

SIKKIM

GOVERNMENT



GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 1

Gangtok, Wednesday, January 5, 1977

**SIKKIM LEGISLATIVE ASSEMBLY SECRETARIAT
GANGTOK**

Notification No. 605/18/SLAS/77.

Dated Gangtok, the 5th January, 1977.

The following order of the Governor of Sikkim, dated the 9th December, 1976 published for general information.

"In exercise of the powers conferred by Article 174(2)(a) of the Constitution, B.B. Lal, Governor of Sikkim, hereby prorogue the Legislative Assembly of Sikkim which was summoned to meet on the 6th December, 1976.

B. B. LAL,

GOVERNOR OF SIKKIM".

(R.K. Gupta,)

**Secretary,
Sikkim Legislative Assembly,
Secretariat Gangtok.**

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SIKKIM

GOVERNMENT



GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No.2

Gangtok, Tuesday, January 11, 1977

HOME DEPARTMENT

NOTIFICATION

Dated Gangtok, the 10th January, 1977.

No. 1/Home Govt. of India, Ministry of Communication (Post and Telegraphs Board), New Delhi Notification No. 19/1/75-CI dated the 2nd June, 1975 is republished for general information :—

“No. 19/1/75-CI, — In pursuance of the notification of the Government of India, in the Ministry of Home Affairs, No.S.O.208(E), dated the 16th May, 1975, the Central Government hereby appoints the 2nd day of June, 1975, as the date on which the Indian Post Office Act, 1898 (6 of 1898), shall come into force in the State of Sikkim.

Sd/- (D. N. Ramchandani)

Sr. Member (Administration) &
Ex-officio Additional Secretary to
the Government of India."

T. S. Gyaltshen,

Chief Secretary,
Government of Sikkim.

F.No.7(33)-Home/75.

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SIKKIM

GOVERNMENT



GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 3

Gangtok, Thursday, January 13, 1977

GOVERNMENT OF SIKKIM

ESTABLISHMENT DEPARTMENT

No. 5(99) SSPS/Est.

Dated Gangtok, the 29th December, 1976.

NOTIFICATION

In exercise of the powers conferred by proviso to article 309 of the Constitution of India and in supersession of all previous rules on the subject, the Governor is hereby pleased to make the following rules regulating the recruitment to the Sikkim State Police Service, namely :—

1. Short title and commencement :—(1) These rules may be called the Sikkim State Police Service (Recruitment) Rules, 1976.

(2) They shall come into force with effect from the date of their publication in the Sikkim Government Gazette.

2. Definitions :— In these rules, unless the context otherwise requires :—

- (a) "Commission" means the Sikkim Public Service Commission;
- (b) "Committee" means the Committee constituted under rule 5;
- (c) "Cadre Schedule" means the schedule appended to these rules ;
- (d) "Government" means the Government of Sikkim;
- (e) "Governor" means the Governor of Sikkim;
- (f) "Member of the Service" means a Member of the Sikkim State Police Service;
- (g) "Recommending Authority" means the Secretary to the Government of Sikkim;
- (h) "Service" means the Sikkim State Police Service;
- (i) "State" means the State of Sikkim;
- (j) "Year" means the financial year.

3. Constitution of the Service:—The service shall consist of the following persons namely :-

- (a) Persons holding the posts of Additional Commissioner of Police, A.D.C. to Governor, Deputy Commissioner of Sikkim Police, Assistant Commissioner of Sikkim Police, Assistant Commissioner of Sikkim Police (Wireless), Deputy Commissioner of Sikkim Police (Crime), Deputy Commissioner of Sikkim Police (Lines & Training), Deputy Commissioner of Sikkim Police (Intelligence), Deputy/Assistant Commissioner of Sikkim Police (Anti-Corruption), District Police Officer and Company Commander (Armed Police Battalion) in the rank of Assistant Commissioner of Police.
- (b) Persons recruited to the service before the commencement of these rules;
- (c) Persons recruited to the service in accordance with the provisions of these rules.

4. Methods of Recruitment to the Service :— (1) Recruitment to the Service after the commencement of these rules shall be by the following methods, namely:—

- (a) By the Competitive Examination to be held by the Commission;
- (b) By selection from among persons serving in connection with the affairs of the State of Sikkim.

(2) The proportion of vacancies, to be filled in any year in accordance with clauses (a) and (b) above, shall be 50 : 50 respectively;

Provided that the number of persons, recruited under Clause (b) above, shall not at any time exceed 50% of the total strength of the service.

(3) Notwithstanding anything contained in sub-rule (1), if in the opinion of the Government the exigencies of the service so require, the Government may, after consultation with the Commission, adopt such method of recruitment to the Service, other than these specified in the said sub-rule as it may, by Notification in this behalf, prescribe.

5. Recruitment by Selection:— (1) There shall be a Selection Committee consisting of the following, namely :—

- (a) Chairman, Sikkim Public Service Commission, or, where the Chairman is unable to attend, a Member, Sikkim Public Service Commission.
- (b) Chief Secretary to the Government.
- (c) Inspector- General of Police.
- (d) Secretary to the Government, Home Department.

The Chairman, or the Member, Sikkim Public Service Commission, as the case may be, shall preside at the meetings of the Selection Committee at which he is present.

(2) The Government shall call upon the Recommending Authority to submit recommendations in respect of persons serving in connection with the affairs of the State ;

- (a) Who are of outstanding merit and ability;
- (b) Who, on the first day of that year, have completed not less than 10 years continuous service under the Government in the posts not below the rank of Inspectors of Police, Circle Inspectors, Court Inspectors, Traffic Inspectors, Inspectors of Police (Intelligence), Inspectors of Police (Anti-Corruption) Company Commanders (Armed

Police Battalion) in the rank of Inspector of Police and Inspector of Police (Crime) and who are holding those posts substantively ;

(3) The Government shall refer the cases of such persons recommended under sub-rule (2) to the Committee and shall simultaneously forward to the Committee the recommendations of the Recommending Authority together with the Character Rolls and Service Records of such persons and shall also indicate the approximate number of vacancies to be filled by selection.

(4) The Committee shall, on initial scrutiny of the recommendations and the Character Rolls and Service Records call such persons, as it may consider prima facie suitable for interview and prepare a list of such persons who in its opinion, are suitable for appointment to the service in order of preference which shall be determined in accordance with the general suitability of such persons for appointment to the service;

Provided that no person shall be recommended under sub-rule (2) nor shall the Committee select any such person unless the Recommending Authority and/or the Committee, as the case may be, is further satisfied that—

(a) he has executive ability; and

(b) his service can more profitably be utilised by appointment to the service.

(5) The number of persons to be included in such list shall not exceed twice the number of vacancies to be filled by selection.

(6) The Committee shall ordinarily meet at the interval not exceeding one year.

