<td>12.</td>
<td>Mulukey</td>
</tr>
<tr>
<td>13.</td>
<td>Rongli Bazar (new)</td>
</tr>
<tr>
<td>14.</td>
<td>Sungdung</td>
</tr>
<tr>
<td>15.</td>
<td>Lungchuk</td>
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<td>16.</td>
<td>Sokeytar</td>
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<td>17.</td>
<td>Rateykhola</td>
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<td>18.</td>
<td>Gangep</td>
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<td>19.</td>
<td>Govendey</td>
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<td>20.</td>
<td>Kopchey</td>
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<td>21.</td>
<td>Bharlangey</td>
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<td>22.</td>
<td>Titeraybotey</td>
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<td>23.</td>
<td>Chungthang</td>
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<td>24.</td>
<td>Sotakpani</td>
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</tbody>
</table>

2. **RONGLI ZONE – II**

<table>
<thead>
<tr>
<th>No.</th>
<th>Village</th>
</tr>
</thead>
<tbody>
<tr>
<td>25.</td>
<td>Upper South Regu</td>
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<tr>
<td>26.</td>
<td>Subaneydara</td>
</tr>
<tr>
<td>27.</td>
<td>Pasting</td>
</tr>
<tr>
<td>28.</td>
<td>North Regu</td>
</tr>
<tr>
<td>29.</td>
<td>Agamlok</td>
</tr>
<tr>
<td>30.</td>
<td>Pacha</td>
</tr>
<tr>
<td>31.</td>
<td>Dockhin</td>
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<td>32.</td>
<td>Dinkha</td>
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<tr>
<td>33.</td>
<td>Chunbhatti</td>
</tr>
<tr>
<td>34.</td>
<td>Nimachen (new)</td>
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<tr>
<td>35.</td>
<td>Bouchen</td>
</tr>
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<td>36.</td>
<td>Lingtam</td>
</tr>
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<td>37.</td>
<td>Sishney</td>
</tr>
<tr>
<td>38.</td>
<td>Lower South Regu</td>
</tr>
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<td>39.</td>
<td>Phadamchen</td>
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<td>40.</td>
<td>Kupup</td>
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<td>41.</td>
<td>Gnathang</td>
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</tr>
<tr>
<td>42.</td>
<td>Bimbirey</td>
</tr>
<tr>
<td>43.</td>
<td>Singhaneybas</td>
</tr>
<tr>
<td>44.</td>
<td>Rongli Bazar</td>
</tr>
<tr>
<td>45.</td>
<td>Schoolbari Rongli</td>
</tr>
<tr>
<td>46.</td>
<td>Shokeytar</td>
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<tr>
<td>47.</td>
<td>Premlakha</td>
</tr>
</tbody>
</table>

### 3. RHENOCK ZONE

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
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</thead>
<tbody>
<tr>
<td>48.</td>
<td>Upper dalapchand</td>
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<tr>
<td>49.</td>
<td>Chalisey</td>
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<td>50.</td>
<td>Salghari</td>
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<td>51.</td>
<td>Rungdung</td>
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<td>52.</td>
<td>Hattichirey</td>
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<td>53.</td>
<td>Central Dalapchand</td>
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<td>54.</td>
<td>Aritar</td>
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<tr>
<td>55.</td>
<td>Upper tarpin</td>
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<td>56.</td>
<td>Reshi</td>
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<td>57.</td>
<td>Maneydara</td>
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<td>58.</td>
<td>Ari Gaon</td>
</tr>
<tr>
<td>59.</td>
<td>Lower Tarpin</td>
</tr>
<tr>
<td>60.</td>
<td>Rhenock Bazar (new)</td>
</tr>
<tr>
<td>61.</td>
<td>Thungsung</td>
</tr>
<tr>
<td>62.</td>
<td>Kopchey</td>
</tr>
<tr>
<td>63.</td>
<td>Tarpin Gurung Gaon</td>
</tr>
<tr>
<td>64.</td>
<td>Middle Tarpin</td>
</tr>
<tr>
<td>65.</td>
<td>Bhagutey</td>
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<tr>
<td>66.</td>
<td>Upper Aritar</td>
</tr>
<tr>
<td>67.</td>
<td>Kingstone</td>
</tr>
<tr>
<td>68.</td>
<td>Upper Khamdong</td>
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<tr>
<td>69.</td>
<td>Keongsha</td>
</tr>
<tr>
<td>70.</td>
<td>Niroula Gaon</td>
</tr>
<tr>
<td>71.</td>
<td>Bhuktal Gaon</td>
</tr>
<tr>
<td>72.</td>
<td>Lall Bazar Rhenock</td>
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</tbody>
</table>

### II PAKYONG PROJECT

### 4. PAKYONG ZONE – I

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
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</thead>
<tbody>
<tr>
<td>73.</td>
<td>Karthok</td>
</tr>
<tr>
<td>74.</td>
<td>Dikling Lossing</td>
</tr>
<tr>
<td>75.</td>
<td>Pachey Kitney</td>
</tr>
<tr>
<td>76.</td>
<td>Kalikhola</td>
</tr>
<tr>
<td>77.</td>
<td>Padamchey</td>
</tr>
<tr>
<td>78.</td>
<td>Tindharey</td>
</tr>
<tr>
<td>79.</td>
<td>Pachak</td>
</tr>
<tr>
<td>80.</td>
<td>Rorathang</td>
</tr>
<tr>
<td>81.</td>
<td>Dikling (new)</td>
</tr>
<tr>
<td>82.</td>
<td>Pachey</td>
</tr>
<tr>
<td>83.</td>
<td>Pachey</td>
</tr>
<tr>
<td>84.</td>
<td>Dugalakha</td>
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<tr>
<td>85.</td>
<td>Upper Padamchey</td>
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<tr>
<td>86.</td>
<td>Pacheykhani</td>
</tr>
<tr>
<td>87.</td>
<td>Kaiyong</td>
</tr>
</tbody>
</table>
88. North Karthok
89. Damlakha
90. Bhasmey
91. Pakyong Bazar
92. Tshalamthang
93. Kamarey
94. 4th Mile Bhasmey
95. Toukey
96. Lower Pachak
97. Upper Pachak

5. PAKYONG ZONE – II

98. Assam Lingzey
99. Paubic Naitam
100. Passatenka
101. Nandok
102. Rezey Saoureni
103. Setipool
104. Aho Senti
105. Changey Senti
106. Namcheybong
107. Basilakha
108. Kadamtam (new)
109. Tamla
110. Chota Singtam
111. Dhar Gaon Lingzey
112. Manghim Lhaze
113. Assam Gaucharan
114. Aho Yangtam
115. Bhusuk
116. Lower Aho
117. U. Namcheybung
118. Lower Bashilakha
119. Priklakha
120. Basnet Gaon

6. MACHONG ZONE

121. Reba Machong
122. Parakha
123. Thekabong
124. Machong Lossing
125. Machong Minchu
126. Tokchi
127. Seeling
128. Barapathing
129. Tareythang
130. Bering Kerabari
131. Kaizaley
132. Linkey (new)
133. Upper Parakha (Bhutia Busty)
134. Rikep
135. Mamring
136. Machong
137. Gyangchung
138. Danukey
139. Dhargoan (Mamring)
140. Upper Reba
141. Amba
142. Taza
143. Dongrong
144. Kapurpatey
145. Upper Bering

III GANGTOK/SINGTAM RURAL PROJECT
7. RANGPO ZONE-I

146. Syapley
147. Sawaney
148. Lower Jitlang
149. Bardang
150. Baghey Khola
151. Singleybung
152. Khani Khola
153. Sakuhkani
154. Lower Khani Gaon
155. Lower Saku
156. Lower Baghey Khola
157. Mazitar
158. Khani Khola II
159. Singlebung II
161. Rangpho Goli Ground
162. Rangpho Mazi Gaon
163. Rangpho IBM
164. Mining
165. Bordang Saw Mill
166. Boardang 20 Mile
167. Mazitar (Rangpho)
168. Chanatar (Rangpho)
169. Mandi Bazar (Rangpho)

8. RONGPO ZONE-II

170. Samkey
171. Gairi Gaon
172. Ralong
173. Duga
174. Budang
175. Sajong
176. Upper Jitlang
177. Samsing
178. Burung (New)
179. Chewribotey
180. Phakli
181. Mishreytar (Duga)
182. Aap Danra
183. Sitey
184. Ookherbotey
185. Karmithang
186. Mamzey West Pandam
187. Gangatey Samkey
188. Kumrek
189. Middle Chewribotey
190. Lower Bhurung
191. Kazigaon
192. Pathing
193. 0 Mile Duga

9. SINGTAM ZONE

194. Dochum
195. Khamareytar
196. Sakyong Tinek
197. Tsalamthang
198. Tumlabung
199. Upper Chuba
200. Namin
201. Samlik
202. Marchak
203. Radang
204. Khimsithang
205. Sumin
206. L. Sumin
207. Mangthang
208. U. Lingchey
209. Lower Lingchey (New)
210. Lower Martam
211. Topakhani
212. Chuja
213. Sirwani
214. Lower Marchak
215. Upper Sumin
216. Singtam
217. Singtam Lall Bazar
218. Okharbotey
219. Golitar Singtam

10. SAMDONG ZONE

220. Upper Rakdong
221. Middle Rakdong
222. Tintek Peplakha
223. Gyaneylakha
224. Sajong
225. Upper Kambal
226. Upper Khesey
227. Upper Tumin
228. Middle Tumin
229. Namphong
230. Lingdok I
231. Lingdok II
232. Navey
233. Shotak
234. Rakshey (New)
235. Middle Tintek
236. Dhanbari
237. Middle Kheseey
238. Tumin Namrang
239. Toribari
240. Tumin Sholley
241. Tumin Macheylakha
242. Pega Village
243. 7th Mile Lingdok
244. Pachey Navey

11. SANG ZONE

245. Beyong
246. Namgeythang
247. Sakyong
248. Sang Phegyong
249. Tirkutam
250. Zingla
251. Nazitam
252. Thanka
253. Rabdang
254. Lingtam
255. Yangthang
256. Benthansing
257. Khamdongphantsing
258. Bodangthansing
260. Upper Dungdung
259. Lower Dungdung
261. Simik Phegyong
262. Simik Lingzey
263. Simik Aritar
264. Sang Bazar (New)
265. Subithang
266. Lower Beyong
267. Thasa Lingdung
268. Simik Sagley
269. Patim

12. MAKHA ZONE

270. Lower Rakdong
271. Upper Ramley
272. Lower Ramley
273. Lower Tumin
274. Kokoley
254. Pakshang
276. Makha Bazar
277. Singbel
278. Kedangthang
279. Ralap
280. Patuk Chadey
281. Lower Samdong (New)
282. Lower Kambal
283. 3rd Mile Rakdong
284. Aam Daragaon,
285. Lower Barang
286. Gauthaley
287. L. Singbel
288. Rajatar
289. Dhar Gaon Makha
290. Dikchu Bazar
291. Lower Ralap
292. Simik Chandey
293. Dipu Dara
294. L. Kokoley
295. Balwatar (NHPC)

13. RANKA ZONE

296. Timpyem
297. Kayathang
298. rawatey
299. Rey Mendu
300. Sama Lingdum
301. Lower Lingdum
302. Ranka Rai Gaon
303. Perbing
304. Thami Dara
305. Lower Barbing
306. Ledong
307. Gankha
308. Baliman (new)
309. Gairi Gaon
310. Ranka Dhajey Dara
311. Phigay
312. Rumtek Monastery Area
313. 2nd Mile Turning Lower Rumtek
314. Rey Khola
315. Mindu
316. Upper Thamidara
317. Lower Luing
318. Chinzey
319. Mahabir

IV. ICDS CENTRES UNDER URBAN SLUM PROJECT.

14. GANGTOK ZONE:

320. 4th Mile J. N. Road
321. Upper Chandmari
322. Lower Chandmari
323. Rongyek
324. Dechiling
325. Lower Tathangchen
326. Balwakhani
327. Lower Burtuk
328. Bojoghari
329. Penling
330. Pangthang
331. Bhanugram  
332. Upper Sichey  
333. Middle Sichey  
334. Lower Sichey  
335. Lingding  
336. Kopibari  
337. Lower Syari  
338. Pani House  
339. Upper Tadong  
340. Gairi Gaon  
341. Tadong Bazar  
342. Samdur  
343. 6th Mile  
344. Setipool  

15. GANGTOK ZONE II.  

345. Jail Dara Rongyek  
346. Selep Tanki  
347. Chongey  
348. Bhusuk  
349. Bhangthang  
350. Raj Bhawan  
351. Lumsey  
352. Below Palzor Stadium  
353. By Pass Road  
354. Swastik Area  
355. No.32 Bazar  
356. Deorali Bazar  
357. Development Area  
358. Middle Syari  
359. Bishal Gaon  
360. Sunday Gaon  
361. Phewa Busty  
362. Upper Tathangchen  
363. Kazi/Tibet Road  
364. Rani Pool Bazar  
365. Singtam Bazar  
366. Rangpo Bazar  
367. Lower Burtuk  
368. Lower Samdurn  
369. Arithang  
370. Sundari Gaon  
371. Gangtok Bazar  
372. Jali Pool  

V. ICDS CENTRES OF NAMCHI RURAL ICDS PROJECT, NAMCHI SUB-DIVISION, SOUTH DISTRICT.  

16. NAMCHI ZONE-I  

373. Omchu  
374. Upper Kamrang  
375. Salghari  
376. Tingrithang  
377. Chumlokh
378. Dong Denchong
379. Pabong
380. Bandugaom
381. Vok
382. Lower Kamrang
383. Mamley
384. Dorop
385. Pakzer (new)
386. Ranguthang
387. Upper nandugaon
388. Upper Salghari
389. Nangdang
390. Tinzir
391. Tinik Chisopani
392. Samseybong
393. Borbotey
394. Chamgaon
395. Denchung
396. Posong
398. Robong

17. NAMCHI ZONE-II
399. Assangthang
399. Sangbong
400. Kopchey
401. Kitam
402. Sorok
403. Bull
404. Rong
405. Boomtar
406. Gumpa Ghurpisey
407. Gom
408. Syampani
409. Com磅ung
410. Maniram
411. Phalidara
412. Purano Namchi (new)
413. Salleybong
414. Namuna Busty
415. Rajgram
416. Singtam Palum
417. Bharikhola
418. Mickkhola
419. Gangyp
420. Singithang
421. Bhanzang Alley
422. Upper Ghurpisey
423. Lower Kitam
425. Tangsang

18. NAMTHANG ZONE
425. Pamphok
426. Kabrey
427. Nagipalitam
428. Kanamtek
429. Mamring
430. Turung
431. Donak
432. Maney Dara Kolbung
433. Kateng Bokrang
434. Kateng Lingthing
435. Karek
436. Bhalukhope
437. Tangzi
438. Subinkhore
439. Bikmat
440. Lower Kabre (new)
441. Jholengey
442. Ahalley
443. Upper Ratey Pani
444. Nagi
445. Jogi Danra, Lower Karek
446. Paiyong, Gram
447. L. Ratey Pani
448. Rabikhola
449. Maneydara

19. SUMBUK MELLI ZONE.

450. Sumbuk
451. Kamarey
452. Lungchok
453. Ramabong
454. Panchgharey
455. Sadam
456. Suntoley
457. Turuk
458. Rimchimey (new)
459. Lower Ramabong
460. Gupti
461. Sumbuk Suntoley
462. Mungrang
463. Khairbotey
464. Rabital
465. Posi
466. Kartikey
467. Beiling
468. Upper Suntoley
469. Tamamkhiola
470. Middle Sadam
471. Makarzung
472. Dhargaon
473. Upper Paiyong
474. Dwaregaon

20. TEMI ZONE

475. Daragaon
476. Tea Garden
477. Chemchey
21. BERMIOK ZONE

22. RABONG ZONE – I
525. Ravong Bazar  
526. Lower Polok  
527. Upper Polok  
528. Lungsing  
529. Namling  
530. Lingding  
531. Deythang  
532. Berring  
533. Jarrong  
534. Phamtham (new)  
535. Dalep  
536. Mepung Poloik  
537. Ravong Road  
538. Nerdang  
539. Bermeli  
540. Burfung  
541. Kewzing  
542. Mangyap

23. RABONG ZONE-II

543. Benchubey  
544. Deo Damthang  
545. Rankey  
546. Lower sangmoo  
547. Upper sangmoo  
548. Ravong Busty  
549. Upper Sanganath  
550. Tinkitam  
551. Tingmoo  
552. Pathing  
553. Lower Sripatam  
554. Upper Sripatam  
555. Sarmok  
556. Satam  
557. Dojak (new)  
558. Dumra Mangley  
559. Simkharka  
560. Peku  
561. Rolak  
562. Lower Pathing  
563. Rayoung  
564. Upper Tingmoo  
565. Nambung  
566. Lamaten

24. Yangang Zone

567. Lingee  
568. Lingmoo  
569. Lower Kolthang  
570. Upper Kolthang  
571. Rangang  
572. Upper Niya  
573. Upper Yangang
574. Gagyoung
575. Tokdey
576. Mangzing
577. Namphok
578. Pepthang
579. Salamthang
580. Upper Paiyong
581. Middle Lingee (New)
582. Sokpey
583. Upper Mangzing
584. Lower Gagyoung
585. Kaw
586. Lower Niya
587. Yangang
588. Majuwa Rangang
589. Brum
590. Upper Tokdey
591. Upper Namphok

VII. LIST OF ICDS CENTRES OF JORETHANG URBAN ICDS PROJECT (SOUTH WEST)

25. Jorethang Zone

593. Lingyoung
594. Subuk
595. Laborbotey
596. Kubindey
597. Kerabari
598. Melli Dara
599. Melli Paiyoung
600. Budang
601. Tharpu
602. Mangsari
603. Bojek
604. Reshi
605. Zoom
606. Legship
607. Lower Nandugaon (new)
608. Daragaon, Jorathang
609. Mazigaon, Melli
610. Melli Bazar
611. Mazigaon, Jorathang
612. Manpur
613. Mazitar
614. Naya Bazar
615. Pepaley
616. Birdang Sikip
617. Zoom Sishney
618. Sagbari
619. Lower Mangsari
620. 8th Mile Malibasey

VIII. LIST OF ICDS CENTRE UNDER GYALSHING RURAL PROJECT.
26. GYALSHING – I

621. Upper Bhaluthang,
622. Lower Bhaluthang
623. Omloki
624. Ramitay
625. Raythang
626. Tikjek
627. Lingchom
628. Arigaon
629. Sardong
630. Lunzik
631. Chagey
632. Luktam
633. Sapong
634. Toyang (New)
635. Lower Lunzik (Sikriden)
636. Sallay
637. Yangthang
638. Upper Lingchom
639. Tikjuk Naya Busty
640. Kyongsha
641. Malbasay
642. Upper Omchung, 9th mile
643. Lowe Omchung, 5th Mile
644. Kabirthang
645. Guruthang

27. GYALSHING – II

646. Darap
647. Sindrong
648. Simpheng
649. Nambu
650. Timbrong
651. Tatang
652. Chojo
653. Thingling
654. Arithang
655. Rimbik Lungyang
656. Rimbik
657. Upper Darap
658. Chumbong
659. Upper Thingling (New)
660. Melli
661. Topong
662. Singlitam
663. Simchen
664. Naku Chumbong
665. Laythang

28. TASHIDING
666. Tshong
667. Labing
668. Gerethang
669. Gangyap
670. Middle Chongrang
671. Arithang
672. Kongri
673. Mangnam
674. Yoksam
675. Lower Chongram
676. Arithang(New)
677. Puchang
678. Simebong
679. Nardong
680. Tinzering
681. Labdang)
682. Karjee
683. Dhupi
684. Tamatam
685. Mangsabong
686. Upper Labing
687. Pokharidara

29. DENTAM

688. Bermiok
689. Upper Martam
690. Lower Martam
691. Berthang
692. Upper Bermiok
693. Rafang
694. Suntalay
695. Sankhu
696. Hee Sapong
697. Karmatar
698. Simphok
699. U. Begha
700. Hee Mapangphey
701. Lower Begha
702. Lidung
703. Bangten
704. Radhu Khandu
705. Mangmoo
706. Hee Majhgaon(New)
707. Mukrung
708. Kami Dara
709. Sopakha Kumbu Khola
710. Geetang
711. Middle Begha
712. Srinagi
713. Upper Berthang

IX. ICDS CENTRE NAME UNDER SORENG RURAL PROJECT
30. SOREN G ZONE:

714. Upper Singling
715. Gelling
716. U. Timurbong
717. Karthok
718. Barbotay
719. Sajbotay
720. U. Dodok
721. Soreng
722. Lower Timurbong
723. Mendogaon
724. Sherpa Gaon
725. Buriakhop
726. Lower Dodok
727. Pakkigaon
728. Thungling
729. Simkuna
730. Malbasay
731. Chumbong
732. Chota Samdong
733. Middle Dodok
734. Lower Buriakhop
735. Chisaypani
736. Dewani Tar
737. Lower Singling
738. Chukung
739. Malidong

31. RINCHENPONG ZONE

739. Sangadorjee
740. Meyong
741. Sribadam
742. Upper Berfok
743. Lower Berfok
744. Kathok
745. Upper Samdong
746. Dethang
747. Book Reshi
748. Lower Tadong
749. Upper Tadong
750. Megyong'
751. Lower Chingthang
752. Upper Chingthang
753. Lower Samdong
754. Zeel
755. Ratomatay
756. Gangyap Rinchenpong
757. Lower Karthok
758. Upper Zill
759. Bashgari

32. RESHI ZONE

761. Takuthang
762. Chuchen
763. Suldung
764. Kamling
765. Singling
766. Khaniserbong
767. Jusingthang
768. Parengaon
769. Mabong
770. Tafel
771. Lower Hathidunga
772. Majwa gaon
773. U. Tinzerbong (Kolbong)
774. Chuchen (Dokhung)
775. Doksing
776. Upper Khaniserbong
777. Manglabaria

33. SOMBARIA ZONE

778. Ringang
779. Daramdin
780. Pyuretar
781. Siktam
782. Salangdang
783. Khopikharka
784. Tikpur
785. Saprenagi
786. Lungyam
787. Lower Tikpur
788. Anden
789. Lower Ungchok
790. Okharay
791. Upper Thambong
792. Sailigolai
793. Lower Thambong
794. Shumphu
795. Bhareng
796. Rumbuk
797. Ribdi
798. Lower Rumbuk
799. Munue
800. Okharay Changbagaon
801. Choktay gaon
802. Lower Lunchok
803. Hattaban

X. LIST OF ICDS CENTRE UNDER CHUNGTHANG TRIBAL PROJECT, NORTH

34. CHUNGTHANG ZONE I

804. Upper Bitchu
805. Lachen I
806. Muguthang
807. Thangu
808. Lachen II
809. Chaten
810. Rabom
811. Munsithang
812. Rangma
813. Chungthang I Bazar
814. Chungthang II Arithang
815. Sherchok
816. Dongaythang
817. Singring
818. Lower Bitchu
819. Phaka
820. Bansoi (Lachen)
821. Thomchi
822. Khadum
823. Chungthang II
824. Lachen III

35. CHUNGTHANG II

825. Simper
826. Naga
827. Rail
828. Ramum
829. Lower Ship
830. Upper Gyer
831. Soffo
832. Manul
833. Singhik (Middle)
834. Theng
835. Bop
836. Choteng
837. Toong
838. Meyong
839. Naday
840. Upper Ship
841. Lower Gyer
842. Liching
843. Upper Singhik
844. Lower Singhik
845. Pegong
846. Maltim
847. Kalapather
848. Namgar
849. Lingding Rindong
850. Blu-Tungbuk
851. Gumrang
852. Lower Manul
853. Sardong- Singhik

XI. ICDS CENTRE UNDER MANGAN RURAL PROJECT
36. MANGANG ZONE

854. Ambithang
855. Nampatam
856. Ringyem
857. Pakshap
Kazore
859. Lower Singhik
860. Upper Singhik
861. Jethi Goan
862. Chandey
863. Malling
864. Kaley
865. Pentok
866. Mangan Bazar I
867. Mangan Bazar II
868. Rangrang
869. Chotang
870. Tang tang
871. Upper Singhik II
872. Pakshep II
873. Kazore II
874. Zimchung
875. Mangan Bazar III
876. Upper Ambithang

37. Phodong Zone

877. Tingchim
878. Ralak
879. Upper Mangshilla
880. Lower Mangsilla
881. Gaire Gaon
882. Jhusing
883. Tebuk
884. Namok
885. Swaywm
886. Deythang
887. Metlong
888. Tanek
889. Sangam
890. Lungchok
891. Ramthang
892. Rongong
893. Radong
894. Lower Phodong
895. Tumlong
896. Ravi Chotang II
897. Upper Tingchim
898. Upper Ralak
899. Lungma Gaon
900. Tikpu
901. Phyagu (Ramthang)
902. Gongkha
903. Phodok
904. Upper Phodong
905. Tinchim Zero Point
906. Lower Tumlong
907. Timbem (Ramthang)

38. PASSINGDONG ZONE
908. Passingdong
909. Upper Lingthem
910. Lower Lingthem II
911. Sangkalang
912. Noam
913. Panang
914. Leek
915. Ruklloo
916. Lingdem
917. Leven
918. Upper Lingza
919. Lower Lingza
920. Sibim
921. Nung
922. Kusung
923. Sakyong
924. Pentong
925. Upper Tingvong
926. 4th mile/Lower Lingdom
927. Bay
928. Payal
929. L. Lingdom
930. Linki/Namprik
931. Passingdong 3 mile
932. Todung

39. PHENSONG ZONE

932. Chawang
933. Upper Mollom
934. Lower Mollom
935. Phamtam
936. Upper Menrongong
937. Lower Memrongong
938. Ganzel
939. Paney
940. Tingsim
941. Labi
942. Bakcha
943. Gaikhana
944. Rongpa
945. Lingchum
946. Lower Phamtam
947. Upper Chawang
948. Longbu
949. Yongong'
950. Gairi'
951. Tingmoo
952. Upper Tingda
953. Sardong
954. Safyong
955. Chingbong
956. Lower Tingda
957. Kabi Forest Check Post
958. Sipthang (Upper Rarik)
959. Lower Paney

40. Hee Gyathang/ Lower Dzongo Zone

960. Tareng
961. Phidang
962. Gor
963. Sangtok
964. Shyagong
965. Lum
966. Gnon
967. Sangdong
968. Sudur,
969. Bringbong
970. Gyathang
971. Tingyong
972. Ravong
973. Kashel
974. Berfok
975. Lingdong
976. Dikcho
977. Hee, Katam
978. Lingtyang
979. Upper Berfok
980. Upper Gor
981. Upper Taryang
982. Kazak
983. Ravim
984. Lower Sangdong
985. Mayal
986. Toong- Rongrong
987. Mangtyang

BY ORDER AND IN THE NAME OF THE GOVERNOR.

GIRMEE GOPARMA, IAS
Secretary to the Government of Sikkim
Social Justice, Emp. and Welfare Department
Gangtok.
DECLARATION U/S 6 OF LAND ACQUISITION ACT, 1894 (ACT I OF 1894)

Whereas the Governor is satisfied that land is needed for a public purpose not being a purpose of the Union namely for the construction of 11/11 KVA Control Room by Energy and Power Department in the block of Omchung Elaka Yangthang West District, it is hereby declared that a piece of land comprising cadastral Plots No. 707 and 708 measuring more or less 0.0980 hectare bounded as under:-

EAST : Jhora.
WEST : S.P.W. D Road.
NORTH : S.P.W.D Road.
SOUTH : Kholsa is needed for aforesaid public purpose at the public expense within aforesaid block of Omchung.

The declaration is made under the provisions of Section 6 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, West Sikkim.

( K.N.SHARMA )
SECRETARY,
LAND REVENUE & DISASTER MANAGEMENT DEPARTMENT,
GOVERNMENT OF SIKKIM,
GANGTOK.
File No. 520/III/LR(S).
DECLARATION U/S 6 OF LAND ACQUISITION ACT, 1894 (ACT I OF 1894)

Whereas Governor is satisfied that land is likely to be needed for public purpose not being a purpose of the Union namely for the construction of road to Pheok Busty, Tadong by SPWD (Roads & Bridges) it is hereby declared that a piece of land comprising cadastral Plot No. 4, 90, 92/1919, 92, 736/1021, 736/1020, 84/837, 83, 82/1846, 78/1440, 82/1848, 81, 33, 32 measuring more or less 38720 sq.ft. or 0.89 acres bounded as under:-


WEST : Agriculture Department, Sonam Wangdi, Khung Dorjee, Smt Kalyani, N.B.Chettri, K.B.Rai, Chi Doma, Pema Dechen, Suresh & Karma Tenzing Bhutia.

NORTH : Smt. Harka Lachi and Karma Tenzing Bhutia.

SOUTH : Jhora is needed for the aforesaid public purpose at the public expense within the aforesaid block of Pheok Busty under Tadong block, East Sikkim.

The declaration is made under the provisions of Section 6 of Land Acquisition Act, 1894 (Act I of 1894) read with the said notification to all whom it may concern.

A plan of the land may be inspected in the office of the District Collector, East.

K.N. SHARMA
SECRETARY
LAND REVENUE & DISASTER MANAGEMENT DEPARTMENT
GOVERNMENT OF SIKKIM
GANGTOK.

File No. 214/LR&DMD(S)

NOTIFICATION

In exercise of the power conferred by sub-section (1) and (2) of section 5 of the Right to information Act, 2005, the Motor Vehicles Division, Transport Department, hereby designates the following officers as under:

(1) Mr. K. N. Pradhan, Additional Secretary – II
    First State Public Information Officer.

(2) Mr. S. K. Pradhan, Joint Secretary
    Second Public Information Officer who will take charge during long absence of the first SPIO.

(3) Mr. Tika Ram Rai, Jr. RTO (N/E)
    State Assistant Information Officer for East and North Districts.
    Gangtok

(4) Mr. H. B. Chettri, Jr. RTO (S/W)
    State Assistant Information Officer for South and West Districts.
    Jorethang.


(D. Dahdul)
Principal Secretary
Transport Department.
In exercise of the powers conferred by the proviso to article 309 of the Constitution of India, the Governor of Sikkim, hereby makes the following rules, namely:-

**Short title and commencement**

1. (1) These rules may be called the Sikkim Government Servant’s (Contributory Pension) Rules, 2006.
   
   (2) They shall be deemed to have come into force on the 1st day of April, 2006

**Application**

Save as otherwise provided in these rules, these rules shall apply to Government Servants, appointed on or after 01.04.2006 to posts in connection with the affairs of the State of Sikkim which are borne on new contributory pensionable establishment, but shall not apply to:-

1. persons in casual, daily rated and work-charged employment;
2. persons paid from contingencies;
3. members of All India Services;
4. person employed on contract except when provided otherwise;
5. Persons whose terms and conditions of service are regulated by or under the provisions of the Constitution or any other law for the time being in force.

**Definitions**

In these rules, unless the context otherwise requires: -

(a) “All India Service” means the service known as the Indian Administrative Service or the Indian Police Service or any service specified in Section 2A of the All India Service Act, 1951;

(b) “Persons employed on contract” means the persons governed by the terms and condition of contract appointment prescribed under the Sikkim Government Establishment Rules, 1974.

(c) “contributory pension scheme” means the mandatory contribution of 10% of basic pay; dearness pay and dearness allowance from the salary of the employee and the matching contribution of the same amount from the State Government;
“calendar year” means the year beginning on the first day of January and ending on the 31st day of December of that year.

“Director” means the Director Pension, Group Insurance and Provident Fund;

“financial year” means the year the beginning on the 1st day of April and ending on the 31st day of the March of that year;

“ledger accounts” means the book of accounts for maintaining the accounts of individual government servant who are members of the Contributory Pension Scheme;

“Public Deposit Account” means the revenue head under which deposits of the accrued fund shall be credited;

“Superannuation” means retirement on attaining the age of 58 (fifty eight) years;

“work charged” means those appointments made specifically pertaining to a particular work and expenditure thereof charged to the work contingencies.

It would be mandatory for all new government employees who are recruited on or after 01.04.2006, to become member of the scheme. Each employee will pay a monthly contribution of 10% of their basic pay, dearness pay and dearness allowance from his salary to the contributory pension scheme.

Matching contribution will be made by the State government for each employee.

The contribution towards contributory pension scheme shall be recovered from the salary of the employee every month.

Director, Pension, Group Insurance and Provident Fund, (hereinafter referred to as the P.G.I.P.F.) will maintain the accounts for the contributory as in the case of General Provident Fund.

The contribution would be deposited in a non-withdrawable pension account. As an interim measure, the amount of contribution towards the pension account shall be retained in an interest bearing Public Deposit Account. Interest rates shall be paid as per the rates applicable to interest bearing Public Deposit Accounts. Final arrangements will be made as per provision of rule 12 of these rules.

A Government Servant can exit from the scheme on attaining the age of superannuation i.e. after the age of 58 (fifty-eight) years. At exit, it would be mandatory for him to invest 40% pension wealth towards purchasing an annuity from Regulated Life Insurance Company, which will provide for pension for lifetime of the employee and his families/dependents.

Immediately on joining the Government service, the government servant will be required to provide particulars such as his name, designation, scale of pay, date of birth, nominee for the fund, relationship of the nominee etc. in the prescribed form (Annex-I). The Head of Department concerned will be responsible for obtaining this information from all government servant covered under the new pension scheme. Information for all those who have joined service during the month shall be submitted by the Head of Department concerned in the prescribed format (Annexure-II), to the Office of Director PGIPF by the 7th of the following month.

On receipt of Annexure -II from the Head of Office, the office of PGIPF will allot a unique 11 digit Permanent Pension Account Number (hereinafter referred to as PPAN) to each employee appointed in the State Government on or after 1.4.2006. The first four digits of this number will indicate the calendar year of joining Government service by the employees, the next two digits would represent the Departmental code and the last five digits will be running serial number of the Individual government servant allotted by the office of PGIPF. The format of PPAN is presently as under.
The Head of Department shall prepare separate pay bill register in respect of the government servants joining government service on or after 01.04.2006 and attach a schedule of government servants’ contribution in prescribed form (Annexure-III).

Along with the salary bill for the government servants, who join service on or after 01.04.06, the Head of the Department shall also prepare a separate bill for drawal of matching contribution to be paid by the government for credit to respective pension account.

The bill for drawal of matching contribution should also be supported by schedules of recovery in the prescribed form (Annexure-IV).

On receipt of the salary bill in respect of government servant joining service on or after 01.04.06, the Pay and Accounts Office (hereinafter referred to as the PAO) shall exercise the usual check and pass the bill for payment. The schedules relating pension contribution will be detached from the bills and then be furnished to the office of PGIPF for posting the credit of contribution in the detail ledger account of the individual employee.

The office of the PGIPF on receipt of schedules from the PAO will update its database and generate exception report for missing credits, mismatches etc. which will be sent back to Head of Department concerned for further action.

The district PAO shall send the schedules relating to Pension Contribution every month by 15th of next month to the office of Director, PGIPF.

At end of each financial year, the office of Director, PGIPF shall prepare Annual account statement for each employee showing the opening balance, details of monthly deductions and governments matching contributions, interest earned and the closing balance.

No withdrawals will be allowed till attaining the age of superannuation i.e. upto 58 (fifty eight) years. In the event of untimely death of an employee, payment will be made to the lawful nominees. Incase an employee leaves service voluntarily, no withdrawal will be allowed till his attaining the age of 58 years provided that in case of removal/dismissal from the service of an employee, government share shall stand withdrawn and be deposited in General Revenue head of the state. The employee may withdraw his share.

The State Government may appoint its own pension fund regulatory and development authority and intermediaries. A separate set of regulations will be notified for this purpose.
(2) The State Government can exercise the option to join the new contributory pension scheme of the Central Government as notified vide Extraordinary Government of India Gazette number 42, dated 29.1.2004 and as may be modified from time to time.

(3) Notwithstanding anything contained in these rules, in the event of the state government exercising the option to join the Central Government’s contributory pension scheme, the contributions towards pension fund deposited in the interest bearing PD account of state government will be transferred to the intermediaries registered and regulated by Pension Fund Regulatory and Development Authority constituted by the Central Government and thereafter, regular contribution will also be transferred to them. The functions relating to record keeping will be assigned to the Central record keeping agency, registered and regulated by the aforesaid authority. On death or retirement on superannuation or otherwise; the retirement benefits will be paid by the intermediaries, registered and regulated by the Central Pension Fund Regulatory and Development Authority as per rules specified by the Pension Fund Regulatory and Development Authority for this purpose. On this account, there will be no financial liability of the state government.

1. State Government contribution of the equal matching share to be booked by the individual department, under their respective salary head, till any such further arrangements.

2. For crediting the recoveries made from the employees and their matching share of the State Government contribution towards the contributory pension scheme, the Head of Account will be “8342 - Other Deposits - 117- Defined Contribution Pension Scheme for Government Employees”

3. It is proposed that the new Contributory Pension Scheme, be made effective from 01.04.2006 as proposed. Before this date, the State Government notification to this effect is to be issued.

4. Department code for the purpose of PPAN (Permanent Pension Account Number) will be notified after the scheme becomes effective.

By Order.

(T.T. Dorjee) IAS,
Principal Secretary,
Finance, Revenue & Expenditure Department
ANNEXURE I

(Details to be furnished by the Government Servant)

1. Name of the Govt. servant : 
   (in Block letters)

2. Designation : 

3. Name of Department : 

4. Scale of Pay : 

5. Date of Birth : 

6. Date of joining Govt. Service : 

7. Basic Pay : 

8. Nominee for accumulations under the Pension Account : 

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Name of nominee (s)</th>
<th>Age</th>
<th>Percentage of share payable</th>
<th>Relationship with the government servant</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td></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>
</tbody>
</table>

Date : Signature of the Govt. Servant

Received the above declaration.

Date : Signature with seal
Station : (Head of Office)
HIGH COURT OF SIKKIM
GANGTOK

NOTIFICATION

Hon’ble the Chief Justice has been pleased to delegate His Lordship’s powers under Article 229 of The Constitution of India in regard to grant of Earned leave, Casual leave, Medical leave and Out of Station Leave of the following employees of the High Court as follows:

(1.1) The First Puisne Judge Hon’ble Shri Justice N. Surjamani Singh
1. Joint Registrar, Officer on Special Duty, Deputy Registrar excluding Deputy Registrar-cum-Sr.Judgment Writer-cum-In-charge Protocol, Assistant Registrar, Office Superintendent, Senior Accountant, Stenographer Grade-II, Head Assistant, Accountant, Stenographer Grade-III and Junior Accountant.
2. Private Secretary to the First Puisne Judge.
3. Driver, Zamadar, Peon including Residential Orderly/Cook/Sevak, Mali and Sweeper attached with the First Puisne Judge.

(1.2) The Second Puisne Judge Hon’ble Shri Justice A.P. Subba.
1. Private Secretary to the Second Puisne Judge
2. Upper Division Clerk, Assistant Librarian, Lower Division Clerk, L.D.A.-cum-Typist, Data Entry Operator, L.D.A.-cum Protocol Assistant, Supervisor, Record Keeper and Restorer.
3. Driver, Zamadar, Peon including Residential Orderly/Cook/Sevak, Mali and Sweeper attached with the Second Puisne Judge.

In the absence of the First Puisne Judge these powers shall stand vested automatically in the Second Puisne Judge; in the absence of the Second Puisne Judge shall stand vested automatically in the First Puisne Judge; and in the absence of both in the Registrar General.

In the absence of Hon’ble Chief Justice on account of Earned Leave it is expected of making of a Notification appointing an Acting Chief Justice under Article 223 of the Constitution of India but on account of delay in that regard any application filed by any Employee is required to be placed before the First Puisne Judge till a Notification is made and received by this Court.

The application of the concerned Employee, which is required to be submitted through the Registrar General as per past practice, along with the order passed is required to be immediately sent by the office of the Hon’ble Judge concerned, to the Registrar General for the purpose of maintaining the Record of the High Court update.

By Order.

REGISTRAR

NOTIFICATION

Hon’ble the Chief Justice has been pleased to delegate His Lordship’s powers under Article 229 of The Constitution of India in relation to making appointment, promotion and seniority in respect of category ‘D’ employees of the High Court of Sikkim, to the second Puisne Judge, Hon’ble Shri Justice A.P. Subba.

By Order.

REGISTRAR

Hon’ble the Chief Justice has been pleased to delegate His Lordship’s powers under Article 229 of The Constitution of India in relation to making appointment, promotion and seniority in respect of category ‘C’ employees of the High Court of Sikkim, to the first Puisne Judge, Hon’ble Shri Justice N. Surjamani Singh

By Order.

REGISTRAR GENERAL

NOTIFICATION

In accordance with the provisions of the Lotteries (Regulation) Act, 1998 the results of the Online Lotteries (Sikkim Super Lotto, Sikkim Thunder Ball, Sikkim Fast Lotto and Sikkim Saturday Super Lotto) lottery with effect from 01.04.06 to 30.04.06 conducted by Sikkim State Lotteries, Finance Revenue & Expenditure Department are hereby notified for information of the general public.

Jt. Director Lotteries
**STATEMENT SHOWING THE RESULTS OF SIKKIM FAST LOTTO ONLINE LOTTERY WITH EFFECT FROM 1st APRIL 30th APRIL, 2006.**

<table>
<thead>
<tr>
<th>Sl.No.</th>
<th>Dated</th>
<th>Draw No.</th>
<th>Name of Lottery</th>
<th>Results</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>01.04.2006</td>
<td>120th</td>
<td>Saturday Fast Lotto</td>
<td>02,08,17,28,05</td>
</tr>
<tr>
<td>2.</td>
<td>02.04.2006</td>
<td>120th</td>
<td>Sunday Fast Lotto</td>
<td>13,18,26,09,17</td>
</tr>
<tr>
<td>3.</td>
<td>03.04.2006</td>
<td>121st</td>
<td>Monday Fast Lotto</td>
<td>28,16,22,05,27</td>
</tr>
<tr>
<td>4.</td>
<td>04.04.2006</td>
<td>121st</td>
<td>Tuesday Fast Lotto</td>
<td>19,22,04,29,31</td>
</tr>
<tr>
<td>5.</td>
<td>05.04.2006</td>
<td>121st</td>
<td>Wednesday Fast Lotto</td>
<td>23,14,07,16,25</td>
</tr>
<tr>
<td>6.</td>
<td>06.04.2006</td>
<td>121st</td>
<td>Thursday Fast Lotto</td>
<td>05,22,03,06,19</td>
</tr>
<tr>
<td>7.</td>
<td>07.04.2006</td>
<td>121st</td>
<td>Friday Fast Lotto</td>
<td>13,29,19,27,15</td>
</tr>
<tr>
<td>8.</td>
<td>08.04.2006</td>
<td>121st</td>
<td>Saturday Fast Lotto</td>
<td>14,17,26,10,31</td>
</tr>
<tr>
<td>9.</td>
<td>09.04.2006</td>
<td>121st</td>
<td>Sunday Fast Lotto</td>
<td>11,05,23,25,26</td>
</tr>
<tr>
<td>10.</td>
<td>10.04.2006</td>
<td>122nd</td>
<td>Monday Fast Lotto</td>
<td>14,20,19,05,02</td>
</tr>
<tr>
<td>11.</td>
<td>11.04.2006</td>
<td>122nd</td>
<td>Tuesday Fast Lotto</td>
<td>11,01,14,30,16</td>
</tr>
<tr>
<td>12.</td>
<td>12.04.2006</td>
<td>122nd</td>
<td>Wednesday Fast Lotto</td>
<td>26,09,31,08,28</td>
</tr>
<tr>
<td>13.</td>
<td>13.04.2006</td>
<td>122nd</td>
<td>Thursday Fast Lotto</td>
<td>06,31,08,19,01</td>
</tr>
<tr>
<td>14.</td>
<td>14.04.2006</td>
<td>122nd</td>
<td>Friday Fast Lotto</td>
<td>19,09,06,12,30</td>
</tr>
<tr>
<td>15.</td>
<td>15.04.2006</td>
<td>122nd</td>
<td>Saturday Fast Lotto</td>
<td>19,08,11,20,28</td>
</tr>
<tr>
<td>16.</td>
<td>16.04.2006</td>
<td>122nd</td>
<td>Sunday Fast Lotto</td>
<td>12,28,07,24,20</td>
</tr>
<tr>
<td>17.</td>
<td>17.04.2006</td>
<td>123rd</td>
<td>Monday Fast Lotto</td>
<td>06,05,09,11,02</td>
</tr>
<tr>
<td>18.</td>
<td>18.04.2006</td>
<td>123rd</td>
<td>Tuesday Fast Lotto</td>
<td>01,13,23,15,12</td>
</tr>
<tr>
<td>19.</td>
<td>19.04.2006</td>
<td>123rd</td>
<td>Wednesday Fast Lotto</td>
<td>18,24,23,09,29</td>
</tr>
<tr>
<td>20.</td>
<td>20.04.2006</td>
<td>123rd</td>
<td>Thursday Fast Lotto</td>
<td>16,20,08,15,19</td>
</tr>
<tr>
<td>21.</td>
<td>21.04.2006</td>
<td>123rd</td>
<td>Friday Fast Lotto</td>
<td>19,10,20,08,24</td>
</tr>
<tr>
<td>22.</td>
<td>22.04.2006</td>
<td>123rd</td>
<td>Saturday Fast Lotto</td>
<td>06,02,27,21,15</td>
</tr>
<tr>
<td>23.</td>
<td>23.04.2006</td>
<td>123rd</td>
<td>Sunday Fast Lotto</td>
<td>12,02,16,06,11</td>
</tr>
<tr>
<td>24.</td>
<td>24.04.2006</td>
<td>124th</td>
<td>Monday Fast Lotto</td>
<td>25,26,11,08,12</td>
</tr>
<tr>
<td>25.</td>
<td>25.04.2006</td>
<td>124th</td>
<td>Tuesday Fast Lotto</td>
<td>10,25,29,30,08</td>
</tr>
<tr>
<td>26.</td>
<td>26.04.2006</td>
<td>124th</td>
<td>Wednesday Fast Lotto</td>
<td>21,08,22,05,10</td>
</tr>
<tr>
<td>27.</td>
<td>27.04.2006</td>
<td>124th</td>
<td>Thursday Fast Lotto</td>
<td>20,01,27,16,04</td>
</tr>
<tr>
<td>28.</td>
<td>28.04.2006</td>
<td>124th</td>
<td>Friday Fast Lotto</td>
<td>05,19,26,24,21</td>
</tr>
<tr>
<td>29.</td>
<td>29.04.2006</td>
<td>124th</td>
<td>Saturday Fast Lotto</td>
<td>05,10,17,27,11</td>
</tr>
<tr>
<td>30.</td>
<td>30.04.2006</td>
<td>124th</td>
<td>Sunday Fast Lotto</td>
<td>24,17,05,10,28</td>
</tr>
</tbody>
</table>

**JOINT DIRECTOR LOTTERIES**

SIKKIM THURSDAY SUPER LOTTO WEEKLY LOTTERY

<table>
<thead>
<tr>
<th>Sl.No.</th>
<th>Dated</th>
<th>Draw No.</th>
<th>Name of Lottery</th>
<th>Results</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>06.04.2006</td>
<td>211&lt;sup&gt;th&lt;/sup&gt;</td>
<td>Sikkim Thursday Super Lotto</td>
<td>39,47,46,06,03,01</td>
</tr>
<tr>
<td>2.</td>
<td>13.04.2006</td>
<td>212&lt;sup&gt;th&lt;/sup&gt;</td>
<td>Sikkim Thursday Super Lotto</td>
<td>06,14,47,26,13,41</td>
</tr>
<tr>
<td>3.</td>
<td>20.04.2006</td>
<td>213&lt;sup&gt;th&lt;/sup&gt;</td>
<td>Sikkim Thursday Super Lotto</td>
<td>09,11,42,35,13,07</td>
</tr>
<tr>
<td>4.</td>
<td>27.04.2006</td>
<td>214&lt;sup&gt;th&lt;/sup&gt;</td>
<td>Sikkim Thursday Super Lotto</td>
<td>41,18,14,47,49,35</td>
</tr>
</tbody>
</table>

THUNDER BALL WEEKLY LOTTERY

<table>
<thead>
<tr>
<th>Sl.No.</th>
<th>Dated</th>
<th>Draw No.</th>
<th>Name of Lottery</th>
<th>Results</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>04.04.2006</td>
<td>194&lt;sup&gt;th&lt;/sup&gt;</td>
<td>Sikkim Thunder Ball</td>
<td>27,22,09,07,15,TB-15</td>
</tr>
<tr>
<td>2.</td>
<td>11.04.2006</td>
<td>195&lt;sup&gt;th&lt;/sup&gt;</td>
<td>Sikkim Thunder Ball</td>
<td>02,17,31,03,18,TB-04</td>
</tr>
<tr>
<td>3.</td>
<td>18.04.2006</td>
<td>196&lt;sup&gt;th&lt;/sup&gt;</td>
<td>Sikkim Thunder Ball</td>
<td>23,02,21,42,37,TB-01</td>
</tr>
<tr>
<td>4.</td>
<td>25.04.2006</td>
<td>197&lt;sup&gt;th&lt;/sup&gt;</td>
<td>Sikkim Thunder Ball</td>
<td>20,12,26,41,11,TB-05</td>
</tr>
</tbody>
</table>

SIKKIM SATURDAY SUPER LOTTO WEEKLY LOTTERY

<table>
<thead>
<tr>
<th>Sl.No.</th>
<th>Dated</th>
<th>Draw No.</th>
<th>Name of Lottery</th>
<th>Results</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>01.04.2006</td>
<td>45&lt;sup&gt;th&lt;/sup&gt;</td>
<td>Sikkim Saturday Super Lotto</td>
<td>47,27,03,25,30,10</td>
</tr>
<tr>
<td>2.</td>
<td>08.04.2006</td>
<td>46&lt;sup&gt;th&lt;/sup&gt;</td>
<td>Sikkim Saturday Super Lotto</td>
<td>47,48,10,01,13,25</td>
</tr>
<tr>
<td>3.</td>
<td>15.04.2006</td>
<td>47&lt;sup&gt;th&lt;/sup&gt;</td>
<td>Sikkim Saturday Super Lotto</td>
<td>20,15,34,05,14,28</td>
</tr>
<tr>
<td>4.</td>
<td>22.04.2006</td>
<td>48&lt;sup&gt;th&lt;/sup&gt;</td>
<td>Sikkim Saturday Super Lotto</td>
<td>07,33,09,35,42,45</td>
</tr>
<tr>
<td>5.</td>
<td>29.04.2006</td>
<td>49&lt;sup&gt;th&lt;/sup&gt;</td>
<td>Sikkim Saturday Super Lotto</td>
<td>15,29,17,22,27,43</td>
</tr>
</tbody>
</table>
NOTIFICATION

The Chief Justice of the High Court of Sikkim in exercise of the inherent powers conferred under Article 229 of the Constitution of India and all other powers enabling him in this behalf is pleased to make the following Rules further to amend the High Court of Sikkim (Recruitment, Conditions of Service and Conduct) Rules, 1998.

1. (i) These Rules may be called “The High Court of Sikkim (Recruitment, Conditions of Service and Conduct) Amendment Rules, 2006”.

   (ii) They shall come into force at once.

2. In the High Court of Sikkim (Recruitment, Conditions of Service and Conduct) Rules, 1998, herein after referred to as the said rules.

Rule 2

The existing Rule 2(a) be deleted and the existing Clauses ‘b’ to ‘r’ of the said Rule be renumbered as ‘a’ to ‘q’ respectively.

Rule 11

In place of the existing entries of Rule 11 (1) the following shall be substituted.

“All matters of appointment, promotions and seniority of the members of the Non-Gazetted staff of the High Court Establishment shall be decided by the Chief Justice or such other Judge as nominated by the Chief Justice or by the Registrar General, if so authorized, and those of the Gazetted staff by the Chief Justice or such other Judge as nominated by the Chief Justice.”

Rule 12

In place of the existing entries of Rule 12—Appeals the following shall be substituted.

“An appeal shall lie against all orders passed by the Registrar General under the foregoing rules, to the Chief Justice, who may either dispose it of himself or make it over to any other Judge nominated by him. If an order is passed by any other Judge nominated by him, an appeal shall lie before two Judges comprising the Chief
Justice and the remaining Judge. The order of the Chief Justice passed whether in appeal or at the first instance shall be final, subject to the power of review, which may be exercised in exceptional cases of hardship or injustice.

**Rule 13**

In place of the existing Schedule of **Rule 13(1) (iii)** the following Schedule shall be substituted.

<table>
<thead>
<tr>
<th>Class of Officer</th>
<th>Disciplinary Authority</th>
<th>Powers to exercise</th>
<th>Appellate Authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gazetted Grade</td>
<td>Any other Judge nominated by the Chief Justice or the Chief Justice</td>
<td>All</td>
<td>If the order is passed by the Judge nominated by the Chief Justice, before two Judges comprising the Chief Justice and the remaining Judge, and if the order is passed by the Chief Justice, before the Full Court.</td>
</tr>
<tr>
<td>Non-Gazetted Grade</td>
<td>Any other Judge nominated by the Chief Justice or the Registrar General, if so authorised.</td>
<td>All</td>
<td>If the order is passed by the Judge nominated by the Chief Justice, before two Judges comprising the Chief Justice and the remaining Judge, and if the order is passed by the Registrar General, before the Chief Justice.</td>
</tr>
</tbody>
</table>

In place of the existing entries of **Rule 13(2)** the following shall be substituted.

“Nothing in these rules shall debar the Chief Justice from altering on appeal or otherwise an order of punishment, including adverse remarks recorded in a character role or of appointment not provided for above which may be passed by the Registrar General or if the order is passed by the Judge nominated by the Chief Justice then before two Judges comprising the Chief Justice and the remaining Judge.”

By Order.

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REGISTRAR

GENERAL

HIGH COURT OF SIKKIM
GOVERNMENT OF SIKKIM

DEPARTMENT OF FORESTS, ENVIRONMENT AND WILDLIFE

NOTIFICATION

In exercise of the powers conferred by clause (c) of sub-section (2) of section 83 of the Sikkim Forests, Water Courses and Road Reserve (Preservation and Protection) Act, 1988 (6 of 1988), the State Government hereby makes the following rules, namely:——

1. These rules may be called the Sikkim Private and Other Non-Forest Lands Tree Felling Rules, 2006.

2. They shall extend to the whole of Sikkim.

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

In these rules, unless the context otherwise requires;——

(a) “Assistant Conservator of Forests” means an officer of that designation within whose territorial jurisdiction the private land or other non-forest land falls;

(b) “Block Officer” means an officer of that designation within whose territorial jurisdiction the private land or other non-forest land falls;

(c) “breast height” means the height of a tree at 1.37 metres from its base;

(d) “bustiwalla rate” means the concessional rate of royalty leviable from villagers, as notified in the schedule of rates of the Government;

(e) “commercial” means for sale to any individual, association, group, business establishment, hostel or agency of government or otherwise;

(f) “Conservator of Forests” means an officer of that designation within whose territorial jurisdiction the private land or other non-forest land falls;

(g) “Divisional Forest Officer” means an officer of that designation within whose territorial jurisdiction the private land or other non-forest land falls;

(h) “ecological value” means necessary for the existence of other forms of plant or animal life;

(i) “girth” means the circumference of the tree trunk or stem taken horizontally;

(j) “Government” means the State Government of Sikkim;

(k) “jhora” means a gully which may or may not have running water;

(l) “marking order” means an order for making a hammer impression at the base of the tree approved to be felled by authority;
“non-forest land” includes all lands not being private lands whether Government or otherwise including that of institutions and not recorded as forests in record of rights of the Government as per the cadastral survey of 1952;

“non-commercial” means for use other than commercial;

“non-forestry project” means any project whether Government, institutional or otherwise that involves construction over the natural surface of the land such as for buildings, roads, bridges, culverts, causeways, dams but does not include private houses;

“private land” includes any land not recorded as forests and standing in the name of any person or persons in record of rights of the Government as per the cadastral survey of 1952;

“Range Officer” means an officer of that designation within whose territorial jurisdiction the private land or other non-forest land falls;

“species” means type of tree;

“tree” means a plant mentioned in the schedule of rates of the Government.

No permission to fell a tree on any private or other non-forest land shall be granted except as hereinafter provided.

Any person, hereinafter called the applicant, who wishes to fell a tree or trees in his private or other non-forest land shall apply to the Block Officer, in Form 1 in duplicate.

Provided that not more than one application in Form 1 shall be made for a continuous plot of land in a year.

The Block Officer shall, after receiving the application as provided for in rule 4 shall affix his signature, seal and date on the duplicate copy of the application in Form 1 and return it to the applicant and then verify the tree that is sought to be felled.

The trees in private or other non-forest land shall be felled only if the following conditions are fulfilled, namely:

(a) The tree or trees to be removed should not constitute more than 33% of the trees standing within one continuous patch of the private land unless an approved management plan provides for felling of trees in excess of this percentage.

(b) The tree should not be standing within 20 feet from the edge of a gully, stream bank or edge of a precipitous slope.

(c) The tree should not be standing on a landslide, landslip, eroded surface, bank of a jhora or a stabilized landslide falling within private land or other non-forest land.

(d) The tree should not be standing on a general slope of more than 70 degrees to the horizontal.

(e) The tree should not belong to a category of species reserved by the Government under provisions of any forest laws or rules nor should the tree be a mother tree being capable of producing good seeds as determined by forest officers.

(f) The tree should not have high ecological value such as a rare growth of epiphytes.

Provided that the Government may pay such compensation as it deems adequate to reserve any such tree that in its opinion needs to be preserved on account of its ecological value.

(g) The private land must be recorded as being under private ownership in the Government cadastral survey record of rights of 1952.

Provided that conditions (a) to (g) shall not apply to dead trees which may be allowed to be felled without restriction.
If the Block Officer is satisfied that all the conditions mentioned in rule 6 are fulfilled he shall,—

(i) issue a marking order in the form prescribed in the Sikkim Transit of Timber and Other Forest Produce Rules, 1999 if not more than two trees for firewood purpose have been applied for, duly forwarding a copy to the Divisional Forest Officer, or
(ii) forward the application in Form 1 with his comments to the Range Officer if the number of trees applied for is more than two or for commercial purpose or during the course of extraction of firewood for tree or trees granted as provided in clause (i) it was found that some part of tree given for firewood is fit to be converted to timber.

Provided that the Block Officer may issue a marking order with “FOR FIREWOOD ONLY” written on it for any tree that is knotted, crooked and unfit for timber if it is to be used for firewood in a village by relaxing the conditions of rule 6 or not more than two trees for firewood for cardamom drying if conditions of rule 6 are fulfilled for all of them.

When the application is forwarded to the Range Officer under clause (ii) of rule 7, the marking order may be issued as follows,—

(i) if not more than two trees are applied for firewood purpose or not more than two trees are applied for non-commercial purpose or any number of trees for cardamom drying, by the Range Officer if he is satisfied that all the conditions of rule 6 are fulfilled; or
(ii) if not more than four trees are applied for firewood purpose or not more than four trees are applied for non-commercial purpose or not more than two trees are applied for commercial purpose, by the Assistant Conservator of Forests if he is satisfied that all the conditions of rule 6 are fulfilled; or
(iii) if not more than four trees are applied for firewood purpose or not more than four trees are applied for non-commercial purpose or not more than eight trees are applied for commercial purpose, by the Divisional Forest Officer if he is satisfied that all the conditions of rule 6 are fulfilled; or
(iv) for any number of trees for any purpose, by the Divisional Forest Officer after obtaining the approval of the Conservator of Forests who shall first satisfy himself that all the conditions of rule 6 are fulfilled.

Provided that if more than ten trees are sought to be removed for any non-forestry project, the application in Form 1 shall be forwarded to the Principal Chief Conservator of Forests by the Conservator of Forests, through his superior officers, who may

(a) after due consideration of the proposal for removal of the trees, approve it and direct the Divisional Forest Officer to issue a marking order; or
(b) reject it for reasons to be recorded by him in writing and send it back to the Conservator of Forests through his sub-ordinate officers.

Provided further that if more than five trees are sought to be removed, the Assistant Conservator of Forests; and if more than ten trees are sought to be removed, the Divisional Forest Officer; and if more than fifty trees are sought to be removed, the Conservator of Forests shall personally visit the site before forwarding his comments in Form 1 or approving the marking order as the case may be.

The officer who issues a marking order to an applicant shall do so after collecting the duplicate copy of Form 1, on which the Block Officer had affixed his sign, seal and date as provided for in rule 5 and forward a copy of the marking
order and a copy of the management plan where applicable to the Divisional Forest Officer for carrying out the purposes of rules 12 to 15.

10. After a marking order is issued to the applicant, the Block or Range Officer shall mark the tree or trees and authorize their felling.

11. If the applicant wishes to fell more than five trees from his private land he shall attach with Form 1 a management plan stating how he plans to use the land where he intends to fell the trees, in the coming ten years.

12. If the applicant deviates from the management plan stated by him under rule 11, he shall be liable to pay a compensation of five times the market value of the trees that were felled as determined by the Divisional Forest Officer.

13. The applicant shall, when a marking order is granted to him on his application, under the aforesaid rules, for every tree felled, plant ten saplings of trees in his private land.

Provided that if trees are approved to be removed, as provided under the first proviso to rule 8, for any non-forestry project, which is to be undertaken by any department, institution or agency, whether government or otherwise, then it shall transfer funds for carrying out the requirement of planting saplings to the Forest, Environment & Wild Life Management Department of the Government on the basis of an estimate to be drawn up by that department, before the marking order is issued to it. The Forest, Environment & Wild Life Management Department shall then plant the saplings on Government land.

14. The number of saplings planted with species shall be registered by the Block Officer who shall forward a list of all such applicants with the number and species planted by each at the end of the monsoon season to the Divisional Forest Officer through his superior officers.

15. The Divisional Forest Officer shall tally the names in the list supplied to him under rule 14 with the record of marking orders issued in Private and other non-forest lands.

16. The Range Officers shall inspect 50% of the Private and other non-forest lands where saplings have been planted by applicants and the Divisional Forest Officer 25%, each year for five years and a penalty imposed if the saplings are found to have suffered mortality; the compensation shall be decided by the Divisional Forest Officer.

17. When an applicant wishes to remove a tree or trees within private land or other non-forest land to make way for construction of private housing he shall apply for the same to the Block Officer in Form 1. The Block Officer shall after inspecting the tree or trees forward the application to the Divisional Forest Officer through his superior officers who shall issue a marking order for felling the tree or trees on payment by the applicant of a compensation equivalent to two times of the bustiwalla rate of the timber volume contained in the tree or trees and the provisions of the rules 11 to 15 shall apply in relation to such application, as they apply in relation to an application disposed of under rules 7 and 8.

18. A tree may be assessed to pose a threat to lives or property if its girth is more than 2 feet at breast height and it is likely to damage lives and property if it falls provided it fulfills one or more of the following conditions, namely:-
(i) when at least 50% of its roots are exposed due to soil erosion,
(ii) when the lean of the tree is less than 60 degrees to a horizontal plane passing through its base,
(iii) when the tree stands on soil which is under mass movement.
(iv) when the tree is decayed, dead or drying at the base.

Procedure for felling of trees posing threat. 19. When an applicant wishes to remove a tree within private land that is assessed as provided for in rule 18 he shall apply for the same to the Block or Range Officer in Form 1. The Block or Range Officer shall, after inspecting the tree, forward the application to the Divisional Forest Officer if the condition mentioned in rule 18 are met with, who shall if he is satisfied with the report, issue a marking order for felling the tree and the provisions of the rules 11 to 15 shall apply in relation to such application, as they apply in relation to an application disposed of under rules 7 and 8. The same procedure shall be followed for more than one tree.

Lopping of trees to be allowed. 20. No restriction shall be placed on lopping of trees to encourage growth of cultivated crops on private land.

Penalty for violation of these rules 21. Felling of a tree or trees in violation of the provisions of these rules shall be treated as a forest offence and the same shall be compounded as provided for in section 74 of the Sikkim Forests, Water Courses and Road Reserve (Preservation and Protection) Act, 1988.

Repeal and saving. 22. On and from the date of commencement of these rules, the Sikkim Private and Other Non-Forest Lands Tree Felling Rules, 2001 shall cease to be in force.
(2) Notwithstanding such repeal, anything done or any action taken under the rule so repealed, shall be deemed to have been done or taken under the corresponding provision of these rules.

Government to make amendments. 23. The Government if it deems it expedient and necessary so to do, may, by notification, to be published in the Official Gazette, make amendments to the provisions of these rules.

T.R.Poudyal, IFS
Principal CCF-CUM-Secretary
Forest, Environment & Wildlife Department
APPLICATION FOR FELLING OF TREE(S) FROM PRIVATE AND OTHER NON-FOREST LANDS

1. Name:

2. Father’s/Husband’s Name

3. Permanent Address:

4. Residential Address:

5. Number of trees to be felled

6. Species of tree to be felled:

7. Plot number of land from where tree is to be felled: (attach copy of Khatiyan)

8. Name of forest Range under which the land falls:

9. Date of last marking order from the same plot: (attach copy of marking order)

10. Reasons for felling tree:

12. Whether tree is to be converted to constructional timber/ timber for agricultural implements/ firewood.

11. Whether the produce shown at 9 is to be commercialized: Yes/No.

12. Place where the produce is to be used:

13. Whether the produce is to be used by the applicant: Yes/No.

14. Name of person who will use the produce if answer to 12 is No and his relationship to the applicant:

15. Name of the forest nursery closest to the plot of land from where tree is to be felled:

16. *Comments of officer:

Signature/Thumb Impression of applicant

* To be filled up only when forwarding to superior authority under rules 7 & 8.
GOVERNMENT OF SIKKIM
DEPARTMENT OF FORESTS, ENVIRONMENT AND WILDLIFE

NOTIFICATION

In exercise of the powers conferred by sub-section (1) of section 42 of the Sikkim Forests, Water Courses and Road Reserve (Preservation and Protection) Act, 1988 (6 of 1988), the State Government hereby makes the following rules to further amend the Sikkim Transit of Timber and Other Forest Produce Rules, 1999, namely:——

1. These rules may be called the Sikkim Transit of Timber and Other Forest Produce (Amendment) Rules, 2006.

2. They shall extend to the whole of Sikkim.

3. They shall come into force at once.

In the Sikkim Transit of Timber and Other Forest Produce Rules, 1999 (hereinafter called the said rules), in rule 2, after clause (q), the following shall be inserted, namely:——

(r) “Assistant Conservator of Forests” means an officer of that designation having territorial functions;

(s) “Block Officer” means an officer of that designation having territorial functions;

(t) “commercial” means for sale to any individual, association, group, business establishment, hostel or agency of government or otherwise;

(u) “Divisional Forest Officer” means an officer of that designation having territorial functions;

(v) “non-commercial” means for use other than commercial;

(w) “private holding” includes any land not recorded as forests and standing in the name of any person or persons in the record of rights of the Government as per the cadastral survey of 1952;

(x) “Range Officer” means an officer of that designation having territorial functions;

(y) “Sub-Division” means the land revenue administrative sub-division;

In the said rules, for rule 4, the following shall be substituted, namely:—

“4. Any person or agency who seeks to obtain a transit permit for the transport of bamboos originating in a private holding for non-commercial purpose shall apply in Form B to the Block Officer or for commercial purpose to the Range Officer in whose territorial jurisdiction it is located, stored or available who shall after satisfying
NOTIFICATION

The State Government is pleased to hereby constitute a Committee, for the conduct of the Common Entrance Test for 2006, comprised as follows:

1. Director, Technical Education.
2. Director, Education, HRDD.
3. Joint Director (Examination & Scholarship).

By Order.

( C.L. Denzongpa )
Secretary
IN partial amendment of Notification No: 07 /RM & DD, Dated: 9/6/2005, the State Government is pleased to nominate the Director, Panchayat, Rural Management and Development Department, Government of Sikkim as the Chairman of the Departmental Committee for examination of promotion and introduction of a separate Service Cadre of Rural Development Assistant vice the Special Secretary, Rural Management and Development Department.

By Order.

S.K. Shilal
Additional Secretary
Rural Management & Development Department.
NOTIFICATION

In exercise of the powers conferred by sub-section (2) of section 1 of The Eastern Institute for Integrated Learning In Management University, Sikkim Act, 2006, the State Government has been pleased to appoint the 26th day of May 2006 as the date on which The Eastern Institute for Integrated Learning In Management University, Sikkim Act, 2006 shall come into force.

By Order and in the name of the Governor.

Secretary,
Human Resource Development Department
NOTIFICATION

In exercise of the powers conferred by clause (3) of Article 320 of the Constitution of India, the Governor of Sikkim hereby makes the following regulations further to amend the Sikkim Public Service Commission (Exemption from Consultation) Regulations, 1986, namely:

1. (1) These Regulations may be called the Sikkim Public Service Commission (Exemption from Consultation) Amendment Regulations, 2006.

   (2) They shall come into force at once.

2. In the Sikkim Public Service Commission (Exemption from Consultation) Regulation, 1986, in the Schedule, the existing serial number 8 and the entries relating thereto shall be omitted.

BY ORDER AND IN THE NAME OF THE GOVERNOR.

SPECIAL SECRETARY TO THE

GOVERNMENT,

DEPTT. OF PERSONNEL ADM. REFORMS, TRAINING, PUBLIC

GRIEVANCES,

CAREER OPTIONS & EMPLOYMENT SKILL DEVELOPMENT AND

CHIEF MINISTER’S SELF EMPLOYMENT SCHEME.

The Governor of Sikkim is hereby pleased to grant the following pay scale to the Group “C” and “D” technical posts of Printing and Stationary Department as under with immediate effect, namely:

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Name of Post</th>
<th>Pay Scale</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Compositor Grade - I</td>
<td>Rs. 4000-100-6000</td>
</tr>
<tr>
<td>2.</td>
<td>Pressman Grade - I</td>
<td>Rs. 4000-100-6000</td>
</tr>
<tr>
<td>3.</td>
<td>Binder Grade - I</td>
<td>Rs. 4000-100-6000</td>
</tr>
<tr>
<td>4.</td>
<td>Assistant Pasterman</td>
<td>Rs. 4000-100-6000</td>
</tr>
<tr>
<td>5.</td>
<td>Retoucher</td>
<td>Rs. 4000-100-6000</td>
</tr>
<tr>
<td>6.</td>
<td>Copy Holder</td>
<td>Rs. 3400-85-5100</td>
</tr>
<tr>
<td>7.</td>
<td>Compositor Grade - II</td>
<td>Rs. 3200-80-4800</td>
</tr>
<tr>
<td>8.</td>
<td>Pressman Grade - II</td>
<td>Rs. 3200-80-4800</td>
</tr>
<tr>
<td>9.</td>
<td>Binder Grade - II</td>
<td>Rs. 3200-80-4800</td>
</tr>
<tr>
<td>10.</td>
<td>Machineman (Letter Press)</td>
<td>Rs. 3200-80-4800</td>
</tr>
<tr>
<td>11.</td>
<td>Assistant Operator</td>
<td>Rs. 3200-80-4800</td>
</tr>
</tbody>
</table>

BY ORDER AND IN THE NAME OF THE GOVERNOR.

C.L. SHARMA
SPECIAL SECRETARY TO THE GOVERNMENT,
DEPTT. OF PERSONNEL ADM. REFORMS, TRAINING, PUBLIC GRIEVANCES,
CAREER OPTIONS & EMPLOYMENT SKILL DEVELOPMENT AND
CHIEF MINISTER’S SELF EMPLOYMENT SCHEME.
GOVERNMENT OF SIKKIM
DEPARTMENT OF PERSONNEL A.R. & TRAINING, PUBLIC GRIEVANCES, CAREER OPTIONS, EMPLOYMENT, SKILL DEVELOPMENT AND CHIEF MINISTER’S SELF EMPLOYMENT SCHEME.

GANGTOK

No. 07 /GEN/DOP


NOTIFICATION

In exercise of the powers conferred by section 27 of the Right to Information Act, 2005 (22 of 2005), the State Government hereby makes the following rules namely:-

1. (1) These rules may be called the Sikkim State Right to Information (Regulation of Fee, Cost and Miscellaneous) Amendment Rules, 2006.

   (2) They shall come into force at once.

2. In the Sikkim State Right to Information (Regulation of Fee, Cost and Miscellaneous) Rules, 2005, in sub-rule (1) of rule 5, for the figure and words “0070-OAS (E) RTI Fee”, the following figure and words shall be substituted namely:-

   “0070- Administrative Services, Sub-Major Head : 60 - Other Services, 118- Receipts under Right to Information Act, 2005”.

BY ORDER AND IN THE NAME OF THE GOVERNOR.

C.L. SHARMA
SPECIAL SECRETARY TO THE GOVERNMENT,
DEPTT. OF PERSONNEL ADM. REFORMS, TRAINING, PUBLIC GRIEVANCES, CAREER OPTIONS & EMPLOYMENT SKILL DEVELOPMENT AND CHIEF MINISTER’S SELF EMPLOYMENT SCHEME.
NOTIFICATION

Whereas the State Government has deemed it expedient to fill up 3 (three) posts of Butterfly Valve Attendant, 10 (ten) post of Line Assistant, 2 (two) post of Patrolman, 2 (two) post of Oilman, and 6 (six) post of Line Helper by promotion in Energy and Power Department;

And whereas under rule 7 read with the Schedule of the Power Department Miscellaneous Establishment Service Rules, 2002, the method of recruitment to the above posts are by 100% by direct recruitment;

And whereas keeping in view, the length of service rendered by the Muster-Roll and workcharge employees it has felt necessary to regularize the services of Senior most Muster-Roll and Work charged employees in Energy and Power Department.

And whereas the State Government is of the opinion that it is necessary and expedient to relax the provision relating to the method of recruitment prescribed under rule 7 read with Schedule of the Power Department Miscellaneous Establishment Service Rules, 2002 with the view to fill-up the above posts by regularization of Senior most Muster-roll and Work charged employees in Energy and Power Department;

And whereas rule 12 of the Power Department Miscellaneous Establishment Service Rules, 2002 provides for relaxation of the rules.

Now, therefore, in exercise of the powers conferred by rule 12 of the Power Department Miscellaneous Establishment Service Rules, 2002, the Governor of Sikkim is hereby pleased to relax the provision relating to the method of recruitment prescribed under rule 7 read with the Schedule of the Power Department Miscellaneous Establishment Service Rules, 2002 with the view to fill up the above posts by regularization of Senior most Muster-Roll and Work Charge employees in Energy and Power Department.

BY ORDER AND IN THE NAME OF THE GOVERNOR.

C.L. SHARMA
SPECIAL SECRETARY TO THE GOVERNMENT,
DEPTT. OF PERSONNEL ADM. REFORMS, TRAINING, PUBLIC GRIEVANCES, CAREER OPTIONS & EMPLOYMENT SKILL DEVELOPMENT AND CHIEF MINISTER'S SELF EMPLOYMENT SCHEME.

GOVERNMENT OF SIKKIM
DEPARTMENT OF PERSONNEL A.R. & TRAINING, PUBLIC GRIEVANCES, CAREER OPTIONS, & EMPLOYMENT SKILL DEVELOPMENT AND CHIEF MINISTER’S SELF EMPLOYMENT SCHEME
GANGTOK.

No. 05 /GEN/DOP


NOTIFICATION

The Governor of Sikkim is hereby pleased to sanction creation of the following 05 (Five) posts in the Sikkim State Commission for Women under Social Justice, Empowerment and Welfare Department, with immediate effect:-

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Name of Post</th>
<th>No. of Post</th>
<th>Pay Scale</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>LDC/Typist</td>
<td>02 (Two)</td>
<td>Rs. 3400 - 85 - 5100</td>
</tr>
<tr>
<td>2.</td>
<td>Driver (Grade - III)</td>
<td>01 (One)</td>
<td>Rs. 3200 - 80 - 4800</td>
</tr>
<tr>
<td>3.</td>
<td>Peon</td>
<td>02 (Two)</td>
<td>Rs. 2850 - 55 - 4170</td>
</tr>
</tbody>
</table>

TOTAL : 05 (Five)

The expenditure shall be debited from the Budget Head : 2235 - 02 - 103 - Womens Welfare - 65 - State Women Commission - 00.31 - Grants - in - Aid (Plan).

BY ORDER AND IN THE NAME OF THE GOVERNOR.

T.N. KAZ
JOINT SECRETARY TO THE GOVERNMENT,
DEPTT. OF PERSONNEL ADM. REFORMS, TRAINING, PUBLIC GRIEVANCES, CAREER OPTIONS & EMPLOYMENT SKILL DEVELOPMENT AND CHIEF MINISTER’S SELF EMPLOYMENT SCHEME.

GOVERNMENT OF SIKKIM
DEPARTMENT OF PERSONNEL A.R. & TRAINING, PUBLIC GRIEVANCES, CAREER OPTIONS, &
EMPLOYMENT SKILL DEVELOPMENT AND
CHIEF MINISTER’S SELF EMPLOYMENT SCHEME
GANGTOK.

No. 04 /GEN/DOP

NOTIFICATION

The Governor of Sikkim is hereby pleased to make the following amendments in the Notification
No. 88/GEN/DOP dated : 21.03.94 regarding employment on compassionate grounds namely:-

1. In the said notification, in paragraph 4, for the words “Group “D” posts and Drivers”, the words “Group “D”
posts, Drivers and Police Constables” shall be substituted.

BY ORDER AND IN THE NAME OF THE GOVERNOR.

C.L. SHARMA
SPECIAL SECRETARY TO THE GOVERNMENT,
DEPTT. OF PERSONNEL ADM. REFORMS, TRAINING, PUBLIC GRIEVANCES,
CAREER OPTIONS & EMPLOYMENT SKILL DEVELOPMENT AND
CHIEF MINISTER’S SELF EMPLOYMENT SCHEME.
NOTIFICATION

In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Sikkim is hereby make the following rules further to amend the Sikkim State Education Service Rules, 1996, namely: -

1. (1) These rules may be called the Sikkim State Education Service (Amendment) Rules, 2006.
   
   (2) They shall come into force at once.

2. In the Sikkim State Education Service Rules, 1996, for Schedule-I, the following Schedule shall be substituted, namely:-

   "SCHEDULE I
   (See rule 3 (3))

   Sl. No. Name of Post Strength Grade Scale of pay
   1. Assistant Director 27 Junior Grade Rs. 7000-225-11500
   2. Deputy Director 25 Senior Grade Rs. 9000-300-13800
   3. Joint Director 13 Selection Grade II Rs. 11000-350-16250
   4. Additional Director 03 Selection Grade I Rs. 12500-375-17000
   5. Director 03 Supertime Grade II Rs. 14300-400-18300

   Total 71

   Deputation Reserve (10% of 71) - 7
   Training Reserve (5% of 71) - 6
   Leave Reserve (5% of 71) - 6

   TOTAL AUTHORISED STRENGTH - 90"

BY ORDER AND IN THE NAME OF THE GOVERNOR.

C. L. SHARMA
SPECIAL SECRETARY TO THE GOVERNMENT
DEPTT. OF PERSONNEL ADM. REFORMS, TRAINING, PUBLIC GRIEVANCES, CAREER OPTIONS & EMPLOYMENT SKILL DEVELOPMENT AND CHIEF MINISTER’S SELF EMPLOYMENT SCHEME.
NOTIFICATION

In terms of the directions made by the Apex Court in Vishaka and Others Vrs. State of Rajasthan & others, AIR 1997 SC 3011, Hon’ble the Chief Justice of the High Court has been pleased to constitute a “Complaint Committee” comprising of the following: -

1. Mrs. Meenakshi M. Rai, Registrar, High Court of Sikkim - Chairman

2. Mr. Harish Kumar Sharma, Additional Registrar-cum-Senior Reader, High Court of Sikkim - Member

3. Dr. (Miss) Hendrimit Lepcha, President, Voluntary Health Organisation of Sikkim and Former Director, Health Care, Human Services and Family Welfare Department, Government of Sikkim - Member

By order,

S.W. Lepcha
REGISTRAR GENERAL
It is hereby notified for information of all concerned that due to increase in cost of HSD, the reimbursement rate of hire charge to Private carriages operating under SNT is revised as under with effect from 1st April, 2006 as under:-

**REIMBURSEMENT RATE:-**

1. Private trucks - Rs. 4.28/MT/KM
2. Private tankers - Rs. 4.05/KL/KM

D. DAHDUL, IAS
PRINCIPAL SECRETARY
TRANSPORT DEPARTMENT

With the increase in the rate of freight charge and reimbursement of hired freight rate, the supervision charge on all goods has been fixed as under:-

SUPERVISION CHARGE:-
1. Supervision charge shall be levied @ Rs. 1.45/MT/KM

The above supervision charge shall be effective from 20.04.06.

D. DAHDUL, IAS
PRINCIPAL SECRETARY
TRANSPORT DEPARTMENT

NOTIFICATION

NOTICE UNDER SECTION 4(1) OF
LAND ACQUISITION ACT, 1894 (ACT 1 OF 1894)

Whereas it appears to the Governor that land is likely to be needed for the public purpose not being a purpose of the Union namely for Horticulture Department for the set up World class Floriculture park and avenue for International flower show in the block of Chota Singtam, East District, it is hereby notified that a piece of land comprising cadastral Plot no. 36, 44, 35, 34, 34/712, 33, 38(P), 39, 40, 31, 72, 30, 29, 28, 27, 23, 24, 69, 67, 68, 70/753, and 72/754 private land total measuring 8.0390 hectare and plot no. 25, 26, 22, 21, 19 Government land total measuring 3.6518 hectare bounded as under:

**East** :- Pakyong Gangtok road and P.F. of G.R. Sapkota, R.N. Sapkota.
**West** :- Ranikhola and Pakyong Gangtok road.
**North** :- Ranikhola and P.F. of Laxmi Bhanu & Banjo of Leela Maya Poudyal.
**South** :- D.F. of Maya Devi, P.F. of Manorath, P.F. of Tek Bdr. Chetri and P.F. of Kaisar Bdr Thapa is likely to be needed for the aforesaid public purpose at the public expense within the aforesaid block of Chota Singtam.

This Notification is made under the provisions of Section 4 of L.A. Act, 1894 (Act 1 of 1894) to all to whom it may concern.

A plan of the land may be inspected in the Office of the District Collector, East District, Gangtok.

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

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

This supercedes the notification issued under Notification no. 9/404/LR&DMD(S) 25.4.2006.

( K.N. SHARMA)
SECRETARY,
LAND REVENUE & DISASTER MANAGEMENT DEPARTMENT
GOVERNMENT OF SIKKIM, GANGTOK.

FILE NO. 404/LR&DMD(S)
NOTIFICATION

NOTICE UNDER SECTION 4(1) OF
LAND ACQUISITION ACT, 1894 (ACT 1 OF 1894)


East :- Block boundary of Marchak block.
West :- 9th Mile Bhir
North :- 31-A National Highway and Building of Mr. Budhay Subba.
South :- Rani Khola is likely to be needed for the aforesaid public purpose at the public expense within the aforesaid block of Namli.

This Notification is made under the provisions of Section 4 of L.A. Act, 1894 (Act 1 of 1894) to all to whom it may concern.

A plan of the land may be inspected in the Office of the District Collector, East District, Gangtok.

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

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

This supercedes the notification issued under Notification no. 11/37/LR&DMD(S) 25.4.2006.

(K.N. SHARMA)
SECRETARY,
LAND REVENUE & DISASTER MANAGEMENT DEPARTMENT
GOVERNMENT OF SIKKIM, GANGTOK.

FILE NO. 37/LR&DMD(S)
NOTIFICATION

The following Act of the Sikkim Legislative Assembly having received the assent of the Governor on 17th day of June 2006 is hereby published for general information:-

THE SIKKIM STATE LEGISLATORS’ APPOINTMENT TO DIFFERENT AUTHORITIES ACT 2006.
ACT NO 9 OF 2006
AN ACT

to provide for appointment of Members of the State Legislative Assembly to different organizations, bodies, institutions or authorities.

Be it enacted by the Legislature of Sikkim in the Fifty -Seventh year of the Republic of India as follows:-

Short title and commencement.

Definition .

Power to appoint Legislators to different authorities.
(2) The incumbent to any authority upon being appointed by such designation, as may be the case, shall have the powers and privileges as may be conferred upon.

Validation of all appointment of Legislators to different authorities.

4 All appointment of Legislators made to different authorities shall always be deemed to have been made under this Act.

By Order.

R.K. Purkayastha, SSJS
Legal Remembrancer-cum-
Secretary
Law Department
File No. 16 (82) 2006
NOTIFICATION

The following Act of the Sikkim Legislative Assembly having received the assent of the Governor on 17th day of June 2006 is hereby published for general information:-

THE SIKKIM STATE PUBLIC SERVICES ACT, 2006
ACT NO. 10 OF 2006
AN
ACT

to provide for a legislation on State Public Service.

Be it enacted by the Legislature of Sikkim in the Fifty-Seven year of the Republic of India, as follows:-

1. (1) This Act may be called the Sikkim State Public Services Act, 2006.
   (2) It shall be deemed to have come into force on the 21st day of May, 2004.

2. In this Act, -
   (a) “Government” means the State Government of Sikkim;
   (b) “services” means employment of a person by such designation as may be the case by the Government in the affairs of the State for such period as the Government may require providing such allowances, monetary benefits and facilities as may be specified in the order/orders issued from time to time but shall not include any civil post.
   (bb) “person” means an individual who is a senior citizen, social worker, former legislator or such person who is of eminence and who has made substantial contribution to the society and the State in any sphere of activities other than a sitting member of the State Legislative Assembly.
   (c) “State” means the State of Sikkim.
3. (1) The State Government may from time to time employ such person whom it may consider suitable to render advisory or other similar services in connection with the affairs of the state.

   (2) The incumbent in such service shall hold the position or remain in the employment during the pleasure of the Government and shall not be eligible for any post-employment benefits or entitlement or remunerations or allowances etc.

   (3) Notwithstanding anything contained in any other law, rules or regulations for the time being in force, the State Government shall be competent to make such employment as it may consider expedient and the financial concurrence of the State Government shall always be deemed to exist and shall always be deemed to have been obtained.

4. Notwithstanding anything contained in any other law, rules or regulations or any other instruments for the time being in force, all employment made by the State Government in public services in connection with the affairs of the State shall always be deemed to have been made under this Act.

By Order.

R.K. Purkayastha, SSJS
Legal Remembrancer-cum-Secretary
Law Department
File No. 16 (82) 2006
NOTIFICATION

The following Act of the Sikkim Legislative Assembly having received the assent of the Governor on 17th day of June 2006 is hereby published for general information:-

THE SIKKIM LEGISLATIVE ASSEMBLY MEMBERS
(REMOVAL OF DISQUALIFICATIONS) AMENDMENT ACT, 2006.

ACT NO. 11 of 2006

AN

ACT
to amend the Sikkim Legislative Assembly Members (Removal of Disqualifications) Act, 1978.

Be it enacted by the Legislature of Sikkim in the Fifty-Seventh year of the Republic of India as follows:-

1. (1) This Act may be called the Sikkim Legislative Assembly Members (Removal of Disqualifications) Amendment Act, 2006.

   (2) It shall be deemed to have come into force on the 3rd day of November, 1977.

2. In the Sikkim Legislative Assembly Members (Removal of Disqualifications) Act, 1978 (hereinafter referred to as the said Act), after clause (a), the following shall always be deemed to have been inserted namely:-

   (aa) Remuneration or allowances means any sum of money payable to the holder of an office as may be prescribed under the laws, rules, regulations framed in that behalf by the State.

3. In the said Act, after section 3, the following section shall be always deemed to have been inserted, namely:-
3A Notwithstanding anything contained in section 3 of the Act, the following offices under the State Government under any statute or rules or proclamations or through any other instrument issued in that behalf if held by a member of the State Legislative Assembly irrespective of powers, privileges, facilities, remuneration or allowances as may be provided shall not disqualify or be deemed to have ever disqualified the holder thereof for being chosen as or for being member of the State Legislative Assembly, namely:-

(a) Chairman, Sikkim Scheduled Caste, Scheduled Tribe and Other Backward Classes Development Corporation (SAABCO).

(b) Chairman, Sikkim Industrial Development and Investment Corporation (SIDICO).

(c) Chairman, Sikkim Tourism Development Corporation (STDC).

(d) Chairman, Agriculture Development and Farmers' Welfare Board, Sikkim.

(e) Chairman, Tourism Development Board, Sikkim.

(f) Chairman, Industries Trade and Commerce Development Board, Sikkim.

(g) Chairman, Poultry Development Board, Sikkim.

(h) Chairman, Sikkim Poultry Development Corporation Limited.

(i) Chairman, Land Use & Environment Board, Sikkim.

(j) Chairman, Scheduled Tribe Welfare Board, Sikkim.

(k) Chairman, Juvenile Justice Board, Sikkim.

(l) Chairman, Sikkim State Cooperative Bank Ltd.

(m) Chairman, Sikkim Marketing Federation Ltd. (SIMPED).

(n) Chairman, Denzong Agriculture Cooperative Society, Sikkim.

(o) Chairman, Sikkim Milk Union Cooperative Society Ltd.

(p) Chairman, Consumers' Cooperative Society Limited.

(q) Chairman, Sikkim Power Development Corporation.

(r) Chairperson, Sikkim State Women Commission.

(s) Chairman, Power Advisory Board, Sikkim.

(t) Chairman, Environment Development and Protection Commission, Sikkim.

(u) Chairman, State Youth Development Commission, Sikkim.
(v) Chairman, Labour Welfare Board, Sikkim.

(w) Chairman, Agriculture & Horticulture Board, Sikkim.

(x) Chairman, Other Backward Classes Board, Sikkim.

(y) Chairman, Other Backward Classes Commission.

(z) Chairperson, Sikkim State Women Advisory Board.

(aa) Chairman, Tea Board, Sikkim.

(bb) Office of the Parliamentary Secretary appointed by the State Government, Sikkim.

(cc) Office of the Deputy Chief Whip, Government of Sikkim or such other Officer, Member, Chairperson/Chairman, Director whatever name called, constituted under any statute or laws or rules or regulations or such other such similar bodies under the Constitution or under the State.

By Order.

R.K. Purkayastha, SSJS
Legal Remembrancer-cum-Secretary
Law Department
File No. 16 (82) 2006
NOTIFICATION

In exercise of the powers conferred under Section 34(1) read with Section 16(2) of the Advocates Act, 1961, the High Court of Sikkim makes the following rules for designation of Senior Advocates.

[1] **Short title and Commencement.**

(i) These rules may be called the Designation of Senior Advocates Rules, 2006.

(ii) These rules shall extend throughout the Jurisdiction of the High Court of Sikkim.

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

[2] **Definitions.**- In these Rules, unless the context otherwise requires,

(a) “High Court” means as defined in Section 2(g) of the Advocates Act, 1961;

(b) “Roll” means the roll of Advocates prepared and maintained under the Advocates Act, 1961;

(c) “Advocate” means an Advocate entered in the “Roll”;

(d) “Standing at the Bar” means the position of eminence attained by an Advocate at the Bar by virtue of his integrity, seniority, legal acumen and high ethical standards maintained by him both inside and outside the Court.

[3] **Who may be designated as Senior Advocate.**

(a) Only such Advocates shall be designated as Senior Advocate, who by virtue of their ability, integrity, standing at the Bar, experience, or special knowledge of law are deserving of conferring of such distinction.

(b) Who has attained the age of 40 years
Who has put in practice of more than 10 years at the Bar, or has completed more than 10 years of combined period both in practice, and as a Member of Subordinate Judiciary/Tribunal having specialised knowledge of law.