6. Consultation with Commission:— (1) The list prepared in accordance with rule 5 shall be forwarded to the Commission by the Government along with—

(i) the records of all the persons included in the list;

(ii) the records of all the persons, who are proposed to be superseded by the recommendations made in the list;

(iii) the reasons as recorded by the Committee for the proposed supersession; and

(iv) the observation of the Government on the recommendations of the Committee.

(2) The Commission shall consider the list prepared by the Committee along with the other documents received from the Government or on receipt of other documents as may have been called for by the Commission and unless it considers any change necessary, approve the list.

(3) If the Commission considers it necessary to make any changes in the list received from the Government, the Commission shall inform the Government of the changes proposed and after taking into account the comments, if any, of the Government, may approve the list finally with such modification, if any, as may, in its opinion, be just and proper.

(4) The list, as finally approved by the Commission, shall be forwarded to the Government along with all the papers received under sub-rule (1) and sub-rule (2) , if any.

(5) The list shall ordinarily be in force until its review and revision ;

Provided that in the event of a grave lapse in the conduct or performance in duty on the part of any person included in the list, a special review of the list may be made at any time at the instance of the Government and the Commission may, if it so- thinks fit, remove the name of such person from the list.

7. Appointments to the Service from the list:— (1) Appointments of person included in the list to the service shall be made by the Government in the order in which the names of person appear in the list for the time being in force.

(2) It shall not ordinarily be necessary to consult the Commission before such appointment are made, unless during the period intervening between the inclusion of the name of the person in the list and the date of proposed appointment there occurs 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.

8. Recruitment by Competitive Examination:—

(1) A Competitive Examination for recruitment to the service shall be held at such intervals as the Government may, in consultation with the Commission, from time to time, determine.

(2) The examination shall be conducted by the Commission in accordance with such rules and syllabus as the Government, from time to time, make in consultation with the Commission

(3) Of the number of vacancies to be filled upon the results of each examination there shall be reservation in favour of candidates belonging to Scheduled Castes and Scheduled Tribe to the extent and subject to the conditions as the Government may, from time to time, prescribe.

(4) The Commission shall prepare a list of all candidates who have qualified in the examination in order of merit which shall be determined in accordance with the aggregate marks obtained by each candidate and if two or more candidates obtain equal marks, the Commission shall arrange them in order of their relevant merit which shall be determined in accordance with the general suitability of the candidate for appointment to the service. The list shall be forwarded to the Government and be published in the Gazette of Sikkim.

(5) The inclusion of candidates' name in the list shall confer no right to appointment unless the Government is satisfied, after such enquiry as may be considered necessary, that the candidate is suitable in all respects for appointment to the service.

9. Conditions of eligibility for appearing at the Competitive Examination:

(1) In order to be eligible to compete at the competitive examination, a candidate must satisfy the following conditions, namely:—

(i) Nationality—He must be a citizen of India.

(ii) Age—He must have attained the age of 21 but must not have exceeded the age of 30 on the first day of the year of advertisement;

Provided that the upper age limit may be relaxed in respect of candidates belonging to Scheduled Castes and Scheduled Tribes in accordance with orders issued by the Government from time to time.

(iii) Educational qualification—He must hold a degree of any university recognised by the Government for this purpose.

(iv) He must pay the fees prescribed by the Commission.

10. Attempts at the examinations:—No candidate 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.

11. **Disqualification for admission to examination:**— Any attempt on the part of the candidate to obtain support for his candidature by any means may be held by the Commission to disqualify him for admission to the competitive examination.

12. **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 and no candidate whom certificate of admission has not been issued by the Commission shall be admitted to the examination.

13. **Appointments from the list:**— Subject to the provisions of rules 14,15,16 candidates will be considered for appointment to the available vacancies in the order in which their names appear in the list,

14. **Disqualification for appointment on grounds 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 this rule.

15. **Penalty for impersonation:**— A candidate, who is or has been declared by the Commission guilty of impersonation or of submitting fabricated document or documents which have been tampered 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—

- (a) by the Commission from admission to any examination or appearance at any interview held by the Commission for Selection of candidates; and
- (b) by the Government from employment under the Govt.

16. **Disqualification for appointment on medical grounds:**— No candidate shall be appointed to the service who, after such medical examination, as the Government may prescribe, is not found to be in good mentally or bodily health and free from any mental or physical defect likely to interfere with the discharge of the duties of the service.

17. **Probation:**—(1) Every person recruited to the service by the competitive examination shall be appointed to the service on probation for a period of two years.

(2) Every person recruited to the service by selection shall be appointed to the service on probation for a period of one year.

(3) The Government may, if it so thinks fit in any case or class of cases, extend the period of probation by a period not exceeding two years.

18. 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.

19. Execution of agreement:— A probationer, who has been appointed to the service by competitive examination, shall on appointment to the service execute an agreement in the form as may be prescribed by the Government, binding himself and one surety, jointly or severally, in the event of his failing to comply with any of the provisions of these rules to the satisfaction of the Government to refund any money paid to him consequent on his appointment as probationer,

20. Training:— A probationer, who has been appointed to the service by the competitive examination, shall on appointment to the service undergo such training and for such period as the Government may direct.

21. Departmental Examination:— Every probationer who has been recruited to the service by competitive examination, during the period of probation, shall appear at and pass the prescribed Departmental Examination.

22. 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
- (b) 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
- (c) 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
- (d) if he fails to comply with any of the provisions of these rules.

23. Composition and strength of the Service:—

{1) The posts borne on the strength and composition of the service shall be as determined by the Government from time to time,

(2) At the commencement of these rules, the strength and the composition of the service shall be as shown in Schedule I.

24.(1) The scale of pay admissible to the members of the service shall be as determined by the Government from time to time.

(2) At the commencement of these rules, the scale of pay admissible to the members of the service shall be as shown in Schedule II.

T. S. GYALTSHEN,

CHIEF SECRETARY TO THE GOVT. OF SIKKIM.

SCHEDULED I**SIKKIM STATE POLICE SERVICE****Strength and Composition of Cadre**

1. Designation of Posts,	Number
Deputy Superintendent of Police (Staff Officer I.G.)	3
Deputy Superintendent of Police (Staff Officer D.I.G.)	2
Deputy Superintendent of Police	10
Deputy Superintendent of Police (Special Branch)	3
Deputy Superintendent of Police (Crime and Vigilance)	2
Deputy Superintendent of Police (Police Training College)	2
Deputy Superintendent of Police (Armed Police Battalion)	8
Fire Officer	1
Deputy Superintendent of Police (Civil Defence and Home Guards)	4
Deputy Superintendent of Police (Wireless)	2
	<hr/>
	37
2. Deputation Reserve at 20% of 1 above	7
3. Leave Reserve at 5 % of 1 above	2
4. Training Reserve at 15 %of 1 above	5
	<hr/>
TOTAL AUTHORISED STRENGTH	51
	<hr/>

SCHEDULED II**Scales of the Sikkim State Police Service.****1. Ordinary Scale**

510-25-760-EB-30-1210

2. Senior Scale.

750-40-950-EB-50-1450

(a) The number of posts in the Senior Scale shall not exceed 30% of the posts enumerated in item 1 of the Cadre Schedule.

(b) No officer from the ordinary scale shall be promoted to the Senior Scale unless he has put in 10 years of service in the Ordinary Scale. In case of promoted Officers of Sikkim State Police Service, for the purposes of reckoning the 10 years of service in the Ordinary Scale a weightage of one year for every 5 years of service put in by him prior to his promotion to the Ordinary Scale may be given.

3. Selection Grade.

1200-50-1600

(1) The number of posts in the Selection Grade shall not exceed 10% of the posts enumerated in item 1 of the Cadre Schedule.

(b) No officer shall be promoted from the Senior Scale to the Selection Grade unless he has put in 10 years of service in the Senior Scale.

SIKKIM

GOVERNMENT GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 4

GANGTOK, MONDAY, JANUARY 31, 1977.

HOME DEPARTMENT

No.F.41(26)-Home/76.

Dated Gangtok, the 31st January, 1977.

CORRIGENDUM

In the Order No. F. 41(26)-Home/76 dated 8th December, 1976, published in Extraordinary Gazette No. 93 dated 15.12.76, against SI. No. 6, the words "(Representative of SLA)" appearing after the word "Member" may be deleted.

T. S. GYALTSHEN,

Chief Secretary,
Government of Sikkim.

SIKKIM

GOVERNMENT



GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 5

GANGTOK, THURSDAY, FEBRUARY 3, 1977.

**ELECTION DEPARTMENT (HOME)
NOTIFICATION NO. I/H.**

DATED GANGTOK THE 2ND. FEBRUARY, 1977.

Election Commission of India Notification No. 434/SKM/77/3020 Dated 29th January, 1977 are republished in State Government Gazette for general information:—

ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN.
ASHOKA ROAD.
NEW DELHI.

DATED THE 15TH. APRIL, 1976.

NOTIFICATION.

No. 434/SKM/77(1). In pursuance of the provisions of Section 21 of the Representation of the People Act, 1951 (43 of 1951), the Election Commission, in consultation with the Government of Sikkim, hereby designates the District Magistrate and District Collector, East District, Gangtok, to be the Returning Officer for the Parliamentary Constituency for Sikkim

**Sd/- A. N. SEN,
SECRETARY TO THE ELECTION COMMISSION OF INDIA.**

BY ORDER,

**D.C. LUCKSOM
CHIEF ELECTORAL OFFICER (SIKKIM)
GOVERNMENT OF SIKKIM.
GANGTOK.**

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GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 6

Gangtok, Thursday, February 3, 1977

ELECTION DEPARTMENT (HOME).

NOTIFICATION NO. 2/H.

DATED GANGTOK THE 2ND. FEBRUARY, 1977.

Election Commission of India Notification No. 434/SKM/77/3020 Dated 29th. January 1977 are republished in the State Government Gazette for general information:—

ELECTION COMMISSION OF INDIA

**NIRVACHAN SADAN.
ASHOKA ROAD.
NEW DELHI.**

NOTIFICATION.

No. 434/SKM/77 (2). In exercise of the powers conferred by sub-section (1) of section 22 of the Representation of the People Act, 1951 (43 of 19C1), the Election Commission, in consultation with the Government of Sikkim, hereby appoints the following officers of Government to assist the Returning Officer for the Parliamentary Constituency for Sikkim in the performance of his functions :—

1. District Magistrate and District Collector, North District, Mangan.
2. District Magistrate and District Collector, South District, Namchi.
3. District Magistrate and District Collector, West District, Geyzing.
4. Deputy District Officer and Planning Officer, East District, Gangtok.

Sd/- A. N. SEN.

**SECRETARY TO THE ELECTION COMMISSION
OF INDIA.**

BY ORDER,

(D. C. Lucksom).

**CHIEF ELECTORAL OFFICER (SIKKIM),
ELECTION DEPARTMENT (HOME)
GOVERNMENT OF SIKKIM
GANGTOK.**

1	2
2. Akhil Bharatiya Ramrajya Parishad	1. Andhra Pradesh, (2) Bihar, (3) Gujarat , (4) Haryana, (5) Himachal Pradesh, (6) Jammu & Kashmir, (7) Madhya Pradesh, (8) Maharashtra, (9) Orissa, (10) Punjab, (11) Rajasthan, (12) Uttar Pradesh, (13) West Bengal and (14) Delhi.
3. All India Shiromani Baba Jiwan Singh Mazabhi Dal	1. Bihar, (2) Haryana, (3) Madhya Pradesh, (4) Orissa, (5) Punjab, (6) Rajasthan, (7) Uttar Pradesh, and (8) West Bengal,
4. All India Labour Party	Punjab.
5. All India Gorkha League	1. Assam, (2) Manipur, (3) Meghalaya, (4) Nagaland, (5) Tripura, (6) West Bengal, (7) Arunathal Pradesh, and (8) Mizoram.
6. All India Jharkhand Party	1. Bihar, (2) Madhya Pradesh, (3) Orissa, and (4) West Bengal.
7. All India Forward Bloc	1. Assam, (2) Bihar, (3) Gujarat, (4) Haryana, (5) Madhya Pradesh, (6) Maharashtra, (7) Orissa, (8) Tamil Nadu, (9) Tripura, (10) Uttar Pradesh, (11) West Bengal, and (12) Delhi.
8. Bharatiya Rashtriya Jan Congress	Uttar Pradesh.
9. Bolshevik Party of India	1. Maharashtra, (2) Uttar Pradesh and (3) West Bengal.
10. Bharter Biplabi Communist Party	1. Gujarat, (2) Uttar Pradesh, (3) West Bengal and (4) Andaman & Nicobar Islands.
11. Bihar Prant Hul Jharkhand	Bihar.
12. Backward Classes Mahasabha	Andhra Pradesh.
13. Biplabi Bengla Congress	West Bengal.
14. Chotanagar Bhumi Rakshak Party	Bihar.
15. Indian Awami League	West Bengal.
16. Jharkhand Party	1. Bihar, (2) Orisaa, and (3) West Bengal.
17. Janata Paksha Party	Karnataka.
18. Jana Congress	Orissa.
19. Lok Raj Party HimalchalPradesh	Himakhhal Pradesh.
20. Muslim Majlis	Uttar Pradesh.
21. Marxist Forward Bloc	West Bengal.
22. Nav Maharashtrawadi Gomantak	Goa, Daman & Diu.
23. Panjan Masihi Sabha	Punjab.
24. Progressive Hul Jharkhand Party (Shibu-	Bihar
25. Plains Tribals Council of Assam.	Assam
26. Revolutionary Communist Party of India.	1. Assam, (2) Gujurat, and (3) West Bengal.