Any former Judge of a High Court, if he/she intends to practice in this Court, and intimates of his/her desire to the Chief Justice in writing.

**Mode to Apply.**

An Advocate shall apply in Form ‘A’ appended to these rules.

Along with Form ‘A’ he shall also append his declaration to the effect that he had not applied to any other High Court or this Court for being designated as Senior Advocate which has been rejected within a period of two years prior to his instant application.

When an application for designation as Senior Advocate has already been rejected by the Court, his further application shall not be considered for a period of two years from the date of such rejection.

**Mode of Recommendation.**

Proposal for designation of an Advocate as a Senior Advocate may be considered on the recommendation of a Judge/Chief Justice of any other High Court or by any Judge or Chief Justice of the Sikkim High Court to be made along with the consent and duly filled up application of the Advocate concerned in Form ‘A’.

**Procedure of Designation.**

Designation shall be made by the Full Court of the High Court after scrutinization by the Office of the application(s) or recommendation(s) for designation as a Senior Advocate after approval of the Chief Justice.

**Procedure after designation as Senior Advocate by the Full Court.**

(i) The name of the concerned Advocate shall be entered in the Register of the Senior Advocates to be maintained by the Office.

(ii) The Registrar General shall notify such designation(s) to the Bar Association of the Sikkim High Court, all the District and Sessions Judges subordinate to the High Court, the Bar Council of India, the Registrar General of the Supreme Court of India and the Registrar Generals of all other High Courts and inform the designated Senior Advocate.

**Withdrawal of the conferment of Senior Advocate.**

The designation of Senior Advocate may be withdrawn by the High Court, if

(i) in the event it is reported by the Supreme Court or any other High Court or by any Judge of the High Court of Sikkim; or
Supporting prima facie that by virtue of his conduct and behaviour, either inside or outside the Court, he has forfeited his privilege, after due notice to the Senior Advocate concerned.

The Registrar General shall notify the decision of withdrawal, as provided in Rule 9 (ii) of these Rules.

Form ‘A’
[Form for designating as Senior Advocate of the High Court under Section 34(1) read with Section 16(2) of the Advocates Act, 1961 read with Rule 4 of the Rules]

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Name &amp; Parentage:-</td>
</tr>
<tr>
<td>2.</td>
<td>Date of Birth:-</td>
</tr>
<tr>
<td>3.</td>
<td>Educational Qualifications:-</td>
</tr>
<tr>
<td>4.</td>
<td>Permanent Address:-</td>
</tr>
<tr>
<td>5.</td>
<td>Address to which communications, if any, may be sent:-</td>
</tr>
<tr>
<td>6.</td>
<td>The place of Practice:-</td>
</tr>
<tr>
<td>7.</td>
<td>Number in the Roll of advocates maintained by the State Bar Council and the date of his Enrolment:-</td>
</tr>
<tr>
<td>8.</td>
<td>Whether an Indian Citizen?</td>
</tr>
<tr>
<td>9.</td>
<td>Number of years of practice and name of the Court(s) where you practice/practiced: -</td>
</tr>
<tr>
<td>10. (i)</td>
<td>If you were member of any subordinate Judiciary/ Tribunal, the name of the Judicial Service/ Tribunal and the number of years served.</td>
</tr>
<tr>
<td>10. (ii)</td>
<td>Whether you have completed more than 10 years both as an Advocate and a member of subordinate Judiciary/Tribunal?</td>
</tr>
<tr>
<td>11.</td>
<td>Are you a member of any Advocate Association/Bar Association?</td>
</tr>
<tr>
<td></td>
<td>If so, give details.</td>
</tr>
<tr>
<td>12.</td>
<td>Have you specialized in any field of Law?</td>
</tr>
<tr>
<td></td>
<td>If so, give details.</td>
</tr>
<tr>
<td>13.</td>
<td>Have you been a Chamber Junior of any Senior Advocate/Advocate?</td>
</tr>
<tr>
<td></td>
<td>If so, name of the Senior Advocate/Advocate and the period worked as such.</td>
</tr>
<tr>
<td></td>
<td>Also attach Certificate of Senior Advocate/ Advocate.</td>
</tr>
<tr>
<td>14.</td>
<td>Name and number of junior advocate(s) if any, attached by you in your Chamber?</td>
</tr>
<tr>
<td></td>
<td>Furnish his/their name(s) and the period of his/their attachment.</td>
</tr>
<tr>
<td>15. (i)</td>
<td>Are you an assessee under the Income Tax Act in respect of your legal professional income?</td>
</tr>
<tr>
<td></td>
<td>If so, since when?</td>
</tr>
<tr>
<td>15. (ii)</td>
<td>Disclose your Income, Gross and Net, of last 3 years?</td>
</tr>
</tbody>
</table>
16. Whether you were/are an Advocate of any State Government or Government of India or any Authority which comes within the meaning of “State” as defined under Article 12 of the Constitution or any Nationalised Bank(s) or on the Panel of any State Legal Aid Board? Give details.

17. Have you ever been prosecuted/convicted/sentenced for committal of any Penal or Revenue Law or Contempt of Court? Give details.

18. Whether any case/proceeding is pending which has been instituted by you or against you? Give details.

19. Particulars of those cases in which you have appeared, which according to you may be considered important. Attach separate sheet(s).

20. Whether you have contributed any article concerning law in any Newspaper/Journal/Magazine? If so, give details.

21. Have you attended or participated in any Seminar/Conference relating to law? Give details.

22. Whether you are/were connected with any faculty of law? If so, give details.

23. Whether you had applied earlier in any High Court for designation as Senior Advocate or your name recommended for this purpose? Give particulars.

24. Are you ordinarily practicing in the High Court of Sikkim or in Courts within its Jurisdiction?

25. Any other information, which you may consider relevant.

Signature

Place

Registrar General

Date 17/06/2006
CORRIGENDUM

The name Miss Navtara Sharma, Advocate appearing at Serial No. 1 of Notification NO. 5/HCS dated 19th June, 2004 issued by the High Court is to be read as Miss Navtara Sarda.

By Order,

Meenakshi M. Rai
Registrar
**NOTIFICATION**

In continuation of the Notification No. 5 / HCS dated 19\textsuperscript{th} June, 2004 the Hon’ble High Court has been pleased to extend the term of the following Advocates as Oath Commissioners for a term of two years.

<table>
<thead>
<tr>
<th>Sl.No</th>
<th>Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.</td>
<td>Smt. Rita Sharma.</td>
</tr>
<tr>
<td>4.</td>
<td>Miss. Sharmila Lama.</td>
</tr>
</tbody>
</table>

By Order.

S.W. Lepcha  
REGISTRAR GENERAL

NOTIFICATION

Hon'ble High Court has been pleased to appoint the following Advocates as Oath Commissioners for a term of two years with immediate effect to administer oath on affidavit under the provisions of section 139 of the Code of Civil Procedure, 1908 under section 297 of the Code of Criminal Procedure, 1973 and under Section 3 (2) (a) of the Oaths Act, 1969.

<table>
<thead>
<tr>
<th>Sl.No</th>
<th>Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Mr. Yadhav Sharma</td>
</tr>
<tr>
<td>2.</td>
<td>Mr. Nima Tshering Sherpa.</td>
</tr>
<tr>
<td>3.</td>
<td>Mr. Umesh Gurung.</td>
</tr>
<tr>
<td>4.</td>
<td>Mr. Santosh Kumar Sherpa.</td>
</tr>
<tr>
<td>5.</td>
<td>Mr. Kumar Sharma.</td>
</tr>
<tr>
<td>8.</td>
<td>Miss. Sabita Chettri.</td>
</tr>
<tr>
<td>12.</td>
<td>Miss. Shardha.</td>
</tr>
<tr>
<td>15.</td>
<td>Mrs. Manju Rai.</td>
</tr>
<tr>
<td>17.</td>
<td>Miss. Pema Lamu Bhutia.</td>
</tr>
</tbody>
</table>

The remuneration payable for attestation of affidavit is fixed as under:

a. Attestation at the Court premises Rs. 10/- per affidavit
b. Attestation in the residence of deponent Rs. 20/- per affidavit.

By Order.

NOTICE UNDER SECTION 4(1) OF
LAND ACQUISITION ACT, 1894 ( ACT I OF 1894 )

Whereas the function of the Central Government under the Land Acquisition Act, 1894 ( Act I of 1894 ), in relation to the Acquisition of land for the purposes of the Union have been entrusted to the State Government by notification No.12018/12/76/LRD Dated:10.01.78 issued by the government of India in the Ministry of Home Affairs under Clause I of Article 258 of the constitution of India.

And whereas it appears to the Governor that the land is likely to be needed for a public purpose being a purpose of the Union, namely for construction of Office, Rest House of Indian Railway the land belonging to Mr.Dadul Bhutia in the block of Tadong, Elaka Tadong, East District Sikkim, it is hereby notified that a piece of land comprising cadastral Plot No.247 and measuring more or less 1.18 acres bounded as under:

EAST : Paddy field Mr.Dorjee Bhutia.
WEST : Road Reserve, N.H.Way.
NORTH : Land of N.H.P.C.
SOUTH : Jhora is likely to be needed for the aforesaid public purpose at the public expense within the aforesaid block of Tadong, East Sikkim.

This Notification is made under the provision of Section 4(1) of L.A. Act, 1894 ( Act I of 1894 ) read with the said notification to all whom it may concern.

A plan of land may be inspected in the Office of the District Collector, East District, Gangtok.

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

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

( K.N.SHARMA )
SECRETARY
LAND REVENUE AND DISASTER MANAGEMENT DEPARTMENT,
GOVERNMENT OF SIKKIM, GANGTOK.

FILE NO:113/LR&DMD(S).
Whereas the State Government is satisfied with the Proclamation issued by the District Collector (South) under 21 of the Wildlife Protection Act 1972 with regard to the boundaries of the Kitam Bird Sanctuary declared vide Notification no. 39/ FEWM/ 2005 dated 03/02/2005 and therefore confirm that there is no change in the boundaries of the Sanctuary. Keeping the land status wildlife habitat and its management in mind the rights proposed for the surrounding bonafied residents other than water cannot be considered.

Hence the status of boundaries of Kitam bird Sanctuary remains Status- Quo.

N. T. Bhutia
Chief Wildlife Warden
Forest, Env. WL. Mangt. Department,
Government of Sikkim
File. No- ADM/ 20/ SW/ WL
NOTIFICATION

Whereas, the Hon’ble Supreme Court of India vide its Judgement dated 02/08/2005 passed in Salem Advocate Bar Association, Tamil Nadu Vs. Union of India issued a direction for nomination of an officer in each department under the State Government to deal with and reply to notices under section 80 of the Code of Civil Procedure and any State Laws requiring service of notice on the Government or the State Official;

And whereas, it has been considered necessary by the State Government to implement the direction of the Hon’ble Supreme Court in all the departments;

Now, therefore, the State Government directs that all the departments shall nominate an officer of the rank of Deputy Secretary or equivalent and above as nodal officer to deal with notices/legal notices as may be the case for the concerned department.

The said officer shall be responsible and accountable to ensure that replies to notices under section 80 or similar provisions made under any State Laws are sent within the periods stipulated in a particular legislation.

All the Heads of Departments shall submit an action taken report with a copy of notification/order issued by them within 15 days from the date of issue of this notification.

BY ORDER AND IN THE NAME OF THE GOVERNOR.

N. D. CHINGAPA, IAS
CHIEF SECRETARY
F. No. Gos/Home-II/WP/2005/240
GOVERNMENT OF SIKKIM
RURAL MANAGEMENT & DEV. DEPARTMENT
GANGTOK

NO: 3/ RM&DD. Dated : 27.06.2006.

Notification

With the approval of the Government, the Department Committee comprising of the following officials have been constituted to conduct interview for the post of Bare Foot Engineer under Rural Management and Development Department :-

1. D.D.O of respective District - Chairman
2. SDDO of all Division - Member
3. Divisional Engineer of Respective District - Member
4. Joint Director (Account)/A.O.Zilla/A.O.(HQ)
of respective District. - Member
5. Under Secretary (Adm) - Member Secretary

BY ORDER

Shri.V.B.Pathak, IAS
Commissioner-cum-Secretary/RM&DD

NOTIFICATION

With the approval of the Government a Committee comprising of the following is hereby constituted to sort out the status of land of Ravongla Bazaar, South Sikkim.

1. Special Secretary, UD&HD. - Chairman.
2. Additional Secretary
   Land Revenue & Disaster Management Deptt. - Member.
3. Conservator of Forest (T)
   Forest Wild Life & Environment Department-Gangtok. - Member.
4. Joint Secretary,
   Eccl. Affairs Deptt. - Member.
5. Deputy Secretary (I), UD&HD - Member.
6. A representative of Ralong Monastry Duchi - Member.
7. D.F.O. Survey & Settlement
   Forests Wild Life & Environment Department-Gangtok - Member.
8. Sub-Divisional Officer, Ravongla
   Sub-Division. - Member Secretary.
9. Revenue Officer, Ravongla
   Sub-Division. - Member.

Any other officer shall be co-opted if necessary.
The terms of reference of the committee shall be as follows:

1. To examine the status of land situated at Ravongla Bazaar and to submit a comprehensive report to the Government for further orders.

2. To demarcate the land after spot verification if necessary.

3. To examine the relevant document in detail.

4. To examine the status of housing sites allotted by Gumpa Committee/Duchi visa-vis the site allotted by UD&HD.

The Committee should submit their report to the Government within a month from the date of issue of this notification.

R.ONGMU, IAS,
PRINCIPAL SECRETARY
URBAN DEVELOPMENT AND HOUSING DEPARTMENT
File No.GOS/UD&HD/6(138) 06
NOTIFICATION

With the approval of the Government it is hereby notified that holding of haat days of the following bazaars of Sikkim shall henceforth be as under: -

<table>
<thead>
<tr>
<th>Sl.No.</th>
<th>Haat Days</th>
<th>Name of Bazaar</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Thursdays instead of Saturday notified vide Sikkim.</td>
<td>Kewzing Bazaar, South</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Notification No. GOS/UD&amp;HD/6(69)04/1246 dated 01.06.2005</td>
</tr>
<tr>
<td>2</td>
<td>Fridays</td>
<td>Maniram Bhanjang</td>
</tr>
</tbody>
</table>

This shall come into force with immediate effect.

PRINCIPAL SECRETARY
URBAN DEVELOPMENT AND HOUSING DEPARTMENT
The Government of Sikkim, with a view to promote rapid growth of the Cooperative movement in Sikkim is hereby pleased to exempt all Cooperative societies registered under The Sikkim Cooperative Societies Act, 1978 from payment of all taxes including income tax and sales tax, stamp duties, fees, commissions, royalties, tariffs and all such other charges payable under the various laws in force in Sikkim for a period of five years commencing from the 1st April, 2006.

By Order.

T. T. Dorji, IAS
PRINCIPAL SECRETARY
NOTIFICATION

The following Act passed by the Sikkim Legislative Assembly having received the assent of the Governor on 15th day of June 2006 is hereby published for general information:

THE SIKKIM DISASTER MANAGEMENT ACT, 2006

ACT NO. 15 OF 2006
AN ACT
to provide for effective management of disaster, for mitigation of effects of disaster, for administering, facilitating, coordinating and monitoring emergency relief during and after occurrence of disasters and for implementing, monitoring and coordinating measures for reconstruction and rehabilitation in the aftermath of disasters, in the State and for matters connected herewith or incidental thereto.

Be it enacted by the Legislature of Sikkim in the Fifty-Seventh year of the Republic of India as follows:-
Chapter I
Preliminary

Short title, extent and commencement

1. (i) This Act may be called the Sikkim State Disaster Management Act, 2004.

(ii) It extends to the whole of the State of Sikkim.

(iii) It shall come into force on such date as the State Government may, by notification in the official Gazette, appoint.

Definitions

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

a. “Affected area” means the area declared as such under clause (2) of section 16 of this Act;

b. “Authority” means the Sikkim State Disaster Management Authority established under section 5 of this Act;

c. “Capacity building” means building of capacity to cope up with any disaster and includes:

i. Identification of existing resources relevant to any disaster and to be acquired for the purpose of this Act;

ii. Acquiring and creating resource, organization and training of groups in local community; and

iii. Coordination of such training;

d. “Commissioner” means Relief Commissioner for Disaster Management Department in the State;

e. “District Collector (DC)” or “District Magistrate (DM)” means an Officer in charge of an Administrative District as notified under the provisions of Criminal Procedure Code 1973;

f. “Disaster” means an actual or imminent event, whether natural or otherwise occurring in any part of state which causes, or threatens to cause, all or any of the following:

i. Widespread loss or damage to property, both movable or immovable; or

ii. Widespread loss of human life or injury or illness to human beings; or

iii. Widespread loss of livestock or illness to livestock; or

iv. Damage or degradation of environment;

and any of the effects specified in sub-section (a) to (d) is such that it is beyond the capacity of the affected community to cope up with using its own resources and which disrupts the normal functioning of the community;

g. “Disaster Management” means a continuous and integrated process of planning and implementation of measures, with a view to:

i. mitigating or reducing the risk of disaster;

ii. mitigating the severity or consequence of disaster;

iii. capacity building;

iv. emergency preparedness;

v. assessing the effects of disaster;

vi. providing emergency relief and resource; and

vii. post – disaster rehabilitation and reconstruction;
h. "emergency preparedness" means the state of readiness which enables stakeholders to mobilize, organize and provide relief to deal with an impending or actual disaster or the effects of disaster;

i. "Local Authority" means a municipal corporation, municipal council, urban local bodies, Zilla Parishad, Gram Panchayat, legally recognised traditional institutions or any other institution declared by State Government;

j. "mitigation" means measures aimed at reducing the impact or effects of a disaster;

k. "Prevention" means measures, the object of which is to avoid the occurrence of disaster;

l. "reconstruction" means repair and reconstruction of a property undertaken after a disaster;

m. "rehabilitation" means any activity the object of which is to restore normalcy in condition caused by a disaster;

n. "relief" means measures taken during or immediately after a declaration of disaster to diminish, or alleviate any suffering, pain, injury or distress or hardship caused on account of disaster;

o. "Secretary" means Secretary for disaster management Department in the State;

q. " Stakeholder" includes-
   a. the State Government;
   b. any statutory functionary;
   c. voluntary agencies;
   d. any other person/agency identified by the State Government;
   e. which participate in any manner in activities related to disaster management.

Chapter II
 Authorities for Disaster Management

3. For the purpose of carrying out the objects of this Act, the following shall be the authorities, namely: -

(a) The State Government;
(b) The Sikkim State Disaster Management Authority,
(c) Heads of Government Departments,
(d) Commissioner/ Secretary, Disaster Management Department,
(e) District Magistrate/ District Collector in charge of a District;
(f) Sub-Divisional Magistrate;
(g) Block Development Officer;
(h) Local Authorities.

Chapter III
 Functions of State Government

4. (1) The State government shall ensure that all the authorities specified in section 3 and stakeholders shall take such measures, as are necessary or expedient for the purpose of managing a disaster and mitigating its effects.

(2) In particular and without prejudice to the generality of the provisions of sub section (1) such measures may include the following: -

(a) ensuring that appropriate policies and guidelines are developed;
(b) revamping the Land Revenue Department to include all the aspects of Disaster Management and redesigning it as Disaster Management Department with enhanced areas of responsibilities to include mitigation, prevention and preparedness;
(c) ensuring the involvement of all departments of Government, local authorities, and any other organization, whose services are required for Disaster Management;
(d) mainstreaming Disaster Mitigation/ prevention into the development process;
(e) promoting techno-legal regimes for safe construction practices;
(f) ensure that State Building Codes are modified to incorporate the BIS codes/ National Building Codes;
(g) enhancing the capacity of Urban Local Bodies to enforce compliance of techno- legal regimes;
(h) ensuring that the State search & rescue team is constituted, equipped and made functional;
(i) ensuring that capacity building institutions are identified and made functional;
(j) ensure that State Relief Code is modified to incorporate mitigation, preparedness and planning measures and rename it as State Disaster Management Code;
(k) ensuring that the State Administration and local authorities shall take into consideration the guidelines laid down by the State Government while planning its activities;
(l) ensuring that State Response Plan, Emergency support function structures are prepared and tested;
(m) ensuring that State and District Emergency Operation Centers are established, equipped and made functional;
(n) ensuring that a comprehensive communication and technology network is established and maintained;
(o) developing simplified user friendly warning protocols up to the district level and ensuring its communication to community;
(p) facilitating procurement related to disaster management of materials, equipments and services in connection with the disaster management and ensuring their quality;
(q) ensuring that disaster management plans at State /District/ gram panchayat/Village are prepared and training for managing the disaster is imparted;
(r) putting appropriate Standard Operating procedures for Incident Command System at each level for professional management of disaster;
(s) evolving a policy in conformity with the existing guidelines for receipt of funds from outside Government for Disaster Management;
(t) promoting adequate risk transfer, risk sharing and cost sharing mechanism;
(u) ensuring that adequate funds are available for Disaster Management;
(v) ensuring appropriate recovery measures;
(w) taking such steps and issuing such direction as may be necessary to prevent escalation of the disaster or to alleviate, contain or minimize the effects of the disaster;
(x) promoting scientific studies into the area of disaster risk reduction and ensuring its application in better disaster management;
(y) institutionalizing knowledge and lessons learnt in the process of disaster management;
(z) promoting regional co-operation in terms of man, material and knowledge sharing in the field of disaster management by involving North Eastern Council.
(3) Subject to provision of this Act, the State Government, may in exercise of its power and performance of its function under this Act, issue a direction in writing to a person or authority for the purpose of avoiding an imminent damage arising out of a disaster or mitigation of its effects and such person or authority shall comply with such direction.

(4) Subject to the provision of this Act, the State Government may in exercise of its powers and performance of its function, under this Act suspend operation of any executive order if such executive order prevents, hinders or delays any necessary action in coping with disaster.

(1) The State Government shall, by notification in the official gazette, establish an Authority in the name of the Sikkim State Disaster Management Authority with effect from such date as may be specified in the notification.

(2) The Authority shall consists of Chairperson and not more than twenty other members as follows, namely-

   (a) The Chief Minister of Sikkim, Ex officio, who shall be the Chairman,
   (b) Seven Ministers nominated by the Chief Minister,
   (c) The Chief Secretary of the State, ex- officio;
   (d) The Additional Chief Secretary, Ex-officio;
   (e) The Commissioner/Secretary, Disaster Management Department, Ex officio;
   (f) The DGP of the State, ex officio;
   (g) Such other officers of the State Government as may be appointed by virtue of their office.

Provided in case of proclamation under article 356 of the Constitution, the Central Govt. may nominate five members in place of Sl. No. (a) and (b) above till its operation.

(3) (a) The Authority shall take appropriate action to facilitate all the actions specified in section 4 above.

   (b) The authority shall lay down policies and monitor mitigation, prevention and preparedness and also oversee response.

Chapter IV

Function of Departments of the State Government

6. (1) The Government Departments of the State shall:

   (a) Provide assistance to Disaster Management Department, the District Collector/ District Magistrate and the local authority in setting up of communication centers, drawing up contingency plans, capacity building, data collection, identifying and training personnel, and carrying out the activities of disaster management;

   (b) Carry out relief operation under the supervision of the Commissioner/District Collector;

   (c) Assess the damage and carry out reconstruction and rehabilitation activities in accordance with the guidelines framed by the State Government.
(2) Every Government Department shall: -
(a) Prepare a disaster management plan as specified by the State Disaster Management Department.
(b) Co-ordinate preparation and the implementation of plan with other Departments, local authorities, communities and stakeholders;
(c) Conduct regular review and update the plan;
(d) Submit to the State Disaster Management Department the Disaster Management plan and amendment thereto.

(3) State Urban Development Department shall ensure the establishment of appropriate techno-legal regimes and its compliance in close co-ordination with State Disaster Management Department.

Chapter V

(1) The State Disaster Management Department shall generally take appropriate measures to fulfill the action spelt out in section 4 of the Act.

(2) The State Disaster Management Department shall: -
(a) Act as the central planning, coordinating and monitoring body for Disaster Management and post disaster reconstruction, rehabilitation, evaluation and assessment;
(b) Carry out the decisions of the State Government and State Disaster Management Authority for Disaster Management;
(c) Assist the State Disaster Management Authority as and when required by the Authority;
(d) Assist the State Government in formulation of policy relating to emergency relief;
(e) Provide feedback to the State Government, the Authority and Government Departments on progress and problems in Disaster Management;
(f) Promote general education and awareness on Disaster Management, emergency planning and response;
(g) Take specific measures in conformity with national road maps or State road maps for Disaster Management, whichever is applicable;
(h) Advice the District Collectors in carrying out Disaster Management activities;
(i) Formulate the mechanism for disaster mitigation analysis of all the projects/ schemes conceptualized/implemented in vulnerable areas;
(j) Assist the State Government in putting up appropriate Techno-legal/ Techno-financial framework in place to mitigate the effects of earthquake and other disasters;
(k) Prepare suitable rehabilitation policy and recommend it to State Government for adoption;
(l) Assist the District Collectors in carrying out the Disaster Management activities in the concerned District;
(m) Co-ordinate the DM activities wherever two or more Districts are affected due to Disaster;
(n) Incorporate the local best practices in the field of Disaster Management and institutionalize the lessons through appropriate documents.
Chapter VI  
**Powers and Functions of the District Collector/District Magistrate**

8. (1) During the period in an affected area the District of the Collector may issue directions to the officers of the Government departments and Local Authority in the affected areas, to provide emergency relief in accordance with Disaster Management Plans.

With Disaster management plans.

(2) The District Collector may:

(a) make arrangements for release and use of available resources;
(b) regulate the traffic to, from and within the area affected by a disaster;
(c) the movement to facilitate the Disaster Management activities;
(d) remove debris;
(e) conduct search and rescue operations;
(f) make arrangement for the disposal of the dead bodies by appropriate means;
(g) provide alternative shelter;
(h) provide food, medicines and other essentials;
(i) take possession and make use of any property, vehicles, equipment, buildings and means of communication on such terms and conditions as may be prescribed;
(j) construct temporary bridges or other structures;
(k) demolish unsafe structures, which may endanger the public;
(l) coordinate the relief activities;
(m) direct and compel evacuation of all or part of the population from any affected area for the purpose of preservation of life and such evacuation and for such evacuation use such force as may be necessary;
(n) disseminate information to the public to deal with the disaster.

(3) The District Collector shall:

(a) ensure that actions for prevention of a disaster or mitigation of its effects or preparedness to cope up with such effects are carried out in accordance with guidelines as maybe prescribed;
(b) ensure the establishment, functioning of fully equipped District Emergency Operation Centre with the support of State Government;
(c) ensure management and implementation of India Disaster Resource Network;
(d) ensure the training of District/ Sub Division/ Gram Panchayat/Ward/Village officials, local bodies, community in Disaster Management;
(e) ensure that the District Disaster Management plans are prepared, revised and updated;
(f) facilitate and coordinate with local authorities to ensure that pre disaster and post disaster management activities in the District are carried out;
(g) facilitate Information, Education and Communication activities for the communities, local bodies, officials;
(h) ensure linkages between Disaster Management activities and planning;
(i) ensure that communication systems are in order;
(j) ensure that the Fire Deptt has kept fire fighting equipments functional;
(k) coordinate the relief, rehabilitation and reconstruction activities;
(l) ensure the conduct of mock drill periodically;
(m) exercise such powers as may be prescribed/delegated by the State Government in carrying out Disaster Management activities;

Chapter VII
Function of Local Authorities

9. The local Authorities shall:
   (a) Ensure that its staff officials members are trained in Disaster Management;
   (b) Ensure that all the buildings within its jurisdiction follow the earthquake resistant design;
   (c) Ensure the upkeep of all its relevant resource for its use;
   (d) Carry out relief operations in the affected area subject to directions of the District Collector/State Government;
   (e) Carry out reconstruction and rehabilitation activities in accordance with the guidelines;
   (f) Constitute and maintain Disaster Management Committee and Disaster Management Teams;
   (g) Prepare Disaster Management plan in accordance with guidelines, update and revise it;
   (h) Implement the plans in close coordination with the State Government and the District Collector;

Chapter VIII
Duties of Search and Rescue Teams, Police, Fire Services, Home Guards, Civil Defense

(1) Each Department of the Government in a district shall prepare a Disaster Management plan for the district and the District Collector shall ensure that such plans are integrated into the Disaster Management plan for the whole of the district.

(2) This plan will incorporate all features of Disaster Management as prescribed by the State Government.

(3) Each Department of the Government in a District shall be responsible for effective implementation of the plans drawn up in this behalf.

11. Where an area is declared as disaster prone area or disaster affected area under clause (a) of sub-section (2) of section 16 as an affected area, the members of:
   (a) Search and Rescue Teams
   (b) Police Force
   (c) Fire Services
   (d) Home Guards
   (e) Civil Defense

   Shall perform the following function under the supervision of the Commissioner/District Collector namely;
   (a) giving of warning;
(b) carrying out search and Rescue operations and 
(c) carrying out relief and rehabilitation operations.

(2) If a disaster occurs in any area the senior most officer from amongst the members of organizations specified in clauses (a) to (e) and of local authority and Department of the Government in such area shall report to the District Collector and carry out any instructions which the District Collector may issue for providing emergency relief.

(3) The Departments of the Government in the State shall generally carry out the functions specified in its Disaster Management plan as directed by the Commissioner/District Collector.

Chapter IX
Duties of Communities, Private Sector Enterprises & other Agencies or persons

Duties of Community group and youth organizations

12. Each community group and youth organization, such as the National Cadet Corps, National Service Scheme, Nehru Yuva Kendra may-

(a) assist the State Government, the Commissioner and the District Collector in all Disaster Management activities;
(b) participate in capacity building, vulnerability reduction programmes and training activities;
(c) assist in rescue and relief operations under the supervision of the Commissioner and the District Collector;
(d) provide such assistance to the Commissioner and the District Collector and take such other steps as may be necessary for Disaster Management.

Duties of Factories and Public Sector Enterprises

13. Each factory as defined under the Factories Act 1948, shall

(a) assist the State Government, the Commissioner and the District Collector in all Disaster Management activities;
(b) ensure that onsite and offsite plans are made in conformity with the local Disaster Management plans and tested for the implementation.
(c) take such other steps under the supervision of the Commissioner and the District Collector as may be necessary for Disaster Management;

Duties of voluntary agencies

14. All voluntary agencies, including Non Governmental Organizations, which desire to participate in Disaster Management activities, may.

(a) participate in capacity building, vulnerability reduction programmes and training activities;
(b) assist in relief operations under the supervision of the State Government, the Commissioner and the District Collector.
(c) provide such assistance to the Commissioner and the District Collector as may be necessary for effective Disaster Management.

Duties of citizens

15. It shall be the duty of every citizen to assist the Commissioner, the District Collector or such other person entrusted with or engaged in Disaster Management whenever his aid
is demanded generally for the purpose of Disaster Management and particularly for the following purposes namely: -
(a) Prevention,
(b) Response,
(c) Warning,
(d) Emergency operation,
(e) Evacuation,
(f) Recovery.

Chapter X
Declaration of area as Disaster Prone Area or Disaster Affected Area

16. (1) Where there is threat of impending Disaster or where a Disaster has occurred.
(a) in an area spread over more than one District, the Commissioner, and
(b) in an area restricted to a District, the DC may immediately make a report to that effect to State Government.

(2) (a) The State Government on receipt of such report shall declare such area as Disaster prone area or Disaster affected area through notification in the official Gazette and use other means to give wider publicity.
(b) Where the State Government decides not to make declaration under clause (a), it shall send communication to the Commissioner or, as the case may be, the District Collector.
(c) A notification under clause (a) shall specify the period not exceeding fifteen days during which the area shall, for the purpose of this Act, be the affected area:
Provided that the State Government may extend such period from time to time by any period not exceeding fifteen days at any one time.

(3) During the notified period the Commissioner or the District Collector, as the case may be, within an affected area perform such function related to-
(a) Prevention,
(b) Response.
(c) Warning,
(d) Emergency operation,
(e) Evacuation, and
(f) Recovery.

Chapter XI
Offences and Penalties

17. Whoever: -
(a) Without reasonable cause prevents or obstructs any officer of the State Government or Local Authority or Commissioner or the District Collector from carrying out functions under this Act; or
(b) Without reasonable cause refuses to comply with the direction given by an officer of the State Government or of Local Authority or the Commissioner or the District Collector while carrying out his functions under this Act; or
(c) Falsely predicts the occurrence of a Disaster without any scientific basis and thereby creates panic in the community; or

(d) Makes a false claim for assistance for reconstruction or repair from any officer of the State Government or Local Authority or the Commissioner or the District Collector, shall on conviction be punishable with imprisonment for a term, which may extend to three months or with fine, which may extend to five thousand rupees or both.

**Cognizance of offence**

18. (1) No magistrate shall take cognizance of offence under section 17 except on a complaint in writing made by an officer specially authorized in this behalf by the State Government or the Commissioner or the District Collector.

(2) Notwithstanding anything contained in section 200 of the Code of Criminal Procedure 1973 it shall not be necessary in respect of the offence referred to in sub section (1) to examine the authorized officer or the Commissioner or the District Collector.

**Chapter XII**

**Miscellaneous**

19. The Commissioner or the District Collector generally or specifically authorized by the State Government / Authority in this behalf, may, at all reasonable times, enter upon any land and there do such things as may be reasonably necessary for the purpose of lawfully performing function imposed upon them by or under this Act.

20. (1) The Commissioner or the District Collector for the purpose of performing functions under this Act and for and for reasons to be recorded in writing issue an order directing a person to do or abstain from doing a specified thing within the affected area in which the emergency relief measures are being undertaken.

(2) Any person on receipt of such order shall comply with the same.

21. No suit, prosecution or other legal proceedings shall lie against the State Government or any officers of the State Government or any other person for anything, which is in good faith done or intended to be done in pursuance of this Act or any rule, regulation or order made there under.

22. The State Government may make rules for carrying out the purposes of this Act.

23. Save as otherwise provided in this Act, no decision made in exercise of any power conferred by or under this Act shall be called in question in any Court.

*By Order.*

R.K. Purkayastha (SSJS)
L.R. – cum- Secretary
Law Department
Government of Sikkim
File No. 16 (82) 2006
NOTIFICATION

In pursuance of Notification No: 18/Home/2006 dated 4.3.2006, a committee consisting of the following officers is constituted to look into complaint of sexual harassments of women in working places with immediate effect:

A. HEALTH SECRETARIAT, GANGTOK

1. Mrs. Jemima Pradhan, Additional Secretary
2. Dr. L.D. Lepcha, Additional, Director (RCH)
3. Mrs. Y. Lepcha, Deputy Director (Nursing)
4. Mrs. C. Lachungpa, Senior Accounts Officer
5. Mrs. Indra Shova Thapa, Health Education Officer

B. DISTRICT HOSPITAL, SINGTAM

1. Dr. C. Yethenpa, Chief Medical Officer, East
2. Dr. Shanti Mishra, District Medical Superintendent
3. Mrs. Meena Rai, Assistant Nursing Superintendent
4. Mrs. Ganga Sharma, Public Health Nursing Officer

C. DISTRICT HOSPITAL, NAMCHI

1. Dr. Bimal Rai, Chief Medical Officer, South
2. Dr. Keshari Rai, District Medical Officer
3. Mrs. Dibya Dungmali, Deputy Nursing Superintendent
4. Mrs. Kharki Maya Gurung, Public Health Nursing Officer
D. DISTRICT HOSPITAL, MANGAN
1. Dr. I.L. Sharma, Chief Medical Officer, North
2. Dr. Phumzey Bhutia, District Medical Superintendent
3. Mrs. Ashima Das, Assistant Nursing Superintendent
4. Mrs. Madhu Rai, Public Health Nursing Officer

E. DISTRICT HOSPITAL, GYALSHING
1. Dr. Govind Lama, Chief Medical Officer, West
2. Dr. Tshering Lhamu Bhutia, Senior T.B. Officer
3. Mrs. Nina Pradhan, Deputy Nursing Superintendent
4. Mrs. Riki Lhamu Lepcha, Senior Public Health Nursing Officer

F. STNM HOSPITAL, GANGTOK
1. Dr. V. Singhi, Additional Medical Superintendent
2. Dr. Kanti Sharma, Consultant (Gynae. & Obs.)
3. Mrs. Tshering Choden, Deputy Nursing Superintendent
4. Mrs. Hema Rani Karthak, Assistant Nursing Superintendent

G. GNM TRAINING SCHOOL, GANGTOK
1. Mrs. P. Bhutia, Joint Director (Nursing)
2. Mrs. Pempa Bhutia, Senior Sister Tutor
3. Mrs. Dawa Targain, Junior Sister Tutor

The above committees shall deal with all complaints of sexual harassments to women employees/staff working within their jurisdiction.

BY ORDER AND IN THE NAME OF GOVERNOR.

KARMA GYATSO, IAS
PRINCIPAL SECRETARY TO THE GOVT. OF SIKKIM
No. 278/FEWM
Dated : 04.07.06

NOTIFICATION

The Government hereby constitutes the following committee to prepare an action plan and guidelines for the conservation of birds in the state.

1. Mr. T. R. Poudyal, PCCF-cum-Secretary, Chairperson
2. Mr. S. T. Lachungpa, Addl. PCCF
3. Mr. N. T. Bhutia, Addl. PCCF
4. Mr. M. L. Arrawatia, Addl. PCCF, Member Secretary
5. Mr. C. Lachungpa, CF (WI & LUE) North & East
6. Ms. U. Lachungpa, Sr. Research Officer, Wildlife Circle
7. Dr. P. Senthil Kumar, DFO (EPC)
8. Mr. S. Tambe, Project Manager, TMI-India
9. Dr. D. Ghose, Programme Coordinator, WWF-India

The terms of reference for the committee are as follows.

1. To identify the immediate/short-term and long term conservation needs for birds and their habitats in Sikkim
2. To prepare comprehensive guidelines for conservation of birds and their habitats in Sikkim in line with national and international policies
3. To collaborate with other Govt. Depts. and NGOs working in the field of bird and habitat conservation for research and development on key species of birds
4. Promotion of ecotourism benefits for the local community from the rich bird diversity
5. Publicity of the rich bird diversity of the state in public domain like ENVIS and other websites on the internet.

The committee shall submit its report within one month from the date of this notification.

T.R. Poudyal, IFS
PCCF-cum-Secretary
Forest, Environment and Wildlife Management Department
Government of Sikkim

NOTIFICATION

In partial modification of this Court’s Notification No.39/Confld/HCS dated 29.11.2005, the Hon’ble High Court of Sikkim is pleased to declare 10th, 11th, 12th, 14th, 15th, 17th and 18th July 2006 as Special Vacation/Holidays for the calendar year 2006.

Since only five days out of the above seven days are available as spare days, two holidays falling on 18th and 20th December, 2006 already notified as Lossong and Christmas Vacation are declared as working days.

By order.

S. W. Lepcha
REGISTRAR GENERAL
SPECIFIC NOTIFICATION

Government of Sikkim hereby notifies the sale of Sikkim State Government Stock (Securities) of 10-year tenure for an aggregate amount of Rs. 64.35 crore (Nominal). The sale will be subject to the terms and condition spelt out in this notification (called specific Notification) as also the terms and conditions specified in the revised General Notification No.19/Fin/Acctt dated 15.12.2003 of Government of Sikkim.

Object of the Loan

1. (i) The proceeds of the loan will be utilised for financing capital expenditure connected with the development schemes in the State of Sikkim.
   (ii) Consent of Central Government has been obtained to the floatation of this loan as required by Article 293(3) of the Constitution of India.

Method of Issue

2. Government Stock will be sold through the Reserve bank of India, Mumbai Office (PDO) Fort, Mumbai-400 001 by auction in the manner as prescribed in paragraph 6.1 of the revised General Notification No. 19/Fin/Acctt dated 15.12.2003 at a coupon rate to be determined by the Reserve Bank of India at the yield based auction under multiple price format.

Place and Date of Auction

3. The auction will be conducted by the Reserve Bank of India, at its Mumbai office, Fort, Mumbai on July 13, 2006. The application form duly filled in with the bids should be submitted to the aforesaid office on July 13, 2006 by 12.30 p.m.
Result of the Auction

4. The result of the auction shall be displayed by the Reserve Bank of India at its Mumbai Office, Fort, Mumbai on July 13, 2006. The payment by successful bidders will be on July 14, 2006.

Method of Payment

5. Successful bidders will make payments on July 14, 2006 before close of banking hours by means of cash bankers' Cheque/ pay order, demand draft payable at Reserve Bank of India, Mumbai or a cheque drawn on their account with Reserve Bank of India, Mumbai,(Fort)/Guwahati.

Tenure

6. The Stock will be of ten-year tenure. The tenure of the Stock will commence on July 14, 2006.

Date of Repayment

7. The loan will be repaid at par on July 14, 2016.

Rate of Interest

8. The cut-off yield determined at the auction will be the coupon rate percent per annum on the stock sold at the auction. The interest will be paid every half yearly on January 14 and July 14.

By order and in the name of the Governor of Sikkim

T.T. Dorji, IAS
Principal Secretary to the Government of Sikkim
Finance, Revenue & Expenditure Department
NOTIFICATION

The following Act of the Sikkim Legislative Assembly having received the assent of the Governor on 15th day of June 2006 is hereby published for general information:

THE SIKKIM APPROPRIATION ACT, 2006
ACT No. 12 OF 2006

AN ACT
to provide for the authorization of appropriation of money out of the Consolidated Fund of the State of Sikkim to meet the amount spent on certain services during the Financial Year 2001-2002 ending on 31st day of March, 2002 in excess of the amount authorized or granted for the said services.

BE it enacted by the Legislature of Sikkim in the Fifty-seventh Year of the Republic of India as follows:-
This Act may be called the Sikkim Appropriation Act, 2006.

1. The sum specified in column 5 of the Schedule amounting to Eight Hundred Sixty Eight Crores, Fifty Lakhs Thirteen Thousand Eight Hundred and Thirty Eight only shall be deemed to have been authorized to be paid and applied from and out of the Consolidated Fund of the State of Sikkim to meet the amount spent for defraying the charges in respect of the services and purposes specified in column 2 of the Schedule during the Financial Year 2001-02 ending on 31st day of March, 2002 in excess of the amount authorized or granted for those services and purposes for that year.

2. The sums deemed to have been authorized 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 2001-02 ending on 31st day of March, 2002.
THE SCHEDULE  
(See Section 2 and 3)

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By Order.

R.K. Purkayastha, SSJS  
LR- cum- Secretary  
Law Department  
File No. 16 (82) 2006

NOTIFICATION

It is notified for general information that the Vacation Court shall sit on 12th July, 2006 during the Special Vacation/Holidays from 10th July, 2006 to 18th July, 2006.

By order,

S.W. Lepcha
REGISTRAR GENERAL
NOTICE UNDER SECTION 4(1) OF
LAND ACQUISITION ACT, 1894 (ACT 1 OF 1894)

Whereas it appears to the Governor that land is likely to be needed for a public purpose, not being a purpose of the Union namely for extension of further additional area for the development of Tourist Village in the block of Barbing, East District, it is hereby notified that a piece of land comprising cadastral Plot No. 82(P), 132, 85, 86, 88, 90, 91, 92, 93, 94, 98(P), 101(P), and 238 private land measuring 01.3200 hectre and 84, 96, 100 Government land measuring .4800 Hectre Bounded as under:-

EAST : Banjo land of Karma Gyatso Bhutia, K.N.Topgay & Shyam Lall.
WEST : SPWD road and Village Tourism.
NORTH : SPWD road, Rinzing Lepcha, Singhi Lepcha & Sangay Tsh. Lepcha.
SOUTH : Village Tourism & Kholsa is likely to be needed for the aforesaid public purpose at the public expense within the aforesaid block of Barbing .

This notification is made under the provision of Section 4 of Act 1 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, Gangtok.

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 to do all other acts required or permitted by this section.

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

K.N.SHARMA
SECRETARY,
LAND REVENUE & DISASTER MANAGEMENT DEPARTMENT
GOVERNMENT OF SIKKIM,
GANGTOK
File No. 328/LR(S).

DECLARATION UNDER SECTION 6 OF 
LAND ACQUISITION ACT, 1894 (ACT I OF 1894).

Whereas the Governor is satisfied that land is needed for a public purpose not being a purpose of the Union, namely for the construction of 66/11 KVA Sub-Station and Quarter in the block of Yangthang Elaka Yangthang District West, it is hereby declared that a piece of land comprising cadastral Plot No. 1982/A and 2/A measuring more or less area of .4500 and .0280 hectare bounded as under:-

EAST : Shri D.N.Thakarpa.
WEST : Shri D.N.Thakarpa.
NORTH : S.P.W.D.
SOUTH : Shri D.N.Thakarpa is needed for aforesaid public purpose at the public expense within the aforesaid block of Yangthang.

The declaration is made under the provisions of Section 6 of L.A.Act, 1894 (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,West Sikkim.

K.N.SHRAMA
SECRETARY,
LAND REVENUE & DISASTER MANAGEMENT DEPARTMENT,
GOVERNMENT OF SIKKIM,
GANGTOK.
File No. 520/III/LR(S).
Whereas the Hon'ble Supreme Court of India vide its order dated 17.01.2006 passed in Medha Kotwal Lele and Others Vs. Union of India and Others issued a direction for constitution of a Committee as suggested in Vishaka case in all departments/Institutions having numbers of staff of 50(fifty) and above and at district level Offices/Institutions also with more than 50(fifty) staff to look into complaint of sexual harassments of women in working places;

And, whereas, the State Government has directed vide Notification No. 18/Home/2006 dated 04.03.2006 that any department of the State Government /Institutions having more than 50(fifty) staff working shall constitute a complaint Committee preferably headed by women to deal with all complaints of sexual harassments to women workers/employees/staff etc. in the said department/institution.

And, whereas, it is necessary to constitute a committee for Motor Vehicles Division, Transport Department where there is strength of more than 50(fifty) employee.

Now, therefore the Motor Vehicles Division, Transport Department hereby constitutes a Committee comprising of the following officers; namely: -

1. Mrs. Durga Kaleon                Special Secretary                     Chairperson
2. Mrs. Diki Choden                  Deputy Secretary                      Member
3. Mrs. Pema Doma Mukhia      Under Secretary                        Member

The Committee shall deal with all complaint of sexual harassment to women employees in the Motor Vehicles Division, Transport Department.

BY ORDER AND IN THE NAME OF THE GOVERNOR.

D. Dadul
Principal Secretary,  
Transport Department.

NOTIFICATION

Whereas, the Hon’ble Supreme Court of India vide its judgment dated: 02/08/2005 passed in Salem Advocate Bar Association, Tamil Nadu Vs. Union of India issued a direction for nomination of an officer in each department under the State Government to deal with and reply to notices under section 80 of the Code of Civil Procedure and any State Laws requiring service of notice on the Government or the State official;

And whereas, the State Government has directed vide Notification No.43/Home/2006, dated: 28/06/2006 that all the Department shall nominate an officer of the rank of Deputy Secretary or equivalent and above as nodal officer to deal with notices/legal notices as may be the case for the concerned department.

And, whereas, it is necessary, to nominate a nodal officer of the rank of deputy secretary or equivalent and above as nodal officer for Motor Vehicles Division, Transport Department to deal with notices/legal notices as may be the case for this Division.

Now, therefore, the Motor Vehicles Division, Transport Department hereby nominates Mr. K.N. Pradhan, Additional Secretary, of Motor Vehicle Division as nodal officer to deal with the notices/legal notices relating to the Motor Vehicles Division, Transport Department. He shall be responsible and accountable to ensure that replies to notices under section 80 or similar provisions made under any State Law are sent within the period stipulated in a particular legislation.

BY ORDER AND IN THE NAME OF THE GOVERNOR.

D. Dadul
Principal Secretary, Transport Department.
Government of Sikkim

NOTIFICATION

The following draft of certain rules which the State Government proposes to make in exercise of the powers conferred by section 4,28,38,65,95,96,107,111,138 and 176 read with section 211 of the Motor Vehicles Act, 1988 (Central Act 59 of 1988), is hereby published as required by sub-section (1) of section 212 of the said Act for information of all persons likely to be affected thereby and notice is hereby given that the said draft would be taken into consideration after the expiry of a period of 45 days from the date on which the copies of the notification as published in the Official Gazette are made available to the public.

Any objections or suggestions which may be received from any person with respect to the said draft rules before the expiry of the period so specified shall be considered by the State Government.

DRAFT RULES

Short title, extent and Commencement. 1. (1) These rules may be called the Sikkim Motor Vehicles (Amendment) Rules, 2006.

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

(3) They shall come into force on such date as the State Government may by Notification appoint.

Insertion of new definition clause 2. In the Sikkim Motor Vehicle Rules, 1991 (herein after referred to as the said rules), in rule 2.: -

(1) after clause (g) the following clause shall be inserted, namely: -

“(ga).“Hill Roads” means all roads in Sikkim.”

(2) after clause (h) the following clause shall be inserted, namely: -

“(ha). “Luxury tourist Vehicle” means those vehicles (motor cabs) whose price range from Rs. 6 Lakhs and above and the vehicle shall be fitted with AC, music system, power window and power steering etc.”
3. In the said rule for rule 6 the following shall be substituted namely:-

“6. Authorisation for certain licenses for hill roads of Sikkim-"No person who is in possession of a driving license issued from outside Sikkim (except those issued from hilly regions) shall drive a Transport vehicle (Light, Medium or Heavy) on the hill roads of Sikkim unless he obtains an authorisation to drive such vehicles from any Licensing Authority in Sikkim with a permission to drive upon the hill roads in Sikkim duly making an application and payment of Rs. 50/-. The authorization would be issued subject to his competence to drive on the hill roads."

4. In the said rules, after rule 6, the following rules shall be inserted namely:-

“ 6A. Certain condition for renewal of Transport driving license -

An application for renewal of Transport driving license may besides other requirements should enclose a certificate of passing a refresher course at any one of the recognized Driving Training School or from the Road Safety Cell of the Traffic Police.

6B. Authorisation to drive Luxury Tourist Vehicles-
No person shall drive a Luxury Tourist Vehicle unless he obtains an authorization from any Licensing Authority in Sikkim to drive such vehicles duly making an application and on payment of Rs. 50/-."

5. In the said rules, the rule 8 shall be re-numbered as sub-rule (1) and the following sub rule shall be inserted namely:

“(2) Every application for driving license under sub rule (1) of rule 14 of the Central Motor Vehicles Rules, 1989, in addition to the documents required under rule 4 of the Central Motor Vehicle Rules,1989 the applicant shall produce a certificate issued by the Officer-in-charge of the local police station or Panchayat under which the applicant resides verifying thereon the address of the applicant or a similar certificate from a Gazetted Officer, subject to the satisfaction of the Licensing Authority."

6. In the said rule for sub-rule (iv) of rule 20, the following shall be substituted, namely:

“(iv) Shall be clean and properly dressed and shall not drive while wearing open sandal or chappal on.”

7. In the said rule, after rule 23, the following rule shall be inserted namely:

“23(A) validity of the licence of Driving Schools and Establishments: -

“The validity of the licence of the Driving Schools and Establishments shall be subject to fulfillment of “General conditions” prescribed under rule 27 of the Central Motor Vehicles rules, 1989, which shall be certified by the Licencing authority or any other competent authority on an annual basis."

8. In the said rule after rule 38, the following rule shall be inserted namely:

“38A.Enquiries to be made by the Registering Authority: -

(1) Upon the receipt of an application for registration or for any other purpose under the Act, the registering authority shall make such enquiries as may be reasonably necessary to establish the identity, eligibility and bonafides of the applicant.

(2) Every application for registration under section 41 of the Act, where the document required under clause (e) of sub-rule (1) of rule 47 of the Central Motor Vehicles Rules, 1989, is not furnished shall also be accompanied by a certificate issued by the Officer-in-charge of the local police station under which the applicant resides verifying thereon the address of the applicant or a similar certificate from an officer of the Central or State Government subject to the satisfaction of the registering authority.

(3) Every application for transfer of ownership of a motor vehicle under section 50 of the Motor Vehicles Act, 1988 shall also be accompanied by a sale-receipt issued by the transferor in the format as may be specified by order of the State Government.”
9. In the said rule for sub-clauses (a), (b), (c), (d), (e) of sub-rule (IA) of the rule 39 following shall be substituted, namely:

(a) Two wheelers - Rs. 100/-
(b) Light Motor Vehicle - Rs. 200/-
(c) Medium Motor Vehicle - Rs. 300/-
(d) Heavy Motor Vehicle - Rs. 400/-

10. In the said rules, in rule 93, for the existing sub-rule (2) the following shall be substituted, namely:

“(2). Fee for grant and renewal of permit other than temporary and special permit:

(a) **Goods carriage to ply within Sikkim**

   (i) Initial grant of permit - Rs. 10,000/- for 5 years
   (ii) Renewal of permit - Rs. 7500/- for 5 years.

(b) **Contract Carriages**

   (other than Motor Cab and Maxi Cab)

   (i) Initial grant of permit

   (Originating from Gangtok) - Rs. 10,000/- for 5 years.
   (ii) Renewal of permit - Rs. 5000/- for 5 years.

(C). (i) Initial grant of permit

(Originating from District) - Rs. 7000/- for 5 years.
(ii) Renewal of permit - Rs. 4000/- for 5 years.

(d). (i) Initial grant of permit

(Originating from other places) - Rs. 5000/- for 5 years.
(ii) Renewal of permit - Rs. 3000/- for 5 years

(e) **Contract Carriages**

(Motor cab and Maxi cab)

(i) Initial grant of permit for Motor Cab for (local taxi) Gangtok and surrounding areas i.e. 20 KM from Gangtok.

   - Rs.10000/- for 5years.

   (ii) Renewal of permit years - Rs.5000/- for 5.

(f) (i) Initial grant of permit for motor cab (local taxi) for District Headquarters.

   - Rs.5000/- for 5 years.

   (ii) Renewal of permit - Rs.3000/- for 5 years.

(g). (i) Initial grant of permit for motor cab (local taxi) for other places.

   - Rs.2000/- for 5 years.

   (ii) Renewal of permit - Rs.5000/- for 5 years.

(h). (i) Initial grant of permit for maxi cab (taxi) originating from Gangtok.

   - Rs.3000/- for 5 years.

   (ii) Renewal of permit.

(i). (i) Initial grant of permit for maxi cab (taxi) originating from other Distric Headquarters.

   - Rs.3000/- for 5 years.

   (ii) Renewal of permit - Rs. 2500/- for 5 years

(j). (i) Initial grant of permit maxi cab (taxi) for other places.

   - Rs. 2000/- for 5 years.

   (ii) Renewal of permit - Rs. 2000/- for 5 years

(k) **Stage Carriages.**

(i) Initial grant of permit for Stage Carriage originating from Gangtok.

   - Rs. 5000/- for 5 years.

(ii) Renewal of permit - Rs. 3000/- for 5 years.
(i) Initial grant of permit for Stage Carriages originating from District Headquarters.
   (ii) Renewal of permit

(m). (i) Initial grant of permit for Stage Carriages originating from other Places.
   (ii) Renewal of permit

(n). Luxury Tourist Vehicles.
   (i) Initial grant of permit for 5 seats
   (ii) Renewal of permit

(o). (i) Initial grant of permit for 4 seats
   (ii) Renewal of permit

(p). (i) Initial grant of permit beyond 5 seats and upto 16 seats.
   (ii) Renewal of permit

(q). (i) Initial grant of permit beyond 16 seats
   (ii) Renewal of permit

(r) Private Service Vehicle
   (i) Initial grant of permit
   (ii) Renewal of permit

(s) Late fee.
The fees for renewal of route permits for all categories of motor vehicles shall be paid within a grace period of 15 days from the date on which fees become payable. The penalty shall be imposed after the expiry of the grace period. If the last date of the grace period is a Sunday or a public holiday, the fee shall be accepted without penalty on the next working day. The penalty payable shall be as under:
   (i) After the expiry of 15 days (Grace period) the penalty shall be 50% on the fee prescribed.
   (ii) After the expiry of 30 days the penalty payable shall be 100% on the fee prescribed.

(t) Fee for grant or renewal of countersignature of permit:
   (i) Goods carriages Rs. 3000/- Per Annum.
   (ii) Stage carriages Rs. 3000/- Per Annum.
   (iii) Contract carriages Rs. 3000/- Per Annum.
   (iv) Contract carriages Rs. 2500/- Per Annum.

(u) Fee for grant of recommendation for counter signature of permit:
   (i) Goods carriages Rs. 2500/- Per Annum.
   (ii) Stage carriages Rs. 2500/- Per Annum.
   (iii) Contract carriages Rs. 2500/- Per Annum.
   (iv) Contract carriages Rs. 700/- Per Annum.

In the said rule after sub-rule (3a) of rule 93 the following sub-rule shall be inserted namely:-
   “(3b) Application fee for issue or renewal of permits: -
   (i) Goods carriages Rs. 300/-
   (ii) Stage carriages Rs. 300/-
   (iii) Contract carriages Rs. 300/-
   (iv) Luxury tourist vehicle (motor cab) Rs. 500/-"
Luxury tourist Vehicles (other than motor cab) Rs. 700/-

Contract carriages (Motor cab/maxi cab) Rs. 200/-

Private service vehicles Rs. 200/-

Amendment of rule 93

12. In the said rule for sub-rule (3) of rule 93 the following shall be substituted namely:

“(3) The fee for grant of temporary permit or special permit shall be as follows:

(i) Goods carriages Rs. 300/- per trip
(ii) Stage carriages Rs. 200/- per week Rs. 800/- per month
(iii) Contract carriages (other than motor cab/maxi cab) Rs. 200/- per week Rs. 800/- per month
(iv) Contract carriages (motor cab and maxi cab) Rs. 400/- per month”

Amendment of rule 97

13. In sub-rule (1) of rule 97, the words “two hundred fifty rupees” shall be substituted by words “five hundred rupees” and the words “five hundred rupees” shall be substituted by words “seven hundred rupees, respectively.”

Amendment of rule 110

14. In the said rule, in rule 110 for sub-clauses (i) and (ii) the following clauses shall be substituted, namely:

“(i) Goods carriages, Stage carriages, Contract carriages other than Motor cab and maxi cabs Rs. 2000/-
(ii) Contract carriages (motor cabs and maxi cabs) Rs. 1000/-”

Insertion of new Sub-rule 5 and 6 in rule 160

15. In the said rule, after sub rule (4) of rule 160 the following sub rules shall be inserted namely:

“(5) The State government may by Notification restrict the use of horns in certain areas or portions of the road.
(6) No motor vehicle shall use horn at night (between 10 p.m. and 6 a.m.) in residential areas except in exceptional circumstances.”

Amendment of rule 177

16. In the said rule after sub rule (2) of rule 177 the following sub rule shall be inserted namely:

(3) Playing of radio/tape/TV etc. in a motor vehicles:

(i) No radio set or cassette player, microphone or video set, T.V. set or any other apparatus to display any object on the screen with or without provision for amplification of any sound or voice etc. in a motor vehicle shall be operated in such a way as to be a nuisance to the public.

(ii) No television set or video shall be fitted or kept on or near the dashboard of a motor car or other vehicles within the view of the driver.

D. DAHDUL, IAS
PRINCIPAL SECRETARY
TRANSPORT DEPARTMENT
GOVERNMENT OF SIKKIKIM
NOTIFICATION

Whereas the Hon’ble Supreme Court of India vide its Order dated 17.01.2006 passed in Medha Kotwal Lele and Others Vs Union of India and Others issued a direction for constitution of a Committee as suggested in Vishaka case in all departments/institutions having numbers of staff of 50 (fifty) and above and at district level Offices/Institutions also with more than 50 (fifty) staff to look into complaint of sexual harassments of women in working places.

And, whereas State Government has directed vide Notification No. 18/Home/2006 dated 04.03.2006 that any Department of the State Government /Institutions having more than 50 (fifty) staff working shall constitute a complaint committee preferably headed by women. The Committee shall deal with all complaints of sexual harassments to women workers/employees/staff etc. in the said Department/Institution.

And, whereas it is necessary to constitute a Committee for Law and Parliamentary Affairs Department where there is strength of more than 50 (fifty) employee.

Now, therefore, Law & Parliamentary Affairs Department hereby constitutes a Committee comprising of the following Officers :

1. Mrs. Chudimit Lepcha, Deputy Legal Officer-I - Chairperson
2. Mrs. Sarda Lepcha, Office Supdt. (Law) - Member
3. Mrs. Ashalata Kharga, Sr. Accountant - Member
4. Miss. Krishna Gurung, Office Supdt. (P.A) - Member

The Committee shall deal with all complaints of sexual harassment to women employees in the Office of Law and Parliamentary Affairs Department.

By order.

R.K. Purkayastha
Legal Remembrancer-cum-Secretary
Law and Parliamentary Affairs Department.

NOTIFICATION

Whereas, the Hon’ble Supreme Court of India vide its judgement dated 02/03/2005 passed in Salem Advocate Bar Association, Tamil Nadu Vs. Union of India issued a direction for nomination of an officer in each department under the State Government to deal with and reply to notices under section 80 of the Code of Civil Procedure and any State Laws requiring service of notice on the Government or the State Officials;

And, whereas the State Government has directed vide Notification No. 43/Home/2006 dated 28/06/2006 to nominate a Nodel Officer of the rank of Deputy Secretary or equivalent to deal with notices/legal notices as the case may be for the concerned department.

Therefore, the Printing & Stationery department is hereby nominated Shri T.D. Bhutia, Deputy Director of the department to deal with notices/legal notices pertaining to this department.

By order and in the name of the Governor..

M.G. KIRAN, IAS
Secretary
NOTIFICATION

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

1. **Short title and commencement:**

   (1) These rules may be called the Sikkim State Labour Service Rules, 2006.

   (2) These rules shall come into force on the date of their publication in the Official Gazette.

2. **Definition:**

   In these rules, unless the context otherwise requires:-

   (a) “Appointed Day” means the date from which the provisions of these rules come into force;

   (b) “Commission” means the Sikkim Public Service Commission;

   (c) “Committee” means the Committee constituted under Sub-Rule (1) of Rule 9;

   (d) “Cadre post” means any of the posts specified under column 2 of Schedule-I;

   (e) “Controlling Authority” means the Government in the Department of Personnel Administrative Reforms, Training, Public Grievances, Career Options and Employment Skill Development and Chief Minister’s Self Employment Scheme in respect of Group ‘A’ and ‘B’ posts and the Department of Labour in respect of Group ‘C’ post;

   (f) “Schedule” means the Schedule appended to these rules;

   (g) “Government” means the Government of Sikkim;

   (h) “Governor” means the Governor of Sikkim;
“Member of the service” means a Member of the Sikkim State Labour service;

“service” means the Sikkim State Labour Service;

“State” means the State of Sikkim;

“Year” means the financial year commencing on the 1st day of April and ending on the 31st day of March next following;

3. Constitution of service:-

(1) There shall be constituted the service called the Sikkim State Labour Service consisting of persons appointed to the Service under rule 6 and 7;

(2) The authorized strength and composition of the service shall be as indicated in Schedule –I at the initial constitution and shall be as determined by the Governor from time to time;

(3) The scale of pay attached to the posts specified in Schedule-I shall be such as may be prescribed by the Governor from time to time. On the appointed day, the scale of pay admissible to the members of the Service shall be as shown in Schedule-II.

4. Members of the service:-

(1) The following persons shall be the member of the services, namely:-

(a) persons appointed under rule 6 and

(b) persons appointed under rule 7

(2) A person appointed under clause (a) of sub-rule (1) shall on such appointments be deemed to be a member of the service in the appropriate Grade applicable to him in Schedule-I.

(3) A person appointed under clause (b) of sub-rule (1) shall be a member of the service in the appropriate Grade applicable to him in Schedule-I from the date of such appointment;

5. Appointment and posting:-

(1) All appointment to the cadre post after the appointed day shall be made by the Governor by the method specified in rule 7 and save as provided in sub-rules (2) and (3), no cadre post shall be filled otherwise than by a member of the service.

(2) Any cadre post may be filled up as a temporary measure by a person from another department of the Government having the requisite qualification and experience on deputation if the Government is satisfied that there is no suitable member of the service available for filling the post.

(3) Notwithstanding anything
contained in sub-rules (1) and (2), the Government shall have the right to fill up any cadre post by obtaining Officers of similar service on deputation from the Central or other State Government for any period of time.

(4) A member of the service may, in public interest, be posted by the Government outside the service or any other Government or under an organization under such terms and conditions as may be specified by the Government;

6. **Initial constitution of the service:-**
All persons holding, on the appointed day, any of the cadre posts, otherwise than as purely temporary arrangement or on contract or on deputation from Central or any other State Government shall be deemed to have been appointed to the corresponding post and grades in the service;

7. **Method of recruitment to the service:-**
(1) Recruitment to the service shall, with effect from the date of publication of these rules, be by the following methods, namely:-

   (a) Competitive Examination to be held by the Commission,

   (b) Promotion from amongst persons holding substantive appointment in schedule II.

(2) The proportion of vacancies to be filled in any year in accordance with clause (a) of sub-rule (1) shall be 100% by direct recruitment.

8. **Recruitment by promotion:-**
(1) The Government shall, every year for the purpose of recruitment to the service under clauses (b) of sub-rule (1) of rule 7, prepare a list of names of persons in order of seniority who have, on the first day of that year, completed not less than six years continuous service under the Government as Labour Inspector.

(2) The Government shall forward to the Commission the list of persons referred to in sub-rule (1) together with their Character Rolls and Service record and Annual Property Return for preceding six years indicating the anticipated number of vacancies to be filled by promotion in course of the period of twelve months commencing from the date of preparation of the list.

(3) The Commission shall prepare a final list of persons who are found to be suitable for promotion to the Service on an overall relative assessment of the service records and interview.

(4) The number of persons to be included in the list shall not exceed twice the number of vacancies to be filled by promotion.

(5) The Commission shall forward the list prepared under sub-rule (3) to the Government along with all the Character Rolls and Service record and Annual Property Return received from the Government.

(6) The list shall ordinarily be in force for a period of twelve months from the date of the recommendation of the Commission.
9. **Selection Committee:-**

   (1) There shall be a Selection Committee consisting of the following, namely:-
      
      (a) Chairman, Sikkim Public Service Commission.
      
      (b) Member, Sikkim Public Service Commission.
      
      (c) Secretary to the Government, Department of Personnel Administrative Reforms, Training, Public Grievances, Career Options & Employment Skill Development and Chief Minister’s Self Employment Scheme.
      
      (d) Secretary to the Government, Home Department.
      
      (e) Secretary to the Government to be nominated by the Government.

      The Commission may co-opt any expert/subject specialist to assist the Selection Committee in making the selection.

   (2) The Chairman or where the Chairman is unable to attend, the member of the Commission shall preside over the meeting of the Selection Committee. The absence of the Member other than the Chairman or Member of the Commission shall not invalidate the proceeding of the Committee if more than half the members of the Selection Committee had attended its meeting.

   (3) The Government shall prepare and forward to the Commission a list of names of the Officers under clauses (b) of sub-rule (1) of rule 7 together with their Character Rolls and Service records and Annual Property Return for preceding five years duly indicating the number of the anticipated vacancies to be filled by Selection in the course of the period of twelve months from the date of preparation of the list.

   (4) On receipt of the relevant records and information the Commission shall convene a meeting of the Selection Committee. The Selection Committee may adopt their own procedure and method for screening the Officers with a view to assessing their suitability for appoint to the service.

   (5) The Selection Committee shall prepare a list arranged in order of merit of the Officers who have found suitable for appointment to the service. The number of Officers included in the list shall not exceed twice the numbers of vacancies to be filled by selection in course of the period of twelve months from the date of the recommendation of the Commission.

   (6) The Commission shall forward the list prepared under these rules to the Government along with all the Character Rolls, Service record and Annual Property Return received from the Government.

   (7) The list shall ordinarily be in force for a period of twelve months from the date of the recommendation of the Commission.

10. **Appointment to Service from the two lists:-**

   (1) The Government shall make appointment of persons included in the list prepared and recommended under rule 9 to the service in the order in which their names appear in the list.
It shall not ordinarily be necessary to consult the Commission before such appointments are made unless during the period of twelve months from the date of the recommendation of the Commission there occurs a deterioration in the work of the person which in the opinion of the Government is such as to render him unsuitable for appointment to the Service.

11. Recruitment by Competitive Examination:-

(1) A Competitive examination for recruitment to the service shall be held at such intervals as the Government may, from time to time, determine.

(2) The examination shall be conducted by the Commission in accordance with such rules and syllabus as the Government may, from time to time, make.

(3) Of the number of vacancies to be filled up on the results of each examination, there shall be reservation in favour of candidates belonging to Scheduled Castes and Scheduled Tribes, Most Backward Classes and Other Backward Classes to the extent and subject to the conditions as the Government may, from time to time, prescribe.

(4) Subject to sub-rule (3) the Commission shall forward to the Government a list arranged in order of merit of the candidates who have qualified by such standards as the Commission may determine.

(5) The inclusion of a candidate’s name in the list prepared under sub-rule (4) shall confer no right to appointment to the Service.

12. Conditions of eligibility for appearing at the Competitive Examination. In order to be eligible to complete at the Competitive Examination, a candidate must satisfy the following conditions, namely,-

(a) Minimum educational qualification: (i) Degree in Law from a recognized University and (ii) Should be able to speak, read and write at least one of the State languages, viz. Nepali, Lepcha, Sikkimese-Bhuntia and Limboo.

(b) Should have attained the age of 18 years but should not have attained the age of 30 years. The maximum age limit may be relaxed up to 5 years in respect of candidates belonging to Scheduled Castes and Scheduled Tribes and three years for Most Backward Classes and Other Backward Classes candidates.

(c) Any other conditions that may be specified by the Government.

(d) Should pay the fees if any specified by the Commission.
13. **Attempt at the Examination:**

No candidates shall be permitted to compete more than three times at the Competitive Examination.

Note – A candidate shall be deemed to have competed at the examination if he actually appears in any one or more subjects.

14. **Disqualification for admission to examination:**

Any attempt on the part of the candidate to obtain support for his candidature by any means shall render him liable to be disqualified for admission to the competitive examination by the Commission.

15. **Commission’s decision final:**

The decision of the Commission as to the eligibility or otherwise of a candidate for admission to the examination shall be final. A candidate, to whom certificate for admission to the examination has not been issued by the Commission, shall not be admitted to the examination.

16. **Appointment from the list:**

Subject to the provision of rules 17, 18 and 19, candidates will be considered for appointment to the available vacancies in the order in which their names appear in the list.

17. **Disqualification for appointment on ground of plural marriage:**

No person,

(a) who has entered into or contracted marriage with a person having a spouse living, or.

(b) who having a spouse living, has entered into or contracted a marriage with any person, shall be eligible for appointment to the Service:

Provided that the Government may, if satisfied that such marriage is permissible under the personal law or customs applicable to such person and the other party to the marriage, exempt any person from the operation of these rules.

18. **Penalty for impersonation etc.**

A candidate who is or has been declared by the Commission guilty of impersonation or of submitting false or fabricated document which have been tempered with or of making statements which are incorrect or false or of suppressing material information or of using or attempting to use unfair means in the examination hall or otherwise resorting to any other irregular or improper means for obtaining admission to the examination may, in addition to rendering himself liable to a criminal prosecution, be debarred either permanently or for a specified period,
19. **Disqualification for appointment on medical ground: -**

No candidate shall be appointed to the service who after such medical examination, as the Government may prescribe, is not found to be physically and mentally fit and free from any mental or physical defect likely to interfere with the discharge of the duties of the service.

20. **Probation:--**

1. Every person recruited to the service by Competitive Examination shall be appointed to the service on probation for a period of two years.

2. Every person recruited to the service by promotion or selection shall be appointed to the service on probation for a period of one year.

3. The Government may, if it so think fit in any case or class of cases, extend the period of probation by a period not exceeding two years.

21. **Confirmation:--**

Where a probationer has completed his period of probation to the satisfaction of the Government he shall, subject to the other provisions of these rules, be confirmed in the service at the end of his period of probation.

22. **Seniority of Officers: --**

The seniority inter-se of the officers appointed to the service under these rules shall be determined in accordance with the Sikkim State Services (Regulation of Seniority) Rules, 1980, as amended from time to time.

23. **Promotion to Senior Scale/ Selection Grade of Service:-**

1. The Selection Committee constituted under sub-rule (1) of rule 9 shall also be the Selection Committee for the purpose of promotion of the members of the service to the Senior Scale and Selection Grades of the service. The Chairman or where the Chairman is unable to attend, the Member of the Commission shall preside over the meeting of the Selection Committee. The absence of member, other than the
Chairman or Member of the Commission, shall not invalidate the proceedings of the Committee if more than half the members of the Committee had attended its meeting.

(2) The Government shall, from time to time, for the purpose of sub-rule (1) prepare list of names of the members of the service in order of seniority who have completed the prescribed length of service for promotion to the next higher grade on the first day of that year.

(3) The Government shall forward to the Commission the list prepared under sub-rule (2) along with the Character Rolls, service records and Annual Property Return of the period the members of the service has to complete the required number of years of service for promotion indicating the anticipated vacancies to be filled up by promotion in course of twelve months commencing from the date of preparation of the list.

(4) The Commission after satisfying themselves that the records and information complete in all respect have been received will convene a meeting of the Selection Committee. The Selection Committee shall prepare a final list of Officers who are found suitable for promotion on an overall relative assessment of their confidential reports and service records.

(5) The Commission shall forward the list prepared under sub-rule (4) to the Government along with all the Character Rolls, service records and Annual Property Return received from the Government.

(6) The list shall ordinarily be in force for a period of twelve months from the date of recommendation of the Commission.

(7) The Government shall order promotion of members of the service included in the list prepared in the order in which their names appear in the list.

(8) It shall not ordinarily be necessary to consult the Commission before such promotion is made unless during the period of twelve months from the date of the recommendation of the Commission there occurs a deterioration in the work of the member of the service which in the opinion of the Government is such as to render him unsuitable for promotion.

24. Training:-

(1) A probationer who has been appointed to the service shall, on appointment to the service, undergo such training and for such period as the Government may direct.
(2) All the members of the service shall, in a span of every two years, undergo one training course successfully either at Accounts and Administrative Training Institute, Gangtok or State Institute of Rural Development, Karfectar or any other training institute outside the State. The requirement of undergoing this training will be applicable only up to the age of 50 (fifty) years of the Government servant and will be compulsory for promotion of the Government servants to the next higher grade and failure to undergo such training course will render denial of promotion when due and the next in the line will be considered.

25. **Discharge of a Probationer:** –

A Probationer shall be liable to be discharged from the service or, as the case may be, reverted to his substantive post,–

(a) If he fails to pass the Departmental Examination, or if the Government is satisfied that the probationer was ineligible for recruitment to the service or is unsuitable for being a member of the service, or.

(b) If he is found lacking in qualities of mind and character needed for the service or in the constructive outlook and human sympathy needed in the public services generally, or

(c) If he fails to comply with any one of the provisions of these rules.

26. **Strength and composition of the service:**-

(1) The strength and composition of the service shall be as determined by the Government from time to time.

(2) On the date of publication of these rules, the strength and composition of the service shall be as shown in Schedule- I.

(3) The Government may add temporarily to the cadre one or more posts created for a specific period or temporary basis, carrying duties and responsibilities closely analogous to the cadre posts. Provided that the scale of the post temporarily added to the Cadre shall also be the same as that of the cadre posts to which it corresponds.

27. **Scale of Pay:**-

(1) The scale of pay admissible to the member of the service shall be as determined by the Government from time to time.
(2) On the date of publication of these rules, the scale of pay admissible to the members of the service shall be as shown in Schedule-II.

28. Administrative Control: -

(1) The control over the service including appointment, transfer and deputation in respect of Group ‘A’ and Group ‘B’ posts shall vest with the Government in the Department of Personnel Administrative Reforms, Training, Public Grievances, Career Options and Employment Skill Development and Chief Minister’s Self Employment Scheme.

(2) The control over the service including appointment, transfer and deputation in respect of Group ‘C’ posts shall vest with the Government in the Labour Department.

(3) The headquarters of Group ‘A’ and ‘B’ Officers of the service shall not be changed save with the concurrence of the Department of Personnel Administrative Reforms, Training, Public Grievances, Career Options and Employment Skill Development and Chief Minister’s Self Employment Scheme.

(4) A member of the service shall not be transferred from one Department to another or from a Department to any Corporation, Company, Undertaking or body save with the concurrence of the Department of Personnel Administrative Reforms, Training, Public Grievances, Career Options and Employment Skill Development and Chief Minister’s Self Employment Scheme both for the transfer and for the terms and conditions proposed or stipulated for such transfer.

29. Residuary matters: -

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

30. Interpretation: -

If any question arises as to the interpretation of these rules, the decision of the Government thereon shall be final.

31. Power to relax: -

Where Government is of the opinion that it is necessary or expedient to do so, it may by order, for reasons to be recorded in writing, relax any of the provisions of these rules with respect to any class or category of persons or cadre posts.

BY ORDER AND IN THE NAME OF THE GOVERNOR

SPECIAL SECRETARY TO THE GOVERNMENT
DEPARTMENT OF PERSONNEL, ADMINISTRATIVE REFORMS, TRAINING, PUBLIC GRIEVANCES, CAREER OPTIONS & EMPLOYMENT SKILL DEVELOPMENT AND CHIEF MINISTER’S SELF EMPLOYMENT SCHEME
<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Designation of Posts</th>
<th>Strength</th>
<th>Method of Recruitment</th>
<th>Age for direct recruitment</th>
<th>Minimum education &amp; other qualification educational required</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Peshkar</td>
<td>01</td>
<td>100% by direct</td>
<td>18-30 years. Relaxable by 5</td>
<td>Degree in Law</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>recruitment through</td>
<td>years in case of SC/ST and 3</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>open competitive</td>
<td>years for MBC/OBC candidates.</td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td>examination</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>Labour Inspector</td>
<td>10</td>
<td>100% by direct</td>
<td>18-30. Relaxable by 5 years</td>
<td>Degree in Law</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>recruitment through</td>
<td>in case of SC/ST and 3 years</td>
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<td></td>
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<td></td>
<td>open competitive</td>
<td>for MBC/OBC candidates.</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>examination</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>Assistant Labour</td>
<td>04</td>
<td>100% by promotion</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td></td>
<td>Commissioner</td>
<td></td>
<td>from amongst Labour</td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td>Inspector who have</td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td>completed 6 (Six)</td>
<td></td>
<td></td>
</tr>
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<td></td>
<td></td>
<td></td>
<td>years of continuous</td>
<td></td>
<td></td>
</tr>
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<td></td>
<td></td>
<td></td>
<td>service as Labour</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Inspector</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>Deputy Labour</td>
<td>04</td>
<td>100% by promotion on</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td></td>
<td>Commissioner</td>
<td></td>
<td>N/A</td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td>seniority-cum-merit</td>
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<td></td>
<td></td>
<td>with 6 (Six) years of</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>continuous service as</td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td>Assistant Labour</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>Commissioner</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td>Joint Labour</td>
<td>02</td>
<td>100% promotion on</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td></td>
<td>Commissioner</td>
<td></td>
<td>seniority-cum-merit</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>with 6 (Six) years of</td>
<td></td>
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<td></td>
<td>continuous service as</td>
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<td>Deputy Labour</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>Commissioner</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
[SCHEDULE-II]
(See rule 3 (3))

[SCALE OF PAY OF THE SIKKIM STATE LABOUR SERVICE]

1. **PESHKAR**: [Rs. 4000-100-6000]
   (Group ‘C’)
   This shall be the scale of pay for the post of Peshkar.

2. **Labour Inspector**: [Rs. 5000-150-8000]
   (Group ‘C’)
   This shall be the scale of pay for the post of Labour Inspector.

3. **Junior Grade**: [Rs. 7000-225-11500]
   This shall be the scale of pay for the post of Assistant Labour Commissioner.

4. **Senior Grade**: [Rs. 9000-300-13800]
   This shall be the scale of pay for the post of Deputy Labour Commissioner.

5. **Selection Grade**: [Rs. 11000-350-16250]
   This shall be the scale of pay for the post of Joint Labour Commissioner.
NOTIFICATION

In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Sikkim is hereby pleased to make the following rules further to amend the Sikkim State Directorate and Miscellaneous Service Rules, 1997, namely:-

1. (1) These rules may be called the Sikkim State Directorate and Miscellaneous Service (Amendment) Rules, 2006.

(2) They shall come into force at once.

2. In the Sikkim State Directorate and Miscellaneous Service Rules, 1997,

(i) in Schedule- I ,

(a) the Serial Number 6 and the entries thereof shall be omitted.
(b) Serial Number 7 to 15 shall be renumbered as 6 to 14.
(c) against the column “total” for the figure “82”, the figure “76” and for the figure “99” the figure “93” shall respectively be substituted.

(ii) in Schedule- II :-

(a) under the heading “Junior Grade-II”, the words “Labour Enforcement Officer in the Labour Department” shall be omitted.
(b) under the heading “Junior Grade-I “, the words “Senior Labour Enforcement Officer in the Labour Department” shall be omitted.

BY ORDER AND IN THE NAME OF THE GOVERNOR.

SPECIAL SECRETARY TO THE GOVERNMENT
DEPTT. OF PERSONNEL, ADM. REFORMS, TRAINING, PUBLIC GRIEVANCES, CAREER OPTIONS & EMPLOYMENT SKILL DEV. AND CHIEF MINISTER’S SELF EMPLOYMENT SCHEME

HIGH COURT OF SIKKIM
GANGTOK

NOTIFICATION

In exercise of the powers conferred under Section 16 (2) of the Advocates Act, 1961, the High Court of Sikkim is pleased to designate Shri S.B Upadhyya as Senior advocate with immediate effect.

By order.

S.W. Lepcha
REGISTRAR GENERAL
In exercise of the powers conferred under Section 16 (2) of the Advocates Act, 1961, the High Court of Sikkim is pleased to designate Shri Adish C. Aggarwala as Senior Advocate with immediate effect.

By order.

S.W. Lepcha
REGISTRAR GENERAL
NOTIFICATION

In exercise of the powers conferred by sub-section (1-A) of Section 4 of the Sikkim Motor Vehicles Taxation Act, 1982, the State Government hereby enhances the existing rate of taxes for the following description (category) of motor vehicles as per the Schedule appended below with immediate effect, namely:

SCHEDULE
(See sub-section (1-A) of Section 4)

<table>
<thead>
<tr>
<th>SL. No.</th>
<th>Description of motor vehicles</th>
<th>Rate of tax payable for the year</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Omnibus registered as non-transport vehicle: -</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(a) with seating capacity upto 10</td>
<td>Rs. 2100.00</td>
</tr>
<tr>
<td></td>
<td>(b) with seating capacity beyond 10</td>
<td>Rs. 2100.00 for 10 plus Rs. 225.00 for each additional seat beyond 10.</td>
</tr>
<tr>
<td>2.</td>
<td>Omnibus registered as educational institute bus: -</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(a) with seating capacity upto 10</td>
<td>Rs. 2100.00</td>
</tr>
<tr>
<td></td>
<td>(b) with seating capacity beyond 10</td>
<td>Rs. 2100.00 for 10 plus Rs. 225.00 for each additional seat beyond 10.</td>
</tr>
<tr>
<td>3.</td>
<td>Contract carriages (including those owned by motor training schools): -</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(a) seating capacity upto 4 seats: for vehicle other than meter taxi</td>
<td>Rs. 900.00</td>
</tr>
<tr>
<td></td>
<td>(b) seating capacity more than 4 seats other than meter taxi</td>
<td>(i) Rs. 1200.00 upto 5 seats</td>
</tr>
</tbody>
</table>

(ii) Rs. 1200.00 for five seats plus Rs. 300.00 for each additional seat beyond five.
4. Vehicle for transport of goods including private carriages: -
   (a) Upto 500 kgs registered laden weight. Rs. 1108.00
   (b) Exceeding 500 kgs but not exceeding 2000 kgs registered laden weight. Rs. 1108.00 plus Rs. 126.00 for every additional 250 kgs or part thereof above 500 kgs.
   (c) Exceeding 2000 kgs but not exceeding 4000 kgs registered laden weight. Rs. 1864.00 plus Rs. 158.00 for every additional 250 kgs or part thereof above 2000 kgs.
   (d) Exceeding 4000 kgs but not exceeding 8000 kgs registered laden weight. Rs. 3119.00 plus Rs. 93.00 for every additional 250 kgs or part thereof above 4000 kgs.
   (e) Exceeding 8000 kgs registered laden weight or every additional 250 kgs or part thereof above 8000 kgs.

5. Luxury tourist vehicles
   (i) Rs. 3500.00 upto 3+1 seating
   (ii) Rs. 3900.00 upto 4+1 seating

D. Dahdul, IAS
Principal Secretary
Transport Department
NOTIFICATION

In suppression of all previous Notifications, Circulars, Office Memorandums on the Subject, the Governor of Sikkim is hereby pleased to make the following rules regarding Enlistments, Up-gradation, Re-validation of Enlistments of Contractors, for Execution of Civil Engineering Works in the State of Sikkim, namely:--

Short title, extent and commencement.

1. These rules shall be called the Sikkim Government Enlistment of Contractors (Civil) Rules 2006.
2. They shall extend to the whole of Sikkim.
3. They shall come into force on the date of publication of their in the Official Gazette.

2. Definition

(a) “Contractor” means any individual or proprietorship /firm/ company/ Co-operative society registered under Society Act etc as defined under sub - rule (21) of rule 2 of Sikkim Public Works Code. It also includes contractor, personal representative, successor, assignees, but does not include Government servant or public representative.
(b) “Contract” means the condition of contract, specifications, drawings, Schedule of quantities and rates and agreements, if completed.
(c) “Class” means the grade of enlistment.
(d) “Enlistment Authority” means any officer or committee of officers appointed or designated by Principal Chief Engineer -cum - Secretary , Roads and Bridges Department or the Government from time to time.
(e) “Family” means the family defined under sub-rule (7) of rule 5 of the Sikkim Government Service Rules 1974;
(f) “Government” means State Government of Sikkim;
(g) “Up-gradation” means promotion of eligible contractor from one class to next higher class;
“Works” means works as defined in Sikkim Public Works Code. It also means any construction/activities/projects entrusted by the Government for the welfare of the people using public fund;

“Works Departments” means all Government departments where civil engineering works are executed.

3. Classes of Contractors.
The different classes of contractors are Class III, IIB, IIA, IB and IA.

4. Eligibility
Subject to the provision in these rules, ordinarily, the holder of Sikkim Subject or holder of Certificate of Identification issued by Competent authorities, holder of Residential Certificate of Sikkim, Registered Sole Proprietorship Firm in Sikkim, Registered Cooperative Society in Sikkim, Registered Partnership Firm in Sikkim, Public Limited Company or a Private Limited Company incorporated as per provisions of the Act for the time being in force in Sikkim are entitled to obtain enlistment as a contractor in Road & Bridges Department under these rules, provided the eligibility criteria and other conditions are satisfied. However, preference shall be given to local candidate. The enlisted contractors have to abide by all the rules.

5. Enlistment Procedure.
(1) In case of new enlistment-
(a) The contractor shall submit an application in the prescribed form in Annexure- I to the enlistment authority, along with all documents as per Annexure-II.
(b) The book containing the enlistment rules along with the approved forms can be obtained from the Enlisting Authority on production of Non-refundable Bank Receipt of Rs. 500.00 (Rupees Five Hundred) only duly deposited in the State Bank of Sikkim under Head “0059-80-800-Roads & Bridges – Cost of Enlistment Form”
(c) Incomplete applications and applications not accompanied with necessary documents are liable to be rejected.
(d) Subject to the eligibility criteria and other conditions laid down in these rules, if the decision regarding enlistment is not conveyed within six months of the date of receipt of application for any reason it shall be deemed that the enlistment has not been granted.
(e) The enlistment authority shall have the right to independently verify the details furnished by the contractor and to get the works done by the contractor inspected and/or to get such other reports as may be considered necessary.
(f) If the enlistment authority finds the contractor suitable for enlistment, it shall issue the enlistment order.
(g) The decision of the enlistment authority shall be final and binding on the applicant.
(2) In case of existing enlistment, the Contractor /Firms/Co-operative societies etc shall remain valid for a further period of one year from the date of publication of this Notification in the Official Gazette or the period of validity mentioned in the enlistment order, whichever is earlier.

6. Eligibility Criteria
(1) Subject to any exception provided under these rules, the eligibility criteria for enlistment as a contractor in different classes under these rules are as under:-
A Post Graduate/Graduate in any other discipline shall be given direct enlistment into Class II B subject to fulfillment of all other criteria as given in these rules except for the criteria of past experience as required.

7. General Exceptions
In case of invitation of tenders/Letter of Intent/Offers for Pre-qualification bids of any tenders/quotations from the contractors located within or outside the State, the conditions laid down in the invitation of tenders/quotations by the authority appointed by the Government in case to case basis shall be in exception to these rules.

8. Enlistment Fee
On receipt of intimation from the enlistment authority about the eligibility for enlistment as per provision of these rules, the Contractor has to deposit One Time Enlistment fee which is Non-refundable into the State Bank of Sikkim. The prescribed fee is to be deposited under the head ‘0059-80-800-PW(Roads)-Cost of Enlistment Fee’ Copy of the paid Challan/Bank Receipt shall be submitted along with a application addressed to enlistment authority accepting the provision of Rules for issue of Enlistment Order in Form XI. The prescribed fees to be deposited are as under:

(i) Class III - Rs 3,000/- (Three thousand) only
(ii) Class II B - Rs 5000/- (Five Thousand) Only
(iii) Class II A - Rs 10000/- (Ten Thousand) Only
(iv) Class I B - Rs 25000/- (Twenty Five Thousand) Only
(v) Class I A – Rs 50000/- (Fifty Thousand) only

10. Scope & Limitations.
The enlistment of a contractor under these rules shall only entitle him to be considered for issue of tender papers subject to the conditions laid down in each individual Notice Inviting Tenders. It shall not confer any right on him either to be necessarily issued the tender papers or for award of work.

11. Period of Enlistment
The enlistment shall be valid for a period of three years. The enlistment can, however, be revalidated in accordance with rules in this regard. Each revalidation shall be for a period of three years from the date of expiry of the previous enlistment/revalidation. The enlistment shall be open to review by the enlistment authority and liable to termination, suspension or any other such actions at any time, if considered necessary, by the enlistment authority after issue of show cause notice.

12. Disqualification
(1) No individual or a firm having such individual as one of its partners who is a dismissed Government Servant or removed from the approved list of contractors or having business banned/suspended by any Government department in the past or convicted by a Court of Law shall be entitled for enlistment.
(2) No Engineer or any other official employed in Engineering cell in the Works Department of the Government of Sikkim is allowed to work either as contractor or as employee of a contractor for a period of two years after his retirement from Government service unless he has obtained prior permission of the Government of Sikkim to do so. Even after enlistment, if either the contractor or any of his employees is found to be a person who had not obtained the prior permission of the Government as aforesaid, the name of the contractor shall be removed from the list of enlisted contractors and suitable legal action initiated against him.
(3) A contractor is not permitted to have enlistment in more than one category at a time.
(4) A partner of a Firm or a Director of a company enlisted as a contractor cannot be a partner/director in any other enlisted firm/company.

The jurisdiction in which contractors enlisted in various categories and classes shall be as per notification issued by the competent Authority and amended from time to time.