1	2
27. Rashtriya Majoor Paksha	Gujarat.
28. Republican Party of India	1. Bihar, (2) Haryana, (3) Maharashtra, (4) Punjab, (5) Tamil Nadu, (6) Uttar Pradesh, (7) West Bengal, (8) Delhi and (9) Pondicherry.
29. Republican Party of India (Khobragade)	1. Andra Pradesh, (2) Gujarat, (3) Haryana, (4) Karnataka, (5) Kerala, (6) Madhya Pradesh, (7) Maharashtra, (8) Punjab, (9) Tamil Nadu, (10) Uttar Pradesh, and (11) Delhi.
30. Socialist Unity Centre of India	1. Assam, (2) Bihar, (3) Haryana, (4) Kerala, (5) Orissa, (6) Uttar Pradesh, (7) West Bengal, and (8) Delhi.
31. Shiva Sena	Maharashtra.
32. Sampoorna Telengana Praja Samiti	Andhra Pradesh.
33. Shoshit Samaj Dal (Akhil Bharatiya.)	1. Bihar, (2)Madhya Pradesh, (3) Uttar Pradesh, (4) West Bengal.
34. Tripura Upajati Juba Samiti	Tripura.
35. Uttar Pradesh Swatantrata Sangram Sainik Parishad	1. Maharashtra, (2) Punjab, (3) Uttar Pradesh, (4) Delhi and (5) Pondicherry.
36. U.P. Sikh Pritinidhi Board	Uttar Pradesh.
37. Uttar Pradesh Kishan Mazdoor Party	Uttar Pradesh.
38. Vedwadi Karmawadi Parishad	1. Bihar and 2. Uttar Pradesh.
39. Wokers' Party of India	West Bengal.

(NO. 56/77-1)

BY ORDER,

**Sd/ -V. NAGASUBRAMANIAN. •
SECRETARY.**

SIKKIM

GOVERNMENT



GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 8

GANGTOK, WEDNESDAY, FEBRUARY 9, 1977.

**OFFICE OF THE SUPERINTENDENT, SIKKIM JAIL
GANGTOK**

Notification No. 5824/DCE.

Dated Gangtok, the 25th January, 1977.

On the occasion of the celebration of the 28th Republic Day of India, the Governor of Sikkim has been pleased to grant remission of sentences to the prisoners in Sikkim Jail at Gangtok as mentioned below :

Sl.No.	Name	Period of remission granted		
		Year	month	days
1.	Shri Suk Prasad Gurung	2	0	0
2.	Shri Norbu Tenzing	0	6	0
3.	Shri Suku Rai	0	3	0
4.	Shri Kalu Singh Rai	0	0	7
5.	Shri Amrit Darnal	0	0	15
6.	Shri Jai Bahadur Chhetri	0	0	15
7.	Shri Mahesh Kumar Chhetri	0	0	7
8.	Shri Meg Bahadur Chhetri	0	6	0
9.	Shri Krishna Bahadur Chhetri	0	0	4
10.	Shri Phuden Lepcha	0	6	0
11.	Shri Man Bahadur Gurung	0	3	0.
12.	Shri Arun Kumar Rai	0	3	0

By Order

Sd/- Sonam Wangdi,

**Superintendent of Sikkim Jail,
Gangtok.**

SIKKIM

GOVERNMENT



GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 9

Gangtok, Wednesday, February 9, 1977

HOME DEPARTMENT

NOTIFICATION

Dated Gangtok, the 3rd February, 1977.

No. 2/Home. In exercise of the powers conferred by the Ministry of Industry and Civil Supplies (Department of Civil Supplies & Cooperation), New Delhi, Notification No. SO. 30(E) dated the 9th January, 1975 and Notification No. G.S.R. 475(E) dated the 24th July, 1976 from the Ministry of Agriculture & Irrigation (Department of Food) Delegating the powers conferred on it by sub-section 1 of section 3 of the Essential Commodities Act, 1955 (10 of 1955) to make orders to provide for matters specified in clauses (a),(b),(c),(d),(e),(f),(g),(h)(i) (ii), and (j) of sub-section 2 thereof in relation to the matters of prohibition of or the imposition of restrictions on the storage of all commodities including foodstuffs subject to certain conditions specified therein on the Government of Sikkim, the State Government hereby authorises the Secretary, Department of Food & Civil Supplies and Fair Price Shops, Government of Sikkim to issue orders relating to any of the matters specified in clause (j) of sub-section 2 pertaining to any incidental and supplementary matters including in particular the entry, search or examination of premises, air-crafts, vessels, vehicles or other conveyances and animals and the seizure by a person authorised to make such entry, search or examine in respect of matters specified under clauses (a),(b),(c),(d),(e),(f),(g),(h), (i) & (ii) of sub-section 2 of the Essential Commodities Act, 1955 (10 of 1955) with immediate effect.

T. S. Gyaltshen,

**Chief Secretary,
Government of Sikkim.
F.No.7(5)-Home/76**

SIKKIM

GOVERNMENT



GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 10

Gangtok, Thursday, February 10, 1977

HOME DEPARTMENT

NOTIFICATION

Dated Gangtok, the 8th February, 1977.

No. 3 /Home. The Government of India, Ministry of Home Affairs, New Delhi Notification No.S.0.34(E) dated January 21, 1977 is republished for general information : "S.0.34(E) : In exercise of the powers conferred by rule 4 of the Defence and Internal Security of India Rules, 1971, the Central Government hereby directs —

- (a) that no power conferred or duty imposed upon the State Government by rule 11,14,31-A, 69 or 71 of the said rules shall with effect from 23rd January, 1977, be exercised or discharged by any State Government or by any officer or authority authorised in that behalf by the State Government, except with the previous approval of the Central Government;
- (b) that no action in relation to any alleged contravention of rule 11,14,31-A, 43, 69 or 71 of the said rules, including orders made thereunder, shall, with effect from the 23rd January, 1977 be taken by any State Government or any officer or authority subordinate to the State Government except with the previous sanction of the Central Government ;
- (c) that no order made under the rule 11,14,31-A, 69 or 71 of the said rules before the 23rd January. 1977 shall be continued after the 31st January, 1977, except in accordance with such instructions as the Central Government may give to the State Government in this behalf.

By Order and in the name of the President.

**(NO.II/16011/9/77-S&P (D.II)
Sd/- R. L. MISRA, Jt. Secy."**

D. K. Manavalan,

Divisional Commissioner.

F.No. 7(4)- Home/77.

SIKKIM

GOVERNMENT GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 11

GANGTOK, THURSDAY, FEBRUARY 10, 1977.

ELECTION DEPARTMENT (HOME)

NOTIFICATION N03/H.

Dated Gangtok the 10th February, 1977.