14. Change in the status of Firm or Co-Operative Society
(1) The contractor/firm/Co-operative Society shall not modify the existing partnership or enter into any fresh partnership without the prior approval of the enlistment authority. Such proposal, if any, shall be submitted in advance giving full details of the intended partnership/sole proprietorship along with the draft partnership deed/affidavit and documents as per Annexure-VI. Any change in status of the contractor as an ‘Individual’ or in constitution of the firm without prior approval of the enlistment authority will render the contractor/firm liable to be removed for the approved list of contractors.
(2) If a firm is converted in two or more firms by any action of its partners, the new firm (s) or any separated partner (s) in his (their) individual/joint capacity shall have to apply for the enlistment afresh on the basis of work experience gained as a separate entity.

(3) If new partners are taken in the firm, each new partner shall have to satisfy the eligibility conditions mentioned in Rule 4. The Co-Operative Society is required to submit the copy of resolution of latest Annual General meeting and list of new executive body.

(4) If the number of original partners of a firm reduces to less than half due to any reason including death of partner (s), the enlistment of the firm shall be withdrawn.

15. Change in Address
While applying for enlistment, the contractor should mention address of his Registered Office as well as Head Office, if the same is different. All documents Tax Clearance Certificates, Solvency Certificate, etc. should bear one of the above addresses, otherwise the same shall not be accepted. The contractor shall intimate the change, if any, in any of the above addresses in advance or maximum within one month of such change. Failure to do so may result in removal of his name from the approved list of contractor.

16. Review of Approved List of Contractors
The contractor shall be required to secure works of appropriate magnitude or participate in the tendering process of at least One work in the State Government or Central Government during the revalidation/enlistment period. Contractors shall be liable to be weeded out for non-observance of enlistment rules. For this purpose, the enlistment authority shall have the power to periodically review the approved list of contractors.

17. Revalidation of Enlistment
(1) The validity of initial enlistment of the contractor shall be for a period of three years. It shall, however, be revalidated on merits if desired by the contractor. Only the contractor, who has participated in the Tendering process of at least one work of appropriate magnitude in the State Government during the period of enlistment or last revalidation period of enlistment, as the case may be, shall be considered for revalidation. A work completed/secured as an associate contractor of the main contractor, to whom a composite contract was/has been awarded, shall NOT qualify for consideration of revalidation.

(2) The contractor shall apply for revalidation of his enlistment in the prescribed form (Annexure-VII) along-with all documents as per Annexure-IX and revalidation fees prescribed, so as to reach the enlistment authority atleast 6 (six) months before the date of expiry of his enlistment. Revalidation fee shall be paid in the State Bank of Sikkim through a Bank Challan duly authorized by the Enlistment Authority. The fee shall be credited to the Revenue Head "0059-80-800-PW (Roads) – Fee for Renewal of Enlistment

(3) Revalidation fee shall be as follow-

<table>
<thead>
<tr>
<th>Class</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>III</td>
<td>Rs. 1000.00</td>
</tr>
<tr>
<td>IIB</td>
<td>Rs. 2000.00</td>
</tr>
<tr>
<td>IIA</td>
<td>Rs. 3000.00</td>
</tr>
<tr>
<td>IB</td>
<td>Rs. 7500.00</td>
</tr>
<tr>
<td>IA</td>
<td>Rs. 15000.00</td>
</tr>
</tbody>
</table>

(4) In cases where the application is received after date of expiry of enlistment/revalidation, but within three months of expiry, the application can be accepted with the revalidation Fee but without the late fee. Applications
received thereafter shall be accepted only on payment of fees along with late fees, sum of which shall not be less than the double of normal revalidation fees.

(5) The contractor should fill the details of each of the work, of appropriate magnitude, secured by him during the last revalidation/enlistment period in the proforma as given in Annexure-VII.

(6) The list should include all works secured by him during the above-mentioned period. In case, the contractor conceals any information, his revalidation shall be liable to be cancelled.

(7) The Contractor should fill up the details in the proforma as given in Annexure-VII in duplicate. For each work, separate proforma should be filled.

(8) One copy of all the proforma should be given to the concerned Executive Engineer of the division in which the work was executed and the acknowledgement obtained on the second copy of the proforma. This 2nd copy should then be submitted to the enlisting authority along with the application for revalidation.

(9) The Divisional Engineer/ Executive Engineer should fill up the proforma and submit to the Enlisting Authority through his Superintending Engineer, within two weeks of receipt of proforma.

(10) The revalidation shall be done on the basis of review of the performance of the contractor pertaining to the period of validation.

18. Up-gradation procedure

(1) The contractor shall have to submit an application in the prescribed form in Annexure- I to the enlistment authority, complete with all documents as per Annexure-II to X wherever applicable.

(2) The Book containing the Enlistment Rules along with the approved forms can be obtained from the Enlisting Authority on production of Non- refundable Bank Receipt of Rs. 500.00 (Rupees Five hundred) only duly deposited in the State Bank of Sikkim under Head “0059-80-800-Roads & Bridges – Cost of Enlistment Form”.

(3) Up-gradation from one grade to the next higher grade shall be considered only after completion of minimum period of 3 (Three) years at the lower grade subject to fulfillment of all other conditions stipulated in these rules.

(4) Incomplete applications and applications not accompanied with necessary documents are liable to be rejected.

(5) Subject to the eligibility criteria and other conditions laid down in the rules if the decision regarding enlistment is not conveyed within six months of the date of receipt of application for any reason it shall be deemed that the up-gradation has not been granted.

(6) If the enlistment authority finds the contractor suitable for Up-gradation, it shall issue the up-gradation order in form XI on payment of up-gradation fees as under:

<table>
<thead>
<tr>
<th>Up- Gradation</th>
<th>Amount of Fees</th>
</tr>
</thead>
<tbody>
<tr>
<td>Class IV to III</td>
<td>Rs.3000.00(Three Thousand) only</td>
</tr>
<tr>
<td>Class III to II B</td>
<td>Rs 4,000/- (Four thousand) only</td>
</tr>
<tr>
<td>Class II B to II A</td>
<td>Rs 5000/- (Five Thousand) Only</td>
</tr>
<tr>
<td>Class II A to I B</td>
<td>Rs 10000/- (Ten Thousand) Only</td>
</tr>
<tr>
<td>Class I B to I A</td>
<td>Rs 25000/- (Twenty Five Thousand) Only</td>
</tr>
</tbody>
</table>

(8) The decision of the enlistment authority for up-gradation shall be final and binding on the contractors.
19. Contractor’s Obligations

The Contractor should fulfill all his obligations under these rules in time and manner as specified failing which he shall be liable for action under these rules. Some of the obligations are summarized below:

(a) Prior approval shall be obtained from the enlisting authority before changing the constitution of the firm/company.

(b) Intimation of change of address should be given in advance or within one month.

(c) He should secure at least one work of specified magnitude during the period of enlistment/revalidation.

(d) He shall abide by these rules.

(e) He should not indulge in unethical practices.

(f) He shall execute the works awarded to him strictly as per the terms and conditions of the contract and specifications.

20. Disciplinary Actions

The contractor shall have to abide by all the rules of enlistment and also by the terms and conditions of the contract and the Notice Inviting Tenders. He shall have to execute the works satisfactorily, on time and with good quality. The enlisting authority shall have the right to demote a contractor to a lower class, suspend business with him for any period, debar him or remove his name from the approved list of contractors after issue of show cause notice. Decision of the department shall be final and binding on the contractor.

21. Suspension of business

The enlistment authority may suspend business with a contractor for indefinite period where pending full enquiry into the allegations, the enlistment authority is prima-facie of the view that the contractor is guilty of an offence in relation to business dealings which, when established would result in his removal/banning business and it is not considered desirable to entrust new works or continue business with the contractor.

22. Removal form the approved list

The name of the contractor may be removed from the approved list of contractors, by the enlisting authority, if he:

(a) has, on more than one occasion, failed to execute a contract or has executed it unsatisfactorily;

or

(b) is proved to be responsible for constructional defects in two or more works;

(c) persistently violates any important conditions of the contract; or

(d) fails to abide by the conditions of enlistment; or

(e) is found to have given false declarations and particulars at the time of enlistment; or

(f) has indulged in any type of forgery or falsification of records or criminal acts like canvassing during the process of Tenders in any form, indulges in the criminal act which is unethical;

(g) changes constitution of the firm or individual without prior approval of the enlistment authority; or

(h) changes permanent address/business address without intimation to the enlistment authority; or

(i) is declared or is in the process of being declared bankrupt, insolvent, wound up, dissolved or partitioned; or

(j) persistently violates the labour regulations and rules,

(k) is involved in complaints of serious nature received from other departments which prima-facie appear to be true.

(l) default in settlement of tax dues like income tax, VAT, sales tax, octroi, duties VAT etc.

23. Revision of the Rules

The State Government may modify, add, delete and/or change any of the above rules and same shall be binding on all enlisted contractors.
24. **Removal of Doubt**
   Where a doubt arises as to the interpretation of any of the provision of these rules, the decision of the State Government shall be final.

25. **Power to Relax**
   The State Government within their discretion may relax these rules at any time.

( P. S. Basnet )
Principal Chief Engineer Cum Secretary
Roads & Bridges Department

ANNEXURE - I

SIKKIM PUBLIC WORKS DEPARTMENT
APPLICATION FOR ENLISTMENT / UPGRADE AS CONTRACTOR

[The applicant should study carefully the “Sikkim Public Works Department (Enlistment of Contractor) Rule 2006” and the list of documents to be annexed with the application form before filling the form. Applications found incomplete in any respect are liable to be rejected without any further correspondence].

<table>
<thead>
<tr>
<th>CLASS</th>
<th>CATEGORY</th>
</tr>
</thead>
</table>

1. Name of applicant
   Shri/M/s.................................
   Passport size Photograph

2. Permanent Address

3. Temporary Address
   Regd Office...................................................
   ...................................................
   ...................................................
   Head Office...................................................
   ...................................................

4. Telephone Number: ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐

5. Fax No. ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐

6. Constitution
   Individual ☐
   Co-Operative Society ☐
   Partnership Firm ☐
   Private Ltd. Company ☐

7. If partnership firm, names of the partners/
   GRADE APPLIED FOR (please tick)
   1................................. ☐
   2................................. ☐
8. Is the individual/sole proprietor/any partner/directors of company:

(a) Retired engineer/official from engineering Department of State/ Central within last two years. Yes ☐ No ☐
(b) Director or partner of any other company/firm Enlisted with the department Yes ☐ No ☐

If answer to any of the above is ‘Yes’, furnish details on a separate sheet.

9. Name of person holding power of attorney, if any……………………………..

Nationality Indian ☐

10. Name of Bankers with full address……………………………………………

…………………………………………….
…………………………………………….

11. Place of business ( If any) …………………………………………………

12. Full time technical staff in applicant’s employment

(a) Graduate Engineers with minimum 3 (three) years experience ☐
(b) Graduate Engineers with minimum 1 (one) year experience [excluding (a) ☐
(c) Diploma Engineers with minimum 2 (two) year experience above] ☐

12. Does the applicant have sufficient T& P Machinery, Equipment and Workshop as per requirements mentioned in the Enlistment Rules For class category applied for [Attach details on separate sheet] Yes ☐ No ☐

13. (a) Whether already enlisted with any other Department. Yes ☐ No ☐
(b) If yes, give details:-
(i) Name of the Department………………………………………..
(ii) Class and Category……………………………………………
(iii) Enlistment authority and address……………………………
(iv) Enlistment No and Date………………………………………
(v) Date of validity………………………………………………
(vi) Tendering limit………………………………………………..
14. Is any person working with the applicant is a relative of the officer/official of any works Department. If yes, give details. 

Yes ☐
No ☐

15. ENLISTMENT / UPGRAINATION fee, enclosed.

<table>
<thead>
<tr>
<th>Receipt No.</th>
<th>Date</th>
<th>Amount</th>
<th>State Bank of Sikkim Name of Branch</th>
<th>Head of account</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

16. Details of Works completed and in progress during the last 5 (five) years (to be filled in proforma as given in Annexure- III. This list should include all works whose gross amount of work done is more than the required magnitude for the class in which registration is required.

17. Certificates from clients in original as per proforma given in Annexure- IV for all eligible works.

18. Certificates:-

(i) I/We certify that no criminal case is pending against me/us in any court of law.

(ii) I/We (including all partners) certify that I/We have read the Rules of Enlistment of Contractors in Public Works Department and shall abide by them.

(iii) I/We certify that I/We is not a Dismissed Govt. Servant or Removed from the approved list of contractors or Having Business banned / suspended by any Govt Department or Convicted by Court of law.

(iv) I/We certify that I/We will not get myself/ourselves registered as contractor(s) in the Department under more than one name.

(v) (a) I certify that I did not retire as an Engineer of Gazetted rank or as any Gazetted Officer employed on Works Department of the State/Central Government during the last two years. I also certify that I have neither such a person under my employment nor shall I employ any such person within two years of his retirement except with the prior permission of the Government. (For individuals seeking enlistment in their own name).

(b) We certify that none of the partners/share holders/owners/Directors retired as an Engineer of Gazetted rank or as any Gazetted Officer employed on Engineering or Administrative duties in last two years. We also certify that we have neither under out employment any such person nor shall we employ any person within two years of his retirement except with the prior permission of the Government. (For partnership firms and private limited companies).

I/We certify that the information given above is true to the best of our knowledge. I/We also understand that if any of the information is found wrong I/We are liable to be debarred and removed from the approved list of contractors.

(Strike out whichever is not applicable)

Signature(s) of applicant(s):-

<table>
<thead>
<tr>
<th>Sl No.</th>
<th>Name</th>
<th>Signature</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>2.</td>
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<td>3.</td>
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<tr>
<td>4.</td>
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<td></td>
<td></td>
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<tr>
<td>5.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Date:

No. of Documents attached
ANNEXURE - II

Documents attached for enlistment

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Document</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Copy of Sikkim Subject Certificate/Certificate of Identification or Proof of Residence in Sikkim</td>
</tr>
<tr>
<td>2.</td>
<td>Proof of constitution</td>
</tr>
<tr>
<td></td>
<td>(a) In case of sole proprietorship/HUF, an affidavit executed before a 1st Class Magistrate that the applicant is the sole proprietor of the firm/ Karta of HUF.</td>
</tr>
<tr>
<td></td>
<td>(b) In case of partnership firm/: Co-operative (Submit attested copies)</td>
</tr>
<tr>
<td></td>
<td>(i) Partnership deed attested by Notary Public</td>
</tr>
<tr>
<td></td>
<td>(ii) Form “A” or equivalent form issued by Registrar of Firms</td>
</tr>
<tr>
<td></td>
<td>(iii) Form “B” or equivalent form issued by Registrar of Firms</td>
</tr>
<tr>
<td></td>
<td>(iv) Form “C” or equivalent form issued by Registrar of firms</td>
</tr>
<tr>
<td>3.</td>
<td>(c) In case of Private Ltd Co. Article of Association duly attested by Notary Public.</td>
</tr>
<tr>
<td>4.</td>
<td>Power of Attorney, if any attested by Notary Public.</td>
</tr>
<tr>
<td>5.</td>
<td>Solvency Certificate from Scheduled Bank in the proforma given in Annexure- VI. The certificate should be on the bank’s letter-head and in sealed cover and shall be addressed to the concerned Enlistment Authority</td>
</tr>
<tr>
<td>6.</td>
<td>Technical Staff :</td>
</tr>
<tr>
<td></td>
<td>(i) List of full time technical staff/Designers with qualification and experience.</td>
</tr>
<tr>
<td></td>
<td>(ii) Attested copies of the degrees/diplomas of the technical staff/ Designers.</td>
</tr>
<tr>
<td></td>
<td>(iii) Declaration from the technical staff/Designers that they are employed with the applicant.</td>
</tr>
<tr>
<td>7.</td>
<td>List of M/C, T&amp;P i/c steel centering &amp; shuttering, possessed by the applicant.</td>
</tr>
<tr>
<td></td>
<td>Full details and location of workshop including details of Machines, Equipment provided Attested copy of Enlistment Order List of family members working in SPWD, including their address.</td>
</tr>
<tr>
<td>8.</td>
<td>Bank Receipts / Challans for Enlistment: Fee Original or attested copies of certificates for works done, from concerned clients, in proforma as given in Annexure- IV</td>
</tr>
<tr>
<td>9.</td>
<td>Attested copies of award letters for works included in Annexure- III Valid and Attested copy of Income Tax &amp; VAT Clearance</td>
</tr>
<tr>
<td>10.</td>
<td>Certificate in form I</td>
</tr>
<tr>
<td>11.</td>
<td>Four Nos latest Passport size Photograph of Contractors/ Karta of firm/ Director or any authorized person of company.</td>
</tr>
</tbody>
</table>
### ANNEXURE - III

Works completed and in progress during the last five years including all works awarded [Add additional sheets, if necessary].

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Name of work &amp; Agreement No.</th>
<th>Date of Commencement</th>
<th>Date of Completion</th>
<th>Reasons for delay &amp; Compensation levied, if any.</th>
<th>Tendered cost</th>
<th>Gross cost of completion</th>
<th>Net amount received</th>
<th>Name, designation &amp; complete address of the authority for whom the work was done</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
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<td></td>
</tr>
</tbody>
</table>

12
## ANNEXURE- IV

### CLIENT’S CERTIFICATE REGARDING PERFORMANCE OF CONTRACTOR

**Name and Address of the Client**

___________________________________________________________________________________________

**Details of Works executed by Shri/M/s**

<p>| | | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Name of work with brief particulars</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Agreement No and date</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. Date of commencement of work</td>
<td></td>
<td></td>
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<td></td>
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<tr>
<td>4. Stipulated date of completion</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5. Actual date of completion</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6. Details of compensation levied for delay, if any</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7. Tendered amount</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8. Gross amount of the work completed</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9. Name and address of the authority under whom works executed</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10. Whether the contractor employed qualified Engineer/ Overseer during Execution of work?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>11. (1) Quality of work (indicate grading)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Out Standing</td>
<td>V. Good</td>
<td>Good</td>
<td>Poor</td>
</tr>
<tr>
<td>12(i) Amount of work paid on reduced rate basis, if any.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12(ii) Did the contractor go for arbitration?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(ii) If yes, total amount of claim</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(iii) Total amount awarded</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>13. Comments on the capabilities of the contractor.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(a) Technical Proficiency</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(b) Financial Soundness</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(c) Mobilization of adequate Tools and Plants</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(d) Mobilization of manpower</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(e) General behavior</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Note: All columns should be filled in properly.
ANNEXURE – V

FORM OF SOLVENCY CERTIFICATE FROM A SCHEDULED BANK

This is to certify that to the best of our knowledge and information M/s/Sri____________________________________________ having marginally noted address, a customer of our bank are/is respectable and can be treated as good for any engagement up to a limit of Rs.__________________________________ (Rupee………………………….) This Certificate is issued without any guarantee or responsibility on the Bank or any of the officers.

Signature
for the Bank

NOTE: - In case of partnership firm, Certificate to include names of all partners as recorded with the Bank.

ANNEXURE- VI

FOR CHANGE OF CONSTITUTION LIST OF DOCUMENTS/INFORMATION REQUIRED TO BE SUBMITTED

A. DOCUMENTS TO BE SUBMITTED

1. Copy of proposed partnership deed duly signed/proposed Memorandum of Articles.
2. Attested copy/copies of valid Income Tax & VAT Clearance Certificate(s) in respect of each proposed partner.
3. An undertaking sworn in before a 1st Class Magistrate by all the partners to the effect that the new firm will take over all assets and liabilities.
4. Dissolution deed/consent of retiring partners/death certificate in case of death of a partner.

B. DETAILS TO BE FURNISHED IN RESPECT OF EACH PARTNER WITH WHOM THE FIRM WANT TO ENTER INTO PARTNERSHIP AND OBTAIN ENLISTMENT

(i) Whether he is enlisted with CPWD/MES/ Railway/P&T/State PWD.
(ii) Whether he is a dismissed Govt. Servant.
(iii) Whether he is a partner/director of any other firm enlisted with this Department /MES/P&T/State PWD.
(iv) Whether he is member of Indian parliament or State legislature.
(v) Whether his name has been blacklisted or removed from the approved list of contractors or demoted to lower class or order banning/suspending business with him by any department in the past.
Whether he is a dismissed/removed/retired Govt. servant within 2 (two) years.

Whether he has any family members working in SPWD. If yes, give details.

Whether he has any Civil or Criminal case pending in any Court in India. If yes, give details.

ANNEXURE-VII

Contractor’s Performance Report for works Completed or Under Execution for Revalidation of Enlistment

Part 1 (To be filled in by the Contractor)

1. Name of the contractor:

2. Name of work:

3. Enlistment No.:

4. Certificate of tender participation from an officer not below the rank of Superintending Engineer or equivalent.:

5. Name of division in which the work was executed:

6. Estimated cost put to tender:

7. Tendered cost:

8. Gross amount amount of final bill/work done till date:

9. Stipulated date of start and completion:

10. Actual date of completion or percentage progress:

11. Amount of compensation levied for delay, if any:

12. Did the contractor go for arbitration?:

13. If yes, give details:

Signature of the Contractor

Part II (To be filled by the department)

Note: This performance report duly completed by Divisional Engineer & Superintending Engineer should be forwarded to enlistment authority within two weeks of its receipt from the contractor. Certified that details given by the contractor in Annexure have been verified and found to be correct.

Signature of Executive Engineer

3. Quality of work (Please grade as Very Good/Good/ Satisfactory/Poor):

   (a) Grading by EE/ Divisional Engineer

   (b) Grading by Superintending Engineer.

Signature of EE with full designation.

Signature of Superintending Engineer
ANNEXURE - VIII

SIKKIM PUBLIC WORKS DEPARTMENT
APPLICATION FOR REVALIDATION OF ENLISTMENT

[The applicant should study carefully the Sikkim Public Works Department (Enlistment of Contractors) Rules 2006’ and the list of documents to be annexed with the application form before filling the form. Applications found incomplete any respect are liable to be rejected without any further correspondence].

1. Name of applicant Shri/M/s…………………………………

2. Permanant Address…………………………………………..

3. Temporary Address

Registration Office……………………………………………..

Head Office……………………………………………………..

4. Telephone Number Fax No.

5. Constitution Individual Sole Proprietorship Concern

Partnership Firm Public Ltd. Company

Private Ltd. Company Co- Operative Society

6. If partnership firm, names of the partners/

    If Company, or Co-operative Society name of directors

1…………………………………… □

2…………………………………… □

3…………………………………… □

4……………………………………

7. (a) Name of person holding Power of Attorney………………………………

    (b) Nationality Indian Other (c) Liabilities

8. Name of Bankers with full address ………………………………………

…………………………………………………. 
9. Place of business ..........................................................................................................................

10. Full time technical staff in applicant’s employment ☐
   (a) Graduate Engineers with minimum 3 years’ experience ☐
   (b) Graduate Engineers with minimum 1 years’ experience ☐
       [excluding (a) above]
   (c) Diploma Engineers with minimum 2 years’ experience ☐
   (d) Architects & designers ☐

11. Does the applicant have sufficient Tools and Plants Machinery, Equipment and workshop as per requirements mentioned in the Enlistment Rules
    For the class and category applied for Yes ☐ No ☐ ☐ ☐
    [Attach details on separate sheet]

12. (a) Details of enlistment with SPWD
    (i) Enlistment No. & Date _____________________________
    (ii) Date of validity ☐ ☐ ☐ ☐ ☐

13. Is any person working with the applicant a family of the officer/official of SPWD
    Yes ☐ No ☐
    If answer to above is Yes, give details

14. Details of SPWD Works completed and in progress (which were secured during the last 5 years) to be filled in proforma as given in Annexure-VII. This list should include ALL works done whose gross amount of work done is more than the required magnitude for the class in which registration is required.
    Yes ☐ No ☐

15. Certificates:
    (i) I/We (including all partners) certify that I/We have read and understood the ‘Sikkim Public Works Department (Enlistment of Contractors) Rules 2006’ and shall abide by them.
    (ii) I / We certify that no criminal case is pending against us / me in any court of law.
    (iii) I/We certify that I/We will not get myself/ourselves registered as contractor(s) in the Department under more than one name.
    (iv) I/We certify that the information given above is true to the best of our knowledge. I/We understand that if any information is found incorrect, our enlistment is liable to be cancelled.
(v) I/We certify that I/ none of the partners /Directors retired as an Engineer of Gazetted rank or as any Gazetted Officer employed in Engineering or Administrative duties in last two years. We also certify that we have neither under our employment any such person nor shall we employ any person within two years of his retirement except with the prior permission of the Government.

(Strike out whichever is not applicable)

Signature(s) of applicant(s):

Name          Signature          Address
1.            
2.            
3.            
4.            
5.            
6.            
Date:
No. of Documents attached

ANNEXUE- IX

Documents to be attached for revalidation

<table>
<thead>
<tr>
<th>Sl. No</th>
<th>Document</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Attested copy of Power of Attorney, if any</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>Solvency Certificate in original from scheduled bank in the proforma given in the Enlistment Rules. The certificate should be on the bank’s latter-head and in sealed cover and shall be addressed to the concerned Enlistment Authority.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>Attested copy of Enlistment order</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>Attested copies of award letters for works included in Annexure – II</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td>Attested and Valid Income Tax &amp; VAT Clearance Certificate</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td>Annexure-VII with acknowledgement of EE</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
ANNEXURE - X

PROFORMA FOR GIVING CERTIFICATE AS A PROOF OF PARTICIPATION ON TENDERS SUBMITTED BY THE CONTRACTOR

Sub: Revalidation of contractors as Class- (   ) in SPWD.

Certified that M/s / Shri___________________________ have submitted.

Tenders for the following works:

<table>
<thead>
<tr>
<th>Name of work</th>
<th>Date of tender</th>
<th>Estimated cost put to tender</th>
<th>Position of tender</th>
</tr>
</thead>
</table>

Signature of Executive Engineer
OR authorized officer
with full address and Office Seal

FORM NO X1
GOVERNMENT OF SIKKIM
ROADS & BRIDGES DEPARTMENT

CERTIFICATE OF REGISTRATION

NO ___________________            Date ____________

This is to certify that Shri/ Smt/ Miss/M/s ________________________________ Son/ Daughter /Wife of_________________________ permanent resident of (address) ________________________________ under _______________Gram Panchyat / Municipal ward falling under (i) Police Station______________ (ii) ________________________Assembly Constituency is the Registered Class ____________________Contractor under Sikkim Government Enlistment of Contractors “Civil” Rules 2006. His / Her Registration No is _____________. His / Her photograph and specimen signature is appended below.

Specimen Signature 1.2.3.

ATTESTED

This Certificate is Valid for a period of Three Years from the date of Issue.

Issuing Authority
Sikkim Government Gazette

EXTRAORDINARY
PUBLISHED BY AUTHORITY

Gangtok Monday 11th August, 2006 No. 244

Government of Sikkim
Department of Forest, Environment and Wildlife Management

NOTIFICATION

Guidelines for Lake Conservation in Partnership with Gram Panchayats and Pokhri Sanrakshan Samiti’s in Sikkim

No. 355/F

Dated: 31.7.2006

Whereas the Department of Forest, Environment and Wildlife Management, Government of Sikkim [hereinafter referred to as the Forest Department] has initiated a number of initiatives to promote nature conservation and ecotourism in the state;

And whereas the lakes in the state have immense Environment, ecological, cultural, spiritual and economic importance;

And whereas the lakes in Sikkim are important ecotourism destinations, offering important livelihood opportunities to the local communities;

And whereas impacts of unplanned tourism, unregulated pastoralism and other human activities pose a serious threat to the long term ecological security of these lakes;

And whereas most of the lakes of the state are located in remote, high altitude areas and securing the long term future of these lakes is largely dependent on the active participation and involvement of the local community;

And whereas there is a need to directly involve the local Panchayati Raj Institution which is the constitutional body at the village level in conservation efforts and decentralize and democratize decision making to the gram sabha;

Now therefore, in pursuance of clause (b) of section 33 read with sub-section (8) of section 35 of the Wildlife (Protection) Act, 1972 (53 of 1972) and clause (a) of sub-section (2) of section 26 of Indian Forest Act 1927 (16 of 1927) and clause (i) of sub-section (2) of section 83 of the Sikkim Forests, Water Courses And Road Reserve (Preservation And Protection) Act, 1988 (6 of 1988), the State Government has deemed it expedient to work in partnerships with Gram Panchayats and Pokhri Sanrakshan Samitis [hereinafter referred to as PSS] for the purpose of protection and conservation of the lakes in the state. The members of such Samitis shall be allowed benefits, subject to observance of the conditions provided for in this notification.
The composition, functions, duties, powers, ecotourism benefits and restrictive measures pertaining to such Samitis shall be as follows:—

1. IDENTIFICATION, CONSTITUTION, CONSERVATION PLAN, CAPACITY BUILDING AND FEDERATION

(A) Identification of the Lake

(1) Lakes which need conservation action shall be identified by the Divisional Forest Officer, Territorial Division, (hereinafter referred to as the Divisional Forest Officer), local communities or Non Governmental Organizations where the local community is willing to offer their cooperation in the protection and conservation of the said lake.

(B) Constitution of the Pokhri Sanrakshan Samiti (PSS)

(1) The PSS shall be constituted by the gram sabha in consultation with the concerned Ward Panchayat Member and the Divisional Forest Officer.

(2) Where the gram sabha feels that it itself or any existing village based institution is capable of performing the functions and duties of the PSS, this institution will be designated as the PSS. Otherwise the PSS shall be constituted with those households who are living in the vicinity of the lake. Every family living in the vicinity of the lake shall, however, have the option of becoming a member of the PSS, if such family including the female members is interested in the conservation of the said lake. There shall normally be a joint membership of each household, i.e. husband becoming member, wife automatically becomes a member and vice versa.

(3) It is proposed that the Ward Panchayat Member be the ex-officio President of the PSS however if the gram sabha feels otherwise then they may appoint a suitable person to this post and shall also designate a member secretary from amongst the members of the PSS.

(4) The President shall apply to the concerned Range Officer for registration. The Divisional Forest Officer on the recommendation of the concerned Range Officer shall register the PSS in his office.

(5) After registration of the PSS, the gram sabha shall appoint Pokhri Rakshak(s) or Lake Guardian(s) from amongst the members of the PSS and provide him / her with photo identity card(s).

(6) The President shall convene the meetings of the PSS as per the scheduled procedure. There shall be a minimum of four meetings of the PSS in a year on a quarterly basis.

(7) The concerned Gram Panchayat and the Forest Department shall extend all necessary support and help to ensure the smooth and proper functioning of the PSS.

(8) In case of any conflict within the PSS, the Assistant Conservator of Forests, Territorial in consultation with the Panchayat President shall resolve the conflict amicably.

(9) However the legal status, land tenure and ownership of the lake and its catchment area shall remain unchanged.

(C) Preparation of the Lake Conservation Plan

The Divisional Forest Officer and the PSS shall jointly with the support of State Environment Agency and other governmental and non governmental organizations prepare the Lake Conservation Plan within one year of the registration of the PSS, which shall contain the following:

(1) A map in 1:25,000 scale of the lake along with its immediate catchment area which shall constitute the Pokhri Sanrakshan Shetra or the Lake Conservation Area of the PSS.
(2) A baseline quantification of the quality of water of the lake in a quarterly manner.

(3) A baseline quantification of the threats and impacts on the lake like solid waste disposal, sanitation and sewerage, catchment degradation, siltation, eutrophication unplanned tourism infrastructure etc.

(4) A baseline quantification of the status, distribution and population of key wildlife species like water fowl and their habitat.

(5) A baseline quantification of the numbers and seasonality of the tourist arrivals and the benefits accrued from ecotourism.

(6) A conservation action plan which shall lay down the activities to be carried out in the forthcoming year with detailed physical and financial targets, process to be followed as well as a timeframe.

(D) Capacity Building of the Pokhri Sanrakshan Samiti (PSS)

It shall be the duty of the Forest Department to carry out the institution building and capacity building of the PSS in administration, accounts, socio-economic survey and biological survey works. The divisional forest officer shall provide all necessary guidance to the PSS to carry out their duties and functions as and when requested by them. Other governmental and non governmental organizations are also encouraged to support this human and institutional development effort.

(E) Constitution of the State Level Federation of the PSS

The Rajya Pokhri Sanrakshan Sangh (or the State Lake Conservation Federation) shall be a state level federation comprising of the presidents of the PSS all over the state. The PCCF cum Forest Secretary shall convene atleast one meeting of this federation along with other stakeholders annually to discuss various issues related to lake conservation and related livelihoods in the state.

2. FUNCTIONS

(1) The PSS shall maintain a member’s register showing necessary particulars of the members of the PSS e.g. Name, Parentage, Age, Address, Number of family members etc.

(2) The PSS shall maintain a minutes book wherein proceedings of the meetings held from time to time as well as the proceedings of the Annual General Meeting of the PSS and gram sabha will be recorded under the signature of the Member-Secretary.

(3) The PSS shall maintain one bank account, namely PSS revolving fund account in any nationalized bank or the State Bank of Sikkim. The President and member secretary shall jointly operate this account. The President shall be responsible for maintaining this account and submission of annual audit reports from a statutory auditor to the Range Officer, the Divisional Forest Officer, District Collector and the PCCF cum Secretary of the Forest Department.

(4) The PSS, and the divisional forest officer shall jointly with the support of State Environment Agency other government and non-governmental organizations prepare the Annual Lake Conservation Plan comprising of the map, water quality, threats, wildlife, ecotourism and conservation action plan.

(5) The funds accrued in the PSS revolving fund account shall be used to pay honorarium to the Pokhri Rakshak(s), setting up of an effective garbage management system, preparing and publishing the Annual Lake Conservation Plan, capacity building of the PSS so that they can discharge their duties and functions more effectively, conservation of birds, wildlife and their habitats, restoration of the Pokhri Sanrakshan Shetra, financial audit, administrative expenses and for community development works as detailed in the Annual Lake Conservation Plan.

(6) The PSS shall once every year in the gram sabha provide details of the functions, duties, and ecotourism benefits of the PSS. The gram sabha in this meeting shall also carry out the social audit of the PSS revolving fund account and the activities of the State Environment Agency regarding implementation of the current Annual Lake Conservation Plan. The Annual Lake Conservation Plan for the forthcoming year shall also be presented and approved by the gram sabha after incorporating their suggestions if any. Concerned Range Officer, Territorial shall be an observer in this meeting. A copy of this approved Annual Lake Conservation Plan shall be provided by the PSS to the concerned Range Officer, Divisional Forest Officer, District Collector and the PCCF cum Secretary of the forest department annually.
3. DUTIES

The duties of the PSS shall be as follows:

(A) Protection and Conservation

1. To ensure protection of the forests, environment, wildlife and biodiversity in the Pokhri Sanrakshan Shetra through members of the PSS jointly with the Forest Department staff.

2. To ensure that the migratory and residential birds and other flora and fauna or their habitat is not disturbed.

3. To protect the soil and moisture conservation works, afforestation works, signages and other infrastructure within the Pokhri Sanrakshan Shetra.

4. To bring to the notice of the Forest Department of any kind of developmental activity being initiated within or adjoining to the Pokhri Sanrakshan Shetra at the earliest.

5. To carry out awareness and education drives, for sensitizing and capacity building of the local community for nature conservation.

6. To provide assistance and statistics as and when required by the Forest Department.

(B) Assistance in Ecotourism

1. To ensure that the tourism within the Pokhri Sanrakshan Shetra does not cause problems related to garbage, firewood use, sanitation or disturbance to birds, wildlife or their habitat and results in equitable economic benefits to the local community.

2. To provide prompt and quality service to the visitors.

3. To ensure that the shop keepers, hotels, guides, pack animal operators etc (hereinafter referred to as ecotourism service providers) and the visitors follow the Code of Conduct.

4. To explain to all the visitors about the code of conduct to be followed within the lake. It shall be the duty of the PSS to ensure responsible behaviour of the visitors and the ecotourism service providers.

4. POWERS

1. The President shall provide Photo Identification card to the Pokhri Rakshak(s), after the registration of the PSS.

2. The Pokhri Rakshak shall have power for apprehending forest and wildlife offenders, incase they feel that the offender may escape. All such offenders apprehended, shall be handed over to the nearest forest office without any delay. They shall also be authorized to protect the infrastructure and facilities within the Pokhri Sanrakshan Shetra. In return the Divisional Forest Officer must guarantee prompt and appropriate action on the issue, and keep the gram sabha updated on the action taken.

3. The members of the PSS shall within six months of their registration pass a resolution indicating the Code of Conduct to be observed within the Pokhri Sanrakshan Shetra. Penalties for the violators of this code shall also be specified in detail. This code of conduct shall be passed by the concerned gram sabha and approved by the Divisional Forest Officer who shall ensure that none of the provisions are in contravention to any of the existing legislations. This total penal amount shall be credited in the PSS revolving fund account.

4. However the Divisional Forest Officer shall have the authority to annul any orders passed by the PSS in this regard and take fresh cognizance of the offence incase the due procedure of law has been violated.

5. All government departments shall seek the prior informed consent of the PSS before undertaking any development or tourism project in the Pokhri Sanrakshan Shetra.
5. **ECOTOURISM BENEFITS**

   (1) The PSS shall be authorized to levy and collect the *Pokhri Sanrakshan Shulk* or the Lake Conservation Fees of Rs 10/- per tourist per day. Printed and numbered fee receipts shall be provided to all the tourists after collecting the fees.

   (2) This fee so collected shall be credited into the revolving fund account of the PSS at least on a monthly basis and 50% of it transferred to the bank account of the State Environment Agency. However, the total fund shall be used as per the approved Annual Lake Conservation Plan.

6. **PENAL ACTION, DISSOLUTION and RECONSTITUTION**

   (1) Failure to comply with any of the fore-mentioned conditions may entail penal action and/or cancellation of individual membership and/or dissolution of the PSS as the case may be as stated in sub-paragraphs (2), (3) and (4) below:

   (2) The *gram sabha* shall be authorized to take penal action against the PSS.

   (3) The Divisional Forest Officer shall be entitled to take appropriate action including dissolution of the PSS on the grounds stated above on the recommendation of the *gram sabha*.

   (4) The Divisional Forest Officer shall initiate the constitution of a new PSS, if any PSS is dissolved in the manner as mentioned above.

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[T. R. Poudyal] IFS
Principal Chief Conservator of Forests cum Secretary
Department of Forest, Environment & Wildlife Management
Government of Sikkim
Gangtok

File No: 43/EPC DIVISION/FEWD/2006
SIKKIM SUBORDINATE COURTS CIVIL PROCEDURE ALTERNATIVE DISPUTE RESOLUTION RULES, 2006

In exercise of the powers conferred by Section 7 (iii) of the High Court of Judicature (Jurisdiction and Powers) Proclamation of 1955 as amended by the Adaptation of Sikkim Laws (No.1) Order, 1975 and in exercise of the power conferred by Part X of the Code of Civil Procedure 1908, (5 of 1908) and all other enabling powers the High Court of Sikkim, makes the following Civil Procedure -Alternative Dispute Resolution Rules, 2006 for the Subordinate courts of Sikkim.

**Alternative Dispute Resolution Rules**

1. **Short title and commencement –**
   
   (1) These rules shall be called the Sikkim Subordinate Courts, Civil Procedure Alternative Dispute Resolution Rules, 2006.
   
   (2) They shall come into force on the date of their publication in the official Gazette.

2. **Procedure for directing parties to opt for alternative modes of settlement.**

   (a) The Court shall, after recording admissions and denials at the first hearing of the suit under Rule 1 of Order X, and where it appears to the Court that there exists elements of a settlement which may be acceptable to the parties, formulate the terms of settlement and give them to the parties for their observations under sub-section (1) of Section 89, and the parties shall submit to the Courts their responses within thirty days of the first hearing.

   (b) At the next hearing, which shall be not later than thirty days of the receipt of responses, the Court may reformulate the terms of a possible settlement and shall direct the parties to opt for one of the modes of settlement.
of disputes outside the Court as specified in clauses (a) and (d) of sub-section (1) of Section 89 read with Rule 1A of Order X, in the manner stated hereunder.

Provided that the Court, in the exercise of such power, shall not refer any dispute to arbitration or to judicial settlement by a person or institution without the written consent of all the parties to the suit.

2. **Persons authorized to take decision for the Union of India, State Governments and others.**

(1) For the purpose of Rule 2, the Union of India or the Government of a State or Union Territory, all local authorities, all Public Sector Undertakings, all statutory corporations and all public authorities shall nominate a person or persons or group of persons who are authorized to take a final decision as to the mode of Alternative Dispute Resolution to which it proposes to opt, in the event of direction by the Court under Section 89 and such nomination shall be communicated to the High Court within the period of three months from the date of commencement of these Rules and the High Court shall notify all the subordinate courts in this behalf as soon as such nomination is received from such Government or authorities.

(2) Where such person or persons or group of persons have not been nominate as aforesaid, such party as referred to in clause (1) shall, if it is a plaintiff, file along with the plaint or if it is a defendant file, along with or before the filing of the written statement, a memo into the Court, nominating a person or persons or group of persons who is or are authorized to take a final decision as to the mode of alternative dispute resolution, which the party prefers to adopt in the event of the Court directing the party to opt for one or other mode of Alternative Dispute Resolution.

3. **Court to give guidance to parties while giving direction to opt.**

(a) Before directing the parties to exercise option under clause (b) of Rule 2, the Court shall give such guidance as it deems fits to the parties, by drawing their attention to the relevant factors which parties will have to take into account, before they exercise their option as to the particular mode of settlement, namely:

(i) that it will be to the advantage of the parties, so far as time and expense are concerned, to opt for one or other of these modes of settlement referred to in section 89 of CPC rather seek a trail on the disputes arising in the suit;

(ii) that, where there is no relationship between the parties which requires to be preserved, it may be in the interest of the parties to seek reference of the matter of arbitration as envisaged in clause (a) of sub-section (1) of section 89 of CPC.

(iii) that, where there is a relationship between the parties which require to be preserved, it may be in the interest of parties to seek reference of the matter to conciliation or mediation, as envisaged in clause (b) or (d) of sub-section (1) of Section 89 of CPC.

**Explanation:** Disputes arising in matrimonial, maintenance and child custody matters shall, among others, be treated as cases where a relationship between the parties has to be preserved.

(iv) That, where parties are interested in a final settlement which may lead to a compromise, it will be in the interests of the parties to seek reference of the matter to Lok Adalats or to judicial settlement as envisaged in clause (c) of sub-section (1) of Section 89 of CPC.

(v) The difference between the different modes of settlement, namely, arbitration, conciliation, mediation and judicial settlement are explained below:
Settlement by ‘Arbitration’ means the process by which an arbitrator appointed by parties or by the Court, as the case may be, adjudicates the disputes between the parties to the suit and passes an award by the application of the provisions of the Arbitration and Conciliation Act 1996 (26 of 1996), in so far as they refer to arbitration.

‘Settlement by ‘Conciliation’ means the process by which a conciliator who is appointed by parties or by the Court, as the case may be conciliates the disputes between the parties to the suit by the application of the provisions of the Arbitration and Conciliation Act 1996 (26 of 1996), in so far as they relate to conciliation Act, and in particular, in exercise of his powers under sections 67 and 73 of that Act, by making proposals for a settlement of the dispute and by formulating or reformulating the terms of a possible settlement; and has a greater role than a mediator.

‘Settlement by Mediation’ means the process by which a mediator appointed by parties or by parties or by the Court, as the case may be, mediates the dispute between the parties to the suit by the application of the provisions of the Mediation Rules 2003, in Part II, and in particular, by facilitating discussion between parties directly or by communicating with each other through the mediator, by assisting parties in identifying issues, reducing misunderstandings, clarifying priorities, exploring areas of compromise, generating options in an attempt to solve the dispute and emphasizing that it is the parties own responsibility for making decisions which effect them.

‘Settlement in Lok Adalats’ means settlement by Lok Adalat as contemplated by the Legal Services Authority Act, 1987.

‘Judicial Settlement’ means a final settlement by way of compromise entered into before a suitable institution or person to which the Court has referred the dispute and which institution or person are deemed to be the Lok Adalats under the provisions of the Legal Service Authority Act, 1987 (39 of 1987) and where after such reference, the provisions of the said Act apply as of the dispute was referred to a Lok Adalat under the provisions of that Act.

5. **Procedure for reference by the Court to the different mode of settlement:**

(a) Where all parties to the suit decide to exercise their option and to agree for settlement by arbitration, they shall apply to the Court, within thirty days of the direction of the Court under clause (b) of Rule 2 and the Court shall, within thirty days of the said application, refer the matter to arbitration and thereafter the provisions of the Arbitration and Conciliation Act, 1996 (26 of 1996) which are applicable after the stage of making of the reference to arbitration under that Act, shall apply as if the proceedings were referred for settlement by way of arbitration under the provisions of that Act;

(b) Where all the parties to the suit decide to exercise their option and to agree for settlement by the Lok Adalat or where one of the parties applies for reference to Lok Adalat, the procedure envisaged under the Legal Services Act, 1987 and in particular by section 20 of that Act, shall apply.

(c) Where all the parties to the suit decide to exercise their option and to agree for judicial settlement, they shall apply to the Court within thirty days of the direction under clause (b) of Rule 2 and then the Court shall, within thirty days of the application, refer the matter to a suitable institution or person and such institution or person shall be deemed to be a Lok Adalat and thereafter the provisions of the Legal Services Authority Act, 1987 (39 of 1987) which are applicable after the stage of making of the reference to Lok Adalats under that Act, shall apply as if the proceedings were referred for settlement under the provisions of that Act;

(d) Where none of the parties are willing to agree to opt or agree to refer the dispute to arbitration, or Lok Adalat, or to judicial settlement, within thirty days of the direction of the Court under clause (b) of Rule 2, they shall consider if they could agree for reference to conciliation or mediation, within the said period.
(e) Where all the parties opt and agree for conciliation, they shall apply to the Court, within thirty
days of the direction under clause (b) of Rule 2 and the Court shall, within thirty days of the application refer the
matter to conciliation and thereafter the provisions of the Arbitration and Conciliation Act, 1996 (26 of 1996) which
are applicable after the stage of making of the reference to conciliation under that Act, shall apply, as if the
proceedings were referred for settlement by way of conciliation under the provisions of that Act;

(i) Where all the parties opt and agree for mediation, they shall to the Court within thirty days of the
direction under clause (b) of Rule 2 and the Court shall, within thirty days of the application, refer the matter to
mediation and then the Mediation Rules, 2003 in Part II shall apply.

(f) Where under clause (d), all the parties are not able to opt and agree for conciliation or mediation,
one or more parties may apply to the Court within thirty days of the direction under clause (b) of Rule 2, seeking
settlement through conciliation or mediation, as the case may be, and in that event, the Court shall, within a
further period of thirty days issue notice to the other parties to respond to the application, and;

(i) in case all the parties agree for conciliation, the Court shall refer the matter to conciliation and thereafter,
the provisions of the Arbitration and Conciliation Act, 1996 which are applicable after the stage of making of the
reference to conciliation under that Act, shall apply;

(ii) in case all the parties agree for mediation, the Court shall refer the matter to mediation and the provision
of the Sikkim Subordinate Courts Civil Procedure – Mediation Rules, 2006 shall apply;

(iii) in case all the parties do not agree and where it appears to the Court that there exits elements of a
settlement which may be acceptable to the parties and that there is a relationship between the parties which has
to be preserves, the Court shall refer the matter to conciliation or mediation, as the case may be. In case the
dispute is referred to Conciliation, the provisions of the Arbitration and Conciliation Act, 1996 which are applicable after the stage of making of the reference to Conciliation under that Act shall apply and in case the dispute is
reference to Conciliation under that Act shall apply and in case the dispute is referred to mediation, the provisions
of the Sikkim Subordinate Courts Civil Procedure – Mediation Rules, 2006 shall apply.

(g)(i) Where none of the parties apply for reference either to arbitration, or Lok Adalat, or judicial settlement, or
for conciliation or mediation, within thirty days of the direction under clause 9(b) of Rule 2, the Court shall, within
a further period of thirty days, issue notices to the parties or their representatives fixing the matter for hearing on
the question of making a reference either to conciliation or mediation.

(ii) After hearing the parties or their representatives on the day so fixed the Court shall, if there exist elements
of a settlement which may be acceptable to the parties and there is a relationship between the parties which has
to be preserved, refer the matter to conciliation or mediation. In case the dispute is referred to Conciliation, the
provisions of the Arbitration and Conciliation Act, 1996 which are applicable after the stage of making of the
reference to Conciliation under that Act shall apply and in case the dispute is referred to mediation, the provisions
of Sikkim Subordinate Courts Civil Procedure-Mediation Rules, 2006 shall apply.

(h)(i) No next friend or guardian for the suit shall, without the leave of the Court, expressly recorded in the
proceedings of the Court, opt for any one of the modes of alternative dispute resolution nor shall he enter into any
settlement on behalf of a minor or person under disability with reference to the suit in which he acts as mere friend
or guardian.

(ii) Where an application is made to the Court for leave to enter into a settlement initiated into in the
alternative dispute resolution proceedings on behalf of a minor or other person under disability and such minor or
other person under disability is represented by Counsel or pleader, the counsel or pleader, the counsel or pleader
shall file a certificate along with the said application to the effect that the settlement is, in his opinion, for the
benefit of the minor or other person under disability. The decree of the Court based on the settlement to which the
minor or other person under disability is a party, shall refer to the sanction of the Court thereto and shall set out
the terms of the settlement.

6. **Referral to the Court and appearance before the Court upon failure of attempts to settle disputes by conciliation or judicial settlement or mediation:**

   (1) Where a suit has been referred for settlement for conciliation, mediation or judicial settlement
and has not been settled or where it is felt that it would not be proper in the interests of justice to proceed further
with the matter, the suit shall be referred back again to the Court with a direction to the parties to appear before the
Court on a specific date.

   (2) Upon the reference of the matter back to the Court under sub-rule (1) or under sub-section (5) of
section 20 of the Legal Services Authority Act, 1987, the Court shall proceed with the suit in accordance with law.

7. **Training in alternative methods of resolution of disputes, and preparation of manual:**

   (a) The High Court shall take steps to have training courses conducted in places where the High
Court and the District Courts or Courts of equal status are located, by requested bodies recognized by the High
Court or the Universities imparting legal education or retired Faculty Members or other persons who, according to
the High Court are well versed in the techniques of alternative methods of resolution of dispute to conduct training
courses for lawyers and judicial officers.

   (b) (i) The High Court shall nominate a committee of judges, faculty members including retired persons
belonging to the above categories, senior members of the Bar, other members of the Bar specially qualified in the
techniques of alternative dispute resolution for the purpose of preparing a detailed manual of procedure for alternative
dispute resolution to be used by the Courts in the State as well as by the arbitration, or authority or person in the
case of judicial settlement or conciliators or mediators.

   (II) The said manual shall describe the various methods of alternative dispute resolution, the manner in which
any one of the said methods for any particular type of dispute and shall specifically deal with the role of the above
persons in disputes which are commercial or domestic in nature or which relate to matrimonial, maintenance and
child custody matters.

   (c) The District Courts shall periodically conduct seminars and workshop on the subject of alternative dispute
resolution procedures through out the State or States over which the District Courts have jurisdiction with a view to
bring awareness of such procedures and to impart training to lawyers and judicial officers.

   (d) Persons who have experience in the matter of alternative dispute resolution procedures, and in particular
in regard to conciliation and mediation, shall be given preference on the matter of empanelment for purposes of
conciliation or mediation.

(8) **Applicability to other proceedings.**

   The provisions of these Rules may be applied to proceedings before the Courts, including Family Courts
constituted under the Family Courts Act (66 of 1984), while dealing with matrimonial, maintenance and child
custody disputes, wherever necessary, in addition to the rules framed under the Family Courts Act, (66 of 1984).

S.W. Lepcha
REGISTRAR GENERAL
CIVIL PROCEDURES ALTERNATIVE DISPUTE RESOLUTION RULES, 2006

In exercise of the powers conferred by Article 225 of the Constitution of India, Section 8 of the High Court of Judicature (Jurisdiction and Powers) Proclamation of 1955 as amended by the Adaptation of Sikkim Laws (No.1) order 1975, Part X of the Code of Civil Procedure, 1908 and all other enabling powers, the High Court of Sikkim, hereby makes the following Civil Procedures-Alternative Dispute Resolution Rules, 2006 for the High Court.

1. **Short title and commencement**-
   (1) These rules shall be called the High Court of Sikkim, Civil Procedure Alternative Dispute Resolution Rules 2006.
   (2) They shall come into force on the date of their publication in the official Gazette.

2. **Procedure for directing parties to opt for alternative modes of settlement.**
   (a) The Court shall, after recording admissions and denials at the first hearing of the suit under Rule 1 of Order X, and where it appears to the Court may be acceptable to the parties, formulate the terms of settlement and give them to the parties for their observations under sub-section (1) of Section 89, of the Code of Civil Procedure and the parties shall submit to the Court their responses within thirty days of the first hearing.
   (b) At the next hearing, which shall be not later than thirty days of the receipt of responses, the Court may reformulate the terms of a possible settlement and shall direct the parties to opt for one of the modes of settlement disputes outside the Court as specified in clauses (a) and (d) of sub-section (1) of Section 89 read with Rule 1A of Order X, in the manner stated hereunder,

Provided that the Court, in the exercise of such powers, shall not refer any dispute to arbitration or to judicial settlement by a person or institution without the written consent of all the parties to the suit.

3. **Persons authorized to take decision for the Union of India, State Governments and others.**
   (1) For the purpose of Rule 2, the Union of India or the Government of a State or Union Territory, all local authorities, all Public Sector Undertakings, all statutory corporations and all public authorities shall nominate a person or persons or group of persons who are authorized to take a final decision as to the mode of Alternative Dispute Resolution in which it proposes to opt in the event of direction by the Court under Section 89 and such
nomination shall be communicated to the High Court within the period of three months from the date of commencement of these Rules and the High Court shall notify all the subordinate courts in this behalf as soon as such nomination is received from such Government or authorities.

(2) Where such person or persons or group of persons have not been nominated as aforesaid, such party as referred to in clause (1) shall, if it is a plaintiff, file along with the plaint or if it is a defendant file, along with or before the filing of the written statement, a memo in the Court, nominating a person or persons or group of persons who is or are authorized to take a final decision as to the mode of alternative dispute resolution, which the party prefers to adopt in the event of the Court directing the party to opt for one or other of the mode of Alternative Dispute Resolution.

4. **Court to give guidance to parties which giving direction to opt.**

(a) Before directing the parties to exercise option under clause (b) of Rule 2, the Court shall give such guidance as it deems fit to the parties, by drawing their attention to the relevant factors which parties will have to take into account, before they exercise their option as to the particular mode of settlement, namely:

(i) that it will be to the advantage of the parties, so far as time and expense are concerned, to opt for one or other of these modes of settlement referred to in section 89 rather than seek a trail on the disputes arising in the suit;

(ii) that, where there is no relationship between the parties which requires to be preserved, it may be in the interest of the parties to seek reference of the matter of arbitration as envisaged in clause (a) of sub-section (1) of section 89;

(iii) that, where there is a relationship between the parties which requires to be preserved, it may be in the interest of parties to seek reference of the matter to conciliation or mediation, as envisaged in clause (b) or (d) of sub-section (1) of section 89;

**Explanation:** Disputes arising in matrimonial, maintenance and child custody matters shall, among others, be treated as cases where a relationship between the parties has to be preserved.

(iv) that, where parties are interested in a final settlement, which may lead to a compromise, it will be in the interests of the parties to seek reference of the matter to Lok Adalat or to judicial settlement ad envisaged in clause (c) of sub-section (1) of section 89;

(v) the difference between the different modes of settlement, namely, arbitration, conciliation, mediation and judicial settlement are explained below:

**Settlement by ‘Arbitration’** means the process by which an Arbitrator appointed by parties or by the Court, as the case may be, adjudicates the disputes between the parties to the suit and passes an award by the application of the provisions of the Arbitration and Conciliation Act, 1996 (26 of 1996), in so far as they refer to arbitration.

**Settlement by ‘Conciliation’** means the process by which a Conciliator who is appointed by parties or by the Court, as the case may be conciliates the disputes between the parties to the suit by the application of the provisions of the Arbitration and Conciliation Act, 1996 (26 of 1996) in so far as they relate to conciliation, and in particular, in exercise of his powers under sections 67 and 73 of that Act, by making proposals for a settlement of the dispute and by formulating or reformulating the terms of a possible settlement; and has a greater role that a mediator.

**Settlement by ‘Mediation’** means the process by which a mediator appointed by the parties or by the Court, as the case may be, mediates the dispute between the parties to the suit by the application of the provisions of the Mediation Rules, 2003 in Part II, and in particular, by facilitating discussion between parties directly or by
communication with each other through the mediator, by assisting parties in identifying issues, reducing misunderstandings, clarifying priorities, exploring arrears of compromise, generating options in an attempt to solve the dispute and emphasizing that it is the parties own responsibility for making decisions which affect them.

Settlement in Lok Adalat means settlement by Lok Adalat as contemplated by the Legal Services Authority Act, 1987.

‘Judicial settlement’ means a final settlement by way of compromise entered into before a suitable Institution or person to which the Court has referred the dispute and which Institution or person are deemed to be the Lok Adalats under the provisions of the Legal Services Authority Act, 1987 (39 of 1987) and where after such reference, the provisions of the said Act apply as if the dispute was referred to a Lok Adalat under the provisions of that Act.

5. Procedure for reference by the Court to the different modes of settlement:

(a) Where all parties to the suit decide to exercise their option and to agree for settlement by arbitration, they shall apply to the Court, within thirty days of the direction of the Court under clause (b) of Rule 2 and the Court shall, within thirty days of the said application, refer the matter to arbitration and thereafter the provisions of the Arbitration and Conciliation Act, 1996 (26 of 1996) which are applicable after the stage of making of the reference to arbitration under the Act, shall apply as if the proceedings were referred for settlement by way of arbitration under the provisions of that Act.

(b) Where all the parties to the suit decide to exercise their option and to agree for settlement by the Lok Adalat or where one of the parties applies for reference to Lok Adalat, the procedure envisaged under the legal Services Act, 1987 and in particular by section 20 of that Act, shall apply.

(c) Where all the parties to the suit decide to exercise their options and to agree for judicial settlement, they shall apply to the Court within thirty days of the direction under clause (b) of Rule 2 and then the Court Shall, within thirty days of the application, refer the matter to a suitable institution or person and such institution or person shall be deemed to be a Lok Adalat and thereafter the provisions of the Legal Services Authority Act, 1987 (39 of 1987) which are applicable after the stage of making of the reference to Lok Adalat under the Act, shall apply as if the proceedings were referred for settlement under the provisions of that Act.

(d) Where none of the parties are willing to agree to opt or agree to refer the dispute to arbitration, or Lok Adalat, or to judicial settlement, within thirty days of the direction of the Court under clause (b) of Rule 2, they shall consider if they could agree for reference to conciliation or mediation, within the same period.

(e) (i) Where all the parties opt and agree for conciliation, they shall apply to the Court, within thirty days of the direction under clause (b) of Rule 2 and the Court shall, within thirty days of the application refer the matter to conciliation and thereafter the provisions of the Arbitration and Conciliation Act, 1996 (26 of 1996) which are applicable after the stage of making of the reference to conciliation under that Act, shall apply, as if the proceeding were referred for settlement by way of conciliation under the provisions of that Act.

(ii) Where all the parties opt and agree for mediation, they shall apply to the Court, within thirty days of the direction under clause (b) of Rule 2 and the Court shall, within thirty days of the application, refer the matter to mediation and then the Mediation Rules, 2003 in Part II shall apply.

(f) Where under clause (d), all the parties are not able to opt and agree for conciliation or mediation, one or more parties may applu to the Court within thirty days of the direction under clause (b) of Rule 2, seeking settlement through conciliation or mediation, as the case may be, and in that event, the Court shall, within a further period of thirty days issue notice to the other parties to respond to the application.

(i) In case of the parties agree for conciliation, the Court shall refer the matter to conciliation and thereafter, the provisions of the Arbitration and Conciliation Act, 1996 which are applicable after the stage of making of the reference to conciliation under that Act, shall apply.

(ii) In case all the parties agree for mediation, the Court shall refer the matter to mediation in accordance with the Civil Procedure-Mediation Rules, 2006.
In case all the parties do not agree and where it appears to the Court that there exist elements of a settlement which may be acceptable to the parties and that there is a relationship between the parties which has to be preserved, the Court shall refer the matter to conciliation or mediation, as the case may be. In case the dispute is referred to Conciliation, the provisions of the Arbitration and Conciliation Act, 1996 are applicable after the stage of making the reference to Conciliation under that Act and in case the dispute is referred to mediation, the provisions of the Civil Procedure-Mediation Rules, 2006 shall apply.

Where none of the parties apply for reference either to arbitration, or Lok Adalat, or judicial settlement, or for conciliation or mediation, within thirty days of the direction under clause (b) of Rule 2, the Court shall, within a further period of thirty days, issue notices to the parties or their representative fixing the matter for hearing on the question of making a reference either to conciliation or mediation.

After hearing the parties or their representatives on the day so fixed the Court shall, if there exist elements of a settlement which may be acceptable to the parties and there is a relationship between the parties which has to be preserved, refer the matter to conciliation or mediation, in case the dispute is referred to Conciliation, the provisions of the Arbitration and Conciliation Act, 1996 are applicable after the stage of making of the reference to Conciliation under that Act and in case of dispute is referred to mediation, the provisions of the Civil Procedure-Mediation Rules, 2006 shall apply.

No next friend or guardian for the suit shall, without the leave of the Court, expressly recorded in the proceedings of the Court, opt for any of the modes of alternative dispute resolution nor shall enter into any settlement on behalf of a minor or person under disability with reference to the suit in which he acts as mere friend or guardian.

Where an application is made to the Court for leave to enter into a settlement initiated into in the alternative dispute resolution proceedings on behalf of a minor or other person under disability and such minor or other person under disability is represented by Counsel or pleader, the counsel or pleader shall file a certificate along with the said application to the effect that the settlement is, in his opinion, for the benefit of the minor or other person under disability. The decree of the Court based on the settlement to which the minor or other person under disability is a party, shall refer to the sanction of the Court thereto and shall set out the terms of the settlement.

Referral to the Court and appearance before the Court upon failure pf attempts to settle disputes by conciliation or judicial settlement or mediation:

Where a suit has been referred for settlement for conciliation, mediation or judicial settlement and has not been settled or where it is felt that it would not be proper in the interest of justice to proceed further with the matter, the suit shall be referred back again to the Court with a direction to the parties to appear before the Court on a specific date.

Upon the reference of the matter back to the Court under sub-rule (1) or under sub-section (5) of section 20 of the Legal Services Authority Act, 1987, the Court shall proceed with the suit in accordance with law.

Training in alternative methods of resolution of disputes, and preparation of manual:

The High Court shall take steps to have training courses conducted in places where the High Court and the District Courts or Courts of equal status are located, by requesting bodies recognised by the High Court or the Universities imparting legal education or retired Faculty Members or other persons who, according to the High Court are well versed in the techniques of alternative methods of resolution of dispute to conduct training courses for lawyers and judicial officers.
(b) (i) The High Court shall nominate a committee of judges, faculty members including retired persons belonging to the above categories, senior members of the Bar, other members of the Bar specially qualified in the techniques of alternative dispute resolution for the purpose of preparing a detailed manual of procedure for alternative dispute resolution to be used by the Courts in the State as well as by the Arbitrators, or authority or person in the case of judicial settlement or conciliators or mediators.

(ii) The said manual shall describe the various methods of alternative dispute resolution, the manner in which any one of the said methods is to be opted for, the suitability of any particular method for any particular type of dispute and shall specifically deal with the role of the above persons in disputes which are commercial or domestic in nature or which relate to matrimonial, maintenance and child custody matters.

(c) The High Court shall periodically conduct seminars and workshops on the subject of alternative dispute resolution procedures throughout the State over which the High Court has jurisdiction with a view to bring awareness of such procedures and to impart training to lawyers and judicial officers.

(d) Persons who experience in the matter of alternative dispute resolution procedures, and in particular in regard to conciliation and mediation, shall be given preference in the matter of empanelment for purposes of conciliation or mediation.

8. **Applicability to other proceedings.**

The provisions of these Rules may be applied to proceedings before the Courts, including Family Courts constituted under the Family Courts Act (66 of 1984), while dealing with matrimonial, maintenance and child custody disputes, wherever necessary, in addition to the rules framed under the Family Courts Act, (66 of 1984).

S.W. Lepcha

REGISTRAR GENERAL
CIVIL PROCEDURE MEDIATION RULES, 2006.

In exercise of the powers conferred by Article 225 of the Constitution, Part X of the Code of Civil Procedure, 1908 (5 of 1908) and Section 8 of the High Court of Judicature (Jurisdiction and Powers) Proclamation of 1955 as amended by the Adaptation of Sikkim Laws (No.1) order 1975 and all other enabling powers, the High Court of Sikkim, hereby makes the following Civil Procedure Mediation Rules 2006, for the High Court.

1. Short title and commencement

   (1) These rules shall be called the High Court of Sikkim, Civil Procedure Mediation Rules, 2006.
   (2) They shall come into force on the date of their publication in the official gazette.

2. Appointment of mediator:

   (a) Parties to a suit may all agree on the name of the sole mediator for mediating between them.

   (b) Where, there are two sets of parties and they are unable to agree on a sole mediator, each set of party shall nominate a mediator.

   (c) Where parties agree on a sole mediator under clause (a) or where parties nominate more than one mediator under clause (b) the mediator need not necessarily be from the panel of mediators referred to in Rule 3 nor bear the qualifications referred to in Rule 4 but should not be a person who suffers from the disqualifications referred to in Rule 5.

   (d) Where there are more than two sets of parties having diverse interests, each set shall nominate a person on its behalf and the said nominees shall select the sole mediator and failing unanimity in that behalf, the Court shall appoint a sole mediator.
3. **Panel of mediators:**

   (a) The High Court shall, for the purpose of appointing mediators between parties in suits filed on its original side, prepare a panel of mediators and publish the same on its Notice Board, within thirty days of the coming into force of these Rules, with a copy to the Bar Association attached to the original side of the High Court.

   (b) Copies of the said panels referred to in clause (a) shall be forwarded to all the Courts of equivalent jurisdiction of Courts subordinate to the Courts referred to in clause (a) and to the Bar associations attached to each of the Courts;

   (c) The consent of the persons whose names are included in the panel shall be obtained before empanelling them.

   (d) The panel of names shall contain a detailed Annexure giving details of the qualifications of the mediators and their professional or technical experience in different fields.

4. **Qualifications of persons to be empanelled under Rule 3:**

   The following persons shall be treated as qualified and eligible for being enlisted in the panel of mediators under Rule 3, namely:

   (a) Retired Judges of the High Court;

   (b) Retired District and Sessions Judges or retired Judges of the City Civil Court or Courts of equivalent status.

   (c) Legal practitioners with at least fifteen years standing at the Bar at the level of the High Court; or the District Courts or Courts of equivalent status.

   (d) Experts or other professionals with at least fifteen years standing; or retired senior bureaucrats or retired senior executives;

   (e) Institutions which are themselves experts in mediation and have been recognized as such by the High Court, provided the names of its members are approved by the High Court initially or whenever there is change in membership.

5. **Disqualifications of persons:**

   The following persons shall be deemed to be disqualified for being empanelled as mediators:

   (a) Any person who has been adjudged as insolvent or is declared of unsound mind.

   (b) Any person against whom criminal charges involving moral turpitude are framed by a criminal court and are pending,

   (c) Any person who has been convicted by a criminal court for any offence involving moral turpitude.

   (d) Any person against whom disciplinary proceedings or charges relating to moral turpitude have been initiated by the appropriate disciplinary authority which are pending or have resulted in a punishment.

   (e) Any person who is interested or connected with the subject-matter of dispute or is related to any one of the parties or to those who represent them, unless such objection is waived by all the parties in writing.
(f) Any legal practitioner who has or is appearing for any of the parties in the suit or in any other suit or proceedings.

(g) Such other categories of persons as may be notified by the High Court.

6. **Venue for conducting mediation:**

The mediator shall conduct the mediation at one or other of the following places:

(a) Venue of the Lok Adalat or permanent Lok Adalat.

(b) Any place identified by the High Court within the Court precincts for the purpose of conducting mediation.

(c) Any place identified by the Bar Association or State Bar Council for the purpose of mediation, within the premises of the Bar Association or State Bar Council, as the case may be.

(d) Any other place as may be agreed upon by the parties subject to the approval of the Court.

7. **Preference.**

The Court shall, while nominating any person from the panel of mediators referred to in Rule 3, consider his suitability for resolving the particular class of dispute involved in the suit and shall give preference to those who have proven record of successful mediation or who have special qualification or experience in mediation.

8. **Duty of mediator to disclose certain facts:**

(a) When a person is approached in connection with his possible appointment as a mediator, the person shall disclose in writing to the parties, any circumstances likely to give rise to a justifiable doubt as to his independence or impartiality.

(b) Every mediator shall, from the time of his appointment and throughout the continuance of the mediation proceedings, without delay, disclose to the parties in writing, about the existence of any of the circumstances referred to in clause (a).

9. **Cancellation of appointment:**

Upon information furnished by the mediator under Rule 8 or upon any other information received from the parties or other persons, if the Court, in which the suit is filed, is satisfied, after conducting such inquiry as it deems fit, and after giving a hearing to the mediator, that the said information has raised a justifiable doubt as to the mediator’s independence or impartiality, it shall cancel the appointment by a reasoned order and replace him by another mediator.

10. **Removal or deletion from panel:**

A person whose name is placed in the panel referred to in Rule 3 may be removed or his name be deleted from the said panel, by the Court which empanelled him, if:

(a) he resigns or withdraws his name from the panel for any reason;

(b) he is declared insolvent or is declared of unsound mind;

(c) he is a person against whom criminal charges involving moral turpitude are framed by a criminal court and are pending;
(d) he is a person who has been convicted by a criminal court for any offence involving moral turpitude;
(e) he is a person against whom disciplinary proceedings on charges relating to moral turpitude have
been initiated by appropriate disciplinary authority which are pending or have resulted in a
punishment;
(f) he exhibits or displays conduct which is unbecoming of a mediator, during the course of the
mediation proceedings;
(g) the Court which empanelled, upon receipt of information, if it is satisfied, after conducting such
inquiry as it deems fit, is of the view, that it is not possible or desirable to continue the name of
that person in the panel,
Provided that, before removing or deleting his name, under clause (vi) and (vii), the Court shall
hear the mediator whose name is proposed to be removed or deleted from the panel and shall
pass a reasoned order.

11. **Procedure of mediation** :

(a) The parties may agree on the procedure to be followed by the mediator in the conduct of the
mediation proceedings.
(b) Where the parties do not agree on any particular procedure to be followed by the mediator, the
mediator shall follow the procedure hereinafter mentioned, namely :

(i) he shall fix, in consultation with the parties, a time schedule, the dates and the time of each
mediation session, where all parties have to be present;
(ii) he shall hold the mediation conference in accordance with the provisions of Rule 6;
(iii) he may conduct joint or separate meetings with the parties;
(iv) each party shall, ten days before a session, provide to the mediator a brief memorandum setting
forth the issues, which according to it, need to be resolved, and its position in respect to those
issues and all information reasonably required for the mediator to understand the issue; such
memoranda shall also be mutually exchanged between the parties;
(v) each party shall furnish to the mediator, copies of pleadings or documents or such other  information
as may be required by  him in connection with the issues  to be resolved.
Provided that where the mediator is of the opinion that he should look into any original document,
the Court may permit him to look into the original document before such Officer of the Court and
on such date or time as the Court may fix ;
(vi) each party shall furnish to the mediator such other information as may be required by him in
connection with the issues to be resolved.

(c) Where there is more than one mediator, the mediator nominated by each party shall first confer
with the party that nominated him and shall thereafter interact with the other mediators, with a
view to resolving the disputes.

12. **Mediator not bound by Evidence Act, 1872  or Code of Civil Procedure, 1908.**

The mediator shall not be bound by the Code of Civil Procedure 1908 or the Evidence Act, 1872, but shall
be guided by principles of fairness and justice have regard to the rights and obligations of the parties, usages of
trade, if any, and the nature of the dispute.

13. **Non attendance of parties at sessions or meetings on due dates.**

When any party fails to appear on any date as fixed by them for mediation the mediator shall interact with the
party who is present and communicate the view of that party to the other and assist them in identifying issues,
reducing misunderstandings, clarifying priorities, exploring areas of compromise and generating options in an
attempt to solve the dispute, emphasizing that it is the responsibility of the parties to take decisions which affect
them; he shall not impose any terms of settlement on the parties.
14. **Administrative assistance.**

In order to facilitate the conduct of mediation proceedings, the parties, or the mediator with the consent of the parties, may arrange for administrative assistance by a suitable institution or person.

15. **Offer of settlement by parties:**

(a) Any party to the suit may, without prejudice, offer a settlement to the other party at any stage of the proceedings, with notice to the mediator.

(b) Any party to the suit may make a, ‘without prejudice’ offer, to the other party at any stage of the proceedings, with notice to the mediator.

16. **Role of mediator:**

The mediator shall attempt to facilitate voluntary resolution of the dispute by the parties, mutually exchanged between the parties;

(v) each party shall furnish to the mediator, *copies of pleadings or documents* or such other information as may be required by him in connection with the issues to be resolved.

Provided that where the mediator is of the opinion that he should look into any original document, the Court may permit him to look into the original document before such Officer of the Court and on such date or time as the Court may fix :

(vi) each party shall furnish to the mediator such other information as may be required by him in connection with the issues to be resolved.

(c) Where there is more than one mediator, the mediator nominated by each party shall first confer with the party that nominated him and shall thereafter interact with the other mediators, with a view to resolving the disputes.

17. **Parties alone responsible for taking decision:**

The parties must understand that the mediator only facilitates in arriving at a decision to resolve disputes and that he will not and cannot impose any settlement nor does the mediator give any warranty that the mediation will result in a settlement. The mediator shall not impose any decision on the parties.

18. **Time limit for completion of mediation:**

On the expiry of sixty days from the date fixed for the first appearance of the parties before the mediator if no decision is arrived at between the parties, the mediation shall stand terminated, unless the Court, which referred the matter, either suo moto, or upon request by the mediator or any of the parties, and upon hearing all the parties, is of the view that extension of time is necessary or may be useful; but such extension shall not be beyond a further period of thirty days.

19. **Parties to act in good faith:**

While no one can be compelled to commit to settle his case by way of mediation, all parties shall commit to participate in the proceedings in good faith with the intention to settle the dispute, if possible.

20. **Confidentiality, disclosure and inadmissibility of information:**

(a) When a mediator receives confidential information concerning the dispute from any party, he shall disclose the substance of that information to the other party, if permitted in writing by the first party.
(b) when a party gives information to the mediator subject to a specific condition that it be kept confidential, the mediator shall not disclose that information to the other party, nor shall the mediator voluntarily divulge any information regarding the documents or what is conveyed to him orally as to what transpired during the mediation.

(c) Receipt or perusal, or preparation of records, reports or other documents by the mediator, or receipt of information orally by the mediator while serving in that capacity, shall be confidential and the mediator shall not be compelled to divulge information regarding the documents nor in regard to the oral information nor as to what transpired during the mediation.

(d) Parties shall maintain confidentiality in respect of events that transpired during mediation and shall not rely on or introduce the said information in any other proceedings as to:

(i) views expressed by a party in the course of the mediation proceedings;

(ii) documents obtained during the mediation which were expressly required to be treated as confidential or other notes, drafts or information given by parties or mediators;

(iii) proposals made or views expressed by the mediator;

(iv) admission made by a party in the course of mediation proceedings;

(v) the fact that a party had or had not indicated willingness to accept a proposal;

(5) There shall be no stenographic or audio or video recording of the mediation proceedings.

21. **Privacy**

Mediation sessions and meetings are private; only the concerned parties or their counsel or power of attorney holders can attend. Other persons may attend only with the permission of the parties or with the consent of the mediator.

22. **Immunity**:

No mediator shall be held liable for anything bona fide done or omitted to be done by him during the mediation proceedings for civil or criminal action nor shall he be summoned by any party to the suit to appear in a Court of law to testify in regard to information received by him or action taken by him or in respect of drafts or records prepared by him or shown to him during the mediation proceedings.

23. **Communication between mediator and the Court**.

(a) In order to preserve the confidence of parties in the Court and the neutrality of the mediator, there should be no communication between the mediator and the Court, except as stated in clauses (b) and (c) of this Rule.

(b) If any communication between the mediator and the Court is necessary, it shall be in writing and copies of the same shall be given to the parties or their counsel or Power of Attorney.

(c) Communication between the mediator and the Court shall be limited to communication by the mediator:

(i) with the Court about the failure of any party to attend;

(ii) regarding his assessment that the case is not suited for settlement through mediation;

(iii) that the parties have settled the dispute or disputes.
24: Settlement Agreement:

(a) Where an agreement is reached between the parties in regard to all the issues in the suit or some of the issues, the same shall be reduced to writing and signed by the parties or their Power of Attorney holder. If any counsel has represented the parties, they shall attest the signature of their respective clients.

(b) The agreement of the parties so signed and attested shall be submitted to the mediator who shall, with a covering letter signed by him, forward the same to the Court in which the suit is pending.

(c) Where no agreement is arrived at between the parties, before the time limit stated in Rule 18 or where, the mediator is of the view that no settlement is possible, he shall report the same to the said Court in writing.

25. Court to fix a date for recording settlement and passing decree:

(a) Within seven days of the receipt of any settlement, the Court shall issue notice to the parties fixing a day for recording the settlement, such date not being beyond a further period of fourteen days from the date of receipt of settlement, and the Court shall record the settlement, if it is not collusive.

(b) The Court shall then pass a decree in accordance with the settlement so recorded, if the settlement disposes of all the issues in the suit.

(c) If the settlement disposes of only certain issues arising in the suit, the Court shall record the settlement on the date fixed for recording the settlement and (i) if the issues are severable from other issues and if a decree could be passed to the extent of the settlement covered by those issues, the Court may pass a decree straightaway in accordance with the settlement on those issues without waiting for a decision of the Court on the other issues which are not settled.

(d) If the issues are not severable, the Court shall wait for a decision of the Court on the other issues which are not settled.

26. Fee of mediator and costs:

(a) At the time of referring the disputes to mediation, the Court shall, after consulting the mediator and the parties, fix the fee of the mediator.

(b) As far as possible a consolidated sum may be fixed rather than for each session or meeting.

(c) Where there are two mediators as in clause (b) of Rule 2, the Court shall fix the fee payable to the mediators which shall be shared equally by the two sets of parties.

(d) The expense of the mediation including the fee of the mediator, costs of administrative assistance, and other ancillary expenses concerned, shall be borne equally by the various contesting parties or as may be otherwise directed by the Court.

(e) Each party shall bear the costs for production of witnesses on his side including experts, or for production of documents.

(f) The mediator may, before the commencement of mediation, direct the parties to deposit equal sums, tentatively, to the extent of 40% of the probable costs of the mediation, as referred to in clauses (1), (3) and (4). The remaining 60% shall be deposited with the mediator, after the conclusion of mediation. For the amount of cost paid to the mediator, he shall issue the necessary receipts and a statement of account shall be filed, by the mediator in the Court.

(g) The expense of mediation including fee, if not paid by the parties, the Court shall, on the application of the mediator or parties, direct the concerned parties to pay, and if they do not pay, the Court shall recover the said amounts as if there was a decree for the said amount.

(h) Where a party is entitled to legal aid under section 12 of the Legal Services Authority Act, 1987, the amount of fee payable to the mediator and costs shall be paid by the concerned Legal Services Authority under that Act.
27. **Ethics to be followed by mediator:**

The mediator shall:

(a) follow and observe these Rules strictly and with due diligence;
(b) not carry on any activity or conduct which could reasonably be considered as conduct unbecoming of a mediator;
(c) uphold the integrity and fairness of the mediation process;
(d) ensure that the parties involved in the mediation are fairly informed and have an adequate understanding of the procedural aspects of the process;
(e) satisfy himself/herself that he/she is qualified to undertake and complete the assignment in a professional manner;
(f) disclose any interest or relationship likely to affect impartiality or which might seek an appearance of partiality or bias;
(g) avoid, while communicating with the parties, any impropriety or appearance of impropriety;
(h) be faithful to the relationship of trust and confidentiality imposed in the office of Mediator;
(i) conduct all proceedings related to the resolutions of a dispute, in accordance with the applicable law;
(j) recognize that mediation is based on principles of self-determination by the parties and that mediation process relies upon the ability of parties to reach a voluntary, undisputed agreement;
(k) maintain the reasonable expectations of the parties as to confidentiality;
(l) refrain from promises or guarantees of results.

28. **Transitory provisions:**

Until a panel of Arbitrators is prepared by the High Court, the Courts referred to in Rule 3, may nominate a mediator of their choice if the mediator belongs to the various classes of persons referred to in Rule 4 and are duly qualified, not disqualified, taking into account the suitability of the mediator for resolving a particular dispute.

S.W. Lepcha
REGISTRAR GENERAL
SIKKIM SUBORDINATE COURTS CIVIL PROCEDURE MEDIATION RULES, 2006.

In exercise of the powers conferred by section 7 (iii) of the High Court of Judicature (Jurisdiction and Powers) Proclamation of 1955 as amended by the Adaptation of Sikkim Law (No.1) order 1975 and in exercise of the power conferred by Part X of the Code of Civil Procedure 1908, (5 of 1908) and all other enabling powers, the High Court of Sikkim, makes the following Civil Procedure Mediation Rules 2006, for the Subordinate Courts of Sikkim.

1. **Short title and commencement**

   (a) These rules shall be called the Sikkim Subordinate Courts Civil Procedure Mediation Rules, 2006.

   (b) They shall come into force on the date of their publication in the official gazette.

2. **Appointment of mediator**

   (a) Parties to a suit may all agree on the name of the sole mediator for mediating between them.

   (b) Where, there are two sets of parties and are unable to agree on a sole mediator, each set of parties shall nominate a mediator.

   (c) Where parties agree on a sole mediator under clause (a) or where parties nominate more than one mediator under clause (b) the mediator need not necessarily be from the panel of mediators referred to in Rule 3 nor bear the qualifications referred to in Rule 4 but should not be a person who suffers from the disqualifications referred to in Rule 5.

   (d) Where there are more than two sets of parties having diverse interests, each set shall nominate a person on its behalf and the said nominees shall select the sole Mediator and failing unanimity in that behalf, the Court shall appoint a sole mediator.
3: **Panel of mediators:**

(a) The Courts of the District and Sessions Judge (East & North) Sikkim at Gangtok, District & Sessions Judge (South & West) Sikkim at Namchi, District & Sessions Judge (Special Division-I) at Gangtok, District & Sessions Judge (Special Division-II) at Gangtok, shall for the purposes of appointing mediators to mediate between parties in suits filed on their original side, prepare a panel of mediators, within a period of sixty days of the commencement of these Rules, after obtaining the approval of the High Court to the names included in the panel, and shall publish the same on their respective Notice Board.

(b) Copies of the said panels referred to in clause (a) shall be forwarded to all the Courts of equivalent jurisdiction subordinate to the Courts referred to in clause (a) and to the Bar Associations attached to each of the Courts:

(c) The consent of the persons whose names are included in the panel shall be obtained before empanelling them.

(d) The panel of names shall contain a detailed Annexure giving details of the qualifications of the mediators and their professional or technical experience in different fields.

4. **Qualifications of persons to be empanelled under Rule 3.**

The following persons shall be treated as qualified and eligible for being enlisted in the panel of mediators under Rule 3, namely:

(a) Retired District and Sessions Judges or Judicial Officers of Courts of equivalent status.

(b) Retired Chief Judicial Magistrate-cum-Civil Judges.

(c) Legal practitioners with at least fifteen Years standing at the Bar at the level of the Supreme Court or the High Court; or the District Courts or Courts of equivalent status.

(d) Experts or other professionals with at least fifteen years standing; or retired senior bureaucrats or retired senior executives;

(e) Institutions which are themselves experts in mediation and have been recognized as such by the High Court, provided the names of its members are approved by the High Court initially or whenever there is change in membership.

5. **Disqualifications of persons:**

The following persons shall be deemed to be disqualified for being empanelled as mediators:

(a) any person who has been adjudged as insolvent or is declared of unsound mind;

(b) or any person against whom criminal charges involving moral turpitude are framed by a Criminal Court and are pending;

(c) any person who has been convicted by a Criminal Court for any offence involving moral turpitude;

(d) any person against whom disciplinary proceedings or charges relating to moral turpitude have been initiated by the appropriate disciplinary authority which are pending or have resulted in a punishment;
any person who is interested or connected with the subject-matter of dispute or is related to any one of the parties or to those who represent them, unless such objection is waived by all the parties in writing;

(f) any legal practitioner who has or is appearing for any of the parties in the suit or in any other suit or proceedings;

(g) such other categories of persons as may be notified by the High Court.

6. **Venue for conducting mediation:**

The mediator shall conduct the mediation at one or other of the following places:

(a) Venue of the Lok Adalat or permanent Lok Adalat.

(b) Any place identified by the District Judge within the Court precincts for the purpose of conducting mediation.

(c) Any place identified by the Bar Association or State Bar Council for the purpose of mediation, within the premises of the Bar Association or State Bar Council, as the case may be.

(d) Any other place as may be agreed upon by the parties subject to the approval of the Court.

7. **Preference.**

The Court shall, while nominating any person from the panel of mediators referred to in Rule 3, consider his suitability for resolving the particular class of dispute involved in the suit and shall give preference to those who have proven record of successful mediation or who have special qualification or experience in mediation.

8. **Duty of mediator to disclose certain facts:**

(a) When a person is approached in connection with his possible appointment as a Mediator, the person shall disclose in writing to the parties, any circumstances likely to give rise to a justifiable doubt as to his independence or impartiality.

(b) Every mediator shall, from the time of his appointment and throughout the continuance of the mediation proceedings, without delay, disclose to the parties in writing, about the existence of any of the circumstances referred to in clause (a).

9. **Cancellation of appointment:**

Upon information furnished by the mediator under Rule 8 or upon any other information received from the parties or other persons, if the Court, in which the suit is filed, is satisfied, after conducting such inquiry as it deems fit, and after giving a hearing to the mediator, that the said information has raised a justifiable doubt as to the mediator’s independence or impartiality, it shall cancel the appointment by a reasoned order and replace him by another mediator.
10. Removal or deletion from panel.

A person whose name is placed in the panel referred to in Rule 3 may be removed or his name be deleted from the said panel, by the Court which empanelled him, if:

(a) he resigns or withdraws his name from the panel for any reason.

(b) he is declared insolvent or is declared of unsound mind;

(c) he is a person against whom criminal charges involving moral turpitude are framed by a criminal court and are pending;

(d) he is a person who has been convicted by a criminal court for any offence involving moral turpitude;

(e) he is a person against whom disciplinary proceedings on charges relating to moral turpitude have been initiated by appropriate disciplinary authority which are pending or have resulted in a punishment;

(f) he exhibits or displays conduct, which is unbecoming of a mediator during the continuance of the mediation proceedings.

(g) The Court which empanelled, upon receipt of information, if it is satisfied, after conducting such inquiry as it deems fit, is of the view, that it is not possible or desirable to continue the name of that person in the panel,

Provided that, before removing or deleting his name, under clause (vi) and (vii), the Court shall hear the mediator whose name is proposed to be removed or deleted from the panel and shall pass a reasoned order.

11. Procedure of mediation.

(a) The parties may agree on the procedure to be followed by the mediator in the conduct of the mediation proceedings.

(b) Where the parties do not agree on any particular procedure to be followed by the mediator, the mediator shall follow the procedure hereinafter mentioned, namely:

(i) he shall fix, in consultation with the parties, a time schedule, the dates and the time of each mediation session, where all parties have to be present;

(ii) he shall hold the mediation conference in accordance with the provisions of Rule 6;

(iii) he may conduct joint or separate meetings with the parties;

(iv) each party shall, ten days before a session, provide to the mediator a brief memorandum setting forth the issues, which according to it, need to be resolved, and its position in respect to those issues and all information reasonably required for the mediator to understand the issue; such memoranda shall also be mutually exchanged between the parties;

(v) each party shall furnish to the mediator, copies of pleadings or documents or such other information as may be required by him in connection with the issues to be resolved.

Provided that where the mediator is of the opinion that he should look into any original document, the Court may permit him to look into the original document before such Officer of the Court and on such date or time as the Court may fix;
(vi) each party shall furnish to the mediator such other information as may be required by him in connection with the issues to be resolved.

(c) Where there is more than one mediator, the mediator nominated by each party shall first confer with the party that nominated him and shall thereafter interact with the other mediators, with a view to resolving the disputes.

12. **Mediator no bound by Evidence Act, 1872 or Code of Civil Procedure, 1908.**

The mediator shall not be bound by the Code of Civil Procedure 1908 or the Evidence Act, 1872, but shall be guided by principles of fairness and justice have regard to the rights and obligations of the parties, usages of trade, if any, and the nature of the dispute.

13. **Non attendance of parties at sessions or meetings on due dates.**

(a) The parties shall be present personally or may be represented by their Counsel or Power of Attorney holders at the meetings or sessions notified by the mediator.

(b) If a party fails to attend a session or a meeting notified by the mediator, other parties or the mediator can apply to the Court in which the suit is filed, to issue appropriate directions to that party to attend before the mediator and if the Court finds that a party is absenting himself before the mediator without sufficient reason, the Court may take action against the said party by imposition of costs.

(c) The parties not resident in India, may be represented by their Counsel or power of attorney holders at the sessions or meetings.

14. **Administrative assistance.**

In order to facilitate the conduct of mediation proceedings, the parties, or the mediator with the consent of the parties, may arrange for administrative assistance by a suitable institution or person.

15. **Offer of settlement by parties:**

(a) Any party to the suit may, without prejudice, offer a settlement to the other party at any stage of the proceedings, with notice to the mediator.

(b) Any party to the suit may make a, ‘without prejudice’ offer, to the other party at any stage of the proceedings, with notice to the mediator.

16. **Role of mediator:**

The mediator shall attempt to facilitate voluntary resolution of the dispute by the parties, and communicate the view of each party to the other, assist them in identifying issues, reducing misunderstandings, clarifying priorities, exploring areas of compromise and generating options in an attempt to solve the dispute, emphasizing that it is the responsibility of the parties to take decision which affect them; he shall not impose any terms of settlement on the parties.
17. **Parties alone responsible for taking decision:**

The parties must understand that the mediator only facilitates in arriving at a decision to resolve disputes and that he will not and cannot impose any settlement nor does the mediator give any warranty that the mediation will result in a settlement. The mediator shall not impose any decision on the parties.

18. **Time limit for completion of mediation:**

On the expiry of sixty days from the date fixed for the first appearance of the parties before the mediator if no decision is arrived at between the parties the mediation shall stand terminated, unless the Court, which referred the matter, either suo moto, or upon request by the mediator or any of the parties, and upon hearing all the parties, is of the view that extension of time is necessary or may be useful; but such extension shall not be beyond a further period of thirty days.

19. **Parties to act in good faith:**

While no one can be compelled to commit to settle his case by way of mediation, all parties shall commit to participate in the proceedings in good faith with the intention to settle the dispute, if possible.

20. **Confidentiality, disclosure and inadmissibility of information:**

(a) When a mediator receives confidential information concerning the dispute from any party, he shall disclose the substance of that information to the other party, if permitted in writing by the first party.

(b) When a party gives information to the mediator subject to a specific condition that it be kept confidential, the mediator shall not disclose that information to the other party, nor shall the mediator voluntarily divulge any information regarding the documents or what is conveyed to him orally as to what transpired during the mediation.