The Ministry of Law, Justice & Company Affairs Notification No. F. 13.(1)/77-Leg.II dated 10th February, 1977 are republished in the State Government Gazette for General information:—

**GOVERNMENT OF INDIA
MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS
(LEGISLATIVE DEPARTMENT).**

NOTIFICATION

S.O. Whereas the House of the People was dissolved by the President under sub-clause (b) of clause (2) of article 85 of the Constitution on the 18th January, 1977;

AND whereas a general election has to be held for the purpose of constituting a new House;

NOW, therefore, in pursuance of sub-section (2) of section 14 of the Representation of the People Act, 1951 (43 of 1951), the President is hereby pleased to call upon all the parliamentary constituencies to elect members in accordance with the provisions of the said act and of the rules and orders made there under.

**No. F. 13(1)/77-Leg.II
Sd/- K. K. SUNDARAM**

SECRETARY TO THE GOVERNMENT OF INDIA.

By Order

D.C. LUCKSOM,

**CHIEF ELECTORAL OFFICER, SIKKIM.
ELECTION DEPARTMENT (HOME)**

SIKKIM

GOVERNMENT



GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No 12

Gangtok, Thursday, February 10, 1977

ELECTION DEPARTMENT (HOME)

NOTIFICATION NO^/H.

Dated Gangtok the 10th February, 1977.

Election Commission of India Notification No. 464/77 Dated 10th. February, 1977 are republished in the State Government Gazette for general information:—

ELECTION COMMISSION OF INDIA

**NIRVACHAN SADAN.
ASHOKA ROAD.
NEW DELHI – II0001.**

NOTIFICATION

S. O.—"Whereas the President of India has, by notification published in the Gazette of India on to February, 1977, called upon all Parliamentary Constituencies to elected members to the House of the People;

Now, therefore, in pursuance of section 30 of the Representation of the People Act, 1951 (43 of 1951), the Election Commission hereby appoints —

- (i) With respect to each of the said elections —
- (a) 17 February 1977 (Thursday), as the last date for making nominations;
 - (b) 18 February 1977 (Friday), as the date for the scrutiny of nominations;
 - (c) 21 February 1977 (Monday), as the last date for withdrawal of candidatures ; and
 - (d) 22 March 1977 (Tuesday), as the date before which the election shall be completed;
- (ii) for each State specified in the Schedule below, with respect to the election by any Parliamentary Constituency specified in column 1 below, the date or dates specified against it in column 2 there of as date or dates on which a poll shall, if necessary, be taken in that constituency, or in the area comprised within the Assembly Constituency specified in column 3 against each of the dates.

(2)

SCHEDULE

Name of Parliamentary Constituency.	Date of poll		S. No. and name of Assembly Constituency.
1.	2.		3.
18- Sikkim			
I.	19 th March, 1977 (Saturday)		
II.	16 th March, 1977 (Wednesday)		
Sikkim	16 March, 1977	(Wednesday)	1. Yoksam
	16 March, 1977	(Wednesday)	2. Tashiding
	16 March, 1977	(Wednesday)	3. Gayzing
	16 March, 1977	(Wednesday)	4. Dentam
	16 March, 1977	(Wednesday)	5. Barmiok
	16 March, 1977	(Wednesday)	6. Rinchenpong
	16 March, 1977	(Wednesday)	7. Chakung
	16 March, 1977	(Wednesday)	8. Soreong
	16 March, 1977	(Wednesday)	9. Daramdin
	16 March, 1977	(Wednesday)	10. Jorethang-Nayabazar
	16 March, 1977	(Wednesday)	11. Ralang
	16 March, 1977	(Wednesday)	12. Wak
	16 March, 1977	(Wednesday)	13. Damthang
	16 March, 1977	(Wednesday)	14. Melli
	19 March, 1977	(Saturday)	16. Rateypani-West Pandam
	16 March, 1977	(Wednesday)	17. Temi-Tarku
	19 March, 1977	(Saturday)	Central Pandam – East Pandam
	19 March, 1977	(Saturday)	18. Rhenock
	19 March, 1977	(Saturday)	19. Regu
	16 March, 1977	(Wednesday)	20. Pathing
	19 March, 1977	(Saturday)	21. Loosing Pachekhiani
	16 March, 1977	(Wednesday)	22. Khamdong
	16 March, 1977	(Wednesday)	23. Djongu
	19 March, 1977	(Saturday)	24. Lachen Mangshila
	19 March, 1977	(Saturday)	25. Kabi Tingda
	19 March, 1977	(Saturday)	26. Rakdong-Tentek
	19 March, 1977	(Saturday)	27. Martarn
	19 March, 1977	(Saturday)	28. Rumtek
	19 March, 1977	(Saturday)	29. Assam-Lingjey
	19 March, 1977	(Saturday)	30. Ranka
	19 March, 1977	(Saturday)	31. Gangtok
	19 March, 1977	(Saturday)	32. Sangha (Monaster located in area of each assembly constituency above will go to poll on date specified against the Constituency).

No. 464/77
Sd/- A.N. Sen,

Secretary

By order,

(D.C. Lucksom)

Chief Electoral Officer to Sikkim
Election Department.

SIKKIM

GOVERNMENT



GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 13

GANGTOK, THURSDAY, FEBRUARY 10, 1977.

**ELECTION DEPARTMENT (HOME)
NOTIFICATION No. 5/H.**

DATED GANGTOK THE 10TH. FEBRUARY, 1977.

Election Commission of India Notification No, 464/77 (1) Dated 10th. February 1977, are republished-in State Government Gazette for general information :—

ELECTION COMMISSION OF INDIA

**NIRVACHAN SADAN.
ASHOKA ROAD.
NEW DELHI.**

DATED THE 10TH. FEBRUARY, 1977

NOTIFICATION

IS.C).— In pursuance of section 56 of the Representation of the People Act, 11951 (43 of 1951), the Election Commission hereby fixes the hours of poll specified in column 2 of the Table below as the period during which a poll shall if necessary, be taken at the Election to the House to the People to be held in the State specified column 1, in pursuance of the President's notification published in the Gazette of India Extraordinary, Part II Section 3 (ii), dated 10 February, 1977.

Table

Name of State/Union Territory	Hours of poll
1	2
1. Andhra Pradesh	8. 00 A.M. to 5. 00 P.M.
2. Assam	7. 30 A.M. to 4. 30 P.M.
3. Bihar	7. 30 A.M. to 4. 30 P.M.
4. Gujarat	8. 00 A.M. to 5. 00 P.M.
5. Haryana	8. 00 A.M. to 5. 00 P.M.
6. Himachal	8. 00 A.M. to 5. 00 P.M.
7. Jammu & Kashmir	9. 00 A.M. to 5. 00 P.M.
8. Karnataka	8. 00 A.M. to 5. 00 P.M.
9. Kerala	7. 00 A.M. to 5. 00 P.M.
10. Madhya Pradesh	8. 00 A.M. to 5. 00 P.M.
11. Maharashtra	8. 00 A.M. to 5. 00 P.M.

(2)

12. Manipur	7. 30 A.M.	to	4. 30 P.M.
13. Meghalaya	7. 30 A.M.	to	4. 30 P.M.
14. Nagaland	7. 00 A.M.	to	3. 00 P.M.
15. Orissa	8. 00 A.M.	to	5. 00 P.M.
16. Punjab	8. 00 A.M.	to	5. 00 P.M.
17. Rajasthan	8. 00 A.M.	to	5. 00 P.M.
18. Sikkim	7. 30 A.M.	to	4. 30 P.M.
19. Tamil Nadu	8. 00 A.M.	to	5. 00 P.M.
20. Tripura	7. 30 A.M.	to	4. 30 P.M.
21. Uttar Pradesh	8. 00 A.M.	to	5. 00 P.M.
22. West Bengal	7. 30 A.M.	to	4. 30 P.M.
23. Andaman and Nicobar Islands	7. 00 A.M.	to	4. 00 P.M.
24. Arunachal Pradesh	7. 30 A.M.	to	4. 30 P.M.
25. Chandigarh	8. 00 A.M.	to	5. 00 P.M.
26. Dadra and Nagar Haveli	8. 00 A.M.	to	5. 00 P.M.
27. Delhi	8. 00 A.M.	to	5. 00 P.M.
28. Goa, Daman and Diu	8. 00 A.M.	to	5. 00 P.M.
29. Lakshadweep	7. 00 A.M.	to	4. 00 P.M.
30. Mizoram	7. 30 A.M.	to	4. 30 P.M.
31. Pondicherry	8. 30 A.M.	to	5. 00 P.M.

(No. 464/77 (1))
Sd/-A. N. SEN
Secretary

By Order

D. C. Lucksom
Chief Electoral Officer, Sikkim
Election Department.

SIKKIM

GOVERNMENT GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No 14

Gangtok, Friday, February 11, 1977

HOME DEPARTMENT

The State Government announce, with deep regret and profound sorrow, the sudden and sad demise of Shri Fakhruddin Ali Ahmed, President of India, at 8.52 hours, on Friday the 11th February, 1977.

As a mark of profound respect to the sacred memory of the Great Nations Leader, State mourning will be observed for 13 days from today, the 11th February, 1977 during which period flag will be flown at half-mast throughout the State on all buildings where it is flown regularly. There will be no official entertainment during the period of mourning.

All Government offices and institutions shall remain closed today, the 11th February, 1977.'

Government of Sikkim.

T. S. Gyaltsen,

Chief Secretary,

F. 37(l)-Home/77.

SIKKIM
GOVERNMENT  GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 15

GANGTOK, TUESDAY, FEBRUARY 22, 1977.

**SIKKIM LEGISLATIVE ASSEMBLY SECRETARIAT
GANGTOK**

NOTIFICATION

No. 851/18/SLAS/77.

Dated Gangtok, the 21st February, 1977.

The following order by the Governor dated the 21st February, 1977, is published for general information:—

ORDER

"In exercise of the powers conferred on me by Article 174 in Part VI of the Constitution of India, I, B. B. LAL, Governor of Sikkim, hereby summon the Legislative assembly of Sikkim to meet on the 8th March, 1977 at 11.00 A.M. , and on subsequent days, in the Assembly House at Gangtok, to consider the Supplementary Demands for 1976-77, the Annual Budget of the State for the year 1977-78, and other matters.

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

**B.B. LAL,
GOVERNOR OF SIKKIM".**

By Order,

(R.K. Gupta,)

Secretary,
Sikkim Legislative Assembly,
Secretariat Gangtok.

SIKKIM

GOVERNMENT



GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 16

GANGTOK, MONDAY, MARCH 7, 1977.

SIKKIM LEGISLATIVE ASSEMBLY GANGTOK

NOTIFICATION No. 18/SLAS/77.

Dated Gangtok, the 7th March, 1977.

The following order of the Governor of Sikkim dated the 7th March, 1977 is published for general information.

"No. SKM/Gov/176/77 dated 7th March, 1977

ORDER

In modification of my earlier Order dated 21st February, 1977, I, B. B. Lal, Governor of Sikkim, in exercise of the powers conferred on me' by Article 174 of the Constitution of India and all other powers enabling me in this behalf, direct that the gislative Assembly of Sikkim shall, instead of the 8th March, 1977, meet on Tuesday the 22nd March, 1977 at 10.00 A.M., and on subsequent days, in the Assembly House at Gangtok to consider the Supplementary Demands for 1976-77 and the Annual Budget for the State for the year 1977-78 and other matters.

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

Sd/- B. B. LAL,
GOVERNOR OF SIKKIM".

R.K. Gupta,
Secretary,
Sikkim Legislative Assembly.

SIKKIM

GOVERNMENT



GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 17

GANGTOK, WEDNESDAY, MARCH 9, 1977.

HOME DEPARTMENT

Notification

Gangtok, the 18th February, 1977

No.4/Home. The Government of India, Ministry of Home Affairs, New Delhi, Notification No. S.O. 778(E), dated 8th December, 1976 is republished for general information :

S.O.778(E):—In exercise of the powers conferred by clause (n) of article 371F of the Constitution, the President hereby extends to the State of Sikkim, with immediate effect, the enactment specified in the Schedule annexed hereto subject to the modification specified in that Schedule and the following her modification, namely—

Any reference in the said enactment to a law not in force, or to a functionary not in existence, the State of Sikkim shall be construed as a reference to the corresponding law in force, or to the corresponding functionary in existence, in that State.

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

THE SCHEDULE

Year	No.	Short Title	Modifications
1	2	3	4
1956	37	The States Reorganisation Act, 1956	In section 15 in clause (c), for "and Orissa", substitute "Orissa and Sikkim".

F. A. Ahmed,

President,

(No.S. 12014/2 3/76 - SR)

Sd/- P. K. Kathpalia,

Joint Secretary to the Government of India.

T. S. Gyaltshen,

Chief Secretary. Government of Sikkim

F. 7 (71) – Home / 76.

SIKKIM

GOVERNMENT GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 18

GANGTOK, FRIDAY, MARCH 11, 1977.

HOME DEPARTMENT

NOTIFICATION

Dated Gangtok, the 2nd March, 1977.

No.8/Home — In the Second Schedule of the Government of Sikkim (Allocation of Business) Rules, 1975, published in Sikkim Government's Extraordinary Gazette No. 29 dated 16th May, 1975, under the title "Distribution of Subjects among the Departments in Sikkim"* the following changes shall be made:

Add the words "Supervision of Pemayangtse Tourist Lodge" under "Forest Department" at S.No 9 of the Schedule.

By order of the Governor of Sikkim.

T. S. Gyaltshen,

Chief Secretary, Government

of Sikkim.

F. 8(3)-Home/77.

SIKKIM

GOVERNMENT



GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 19

GANGTOK, FRIDAY, MARCH 11, 1977.

HOME DEPARTMENT

NOTIFICATION

Dated Gangtok, the 2nd March, 1977.