(c) Receipt or perusal, or preparation of records, reports or other documents by the mediator, or receipt of information orally by the mediator while serving in that capacity, shall be confidential and the mediator shall not be compelled to divulge information regarding the documents nor in regard to the oral information nor as to what transpired during the mediation.

(d) Parties shall maintain confidentiality in respect of events that transpired during mediation and shall not rely on or introduce the said information in any other proceedings as to:

   (i) views expressed by a party in the course of the mediation proceedings;
   (ii) documents obtained during the mediation which were expressly required to be treated as confidential or other notes, drafts or information given by parties or mediators;
   (iii) proposals made or views expressed by the mediator;
   (iv) admission made by a party in the course of mediation proceedings;
   (v) the fact that a party had or had not indicated willingness to accept a proposal.

(5) There shall be no stenographic or audio or video recording of the mediation proceedings.

21. **Privacy**

Mediation sessions and meetings are private; only the concerned parties or their Counsel or power of attorney holders can attend. Other persons may attend only with the permission of the parties or with the consent of the mediator.
22. **Immunity**:

No mediator shall be held liable for anything bona fide done or omitted to be done by him during the mediation proceedings for civil or criminal action nor shall he be summoned by any party to the suit to appear in a Court of law to testify in regard to information received by him or action taken by him or in respect of drafts or records prepared by him or shown to him during the mediation proceedings.

23. **Communication between mediator and the Court**.

(a) In order to preserve the confidence of parties in the Court and the neutrality of the mediator, there should be no communication between the mediator and the Court, except as stated in clauses (b) and (c) of this Rule.

(b) If any communication between the mediator and the Court is necessary, it shall be in writing and copies of the same shall be given to the parties or their Counsel or power of attorney holder.

(c) Communication between the mediator and the Court shall be limited to communication by the mediator:

(i) with the Court about the failure of any party to attend;
(ii) with the Court with the consent of the parties;
(iii) regarding his assessment that the case is not suited for settlement through mediation;
(iv) that the parties have settled the dispute or disputes.

24. **Settlement Agreement**:

(a) Where an agreement is reached between the parties in regard to all the issues in the suit or some of the issues, the same shall be reduced to writing and signed by the parties or their power of attorney holder. If any counsel has represented the parties, they shall attest the signature of their respective clients.

(b) The agreement of the parties so signed and attested shall be submitted to the mediator who shall, with a covering letter signed by him, forward the same to the Court in which the suit is pending.

(c) Where no agreement is arrived at between the parties, before the time limit stated in Rule 18 or where, the mediator is of the view that no settlement is possible, he shall report the same to the said Court in writing.

25. **Court to fix a date for recording settlement and passing decree**:

(a) Within seven days of the receipt of any settlement, the Court shall issue notice to the parties fixing a day for recording the settlement, such date not being beyond a further period of fourteen days from the date of receipt of settlement, and the Court shall record the settlement, if it is not collusive.

(b) The Court shall then pass a decree in accordance with the settlement so recorded, if the settlement disposes of all the issues in the suit.

(c) If the settlement disposes of only certain issues arising in the suit, the Court shall record the settlement on the date fixed for recording the settlement and (i) if the issues are severable from other issues and if a decree could be passed to the extent of the settlement covered by those issues, the Court may pass a decree straightaway in accordance with the settlement on those issues without waiting for a decision of the Court on the other issues which are not settled.
26: **Fee of mediator and costs:**

(a) At the time of referring the disputes to mediation, the Court shall, after consulting the mediator and the parties, fix the fee of the mediator.

(b) As far as possible a consolidated sum may be fixed rather than for each session or meeting.

(c) Where there are two mediators as in clause (b) of Rule 2, the Court shall fix the fee payable to the mediators which shall be shared equally by the two sets of parties.

(d) The expense of the mediation including the fee of the mediator, costs of administrative assistance, and other ancillary expenses concerned, shall be borne equally by the various contesting parties or as may be otherwise directed by the Court.

(e) Each party shall bear the costs for production of witnesses on his side including experts, or for production of documents.

(f) The mediator may, before the commencement of mediation, direct the parties to deposit equal sums, tentatively, to the extent of 40% of the probable costs of the mediation, as referred to in clauses (1), (3) and (4). The remaining 60% shall be deposited with the mediator, after the conclusion of mediation. For the amount of cost paid to the mediator, he shall issue the necessary receipts and a statement of account shall be filed, by the mediator in the Court.

(g) The expense of mediation including fee, if not paid by the parties, the Court shall, on the application of the mediator or parties, direct the concerned parties to pay, and if they do not pay, the Court shall recover the said amounts as if there was a decree for the said amount.

(h) Where a party is entitled to legal aid under section 12 of the Legal Services Authority Act, 1987, the amount of fee payable to the mediator and costs shall be paid by the concerned Legal Services Authority under that Act.

27. **Ethics to be followed by mediator:**

The mediator shall:

(a) follow and observe these Rules strictly and with due diligence;

(b) not carry on any activity or conduct which could reasonably be considered as conduct unbecoming of a mediator;

(c) uphold the integrity and fairness of the mediation process;

(d) ensure that the parties involved in the mediation are fairly informed and have an adequate understanding of the procedural aspects of the process;

(e) satisfy himself/herself that he/she is qualified to undertake and complete the assignment in a professional manner;
(f) disclose any interest or relationship likely to affect impartiality or which might seek an appearance of partiality or bias;

(g) avoid, while communicating with the parties, any impropriety or appearance of impropriety;

(h) be faithful to the relationship of trust and confidentiality imposed in the office of mediator;

(i) conduct all proceedings related to the resolutions of a dispute, in accordance with the applicable law;

(j) recognize that mediation is based on principles of self-determination by the parties and that mediation process relies upon the ability of parties to reach a voluntary, undisputed agreement;

(k) maintain the reasonably expectations of the parties as to confidentiality;

(l) refrain from promises or guarantees of results.

28. **Transitory provisions**:

Until a panel of Mediator is prepared by the District Court, the Courts referred to in Rule 3, may nominate a mediator of their choice if the mediator belongs to the various classes of persons referred to in Rule 4 and is duly qualified and is not disqualified, taking into account the suitability of the mediator for resolving the particular dispute.

S.W. Lepcha
REGISTRAR GENERAL
In exercise of the power conferred by Article 225 of the Constitution of India, Section 8 of the High Court of Judicature (Jurisdiction and Powers) Proclamation of 1955 as amended by the Adaptation of Sikkim Laws (No. 1) order 1975, Part X of the Code of Civil Procedure, 1908 and all other enabling powers, the High Court of Sikkim, hereby makes the following Rules for case flow management in the High Court:

Short title and commencement: -

(1) These rules shall be called the High Court of Sikkim, Case Flow Management Rules 2006.
(2) They shall come into force on the date of their publication in the official Gazette.

I. Division of Cases into different tracks:

1. Writ Petitions: The High Court shall, at the stage of admission or issuing notice before admission categorise the Writ Petitions other than Writ of Habeas Corpus, into three categories depending on the urgency with which the matter should be dealt with; the Fast Track, the Normal Track and the Slow Track. The petitions in the Fast Track, shall invariably be disposed of within a period not exceeding six months while the petitions in the Normal Track should not take longer than a year. The petitions in the Slow Track, Subject to the pendency of other cases in the Court, should ordinarily be disposed of within a period of two years.

Where an interim order of stay or injunction is granted in respect of liability to tax or demolition or eviction from public premises etc. shall be put on the fast track. Similarly, all matters involving tenders would also be put on the Fast Track. These matters cannot brook delays in disposal.
2. The Additional Registrar-cum-Senior Reader, of the High Court, nominated for the purpose, shall at intervals of every month, monitor the stage of each case likely to come up for hearing before each Bench (Division Bench or Single Judge) during that month which have been allocated to the different tracks. The details shall be placed before the Chief Justice or Committee nominated for that purpose as well as the concerned Judge dealing with cases.

3. The Judge or Judges referred to in Clause (2) above may shift the case from one track to another, depending upon the complexity, (urgency) and other circumstances of the case.

4. Where computerization is available, data will be fed into the computer in such a manner that the Court or Judge or Judges, referred to in Clause (2) above will be able to ascertain the position and stage of every case in every track from the computer screen.

5. Whenever the roster changes, the Judge concerned who is dealing with final matters shall keep himself informed about the stage of the cases in various tracks listed before him during every week, within a view to see that the cases are taken up early.

6. **Other matters:** The High Court shall also divide the Civil Appeals and other matters in the High Court into different tracks on the lines indicated in sub-clauses (2) to (5) above and the said clauses shall apply, mutatis mutandis, to the civil appeals filed in the High Court. The High Court shall make a subject-wise division of the appeals/revision application for allocation into different tracks.

7. **Writ of Habeas Corpus:**

   Notices in respect of Writ of Habeas Corpus where the person is in custody under the order of the State Government or Central Government shall invariably be issued by the Court at the first listing and shall be made returnable within 48 hours. State Government or Central Government may file a brief return enclosing the relevant documents to justified the detention. The matter shall be listed after notice on the fourth working day after issuance of notice, and the Court shall consider whether a more detailed return to the Writ is necessary, and, if so required, shall give further time of a week and three days’ for filling a rejoinder. A Writ of Habeas Corpus shall invariably be disposed of within a period of fifteen days. It shall have preference over and above fast-track cases.

8. **Mode of Advance Service:**

   The Court rules will provide for mode of service of notice on the standing counsel for Respondents wherever available, against whom, interim orders are sought. Such advance service shall generally relate to Government or public sector undertakings who have Standing Counsel.

**FIRST APPEALS**

9. **Service of Notice of Appeal:**

   First Appeals being appeals on questions of fact and law, Courts are generally inclined to admit the appeal and it is only in exceptional cases that the appeal is rejected under Order XLI Rules 11 at admission stage. In view of the amended CPC, a copy of the appeal is required to be filed in the Trial Court. It has been clarified by the Supreme Court that the requirement of filing of appeal in the Trial Court does not mean that the party cannot file that appeal in the appellate Court (High Court) immediately for obtaining interim orders.
In addition to the process for normal service as per the Code of Civil Procedure, advance notice should simultaneously be given by the counsel for the party who is proposing to file the appeal, to the counsel for the opposite party in the Trial Court itself so as to enable them to inform the parties to appear if they so choose even at the first hearing stage.

10. **Filing of Documents:**

   The Appellant shall, on the appeal being admitted, file all the essential papers within such period as may be fixed by the High Court, for the purpose of the High Court understanding the scope of the dispute and for the purpose of passing interlocutory orders.

11. **Printing or typing Paper Book:**

   Printing and preparation of preparation of paper-books by the High Court Should be done away with. After service of notice is effected, counsel for both sides should agree on the list of documents and evidence to be printed or typed and the same shall be made ready by the parties within the time to be fixed by the Court. Thereafter the paper book shall be get ready. The paper books should be ready at least six weeks in advance before the appeal is taken up for arguments. (Cause lists must specify if paper books have been filed or not).

12. **Filing of Written submissions and time for oral arguments:**

   Both the appellants and the respondents shall be required to submit their written submissions with all the relevant pages as per the Court paper-book marked therein within a month of preparation of such paper-books, referred to in para 3 above.

   Cause list may indicate if written submissions have been filed. If not, the Court must direct that they be filed immediately.

   After the written submissions are filed, (with due service of copy to the other side) the matter should be listed before the Additional Registrar-cum- Senior Reader for the parties to indicate the time that will be taken for arguments in the appeal. Alternatively, such matters may be listed before a judge in chambers for deciding the time duration and thereafter to fix a date of hearing on a clear date when the requisite extent of time will be available.

   In the event that the matter is likely to take a day or more, the High Court may consider having a Caution List/ Alternative List to meet eventualities where a case gets adjourned due to unavoidable reasons or does not go on before a court, and those cases may be listed before a court where, for one reason or another, the scheduled cases are not taken up for hearing.

13. **Court may explore possibility of settlement:**

   At the first hearing of a First Appeal when both parties appear, the Court Shall find out if there is a possibility of a settlement. If the parties are agreeable even at that stage for mediation or conciliation, the High Court could make a reference to mediation or conciliation for the said purpose.

   If necessary, the process contemplated by Section 89 of CPC may be resorted to by the Appellate Court so that the hearing of the appeal is not unnecessarily delayed. Whichever is the ADR process adopted, the Court should fix a date for a report on the ADR two months from the date of reference.
14. **Appeals to Division Bench from judgment of Single Judge of High Court [Letter Patent Appeals (LPA) or similar appeals under High Court Acts]**:

An appeal to a Division Bench from judgment of Single Judge may lie in the following cases:

1. Appeals from interlocutory orders of the Single Judge in original jurisdiction matters including writs; (2) appeals from final judgments of a Single Judge in original jurisdiction; (3) other appeals permitted by any law to a Division Bench.

Appeals against interlocutory orders falling under category (1) above should be invariably filed after advance notice to the opposite counsel (who has appeared before the Single Judge) so that both the sides will be represented at the very first hearing of the appeals. If both parties appear at the first hearing, there is no need to serve the opposite side by normal process and at least in some case, the appeals against interlocutory orders can be disposed of even at the first hearing. If, for any reason, this is not practicable such appeals against interim orders should be disposed of within a period of a month.

In cases referred to above, necessary documents should be kept ready by the counsel to enable the Court to dispose of the appeal against interlocutory matters at the first hearing itself.

In all Appeals against interim orders in the High Court, in Writs and civil matters, the Court should endeavour to set down and observe a strict time limit in regard to oral arguments. In case of Original Side appeals/ LPAs arising out of final orders in a Writ Petition or arising out of civil suits filed in the High Court, a flexible time schedule may be followed.

The practice/direction in regard to First Appeal should mutatis mutandis apply in respect of LPAs/Original Side appeals against final judgments of the Single Judge.

Writ Appeals/Letters Patent Appeals arising from orders of the Single Judge in a Writ Petition should be filed with simultaneous service on the counsel for the opposite party who had appeared before the Single Judge or on service of the opposite party.

Writ Appeals against interim orders of the Single Judge should invariably be disposed of early and, at any rate, within a period of thirty days from the first hearing. Before Writ Appeals against final orders in Writ Petitions are heard, brief written submissions must be filed by both parties within such time as may be fixed by the court.

15. **Second Appeals**:

Even at the stage of admission, the questions of law with a brief synopsis and written submissions on each of the propositions should be filed so as to enable the Court to consider whether there is a substantial question of law. Wherever the Court is inclined to entertain the appeal, apart from normal procedure for service as per rules, advance notice shall be given to the counsel who had appeared in the first appeal letter Court. The notice should require the respondents to file their written submissions within a period of eight weeks from service of notice. Efforts should be made to complete the hearing of the Second Appeals within a period of six months.

16. **Civil Revision**:

A revision petition may be filed under Section 115 of the Code or under any special statute. The practice direction in regard to LPAs and First Appeals to the High Courts, should mutatis mutandis apply in respect of revision petitions.
Criminal Appeals:

Criminal Appeals should be classified on the basis of offence, sentence and whether the accused is on bail or in jail. Capital punishment cases, rape, sexual offences, dowry death cases should be kept in Track I. Other cases where the accused is not granted bail and is in jail, should be kept in Track II. Cases which affect a large number of persons such as cases of mass cheating, economic offences, illicit liquor tragedy, food adulteration cases, offences of sensitive nature should be kept in Track III. Offences which are tried by special courts such as POTA, TADA, NDPS, Prevention of Corruption Act, etc. should be kept in Track IV. Track V – all other offences.

The endeavour should be to complete Tack I cases within a period of six months, Track II cases within nine months, Track III within a year, Track IV and Track V within fifteen months.

Wherever an appeal is filed by a person in jail, and also when appeals are filed by State, the complete paper-books including the evidence, should be filed within such period as may be fixed by Court.

In appeals against acquittals, steps for appointment of amicus curie or State Legal Aid counsel in respect of the accused who do not have a lawyer of their own should be undertaken by the Registry/ (State Legal Services Committee) immediately after completion of four weeks of service of notice. It shall be presumed that in such an event the accused is not in a position to appoint counsel, and within two weeks thereafter counsel shall be appointed and shall be furnished all the papers.

Note

Wherever there is any inconsistency between these rules and the provisions of either the Code of Civil Procedure, 1908 or the Code of Criminal Procedure, 1973 or the High Court Act, or any other statute, the provisions of such Codes and statutes shall prevail.

S.W. Lepcha
REGISTRAR GENERAL
SIKKIM
GOVERNMENT
GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

Gangtok Monday 11th August, 2006 No. 250

HIGH COURT OF SIKKIM
GANGTOK

No.28/HCS

Dated: 05.08.2006
NOTIFICATION

SIKKIM SUBORDINATE COURTS CASE FLOW MANAGEMENT
RULES, 2006

In exercise of the powers conferred by Section 7 (iii) of the High Court of Judicature (Jurisdiction and Powers) Proclamation of 1955 as amended by the Adaptation of Sikkim Laws (No.1) Order, 1975 and in exercise of the power conferred by Part X of the Code of Civil Procedure 1908, (5 of 1908) and all other enabling powers, the High Court of Sikkim, makes the following Case Flow Management Rules, 2006 for the Subordinate courts of Sikkim.

1. **Short title and commencement**

   1. These rules shall be called the Subordinate Courts of Sikkim, Case Flow Management Rules, 2006.
   2. They shall come into force on the date of their publication in the official Gazette.

I. **Division of Cases into different tracks**:

   1. The Civil Judge-cum-Judicial Magistrate of all Districts shall at the stage of registration of Title Suits, Money Suits, Civil Execution Cases, Civil Misc. Cases, Civil Misc. Applications, General Register cases, Vigilance Cases, Private Complaint cases, Prosecution Report Cases, Criminal Cases and Cases under the Juvenile Justice Care and Protection Act categorise each of the above cases into three categories depending on the urgency with which the matters should be dealt with in the Fast Track, the Normal Track and the Slow Track. All matters in the Fast Track shall invariably be disposed of within a period not exceeding six months. Matters in the Normal Track should not take longer than a year. Matters in the Slow Track subject to pendency of other
cases in the Court, should ordinarily be disposed of within a period of two years. Where an interim order of stay or injunction is granted in respect of liability of tax or demolition, construction of public premises shall be put in the Fast Track. Similarly all matters involving tenders would also be put in the Fast Track. These matters cannot brook delays in disposals.

2. The Chief Judicial Magistrate-cum-Civil Judges of all the Districts shall at the stage of registration of General Registration Cases, Vigilance Cases, Private Complaint Cases, Prosecution Report Cases, Criminal Misc. Cases, Notification Cases, Title Suits, Money Suits Civil Execution Cases, Civil Misc. Cases and Civil Misc. Application categorise each of the above cases into three categories depending on the urgency with which the matter should be dealt with, in the Fast Track, the Normal Track and the Slow Track. The matters in the Fast Track shall invariably be disposed of within a period not exceeding six months. The matters in the Normal Track should not take longer than a year. The matters in the Slow Track subject to the pendency of other Cases in the Court should ordinarily be disposed of within a period of two years.

Where an interim order of stay or injunction is granted in respect of liability to tax, construction, demolition or eviction from public premises etc shall be put in the Fast Track. Similarly all matters involving tenders shall also be put in the Fast Track, these matters cannot brook delays in disposals.

3. All the Courts of District & Sessions Judges shall at the stage of registration of Sessions Trial Cases including Sessions Trial (C.I.D. Cases), Sessions Trial (C.B.I Cases), Sessions Trial (Vigilance Cases), Sessions Trial (Pota Cases), Sessions Trial (Human Rights cases), Sessions Trial (N.D.P.S. Cases) Private Complaint Cases, Criminal Revision Cases, Criminal Appeal Cases, all other miscellaneous matters, Title Suits, Eviction Suits, Money Suits, Intellectual Property Rights Suits, Land Acquisition Cases. All appeals MACT cases and all miscellaneous matters categorise each of the above cases into three categories depending on the urgency with which the matters should be dealt with in the Fast Track, the Normal Track and the Slow Track. The matters in the Fast Track shall invariably be disposed of within a period not exceeding six months. The matters in the Normal Track should not take longer than a year. The matters in the Slow Track subject to the pendency of other cases in the Court should ordinarily be disposed of within a period of two years. Capital punishment cases, rape cases, sexual offences, dowry death cases should be kept in Track I. Other cases where the accused is not granted bail and is in jail, should be kept in Track II. Cases which affect a large number of persons such as cases of mass cheating, economic offences, illicit liquor tragedy, food adulteration cases, offences of sensitive nature should be kept in Track III. Offences which are tried by special courts such as POTA, TADA, NDPS, Prevention of Corruption Act, etc. should be kept in Track IV. Track V – all other offences.

The endeavour should be to complete Track I cases within a period of six months, Track II cases within nine months, Track III within a year, Track IV and Track V within fifteen months.

Wherever an appeal is filed by a person in jail, and also when appeals are filed by State, the complete paper-books including the evidence, should be filed by the State within such period as may be fixed by Court.

In appeals against acquittals, steps for appointment of amicus curie or State Legal Aid counsel in respect of the accused who do not have a lawyer of their own should be undertaken by the Courts with notice to the State Legal Services Committee immediately. It shall be presumed that in such an event the accused is not in a position to appoint counsel, and counsel shall be appointed and shall be furnished all the papers.

Where an interim order of stay or injunction is granted in respect of liability to tax, construction, demolition or eviction from public premises etc shall be put on the Fast Track. Similarly, all matters involving tenders would also be put on the Fast Track. These matters cannot brook delays in disposal.

3. The Peshkar of every Court shall at intervals of every month, monitor the stage of each case likely to come up for hearing before the Presiding Officer during
that month which have been allocated to the different tracks.

4. The Judge may shift the case from one track to another, depending upon the complexity, (urgency) and other circumstances of the case.

5. Where computerization is available, data will be fed into the computer in such a manner that the court or Judge will be able to ascertain the position and stage of every case in every track from the computer screen.

6. The Judge shall keep himself informed about the stage of the cases in various tracks listed before him during every week, with a view to see that the cases are taken up early.

2. **Mode of Advance Service:**

   The Court rules will provide for mode of service of notice on the standing counsel for the opposite party wherever available, against whom, interim orders are sought. Such advance service shall generally relate to Governments or public sector undertakings who have Standing Counsel.

**APPEALS TO THE DISTRICT & SESSIONS COURTS**

1. **Service of Notice of Appeal:**

   First Appeals being appeals on questions of fact and law, Courts are generally inclined to admit the appeal and it is only in exceptional cases that the appeal is rejected under Order XLI Rule 11 at the admission stage.

   In addition to the process for normal service as per the Code of Civil Procedure, advance notice should simultaneously be given by the counsel for the party who is proposing to file the appeal, to the counsel for the opposite party in the Trial Court itself so as to enable them to inform the parties to appear if they so choose even at the first hearing stage.

2. **Filing of Documents:**

   The Appellant shall, on the appeal being admitted, file all the essential documents within such period as may be fixed by the Court to enable the Court to understand the scope of the dispute and for the purpose of passing interlocutory orders.

   After service of notice is effected, counsel for both sides should agree on the list of documents and evidence to be printed or typed and the same shall be made ready by the parties within the time to be fixed by the Court.

3. **Filing of Written submissions and time for oral arguments:**

   Both the appellants and the respondents shall be required to submit their written submissions. Cause list may indicate if written submissions have been filed. If not, the Court must direct that they be filed immediately.

   After the written submissions are filed, (with due service of copy to the other side) the matter should be listed before the Judge, for the parties to indicate the time that will be taken for arguments in the appeal and thereafter to fix a date of hearing on a clear date when the requisite extent of time will be available.

   In the event that the matter is likely to take a day or more, the Court may consider having a Caution List/Alternative List to meet eventualities where a case gets adjourned due to unavoidable reasons or does not go on
before a court, and those cases may be listed before a court where, for one reason or another, the scheduled cases are not taken up for hearing.

4. **Court may explore possibility of settlement.**

   At the first hearing of a First Appeal when both parties appear, the Court shall find out if there is a possibility of a settlement. If the parties are agreeable even at that stage for mediation or conciliation, the Court can make a reference to mediation or conciliation for the said purpose.

   If necessary, the process contemplated by Section 89 of CPC may be resorted to by the Appellate Court so, that the hearing of the appeal is not unnecessarily delayed. Whichever is the ADR process adopted, the Court should fix a date for a report on the ADR two months from the date of reference.

5. **Criminal Appeals:**

   Criminal Appeals should be classified based on offence, sentence and whether the accused is on bail or in jail.

6. **Note**

   Wherever there is any inconsistency between these rules and the provisions of either the Code of Civil Procedure, 1908 or the Code of Criminal Procedure, 1973 or the High Court Act, Rules or any other statute, the provisions of such Codes and statutes shall prevail.

   S.W. Lepcha
   REGISTRAR GENERAL
CORRIGENDUM

In the Sikkim Labour Protection Rules, 2006, issued vide Notification No. 1/DL, dated 18th April, 2006 and published in the Sikkim Government Extra Ordinary Gazette No. 110, dated 18.04.2006, for Form No. I, please read as under :-

“FORM I
(See sub-rule (1) of rule3)

APPLICATION FOR REGISTRATION OF WORKER BY PRINCIPAL EMPLOYER/EMPLOYER/CONTRACTOR/OWNER OF ESTABLISHMENTS.

1. Name or worker
2. S/o,D/o,W/o
3. Village
4. Ward No./mouza
5. Post Office
6. Police Station
7. Sub-division
8. District
9. Certificate from panchayat of the area concerned and also D.C/S.D.O/B.D.O. regarding the character and antecedents of the applicant and being an ordinary resident of the area for more than 10 years, (if the applicant was residing for less than 10 years) above mentioned certificates from the place of previous place of residence to be furnished.
10. Certificate/NOC from the concerned police station regarding pendency or otherwise of any criminal Complaint or investigation against the applicant.
11. Certificate from court P.I.(Prosecution Inspector) of the concerned court about any criminal case pending against the applicant, if any case is pending the details thereof
12. Details of landed property of the applicant
13. Details of bank account of the applicant
14. Whether the applicant was ever charged or convicted by any court of law:

15. Purpose of coming:

16. State/zone:

17. Permanent Address:

18. Present Address:

19. Place of work:

20. Working as:

21. Date of employment:

22. Name of principal:
   Employer/Employer/
   Contractor/Owner of
   Establishment

23. Panchayat ward:

24. Name of Gram Panchayat:

25. Registration Fees paid vide BR No./Date/Rs.

Date:
Place:

Signature of Principal Employer/
Signature of worker;

(To be filled in the office of the Registering Officer)

Date of Receipt of application
with Bank Receipt for fees. Signature of Registering Officer”.

R.K. PURKAYASTHA, SSJS,
SECRETARY,
DEPARTMENT OF LABOUR,
GOVERNMENT OF SIKKIM,
F.No.GOS/DL/215/04-05.
NOTIFICATION

The Government has reviewed the five-year ban imposed on the collection of all medicinal plants and non-timber forest produce for commercial purposes and has taken note of the good regeneration of these species that has resulted from it.

In view of the need to consolidate the gains already accomplished during the past five years in conservation of such plants within forest areas, the Government further bans the collection of all medicinal plants and non-timber forest produce for commercial purposes for a period of another five years commencing from September, 2006. This ban will not include bamboos, grasses, plants used as food, cardamom and non-timber forest produce collected for household consumption.

By order.

(T.R.Poudyal IFS)
PCCF-cum-Secretary
Forest, Env. & Wildlife Management Department
NOTIFICATION

In exercise of the powers conferred by section 34 and all other powers enabling it in this behalf under the Sikkim Tax on Professions, Trades, Callings and Employments Act, 2006, the State Government hereby makes the following rules, namely:-

CHAPTER I
PRRLIMINARY

1. These rules may be called the Sikkim Tax on Professions, Trades, Callings and Employments Rules, 2006.

2. (1) In these rules, unless there is anything repugnant in the subject or context,-
        (a) “Act” means the Sikkim Tax on Professions, Trades, Callings and Employments Act, 2006;
        (b) “appropriate Government treasury” means the Government treasury, the State Bank of Sikkim, or any other bank as may be notified by the Government;
        (c) “assessee” means any person who is liable to pay tax or any other sum of money under the Act;
        (d) “Form” means the Form appended to these rules;
        (e) “place of work” in relation to a person or employer, means the place where such person or employer ordinarily carries on his profession, trade, calling or employment;
        (f) “return period” means a period of time for which a person is required under or by these rules to furnish return in respect of his profession, trade, calling or employment;
        (g) “section” means a section of the Act.

They shall extend to the whole of Sikkim.

They shall come into force at once.
The words and expressions used in these rules, which are not defined but defined in the Act, shall have the meanings respectively assigned to them in the Act.

CHAPTER II
SUPERINTENDANCE AND CONTROL OF ADMINISTRATION,
JURISDICTION OF PROFESSION TAX AUTHORITIES
AND DELEGATION OF POWERS

Superintendence and control

3. (1) The Commissioner of Profession Tax shall superintend the administration and collection of tax leviable under the Act and shall have control over Profession Tax Authorities appointed under clause (ii) of sub-section (1) of section 3.

(2) (a) For the purpose of administration of the Act, the State may be divided into such numbers of divisions or circles as the Commissioner deems fit.

(b) Each such division or circle shall be headed by an officer of the rank and designation and assisted by officers of the ranks and designations as the Commissioner may specify by a general or special order to that effect.

(c) The Commissioner may in the order issued under clause (b) of sub-rule (2) specify the powers to be exercised and duties to be performed by each of the officers and the area of jurisdiction within which such powers and duties will be exercised or performed by them.

Delegation of powers and prescribed authorities

4. (1) Without prejudice to provisions of rule 3, the Commissioner may from time to time, by general or special order, delegate any of the powers conferred on him by or under the Act on any officer subordinate to him and on such delegation such powers shall also be exercised by such officers.

(2) Subject to orders referred to in clauses (b) and (c) of sub-rule (2) of rule 3 and sub-rule (1) of rule 4, the authorities specified in column 4 of the Table below shall be the prescribed authorities for the purposes of the sections of the Act specified in column 2 of the said Table and exercise such powers as specified in column 3 of the Table aforesaid:-

THE TABLE

<table>
<thead>
<tr>
<th>SL.NO.</th>
<th>SECTION</th>
<th>DESCRIPTION OF POWERS</th>
<th>DESIGNATION OF THE PRESCRIBED AUTHORITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>7 (1), (2), (3), (5), (6), (7), (8) and (9).</td>
<td>To grant certificate of registration or certificate of enrolment to an employer or a person, as the case may be, to amend, modify or cancel certificate of enrolment so granted, to impose</td>
<td>Assistant Commissioner, Deputy Commissioner, Joint Commissioner.</td>
</tr>
</tbody>
</table>
penalty for failure to apply for and obtain certificate of registration or enrolment or against giving false information in any application for registration or enrolment, and to deal with all the matters connected with registration and enrolment.

2. 8 (1) and (2) To accept intimation regarding changes in Assistant Commissioner, respect of profession, trade, calling or employ- Deputy Commissioner, and in such event, to amend or cance Joint Commissioner. the certificate of registration or enrolment, as the case may be.

3. 9 and 10 (1) To accept or reject returns and revised returns Assistant Commissioner, and to levy penalty for delay in filing returns or Deputy Commissioner. against willfully filing of returns or revised returns with incorrect or false particulars, to scrutinize returns or revised returns, and to deal with all the matters connected with returns and revised returns.

4. 10 (2), (3), (4) and 11 (1) (2) To make assessment of tax or to impose penalty or interest and demand such tax, penalty or interest. Assistant Commissioner, Deputy Commissioner.

5. 13 (2)- Proviso To exempt an enrolled person from payment of tax (wholly or partly) in respect of the year or years during which he is not temporarily enga- Deputy Commissioner, Joint Commissioner with prior gaged in any profession, trade or calling. Commissioner or Special Commissioner.

6. 14 To levy and demand interest for failure to deduct or pay tax by an employer or a person liable to pay tax. Assistant Commissioner, Deputy Commissioner.

7. 15 To impose penalty and demand thereof from a registered employer or an enrolled person who fails to make payment as per notice of demand. Assistant Commissioner, Deputy Commissioner.

8. 20 To issue directions to maintain and keep registers or accounts, to inspect accounts and documents maintained by an employer or person pertaining to his business, profession, trade, calling or employment, and to impose penalty upon an employer or a person for failure to maintain books of accounts, registers or documents. Assistant Commissioner, Deputy Commissioner, Joint Commissioner.

9. 21(1), (2) and (3) To require by notice any person from whom any amount of money is due or may become due to an employer or enrolled person on whom notice of demand has been served, or any person who holds or may subsequently hold money for or on account of such employer or enrolled person, to pay money to the Commissioner, to amend or revoke any Deputy Commissioner, Joint Commissioner, with prior approval of the Commissioner or the Special
such notice or extend time for making payment, and issue receipt of payment made in compliance of such notice.

10. 23 To sanction refund of tax, penalty or interest paid in excess. Commissioner or Special Commissioner, or Additional Commissioner with the prior approval of the Commissioner.

11. 27 (1) To compound an offence Commissioner or Special Commissioner, or Additional Commissioner with prior approval of the Commissioner.

12. 29 (1) To demand information/ particulars from any person relating to his profession, trade, calling or employment. Special Commissioner, Additional Commissioner, Joint Commissioner, Deputy Commissioner, Assistant Commissioner.

13. 32 (1), (2) To issue clearance certificate. Assistant Commissioner, Joint Assistant Commissioner.

CHAPTER III
REGISTRATION AND ENROLMENT

Grant of certificate of registration 5. (1) An application for obtaining a certificate of registration under sub-section (1) of section 7 shall be made in Form 1 within six months from the date of commencement of the Act, and in the case of an employer not engaged in any profession, trade, calling or employment on the date of commencement of the Act, within ninety days from the date of commencement of his profession, trade, calling or employment. An applicant having place of work within the jurisdiction of different prescribed authorities shall make an application for registration separately to each authority in respect of his place of work within the jurisdiction of that authority.

(2) (a) On receipt of an application for registration, the prescribed authority shall grant to the applicant a certificate of registration in Form 2 if he is satisfied that the application is in order and necessary particulars have been furnished by the applicant.

(b) If the prescribed authority finds that the application is not in order or required particulars for registration have not been furnished, he shall direct the applicant to file a revised application or to furnish such additional information as may be considered necessary. After considering the revised application and the additional
information, if any, the prescribed authority shall grant a certificate of registration in Form 2.

6. (1) An application for obtaining a certificate of enrolment under sub-section (2) of section 7 shall be made in Form 3, within six months from the date of commencement of the Act, and in the case of a person not engaged in any profession, trade, calling or employment on the date of commencement of the Act, within ninety days from the date of commencement of his profession, trade, calling or employment. An applicant having place of work in the State of Sikkim, whether within the jurisdiction of the prescribed authority or outside such jurisdiction, shall be granted only one certificate of enrolment.

(2) Where an applicant has more than one place of work within the State of Sikkim, he shall make a single application in respect of all such places, name in such application one of such places as the principal place of work for the purposes of these rules and submit such application to the prescribed authority in whose jurisdiction the said principal place of work is situated.

(3) On receipt of an application, the prescribed authority may call upon the applicant to furnish such additional information or evidence as may be necessary for determining the amount of tax payable by him according to Schedule to the Act.

(4) After considering the application and such additional information or evidence as may be furnished, the prescribed authority shall grant a certificate of enrolment in Form 4.

(5) Where the applicant has more than one place of work in the State, as many copies of the certificate shall be issued to him as there are additional places of work, in respect of the places of work other than the principal place of work.

7. Where the holder of a certificate of registration granted under rule 5 desires the certificate to be amended, he shall submit an application for this purpose to the prescribed authority setting out therein the specific matters in respect of which he desires such amendment and reasons therefor, together with the certificate of registration, and such authority may if satisfied with the reasons given, make such amendments as it thinks necessary in the certificate of registration.

8. (1) The certificate of enrolment granted under rule 6 shall remain valid so long as it is not cancelled under sub-rule (2) of rule 9.

(2) An application for revised certificate of enrolment by a person referred to in sub-section (2) of section 7 shall be made in Form 3 within ninety days from the date of such person becoming liable to pay tax at a rate higher or lower than the one mentioned in his certificate of enrolment. On receipt of such application the prescribed authority may call upon the applicant to furnish such additional information or evidence as may be necessary for determining the amount of tax payable by him according to Schedule to the Act and after determining the amount of tax payable by the applicant, the prescribed authority shall make necessary amendment in the certificate of enrolment under his dated signature indicating the year or period from which the tax at the revised rate shall be payable.
9. (1) The certificate of registration granted under rule 5 may be cancelled by the prescribed authority after he is satisfied that the employer to whom such certificate was granted has ceased to be an employer.

(2) The certificate of enrolment granted under rule 6 may be cancelled by the prescribed authority after he is satisfied that the enrolled person is dead or his liability to pay tax has ceased.

10. If a certificate of registration or a certificate of enrolment granted under these rules is lost, destroyed or defaced or becomes illegible, the holder of the certificate shall apply within a reasonable time to the prescribed authority for the grant of a duplicate copy of such certificate. The said authority shall, after such verification as may be necessary, issue to the holder of the certificate a copy of the original certificate, duly marking or stamping thereon the words “Duplicate Copy”.

CHAPTER IV
RETURNS, NOTICES AND PAYMENT OF TAX

11. The Commissioner shall in the month of April every year give a public notice by publication in the newspapers directing all persons liable to pay tax under the Act to get themselves registered or enrolled, as the case may be, unless they are already registered or enrolled, and to furnish returns and pay tax according to the provisions of the Act and these rules.

12. (1) Every employer registered under sub-section (1) of section 7 shall furnish to the prescribed authority within the month following the end of every quarter, a return in Form 5.

Provided that if an employer, having furnished a return discovers any omission, error or wrong statement therein, he may furnish a revised return in Form 5 within a reasonable time or such time as the prescribed authority directs in this behalf.

(2) Such return shall be furnished to the prescribed authority separately for each place of work in case of an employer having more than one place of work within the jurisdiction of different prescribed authorities.

13. (1) A registered employer, who is required to furnish returns referred to in rule 12, shall pay on monthly basis in the appropriate Government treasury the amount of tax payable, within fifteen days from the end of every month to which such tax relates unless the Commissioner directs otherwise in this regard.

(2) Every return shall be accompanied by a receipted challan of payment made in accordance with sub-rule (1).

14. Where a certificate of registration is granted to an employer under sub-section (1) of section 7 and the date of liability to pay tax by such employer precedes the date of grant of certificate of registration, the employer after being registered, shall within thirty days from the date of registration, furnish all the returns along with receipted challan showing payment of tax payable by such employer according to such returns for the period commencing from the date of his liability to pay tax and ending on the date immediately preceding the date of grant of such certificate of registration.
15. The prescribed authority shall scrutinize every return furnished by registered employers within one month from the date of receipt thereof.

16. Notice of hearing under sub-section (8) of section 7, sub-section (3) of section 9, and sub-section (3) of section 10 shall be in Form 6.

17. The notice of hearing under sub-section (7) of section 7 to a person liable to registration or enrolment shall be issued in Form 7.

18. The notice requiring the employer or his authorized representative to attend the office of the prescribed authority under sub-section (2) of section 10 shall be issued in Form 8.

19. The notice of demand for payment of tax under sub-section (4) of section 10 and other demands including the penalty imposed under the Act shall be issued in Form 9.

20. (1) Except if provided otherwise in the Act and these rules, every employer or person liable to pay tax and penalty and interest, if any, under the Act, shall make payment of requisite amount in the appropriate Government treasury by challan of payment and to the appropriate Head of Revenue Account as prescribed under the standing Financial Rules of the State Government.

(2) The challans of payment may be obtained from the appropriate Government treasury/bank or from the office of the prescribed authority having jurisdiction in the area of the registered employer or person.

(3) Such challans, in quadruplicate, shall be filled in and signed by the employer or person and shall be presented to the authority of the appropriate Government treasury/bank along with payment.

(4) One copy of such challans evidencing payment of tax, penalty or interest shall be retained by the appropriate Government treasury, one copy of such challans shall be sent to the prescribed authority and the other two copies shall be returned to the employer or person who made the payment, duly signed as proof of payment.

21. (1) The Drawing and Disbursing Officer or the Pay and Accounts Officer or any other paying authority, as the case may be, shall be responsible for deduction of due amount of tax from the pay bill of employee as Government servants as defined in sub-clause (i) of clause (d) of section 2.

(2) The deduction shall be made every month and credited to the appropriate head of Revenue Account of the State Government through challan of payment or document of book adjustment prescribed under the Financial Rules of the State Government, as the case may be, within fifteen days from the date of deductions made thereof and such Drawing and Disbursing Officer or the Pay and Accounts Officer or any other paying authority, as the case may be, shall forthwith furnish to the concerned prescribed authority a copy of challan or document of book adjustment, as the case may be, along with a copy of the statement of deductions of tax as a proof of deduction and remittance of tax.

(3) Pay or wages of an employee for the month February shall not be permitted to be drawn unless the tax due for the period March to February...
or part thereof or from the month in which the employee has attracted liability to pay the tax to February, as the case may be, has been fully deducted and a statement showing such deduction has been enclosed with the pay bill.

(4) In the case of a paying authority who is responsible to deduct tax of an employee defined in sub-clause (i) of clause (d) of section 2 but does not obtain funds from the treasury of the Central or any State Government, the payment of the tax deducted by it shall be made in the manner prescribed in rule 20 within fifteen days of the month following the month to which the pay or wages relate.

(5) The Commissioner may, if he considers necessary, require a Drawing and Disbursing Officer or Pay and Accounts Officer or an employer or a person, as the case may be, to furnish him with a statement or a certificate relating to the payment of salary or wage made to the employees.

(6) An employer shall be responsible for deduction of the due amount of tax from the salary or wages of the employees as defined in sub-clauses (ii) and (iii) of clause (d) of section 2 and depositing in the appropriate Government treasury the amount so deducted in the manner prescribed in rule 20.

(7) Notwithstanding the provisions contained in rule 20, sub-rules (1), (2), (3), (4) and (6) of this rule and rule 22, the liability of an employee to pay tax shall not cease until the due amount of tax in respect of him has been fully paid to the Government account, and without prejudice to the aforesaid provisions, the said amount may be recovered from him if the employer or the prescribed authority is satisfied that the amount has not been deducted from his salary or wages.

22. Any person responsible for the payment of salary or wages, who does not deduct the due amount of tax or after deducting it fails to pay it into the Government account as required by these rules shall, without prejudice to any action under any other law for the time being in force which he may render himself liable, be deemed to be in default in respect of the tax.

23. Every employer liable to pay tax shall maintain a register in which shall be entered the amount of salary and wages paid to each of the persons in his employment and the said register shall contain a column in which shall be shown the amount deducted from the salary and wages of the employee on account of the tax.

24. (1) A person liable to pay tax, not being a person specified in entry 1 in Schedule to the Act, shall make payment of tax on annual basis and such tax of a year or part thereof shall be paid within three months from the end of the year to which it relates: Provided that if the Commissioner is satisfied that an enrolled person is prevented to pay due tax within the time stipulated in this rule by sufficient reasons, he may allow extension of time for payment of tax to such person, which shall not in any case be later than six months from the end of a year to which such tax relates.
(2) The payment of tax shall be made in the appropriate Government treasury in accordance with the provisions of rule 20.

(3) A copy of the receipted challan of payment of tax shall be furnished by a person referred to in these rules, to the prescribed authority within fifteen days from the date of payment of such tax along with a statement in Form 10. (4) Notwithstanding anything contained in sub-rule (1), if the Commissioner is satisfied, after such verifications as may be necessary on receipt of an application from an enrolled person to that effect, he may exempt such person from payment of whole amount of tax for the year or years during which such person was not temporarily engaged in any profession, trade or calling, or exempt partly as he deems appropriate on the basis of facts and circumstances of the case.

Table:

<table>
<thead>
<tr>
<th>Topic</th>
<th>Description</th>
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<tbody>
<tr>
<td>Notice for failure to enroll, for failure to pay tax etc.</td>
<td>25. (1) The notice for hearing in pursuance of section 11 to a person enrolled under sub-section (2) of section 7, who has failed to pay the amount of tax due from him, shall be in Form 11 and the notice of demand for payment of tax to such person shall be in Form 12. (2) The notice of hearing in pursuance of section 11 to a person, who has failed to get himself enrolled under sub-section (2) of section 7, shall be in Form 13 and notice of demand to such person shall be in Form 14.</td>
</tr>
<tr>
<td>Shifting of place of work</td>
<td>26. (1) If the holder of a certificate of registration or a certificate of enrolment in one area shifts his place of work to another area, he shall, within fifteen days of such shifting, give notice thereof to the prescribed authority from whose office the certificate was obtained, and shall, at the same time, send a copy of such notice to the prescribed authority exercising jurisdiction over the area to which the place of work is being or has been shifted. (2) With effect from commencement of the month immediately succeeding that in which the notice is given, the prescribed authority having jurisdiction over the area to which the place of work has been shifted shall exercise all powers and discharge all functions pertaining to the determination and recovery of tax, and matters ancillary thereto, in respect of the sender of such notice.</td>
</tr>
<tr>
<td>Appellate Authorities</td>
<td>27. (1) Any person or employer aggrieved by any order made under section 7, 9, 10, 11, 14, 15, 19 or 20 may appeal against such order to— (a) the Deputy Commissioner of Profession Tax, if the order is passed by the Assistant Commissioner of Profession Tax; and (b) the Joint Commissioner of Profession Tax, if the order is passed by the Deputy Commissioner of Profession Tax.</td>
</tr>
<tr>
<td>Revisional Authorities</td>
<td>28. (1) Any order passed in appeal under section 17 read with rule 27 may, on application being made in this behalf, be revised by—</td>
</tr>
</tbody>
</table>
(a) the Joint Commissioner of Profession Tax, if the order is Passed by the Deputy Commissioner of Profession Tax; and

(b) Additional Commissioner or the Special Commissioner of Profession Tax, if the order is passed by the Joint Commissioner of Profession Tax.