No. 9/Home. In the-Second Schedule of the Government of Sikkim (Allocation of Business) Rules, 1975, published in Sikkim Government's Extraordinary Gazette No. 29 dated the 16th May, 1975, under the title "Distribution of Subjects among the Departments in Sikkim", the following changes shall be made:

(i) Add the words "Supervision of Fair Price Shops" under the "Co-operation Department" at SI. No. 21 of the Schedule.

(ii) Amend the words "Food Supplies and Fair Price Shops Department" at S.No. 6 of the Schedule to read as "Food Supplies Department".

(iii) Delete the words "Supervision of Fair Price Shops" under "Food Supplies and Fair Price Shops Department".

By order of the Governor of Sikkim.

of Sikkim.

T. S. Gyaltshen,

Chief Secretary, Government

F. 8(2)-Home/77.

SIKKIM

GOVERNMENT GAZETTE



EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 20

Gangtok, Monday, March 14, 1977

BILL NO. 3 of 1977

SIKKIM SALARIES AND ALLOWANCES BILL, 1977

A

BILL

to provide for the salaries and allowances of the Ministers, the Speaker, the Deputy Speaker and Members of the Legislative Assembly of the State of Sikkim.

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

Short title and commencement.

1. (1) This Act may be called the Sikkim Salaries and Allowances Act, 1977.
- (2) 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 there is anything repugnant in the subject or context,—
 - (a) 'Assembly' means the Legislative Assembly of the State of Sikkim.
 - (b) 'Chief Minister', 'Minister', 'Minister of State' and 'Deputy Minister' shall mean respectively the Chief Minister, a Minister, a Minister of State or a Deputy Minister of the State of Sikkim.
 - (c) 'Committee' means a Committee of the Assembly and includes a Committee appointed by the State Government.
 - (d) 'Deputy Speaker' means Deputy Speaker of the Assembly.
 - (e) 'Family' in relation to a person means the wife or the husband, as the case may be, and minor children of such person if such parents and adult children are wholly dependent on such person.
 - (f) 'Furnished' means provided with furniture and fittings on such scale and within such limits as may be prescribed.

(2)

- (g) 'Maintenance' in relation to a residence shall include Convey repairs, structural addition and alterations and provisions of connections for water and electricity and payment of municipal rates and taxes and other charges in respect of the residence.
- (h) 'Member' means a member of the Assembly other than the Chief Minister, a Minister, a Minister of State, a Deputy Minister the Speaker and the Deputy Speaker and shall include a member acting as Speaker in the absence of the Speaker and the Deputy Speaker.
- (i) 'Month' shall mean a month reckoned according to the English Calendar.
- (j) 'Prescribed' means prescribed by rules made under this Act.
- (k) 'Rent' includes charges for electricity and water,
- (l) 'Residence' includes the garage, garden, lawn, quarters for the staff, servants, security personal or guards and guest house within the compound of the residence,
- (m) 'Session' means the whole period from the time when the Assembly meets to the time when it is prorogued,
- (n) 'Speaker' means the Speaker of the Assembly and shall include a member of the Assembly appointed by the Governor to perform the duties of the Speaker when the posts of the Speaker and the Deputy Speaker are vacant.

Salaries and Allowances.

3. (1) There shall be paid to the Chief Minister, the Minister, the Minister of State, the Deputy Minister, the Speaker and the Deputy Speaker such monthly salaries as specified in the Schedule.

- (2) There shall be paid to the Chief Minister, the Minister and the Speaker such monthly sumptuary allowances as specified in the Schedule.

- (3) There shall be paid to every member of the Assembly a salary at the rate of eight hundred rupees per month and also a consolidated allowance at the rate of two hundred rupees per month for his travelling and other expenses including the expenses necessary for attending the meetings of the Assembly or a Committed

Residence.

4. (1) The Chief Minister, the Minister, the Minister of State, the Deputy Minister, the Speaker and the Deputy Speaker shall be entitled without payment of rent to the use of a furnished residence in Gangtok throughout the term of his office and for a month after he ceases to hold such office.

- (2) Where any of the persons mentioned in sub-section (i), is not provided with any residence under sub-section (i) he shall be paid an allowance at the rate of four hundred rupees per month so long as he is not provided with any such residence.

- (3) All expenditure for maintenance and furnishing of any residence provided under sub-section (1) shall borne by the Government.

- (4) Every member shall be entitled to such resident accommodation as may be prescribed at the place of the sitting of the Assembly during the session or a meeting of a Committee.

(3)

- Conveyance.** 5. (1) The Chief Minister, the Minister, the Minister of State, the Deputy Minister, the Speaker, and the Deputy Speaker shall be provided with free vehicle and driver and all expenses for the salaries and allowances of the driver, cost of fuel, upto such limit as may be prescribed, expenditure on maintenance and repairs of the vehicle shall be borne by the Government.
- (2) Where any of the persons mentioned in sub-section (i) is not provided with the facilities of conveyance as specified therein, he shall be paid a conveyance allowance at the rate of four hundred rupees per month and shall in addition be provided with a driver under the employment of the Government.
- (3) Every member shall be provided with a free non-transferable first class pass for travelling by railway from and to any place in India for a distance of not exceeding five thousand kilometres in the aggregate in any financial year and also a free non-transferable pass for travelling within the State of Sikkim by any transport service vehicle owned, controlled or managed by the Government.
- Medical facilities.** 6. The Chief Minister, the Minister, the Minister of State, the Deputy Minister, the Speaker, the Deputy Speaker and the members along with their family shall be entitled to free medical attendance and treatment in any of the Government hospitals of the State and also such other medical facilities as may be prescribed.
- Travelling Allowance.** 7. The Chief Minister, the Minister, the Minister of State, the Deputy Minister, the Speaker, the Deputy Speaker and the members shall be entitled to travelling allowance while on tour on public business at such rates and subject to such conditions as may be prescribed.
- Power to make rules.** 8. 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.
- Repeal and Savings.** 9. (1) All laws including rules, regulations, orders, notifications, circulars or other provisions in respect of any matter governed by this Act, made or issued prior to the commencement of this Act, shall cease to have any force or effect on and from such commencement.
- (2) Notwithstanding anything contained in sub-section (1), ail claims under any of the provisions mentioned in sub-section (1) relating to the period prior to the commencement of this Act, and remaining unpaid or unadjusted on the date of the commencement of this Act shall be paid or adjusted, as the case may be under the said provisions as if this Act had not come into force.
- (3) Any order issued, claims paid, payments made or any other action taken before the commencement of this Act in respect of salaries and allowances including advance payment there of and all other matters governed by this Act shall be deemed to have been validly issued, paid, made or taken duly and properly and under proper legal authority.