(2) The Commissioner may, on his own motion, revise any order passed by any authority sub-ordinate to him:

Provided that no action under these rules shall be initiated while any appeal or revision is pending under the sub-ordinate appellate authority or revisional authority, as the case may be, or when the time prescribed for filing such appeal or revision has not expired and except before the expiry of three years from the date of order which is the subject of revision by the Commissioner.

CHAPTER VII
PROCEDURES FOR FILING AND DISPOSAL OF APPEAL, APPLICATION FOR REVISION AND REVIEW

29. (1) No appeal shall be entertained after the expiry of forty-five days from the date of receipt of notice of demand or receipt of the order:

Provided that the appellate authority may admit the appeal after the expiry of the aforesaid period, if it is satisfied that there was sufficient cause for the delay.

(2) No appeal shall be entertained unless the amount of tax or penalty or interest in respect of which the appeal has been preferred has been paid in full:

Provided that in any particular case, the appellate authority may dispense with the requirement of such payment if it is of opinion that such requirement will cause undue hardship to appellant.

(3) The appellate authority in disposing of an appeal, may-

(a) confirm, annual, reduce, enhance, or otherwise modify the assessment or penalty or interest, or

(b) set aside any order and direct the authority which made the order to pass a fresh order after further inquiry on specified points, or

(c) pass such orders as it may deem fit and proper.

(4) No order prejudicial to any person shall be passed under these rules without reasonable opportunity of being heard being given to him.

30. The provisions of sub-rules (1), (3) and (4) of rule 29 shall mutatis mutandis apply in case of revision by the revisional authorities referred to in clauses (a) and (b) of sub-rule (1) of rule 28.

31. A Memorandum of appeal or an application for revision shall,-

(a) be made in Form 15;

(b) be presented to the appropriate appellate or revisional authority, as the case may be, by the appellant or applicant in person or by his authorized agent or legal practitioner or be sent by registered post to the said authority;
(c) contain a clear statement of the relevant facts and state precisely the relief prayed for;
(d) be accompanied by a true copy of the order against which appeal or revision is filed, as well as of all relevant earlier orders and papers;
(e) be affixed with Court fee stamps of five percent of the total amount of tax or penalty or interest or of all in dispute involved in the appeal or revision in the cases of appeal or application for revision against orders of assessment or penalty or interest, and such Court fee stamps of ten rupees in any other cases.
(f) be duly signed and verified by the appellant or applicant, as the case may be.

32. (1) Any authority under the Act, in exercise of powers conferred by section 19 of the Act, may review any order passed by it to rectify any mistakes apparent on the face of the record:

Provided that no order adversely affecting an employer or a person shall be passed under these rules unless a reasonable opportunity of being heard is provided to such employer or person;

Provided further that, no order shall be reviewed after expiry of three years from the date on which it is passed.

(2) A notice of giving reasonable opportunity to a person under first proviso of sub-rule (1) of these rules shall be in Form 16.

CHAPTER VIII
REFUND AND ADJUSTMENT OF EXCESS PAYMENT, COMPOUNDING OF OFFENCES AND GARNISHEE NOTICE

33. Where the prescribed authority receives an application for refund of tax under section 23, he shall, if he is satisfied that a refund is due to the applicant in terms of the provisions of the said section, record an order showing the amount of refund due and shall issue to the applicant a refund payment order in Form 17, or as the case may be, an order in Form 18 adjusting the amount of refund towards the amount of tax or any other amount payable for any period.

34. (1) When the Commissioner decides under section 27 to accept any sum from any person by way of composition of any offence, he shall issue an order directing the person to deposit into the appropriate bank and the account the amount of composition money by the date mentioned therein and to produce before such authority as may be specified in the order a copy of the receipted challan showing payment of such amount. A copy of the order shall be sent simultaneously to the said authority.

(2) On receipt of the order the person shall comply with all the terms thereof, failing which the order of composition shall stand cancelled.

35. When any person is required to deposit money under section 21 on account of an employer or a person liable to pay tax under the Act and these rules, the prescribed authority, in relation to such employer or person, shall serve upon such person a notice in Form 19, directing him to deposit such money as per the provisions of that section.
36. On receipt of an application for a certificate of clearance required under and referred to in sub-section (1) of section 32, the Commissioner or the prescribed authority authorized by him shall, after such verification as may be necessary, issue such clearance certificate to the applicant in Form 20.

37. The certificate referred to in clauses (i) and (ii) of second proviso to section 6 shall be in Form 21.

38. (1) Notices under the provisions of the Act or the rules made thereunder may be served by any of the following methods, namely-

(a) personally upon the addressee, if present, or

(b) by messenger including courier, or

(c) by registered post:

Provided that if upon an attempt having been made to serve any such notice by any of the above mentioned methods the authority under whose order the notice was issued is satisfied that the addressee is avoiding service or that for any other reason the notice cannot be served by any of the above mentioned methods, the said authority may, after recording his reasons for doing so, cause such notice to be served by affixing a copy thereof in some conspicuous place in his office and also on some conspicuous part of addressee’s office or of the building in which his office is located or where he habitually resides, or upon some conspicuous part of any place of profession, trade, calling or employment office or residence last notified by him and such service shall be deemed to have been made on the addressee personally.

(2) When a notice is sent by registered post, it shall be deemed to have been received by the addressee at the expiry of the period which is normally taken by a registered letter in the ordinary course of postal business unless the contrary is proved.
THE SIKKIM TAX ON PROFESSIONS, TRADES, CALLINGS AND EMPLOYMENTS RULES, 2006
FORM 1
Application for registration under section 7 (1) of the Sikkim Tax on Profession, Trades, Callings and Employments Act, 2006.
[See rule 5 (1)]

To

The……………………………………
……………………………………
……………………………………

I hereby apply for a Certificate of Registration under the above mentioned Act/Rules with the particulars given below:
Name of applicant………………………………………………………………………………
Full Postal Address………………………………………………………………………………

Status of the person signing this form (put tick mark against appropriate/applicable box):

<table>
<thead>
<tr>
<th>Proprietor</th>
<th>Partner</th>
</tr>
</thead>
<tbody>
<tr>
<td>Principal Officer</td>
<td>Authorised Agent</td>
</tr>
<tr>
<td>Manager</td>
<td>Managing Director</td>
</tr>
<tr>
<td>Director</td>
<td>Secretary</td>
</tr>
<tr>
<td>Executive Officer</td>
<td>In-charge (designation)</td>
</tr>
</tbody>
</table>

Class of Employer (put tick mark against appropriate/applicable box):

<table>
<thead>
<tr>
<th>Individual</th>
<th>Firm</th>
</tr>
</thead>
<tbody>
<tr>
<td>Company</td>
<td>Corporation</td>
</tr>
<tr>
<td>Society</td>
<td>Club</td>
</tr>
<tr>
<td>Association</td>
<td></td>
</tr>
</tbody>
</table>

Registered Name & Style:

Nos. of employee under the Employer as per class of persons under sl no. (ii) to (vii) in column II of Entry 1 of the Schedule to the above mentioned Act:

<table>
<thead>
<tr>
<th>Sl. no. showing class of persons in column II of Entry 1 of the Schedule to the Act</th>
<th>(ii)</th>
<th>(iii)</th>
<th>(iv)</th>
<th>(v)</th>
<th>(vi)</th>
<th>(vii)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nos. of employee</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Date of commencement of business/profession/trade/calling/employment:

Location of business/principal place of works:

Additional place(s) of works, if any:
If registered under the Sikkim Value Added Tax Act, 2005/ Sikkim Sales Tax Act, 1983/Central Sales Tax Act, 1956, the registration numbers thereof:
<table>
<thead>
<tr>
<th>Registration No. under Sikkim Value Added Tax Act, 2005</th>
<th>Registration No. under Sikkim Sales Tax Act, 1983</th>
<th>Registration No. under Central Sales Tax Act, 1956</th>
</tr>
</thead>
</table>

The above statements/particulars are true to the best of my knowledge and belief.

<table>
<thead>
<tr>
<th>Date</th>
<th>Signature</th>
<th>Status</th>
</tr>
</thead>
</table>

Date of receipt of the application: ..................................................
Signature of receiving Officer/Official: .............................................
OFFICE OF THE COMMISSIONER OF PROFESSION TAX
GOVERNMENT OF SIKKIM
GANGTOK

FORM 2
CERTIFICATE OF REGISTRATION
[UNDER SUB-SECTION (1) OF SECTION 7 OF THE SIKKIM TAX ON PROFESSIONS, TRADES, CALLINGS AND EMPLOYMENTS ACT, 2006]
[See rule 5 (2) (a) of the Sikkim Tax on Professions, Trades, Callings and Employments Rules, 2006]

NO.                         DATED

This is to certify that , the Proprietor/Partner/Principal Officer/Agent/Manager/Managing Director/ Director/Secretary/Executive Officer/Head of the Office/Establishment of the Club/Institution/ Association/ Firm/Society/Corporation/Company known as and located at has been registered as an employer under the Sikkim Tax on Professions, Trades, Callings and Employments Act, 2006.

The holder of this certificate has additional places of work at the following locations:

Amount of tax payable per month by the holder of this certificate is rupees (in figures)

(in words)

The tax shall be payable monthly within fifteen days of the following month of the month to which such tax relates.

OFFICIAL SEAL

SEAL AND SIGNATURE OF THE PRESCRIBED AUTHORITY

PLACE :

DATE :

DESIGNATION
THE SIKKIM TAX ON PROFESSIONS, TRADES, CALLINGS AND EMPLOYMENTS RULES, 2006

FORM 3


[See rule 6(1) and 8(2)]

To

The…………………………
………………………………
………………………………

I hereby apply for a Certificate of Enrolment/Revision of Certificate of Enrolment under the Sikkim Tax on Professions, Trades, Callings and Employments Act, 2006 with the particulars given below:

<table>
<thead>
<tr>
<th>Name of the applicant:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Full postal address:</td>
</tr>
<tr>
<td>Profession/Trade/Calling</td>
</tr>
<tr>
<td>*Name &amp; Style of firm/company</td>
</tr>
<tr>
<td>*Date of commencement of trade/business, appointment or holding the profession/calling/employment</td>
</tr>
<tr>
<td>*Annual gross turnover of all sales/purchases/business</td>
</tr>
<tr>
<td>*Annual gross income</td>
</tr>
<tr>
<td>*Number of employees employed in the establishment</td>
</tr>
<tr>
<td>*Number of buses, taxis, trucks or goods vehicles, for which permits under the Motor Vehicles Act in force are held</td>
</tr>
<tr>
<td>*If Co-operative society, the profession, trade or calling in which it is engaged</td>
</tr>
<tr>
<td>*Company/firm registration no.</td>
</tr>
<tr>
<td>*Trade license/motor vehicle permit no./other business license or permit no. &amp; date</td>
</tr>
<tr>
<td>*SikkimVAT/Sikkim Sales Tax/Central Sales Tax registration no.</td>
</tr>
<tr>
<td>Principal place of work</td>
</tr>
<tr>
<td>Additional place (s) of work</td>
</tr>
<tr>
<td>Any other relevant particulars</td>
</tr>
</tbody>
</table>

If the applicant has declared to pay tax under the entry other than entry Sl. No. 1 to the Schedule of the aforesaid Act as per provisions of clause(i) of first Proviso to section 6 of the said Act, details of certificate/declaration in Form 21 prescribed under the rules:
| Name and address of the employer to whom certificate is furnished |   |
| Certificate No. and date |   |

Please fill in this part in case the application is for revision of certificate of enrolment:

| Number & date of certificate of enrolment: |   |
| Grounds on which revision is sought: |   |

The above statements are true to the best of my knowledge and belief.

| Date | Signature | Status |

Receiving officers signature Date

Note: If the space is not sufficient to include the details, please give details on separate sheet and attach with the application.

*Please fill whichever is applicable
OFFICE OF THE COMMISSIONER OF PROFESSION TAX
GOVERNMENT OF SIKKIM
GANGTOK

FORM 4
CERTIFICATE OF ENROLMENT
[UNDER SUB-SECTION (2) OF SECTION 7 OF THE SIKKIM TAX ON PROFESSIONS, TRADES, CALLINGS AND EMPLOYMENTS ACT, 2006]
[See rule 6 (4)]

NO. DATED

This is to certify that…………………………………engaged in the profession/Trade/Calling known as/ as a …………………………………….located at……………………………………………………………at……………………………………………………………………is a……………………………………………… who owns/operates……………………………………………..has been enrolled under the Sikkim Tax on Professions, Trades, Callings and Employments Act, 2006.

The holder of this certificate has additional places of work at the following addresses:

…………………………………………………………
…………………………………………………………
…………………………………………………………

The holder of this certificate shall pay the tax at the rate of Rs……………………………………. per annum within three months from the end of the year to which such tax relates in the manner prescribed in rule 24 of the Sikkim Tax on Professions, Trades, Callings and Employments Rules, 2006.

OFFICIAL SEAL

SEAL AND SIGNATURE OF THE PRESCRIBED AUTHORITY

PLACE :

DATE :

DESIGNATION
Return of tax payable for the quarter ending

<table>
<thead>
<tr>
<th>Number of employees</th>
<th>Number of employees for whom no tax is payable under proviso to section 6</th>
<th>Number of employees in respect of whom tax is payable (2-3)</th>
<th>Rate of tax per month per employee</th>
<th>Amount of tax (in rupees) deducted during the quarter (i.e. of three months)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>Rupees 20001 or more but less than rupees 30001</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rupees 30001 or more but less than rupees 40001</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rupees 40001 and more</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Total (A) =
<table>
<thead>
<tr>
<th>Category of employees liable to pay tax due to crossing the ceiling limit or at the enhanced rate for previous period</th>
<th>Numbers of employees as per column 1</th>
<th>Rate of tax Payable per month on account of arrears salaries or wages</th>
<th>Rate of tax At which tax was paid per month</th>
<th>Difference per month (3-4)</th>
<th>Number of months for which arrears is paid</th>
<th>Additional tax/tax paid (in rupees) during the quarter (i.e. of three months)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rupees 20001 or more but less than rupees 30001</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rupees 30001 or more but less than rupees 40001</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rupees 40001 and more</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Total tax payable i.e. Total (A) + Total (B) = Rupees…………………………………………………………

Simple interest payable, if nay, on the above amount under PART – II at the rate of two percent per month or part thereof under section 14(2) of the Act = Rupees…………………………………………………………

Total tax and interest payable (in rupees)

Amount paid (in rupees) under Challan numbers (monthwise with date)

I certify that all the employees who are liable to pay tax in my employment during the period of return have been covered in all respects by the foregoing particulars. I also certify that the necessary revision in the amount of tax deductible from the salary or wages of the employees on account of variation in the salary or wages drawn by them has been made where necessary.

I further certify that the above statements are true to the best of my knowledge and belief.

Place:  
Signature of Employer

Date:  
Name

Status
THE SIKKIM TAX ON PROFESSIONS, TRADES, CALLINGS AND EMPLOYMENTS RULES,
2006
FORM 6
Notice of hearing under section 7(8), 9(3), 10(3) of the Sikkim Tax on Professions, Trades,
Callings and Employments Act 2006.
[See rule 16]

To

………………………………………….
…………………………………………
…………………………………………
…………………………………………

Holder of Certificate of Registration/Enrolment No…………………………………………(if any).

(a) Whereas being liable to registration/enrolment you have deliberately given false information in your
application under section 7.

I hereby give you notice to show cause as to why a penalty should not be imposed upon you under
sub-section (8) of section 7.

(b) Whereas you have failed to file return/revised return for the quarter/period…………………..within
the stipulated time under the Act and the rules thereunder.

I hereby give you notice to show cause as to why a penalty should not be imposed upon you under
sub-section (3) of section 9.

(c) Whereas you have failed to get yourself registered/having been registered you have failed to file
the return (s), within the required time, for the quarter/period…………………………………………

I hereby give you notice to show cause as to why an order of assessment should not be passed under
sub-section (3) of section 10.

Now, therefore, you are hereby directed to appear in person or through your authorized representative
in the office of the undersigned on the……………………………day of…………………………………
200…...at……………. alongside accounts, papers and other evidence. Exparte order(s) will be passed
in the event of default to appear.

SEAL

Signature

Dated

Designation
THE SIKKIM TAX ON PROFESSIONS, TRADES, CALLINGS AND EMPLOYMENTS RULES, 2006

FORM 7

Show cause notice under section 7(7) of the Sikkim Tax on Professions, Trades Callings and Employments Act, 2006.
[See rule 17]

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

Whereas being liable to registration/enrolment under section 7 of the Sikkim Tax on Professions, Trades, Callings and Employments Act, 2006, you have failed to apply for a Certificate of Registration/Enrolment within the required time:

You are hereby given notice to show cause why a penalty should not be imposed on you under sub-section (7) of section 7 of the Act.

Take notice that the cause shown by you will be heard by the undersigned on.............................day of.................................200...at.................

SEAL

Dated

Signature

Designation
Notice under section 10(2) of the Sikkim Tax on Professions, Trades, Callings and Employments Act, 2006.
[See rule 18]

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

Holder of Certificate of Registration No...........................................................................

Whereas I am not satisfied that the returns/revised returns furnished by you for the quarter/period..................................................................is/are correct and complete.

Now, therefore, I hereby give you notice to attend in the office of the undersigned, in person or through authorized representative, along with the accounts, papers and other evidence in support of your return(s), on..............................................day of.................................................................

200...at...............Order(s) will be passed under clause (c) of sub-section (2) of section 10 of the Act in the event of default to appear.

SEAL ..............................................................
Signature ......................................................

Dated ..............................................................
Designation ......................................................
THE SIKKIM TAX ON PROFESSIONS, TRADES, CALLINGS AND EMPLOYMENTS RULES, 2006
FORM 9
Notice of demand for payment of tax/interest/penalty under the Sikkim Tax on Professions, Trades, Callings and Employments Act, 2006.
[See rule 19]

NOTICE OF DEMAND

To ........................................................................
........................................................................
........................................................................
........................................................................
Registration Certificate No
Enrolment Certificate No.

Whereas your assessment/Appeal/Revision/Rectification/Penalty proceeding for the period.................................................has been duly disposed of under section/under rule........................................................., you are hereby directed to deposit the following amount in the Government Treasury within.................................days of receipt of this notice:

<table>
<thead>
<tr>
<th>Payable on account of</th>
<th>Rupees</th>
<th>Paisa</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tax assessed</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Interest payable, if any</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Penalty, if any</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Less amount already paid, if any</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Net Demand/Excess</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

SEAL .................................................. Signature ..................................................
Dated .................................................. Designation ..................................................
THE SIKKIM TAX ON PROFESSIONS, TRADES, CALLINGS AND EMPLOYMENTS RULES,
2006
FORM 10
Statement to be filed by enrolled person to the prescribed authority with receipted challan
of payment of tax.
[See rule 24(3)]

| Statement of payment of tax for the year/period |
| Enrolment Certificate No. and date |
| Name of the enrolled person |
| Full postal address |
| Principal place of work |
| Additional place(s) of work |
| Description of profession, trade or calling in which engaged |
| License/Permit No. and date |
| Period of temporary exemption from payment as per rule 24(4), if any |
| Rate of tax payable |
| Total amount of tax payable for the year/period to which the Statement relates |
| Total amount of tax paid |
| Name of Bank where payment is made |
| Challan No. and date |

I hereby certify that the above statements are true to the best of my knowledge and belief.

Place:  
Date:  
Signature

Name  
Status
Show cause notice under section 11(1) of the Sikkim Tax on Professions, Trades, Callings and Employments Act, 2006.
[See rule 25 (1)]

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

Enrolment Certificate No.

Whereas being a person enrolled under sub-section (2) of section 7 of the Sikkim Tax on Professions, Trades, Callings and Employments Act, 2006, you have failed to pay as tax amounting to Rs........................(in figures)..........................................................(in words) which is due from you for the year ending........................as per your Enrolment Certificate, within the due date.

Now, therefore, in pursuance of the provision of section 11, you are hereby directed to appear in person or through an authorized representative in the office of the undersigned on........................day of........................................200..at............. and to show cause why appropriate action should not be taken against you for recovery of the tax due and interest thereon.

If you are agreeable to pay the said amount of Rs........................(in figures)..........................................................(in words) and interest thereon of Rs...........................(in figures)..........................................................(in words), you may credit the aggregate amount of Rs..........................................................(in figures)..........................................................(in words) to the Government Treasury and submit to the undersigned on or before.................................a receipted copy of the challan for the said amount and in that event you need not appear before the undersigned as directed hereabove.

SEAL

Signature

Dated

Designation
THE SIKKIM TAX ON PROFESSIONS, TRADES, CALLINGS AND EMPLOYMENTS RULES,
2006
FORM 12
Notice of demand to Enrolled person under section 11(2) of the Sikkim Tax on Professions,
Trades, Callings and Employments Act 2006.
[See rule 25(1)]

NOTICE OF DEMAND

To ........................................................................
........................................................................
........................................................................
........................................................................
Enrolment Certificate No. 

Whereas the tax amounting to Rs..................................................(in figures).................................................................(in words) for the year ending.....................................as per Enrolment Certificate was payable by you on or before.........................................................., and whereas you have failed to pay the said amount of tax;
And whereas in pursuance of the provision of section 11 you have been given an opportunity of being heard and the undersigned is satisfied that the said amount of tax and interest of Rs..................................................(in figures).................................................................(in words) is payable by you.
Now, therefore, you are directed to pay Rs..................................................(in figures).................................................................(in words) being the said amount of tax and interest thereon in the Government Treasury within.................................days of the receipt of this notice, failing which appropriate action to recover the said amount of tax and interest will be taken against you.

SEAL ........................................................................
Signature ........................................................................
Dated ........................................................................
Designation ........................................................................
THE SIKKIM TAX ON PROFESSIONS, TRADES, CALLINGS AND EMPLOYMENTS RULES, 2006
FORM 13
Notice of hearing under section 11(1) of the Sikkim Tax on Professions, Trades, Callings and Employments Act, 2006 to a person who has failed to get himself enrolled.
[See rule 25(2)]

To …………………………………………
………………………………………
………………………………………
………………………………………

Whereas I am satisfied that you are liable to enrolment and payment of tax under section 7(2) of the Sikkim Tax on Professions, Trades, Callings and Employments Act, 2006;
And whereas you have failed to get yourself enrolled and to pay tax due from you;
Now, therefore, in pursuance of the provisions of section 11, you are hereby directed to show cause in person or through an authorized representative on……………………day of………………………………..200…at………………………before the undersigned with accounts, registers, documents and other evidence as have been maintained by you.

SEAL
Signature
Dated
Designation
THE SIKKIM TAX ON PROFESSIONS, TRADES, CALLINGS AND EMPLOYMENTS RULES, 2006
FORM 14
Notice of demand under section 11(2) of the Sikkim Tax on Professions, Trades, Callings and Employments Act, 2006.
[See rule 25(2)]

To ……………………………………………………………
…………………………………………………………
…………………………………………………………
…………………………………………………………

Whereas you have failed to get yourself enrolled and to pay the tax due from you;
AND whereas in pursuance of the provisions of section 11 you have been given an opportunity of being heard;
AND whereas the undersigned is satisfied that an amount of tax of Rs……………………(in figures)
…………………………………………………………..(in words) is payable by you.
Now, therefore, you are hereby directed to pay in the Government Treasury the said amount within ………………….days of the receipt of this notice, failing which appropriate action will be taken against you for the recovery of the amount.

SEAL
Signature
Dated
Designation
THE SIKKIM TAX ON PROFESSIONS, TRADES, CALLINGS AND EMPLOYMENTS RULES, 2006
FORM 15
Memorandum of Appeal/Revision application under the Sikkim Tax on Professions, Trades, Callings and Employments Act, 2006.
[See rule 31(a)]

MEMORANDUM OF APPEAL/REVISION APPLICATION

To

The………………………………………………
(Appellate/Revisional Authority)
…………………………………….
…………………………………….
…………………………………….

*Registration Certificate No.  
*Enrolment Certificate No.  
*Name of the Employer and status  
*Style of Profession, Trade, Calling etc.  
Location and full address  
Period involved under impugned orders against which Appeal/Revision is preferred
From To

Name of the authority who passed the impugned order

Date of passing of the impugned order
Date of service of Notice of Demand
Amount of tax, penalty and interest as per the Notice of Demand

<table>
<thead>
<tr>
<th>Tax</th>
<th>Penalty</th>
<th>Interest</th>
<th>Total</th>
</tr>
</thead>
</table>

Amount of admitted tax

Amount paid

<table>
<thead>
<tr>
<th>Tax</th>
<th>Penalty</th>
<th>Interest</th>
<th>Total</th>
</tr>
</thead>
</table>

Amount in dispute

Grounds on which Appeal/Revision is preferred:

A certified copy of the impugned order is attached.
The above statement is true to the best of my knowledge and belief and the tax, penalty and interest payable by me has been paid in full.

Place: ______________________________ Signature: ______________________________

Date: ______________________________ Status: ______________________________

* To be filled whichever is applicable.

THE SIKKIM TAX ON PROFESSIONS, TRADES, CALLINGS AND EMPLOYMENTS RULES, 2006

FORM 16

Notice of hearing under section 19 of the Sikkim Tax on Professions, Trades, Callings and employments Act, 2006 when it is proposed to pass an order which affects an employer or a person adversely.

[See rules 32(1) and (2)]

To

…………………………………………
…………………………………………
…………………………………………
…………………………………………

Registration Certificate No.

Enrolment Certificate No.

Whereas it appears that in the …………………………………….order, dated the……………………… passed/given by………………………………………….for the period from…………………………..to………………………………in your case, there is the following mistakes, namely:

And whereas it has been noticed that you have been underassessed to the tax payable by you under the Sikkim Tax on Professions, Trades, Callings and Employments Act, 2006, for the period from………………………….to………………….under the order passed on………………….And whereas it is proposed to rectify the mistake as stated below/review the said order;

Now, therefore, you are hereby given notice under section 19 of the said Act that if you wish to prefer any objection against the proposed rectification/review, you should attend personally or through an authorized representative in the office of the undersigned on………………….day of…………………………………200….at………………………………………….
Gist of the rectification proposed to be made:

THE SIKKIM TAX ON PROFESSIONS, TRADES, CALLINGS AND EMPLOYMENTS RULES, 2006
FORM 17
Refund Payment Order
[See section 23 of the Sikkim Tax on Professions, Trades, Callings and Employments Act, 2006 and rule 33]

Memo No. Dated

Whereas on scrutiny of the records of payments of tax in respect of…………………………………………, who is the holder of the Certificate of Registration/Certificate of Enrolment No……………………………………………….Dated………………………., an excess tax amounting to Rs……………………….(in figures)…………………………………………….(in words)/excess penalty amounting to Rs………………………..(in figures)…………………………………………….(in words)/excess interest amounting to Rs………………………..(in figures)…………………………………………….(in words)/excess fees amounting to Rs………………………..(in figures)…………………………………………….(in words) has been found to have paid by him during the period…………………………………………;

And whereas the said excess tax/penalty/interest/fees has been deposited into the Government Treasury under challan No………………………..dated……………………….

Now, therefore, it is hereby certified that an amount of Rs………………………..(in figures)
.................................(in words) in total is refundable to said Employer/person and as such payment thereof may be made to him.

Address of the authority to whom Refund Payment Order is referred:

To

The..........................................

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

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

SEAL..........................................

Signature..................................

Dated.......................................
The State Government is hereby pleased to constitute the Core Committee for Construction of Statue of Lord Buddha and Garden at Ravangla, South Sikkim consisting of the following to commemorate the 2550th birth anniversary of Lord Buddha, namely:

01. Hon'ble Chief Minister Chairman
02. Hon'ble Minister, Land Revenue & Disaster Management Vice Chairman
03. Hon'ble Minister, Tourism Vice Chairman
04. Principal Secretary, Finance, Rev. & Exp. President
05. Hon'ble MLA, Wok Constituency Member
06. Hon'ble Minister, Rural Management & Dev. Deptt. Member
07. Advisor, Ecclesiastical Deptt. Member
08. Chief Secretary Member
09. Addl. Chief Secretary-cum-Dev. Commissioner Member
10. Commissioner-cum-Secretary, Tourism Deptt. Member
11. Secretary, Ecclesiastical Department Member
12. Chief Engineer, Human Resource Dev. Department Member
13. District Collector, South Member
14. Mr. Naveen Chettri, Joint Secretary, Home Department Member Secretary

The Committee shall over-see the entire project and also guide the Technical Committee already constituted for the purpose.

BY ORDER AND IN THE NAME OF THE GOVERNOR

(N.D. Chingapa), IAS
Chief Secretary

NOTIFICATION

The State Government is hereby pleased to notify that the following Departments and authority shall be responsible for the maintenance and upkeep of hazats in the District and Sessions Courts (North/East and South/West) at Gangtok and Namchi respectively:

1. The Building and Housing Department, which is the agency to construct all the Government buildings in the State of Sikkim, shall create a special cell for proper maintenance and upkeep of hazats.

2. The Water Security and Public Health Engineering Department shall create a special cell to ensure maintenance and upkeep of sanitary condition and ensure availability of water on 24 (twenty four) hours basis.

3. The Prosecution Inspector of Sikkim Police shall supervise the arrangement made by the Building and Housing Department and the Water Security and Public Health Engineering Department respectively.

4. The Home Department shall be the administrative department to coordinate the activities between the above departments.

BY ORDER AND IN THE NAME OF THE GOVERNOR

(N.D. Chingapa) IAS
Chief Secretary to the Government of Sikkim
File No.Gos/Home-II/WP/2006/267
Consequent upon approval of the Government, Notification No: 01/06/18/2000/Est/345 dated 5.2.2005 specifying essential qualification for appointment of Teachers are restricted and the Notification is amended with immediate effect;

<table>
<thead>
<tr>
<th>Sl No.</th>
<th>Category of Post</th>
<th>Minimum essential qualification</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>School Mother</td>
<td>Class XII pass from a recognized Board</td>
</tr>
<tr>
<td>2.</td>
<td>Primary Teacher</td>
<td>Class XII pass from a recognized Board with Diploma and certificate in Basic Teachers Training of a duration of not less than two years.</td>
</tr>
<tr>
<td>3.</td>
<td>Graduate Teacher</td>
<td>A Bachelors degree in Science/Humanities or Commerce with B.Ed. from a recognized University</td>
</tr>
</tbody>
</table>

By Order.

*(C.L.DENZONGPA)* IRS  
SECRETARY / HRDD

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NOTIFICATION

In exercise of the powers conferred by section 26 of the Sikkim Panchayat Act 1993, the resignation tendered by Ms Buddha Maya Subba, Panchayat Member of 2 Tamatam Ward (OBC) of 6 Gerethang Gram Panchayat Unit has been accepted with immediate effect.

Now, therefore, in pursuance of section 30(1) of the Sikkim Panchayat Act, 1993, it has been resolved to fill the vacancy by election.

By order,

Director, Panchayat
Prescribed Authority.
NOTIFICATION

In pursuance of section 30 of the Sikkim Panchayat Act 1993, it hereby notified that the membership of ward no. 6 Lower Ribdi (ST-W) of 51. Okhrey Gram Panchayat Unit, West District has become vacant as a result of the demise of Smt. Pem Lhamu Sherpa.

Now, therefore, in pursuance of section 30(1) of the Sikkim Panchayat Act, 1993, it has been resolved to fill the vacancy by election.

By order,

Director, Panchayat
Prescribed Authority.
The Government of Sikkim is pleased to allocate District Development Fund to the Hon’ble Adhakshya and Up-Adhakshya at the following rates:

Hon’ble Adhakshya   -   Rs. 2.00 lakhs per annum.
Hon’ble Up-Adhakshya - Rs. 1.00 lakhs per annum.

The fund shall be drawn from the overall development grants admissible to the Zilla Panchayats and shall be utilized in accordance with guidelines given.

Further, a sum of Rs. 200.00 (Rupees two hundred) only per Zilla Panchayat Member per statutory meeting, not exceeding 4 meeting in a year, shall be provided to meet expenditures related for stationery and refreshment for such meetings.

By. Order.

(V.B. Pathak, IAS)
Commissioner-cum-Secretary
NOTIFICATION

It is hereby notified that Shri. Garjaman Bhujel, Panchayat Member of 8. Rhenock Tarpin Gram Panchayat Unit, East District, elected from Ward no. 4- Adhikari Gaon has been disqualified to be a member of the Gram Panchayat under the provisions of Section 16 (c) of the Sikkim Panchayat Act, 1993, hereinafter referred to as the said Act. Therefore, in pursuance of clause (c) of sub-section (1) of Section 29 of the said Act, he is hereby removed from the Office of member of 8. Rhenock Tarpin Gram Panchayat Unit, with immediate effect, the consequent vacancy shall be filled by election in pursuance of section 30 of the said Act.

By order

(P.T. Euthenpa)
Director, Panchayat
Prescribed Authority.
NOTIFICATION

In pursuance of section 30 of the Sikkim Panchayat Act, 1993, it is hereby notified that the membership of ward no. 3- Khop under 7. Rabong Sangmo Gram Panchayat Unit, South District, has become vacant as a result of the demise of Shri. Bal Bdr. Gurung on 11.07.2006.

Now, therefore, in pursuance of section 30(1) of the Sikkim Panchayat Act, 1993, it has been resolved to fill the vacancy by election.

By order,

Director, Panchayat
Prescribed Authority.
NOTIFICATION

In pursuance of section 28 of the Sikkim Panchayat Act 1993, it is hereby notified that the membership (seat) of Ward No. 1 - Soreng Daragoan (UR) of 41 Soreng Gram Panchayat Unit, West Sikkim has become vacant as a result of the demise of Smt. Suman Rai. The Resultant vacancy shall be filled through election in accordance with the Sikkim Panchayat (Conduct of election) Rules, 1997.

Further, the office of Sabhapati (UR) of the Gram Panchayat Unit, which the deceased was holding shall also be filled by the election in pursuance of section 28 (1) of the Sikkim Panchayat Act, 1993.

By order,

Director, Panchayat
Prescribed Authority.
NOTIFICATION

It is hereby notified that Smt. Shanti Kala Pradhan, Up-Sabhapati of 10. Sudunglakha Gram Panchayat Unit, East Sikkim has been removed from the Office of the Up-Sabhapati of the Gram Panchayat in pursuance of section 29 (1) (d) of the Sikkim Panchayat Act, 1993.

The subsequent vacancy shall be filled by election in pursuance of section 28(1) and in accordance with the Sikkim Panchayat (Election of Sabhapati, Up-Sabhapati and Sachiva of Gram Panchayat and Adhakshya and Up-Adhakshya of Zilla Panchayat and manner of convening meeting) Rules, 1997.

By order,

Director, Panchayat
Prescribed Authority.
NOTIFICATION

The State Government hereby constitutes District Technical Support committee (DTSC) in all districts with the following composition in order to assist the Panchayat Raj Institutions of the concerned district for preparation of decentralised plans by providing technical support.

Composition of DTSC:
All the District level Heads of office of line departments are ex-officio members.
Chairperson: District Collector
Member Secretary: District Planning Officer

Duties and Responsibilities of the DTSC:
1. To prepare the district perspectives for each of the sector and submit it to the GP and ZP within the specified time in order to consider the same for their plan.
2. To support and coordinate with the GPF and its working groups to provide technical inputs for preparation of GP plan.
3. To assist in formulation of ZP plan and make projects in collaboration with the Zilla Panchayat.
4. To scrutinize for technical aspects of the GP and ZP plan and submit the observations to the DPC.
5. To provide technical support for preparation of GP, ZP and District plan as per the directives and guidelines of the Government.
6. To perform any other functions assigned by the DPC and the Government time to time.

Working Mechanism:

The DTSC may constitute sub-committees to look into specific sectors. The working of DTSC has to be decided by itself as per the need. The DTSC may constitute sub committees in lines with working groups suggested for GPF in order to help easy functioning.
Accountability:

As the DTSC is functioning for PRIs, the GP and ZP shall have all rights in accessing the timely support from it. The approval of DTSC means that the plans prepared by the GP and ZP are as per the Government guidelines and are technically sound. DTSC is therefore accountable to each of the GPs, ZP and also the State Government.

Sd/-
V.B. Pathak, IAS
Commissioner-cum-Secretary
Rural Management and Development Department
Government of Sikkim, Gangtok.
NOTIFICATION

The State Government hereby notifies that all the Gram Panchayat Units shall constitute Gram Planning Forum (GPF) as described in this Notification in order to perform the duties and responsibilities assigned to the forum. The Gram Planning Forum is the most important formation in the decentralized planning system. It has the most creative role to play. The Gram Planning Forum is expected to add to the capacity of local governments to make good plans. It should assist the local government in developing a vision of what it should achieve – a vision based on experience, expertise and field reality as revealed from analysis of data.

Composition of the Gram Planning Forum

Elected members:
1. All elected members of the Gram Panchayat
2. The concerned elected member of the Zilla Panchayat

Ex-officio members:
1. One senior most official (in designation) from each of the department, who are working under GPU.
2. BDO/SDDO concerned.

Selected expert advisory members:
3. A maximum of five expert members to be identified by the GPU every year.
Selection of expert advisory members:

These can be retired officials, members of some local NGOs or any other persons who have good knowledge of the sector. These experts have to be identified by the GP elected representatives and approved by the gram Saba. While identifying these experts the following questions need to be kept in mind:

- What is the past record of the person identified? Has he or she shown an interest in development oriented activities earlier?
- Does the person have some special skills and qualifications that will be useful in the planning process? What are these?
- Is the person motivated and interested in working hard to make the Gram plan?

It is up to the GP to decide how it identifies such people, but it would be a very good idea to have a transparent selection process. The GP could invite applications and then ask some experienced people (may be a District official) to help identify the right persons.

Chairman and Secretary of GPF:

The Sabapathi (President) of the GPU will be the chairman of GPF. The secretary of the GPF will be selected from the ex-officio members by the GPF every year. The secretary will also be the plan coordinator, and will write the plan document and make the budget as per the decisions of the GPF.

The Duties and Responsibilities of GPF in the Preparation of Plans:

1. To prepare Periodical and Annual plan for the Gram panchayat as directed by the state Government time to time.
2. To perform duties mentioned in the various Government guidelines including the Hand Book made for preparation of decentralized plans.
3. GPF shall collect data and information relevant for planning in the format prescribed and uses it for the purpose of planning after careful analysis.
4. To perform duties, which are required for perspective planning, fixing developmental goals for the GPU and identifying the ways and means to achieve it.
5. Preparation of project proposals, prioritization of the schemes/projects and selection based on the fund availability, resources and capacity to do it, etc.,
6. To find out the technical feasibility, financial norms, viability of the plan, and Administrative arrangements related to the selected proposals with the help of planning cell and DTSC.
7. Finalizing the proposals for the GP and making the Gram Panchayat Plans in the format prescribed by the Government with the approval of the Gram Saba and timely submission of the plan to District Planning Officer (DPO) for placing it in the District Planning Committee (DPC) for discussion and approval.
8. To have regular communication with the office of the DPO in order to be updated with Government priorities and directives.
9. Any other duties assigned by the GPU, ZP or the state Government by an order or communication.
The Duties and Responsibilities of GPF in Implementation of the Plan:

1. The GPF shall have the powers to monitor the implementation of all works implemented under GPU as it is composed of elected members and the department officials.
2. The GPF has to inspect the works through concerned working group and based on the report of the working group. The working group report has to be considered before clearing the bills by the Gram Panchayat.
3. GPF shall present all the executed/completed schemes in the Gram Saba for information. GPF shall maintain year wise record of schemes (sector wise) executed under GPU in an Asset register. The information contained in this register has to be used for future planning.

Working Mechanism:

While the GPF will be responsible for the overall coordination of the planning process, as the GP makes strategies and projects, it will need to focus on and consult experts and officials in different sectors or areas. To enable sector specific, detailed deliberations on strategies and to formulate projects to be included in the GP plan, each GP should set up 5-7 Working Groups. It is up to the GP to decide which Working Groups it will form. The Working Groups should however, cover all the issues that the GP wants to address. An example of the different areas for the Working Groups would be:

1. Agriculture, animal husbandry and other allied activities.
2. Forestry and forest related activities.
3. Infrastructure development including drinking water, roads and other public works
4. Non farm employment generation including industry, tourism and other activities
5. Health and Education
6. Poverty alleviation and welfare of weaker sections including women, scheduled tribes, children and the elderly.

This is just an example. The Working Groups should be set up as per the needs and goals of the GP and may change from year to year, depending on the priorities of the GP.

Composition of Working Groups:

All the GPF members will be part of some Working Group. Each Working group shall consist of a minimum of four members selected within GPF. The Chairperson of the working group shall be an elected representative of the Panchayat. The senior most official from the concerned sector shall be the convener for the working group. The other members shall be selected among the members of the GPF based on their knowledge and interest towards the sector.

The functions of the Working Groups would be the following:

1. Analysis of the development sector(s)/area(s) assigned to it
2. Evaluation of the performance during the last five years in the sector.
3. Identification of existing problems, gaps, needs, possibilities.
4. Generation of a shared vision on the development of the sector(s)/area(s) through consultations with district level officials and District Technical support committee (DTSC).
5. Suggesting an action plan to realize the vision with priorities and reasons for the priority.
6. To deal with any queries related to the sector when the plan is scrutinized at district level.
7. Preparation of draft projects to implement the action plan.
8. Monitoring of projects as directed by GPF.
9. Any other task assigned by the GPF and GPU.
The GPF shall consult the hand book prepared by the Government for preparation of decentralized plans and follow the steps prescribed for preparation of plan. The GPF shall follow the Government guidelines in making the plans.

**Constitution of GPF and Working Groups:**

Every GP in the state shall constitute GPF and the working groups in the beginning of every financial year by following the above directives. The member details of the GPF as well as the working group shall be communicated by the secretary of the GPF to the DPO’s office for records and further communications.

**Frequency of meeting:**

The GPF shall convene meeting at least every two months to perform their duties and roles. The quorum for the meetings of GPF shall be 50% of the total members. The copy of the minutes of the meeting shall be sent to the DPO and DDO concerned for information. The Working Group should meet as frequently as possible and keep a brief record of its deliberations. The quorum for the meetings of working group shall be three including the mandatory presence of the convener.

**Role of Gram Saba in relation to GPF:**

As the GPF is functioning for facilitating Gram Saba, the Gram Saba shall have all rights in accessing information from GPF. Gram Saba shall have all powers to give directions to perform according to the need of the people of the GPU. Gram panchayat shall have the final say in any proposal/scheme proposed by GPF. The plan has to be approved by the Gram panchayat before sending it to the DPC through DPO.

**Accountability:**

The GPF shall work in line with DPC at District level and is accountable to the Gram Panchayat, Gram Saba and DPC. GPF shall be responsible for timely submission of the Gram Panchayat plans as per the time schedule prescribed by the Government in the Guidelines and thus accountable to the state Government for timely submission.

V.B.Pathak , IAS
Commissioner-cum-Secretary
Rural Management and Development Department
Government of Sikkim, Gangtok.
NOTIFICATION

The Governor of Sikkim is pleased to constitute a State Level Manufacturing Competitiveness Council under the Chairmanship of the Chief Secretary to the Government of Sikkim, consisting of the following Members, namely :-

1. Chief Secretary to the Government of Sikkim
   Chairman.

2. Development Commissioner, Development Planning, Economic Reforms & North Eastern Council Affairs Department
   Member.

3. Principal Secretary, Finance, Revenue & Expenditure Department
   Member.

4. Secretary Information and Technology Department
   Member.

5. Secretary, Horticulture & Cash Crops Development Department
   Member.

6. Secretary, Science and Technology Department
   Member.

7. Secretary, Health Care, Health Services & Family Welfare Department
   Member.

8. Principal Secretary/Secretary, Commerce & Industries
   Member Secretary.

2. The terms of reference of the Council shall be as follows :-

1. The State Level Manufacturing Competitiveness Council will be an inter-disciplinary highest level body to serve as a policy forum for credible and coherent policy initiatives which shall provide a continuing forum for policy dialogue and energize and sustain the growth of manufacturing industries.

2. The Council shall,-
   (a) suggest various ways and means for enhancing the competitiveness of manufacturing sector including identification of manufacturing sectors which have potential for global competitiveness;
(b) identify current strengths and constraints of the sectors;
(c) recommend National level industry/sector specific policy initiatives as may be required for augmenting the growth of manufacturing sector;
(d) prepare a ‘State Level Manufacturing Strategy Paper’ to identify the areas of policy that are to be addressed and proceed with detailed study and make recommendations in respect of sub-sectors of manufacturing that are assessed to have immediate potential for growth and employment;
(e) examine Competitiveness upon Country specific advantages-Industry specific advantage-Enterprise specific advantages and identify the Challenges faced by manufacturing units;
(f) enhance Government focus on manufacturing imperative and competitiveness;
(g) driving cost competitiveness and domestic demand;
(h) consider Importance of Information Technology (IT) in manufacturing sector;
(i) create relation between quality, certification and the assessment process (auditing);
(j) create conditions for growth, investment & employment;
(k) lowering cost of manufacture and improving quality;
(3) Some of the procedures at the State government level where appropriate reforms are necessary, include:-
   (i) providing the necessary investment climate for the growth of manufacturing in the states;
   (ii) providing infrastructure, particularly in respect of power, water, roads, etc.;
   (iii) development of a common format for computerization of required records;
   (iv) doing away with multiplicity of inspections by large number of inspectors;
   (v) establish priorities for support of advanced manufacturing technologies;
   (vi) create coordination mechanism on Manufacturing Research and Development to be pursued.
   (vii) create a monitoring mechanism & measuring performance;
   (viii) right market framework, competition and regulations;
   (ix) interact with National Manufacturing Competitive Council on the above issues;
(4) The Stale Level Manufacturing Competitive Council may constitute District Level Committee and hold meeting from time to time, minimum quarterly on the above subjects.

By order and in the name of Go

Sd/-

(KARMA GYATSO) IAS
PRINCIPAL SECRETARY
COMMERCE & INDUSTRIES
GOVERNMENT OF SIKKIM
File No. 6/CGO/164/DI/05-06