(4)

SCHEDULE

(Section 3 (1) and Section 3 (2))

Designation	Salary	Sumptuary Allowance
Chief Minister	Rs. 2,250/-	Rs.450/-
Minister	Rs. 1,750/-	Rs.225/-
Minister of State	Rs. 1,600/-	Nil
Deputy Minister	Rs. 1,200/-	Nil
Speaker	Rs. 1,750 /-	Rs.225/-
Deputy Speaker	Rs. 1,600/-	Nil

STATEMENT OF OBJECTS AND REASONS

Under the provisions of the Constitution (Removal of Difficulties) Order No.XI, the Salaries and Allowance of the Ministers for the State of Sikkim, the Speaker and the Deputy Speaker and the members of the Legislative Assembly of the State of Sikkim shall, until provisions in that respect are made by the Legislature

of the State of Sikkim by law under Article 164, Article 186, and Article 195 of the Constitution of India be such as the Governor of Sikkim may, by order, determine or fix. In pursuance of such provisions, the Governor of Sikkim, by notifications being No, B (GA)VI/7r/6 dated the 16th May, 197[^] and No H(GA)VIII/75/8 dated the 16th May, 197s and N0.7/H/J dated the 5th March, 1976, has been pleased to determine and fix the salaries and allowances payable to

the Ministers and the Speaker, the Deputy Speaker and members of the Sikkim Legislative Assembly. It has now been felt that a comprehensive legislation should be made under Article 164, Article 186 and Article 195 of the Constitution of India fixing and determining the salaries and all other allowances benefits and other facilities for the Ministers, the Speaker, the Deputy Speaker and the members of the Sikkim Legislative Assembly.

The Bill has been framed with the above objects in view.

Kazi Lhendup Dorjee Khangsarpa.
CHIEF MINISTER.
Member-in-charge.

SIKKIM

GOVERNMENT



GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 21

GANGTOK, MONDAY, MARCH 14, 1977.

HOME DEPARTMENT

NOTIFICATION

Dated Gangtok, the 10th March, 1977.

No. 16/Home.—The Government of India, Ministry of Home Affairs Notification No. G.R.S 201 dated 30th January, 1976 is published for general information:—

"G.S.R* 201—In pursuance of the notification of the Government of India, in the Ministry of Home Affairs No. S.O.208 (E) dated the 16th May, 1975, the Central Government hereby appoints the first day of February, 1976, as the date on which the Explosive Substances Act, 1908 (6 of 1908), shall come into force in the State of Sikkim.

(No.V-15014/1/75-GPA.II)

C. CHAKRABORTY, DY. SECY.

Published in the Gaz. of India, Part II, Sec. 3 (i) dated 14.2.76 p. 345"

T. S. Gyaltshen,

**Chief Secretary,
Government of Sikkim.**

F. No. 7(6)-Home/77.

PRINTED BY THE MANAGER, SIKKIM GOVERNMENT PRESS

SIKKIM

GOVERNMENT



GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 22

GANGTOK, MONDAY, MARCH 14, 1977.

HOME DEPARTMENT

NOTIFICATION

17/Home —The Government of India, Ministry of Finance, Department of Banking Notification No. SO. 615 (E), dated 23.10.75 is published for general information:—

S.O. 615 (E).—In pursuance of the notification of the Government of India, in the Ministry of Home Affairs No. S.O. 452 (E), dated the 26th August, 1975, the Central Government hereby appoints the 24th day of October, 1975 as the date on which the following Acts shall come into force in the State of Sikkim, namely:—

1. The Industrial Finance Corporation Act, 1948 (15 of 1948).
2. The State Financial Corporations Act, 1951 (63 of 1951).
3. The Agricultural Refinance Corporation Act, 1963 (10 of 1963).
4. The Industrial Development Bank Act, 1964 (18 of 1964).

(No. F. 1 (85) IF.1/74)

M. K. VENTATACHALAM, Jt. Secy

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

F. No. 7(7)-Home/77.

SIKKIM

GOVERNMENT



GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No.23

Gangtok, Monday, March 14, 1977

BILL No. 1 of 1977

THE SIKKIM CONTINGENCY FUND (AMENDMENT) BILL, 1977.

A

BILL

to amend the Sikkim Contingency Fund Act, 1975.

Be it enacted by the Legislature of Sikkim in the Twenty-eighth year of the Republic of India as follows :—

Short title and commencement.

1. (1) This Act may be called the Sikkim Contingency Fund (Amendment) Act, 1977.

Amendment to Section 2 of the Sikkim Contingency Fund Act, 1975.

- (2) It shall come into force at once.
2. (1) In Section 2 of the Sikkim Contingency Fund Act, 1975 for the words "a sum of twenty-five lakhs of rupees", the words "a sum of fifty-lakhs of rupees" shall be substituted.
- (2) After Section 2 of the Sikkim Contingency Fund Act, 1975, the following proviso shall be added and shall always be deemed to have been added.

Provided that the State Government may, from time to time, after appropriation for the purpose is made by law, increase the amount at the credit of the Contingency Fund of Sikkim by transfer from the Consolidated Fund of Sikkim such further amounts as it may deem fit, not exceeding the amount of the said appropriation.

STATEMENT OF OBJECTS AND REASONS

It has been found necessary to increase and augment the corpus of the Contingency Fund of Sikkim from the sum of twenty-five lakhs of rupees to a sum of fifty lakhs of rupees; it has also been found necessary to empower the State Government, after appropriation for the purpose is made by law, to increase the corpus of the Contingency Fund, if the Government is satisfied it is expedient to do so. This Bill, therefore, seeks to amend the Sikkim Contingency Fund Act, 1975 for the purpose as aforesaid and the Bill has been framed with the above object in view.

Kazi Lhendup Dorjee,
Chief Minister of Sikkim,
Member-in-charge.

SIKKIM

GOVERNMENT



GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 24

GANGTOK, TUESDAY, MARCH 15, 1977.

Bill No. 2 of 1977

THE SIKKIM APPROPRIATION BILL OF 1977

A

BILL

to authorise payment and appropriation of certain further sum from end out of the Consolidated Fund of the State of Sikkim for the services of the Financial year, 1976-77.

BE it enacted by the Legislature of the State of Sikkim in the Twenty-eighth year of the Re-public of India as follows:—

Short title

1. This Act may be called the Sikkim Appropriation Act, 1977

**Issue. of Rs.2,07,89,000
Out of the Consolidated
Fund of the State of Sik-
kim for the Financial year 1976-
77**

2. From and out of the Consolidated Fund of the State of Sikkim there may be paid and applied sum not exceeding that specified in column 3 of the Schedule amounting to two crores seven lakhs eightynine thousands of Rupees towards defraying the charges which will come in course for payment during the financial year 1976-77, in respect of the service specified in column 2 of the Schedule.

Appropriation.

3. The sum authorised to be paid and applied from and out of the Consolidated Fund of the State of Sikkim by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.

(2)

SCHEDULE

(See section 2 & 3)

1	2	3			
No. of Services and purposes	Sums not exceeding				
Vote	Voted by the Le- gislative Assembly	Charged on the Consolida- ted Funds.	TOTAL		
	In thousands of Rupees	In thousand of Rupees	In thousands of Rupees		
1.	State Legislature	Revenue	114	6	120
	Appropriation-Governor	Revenue	-	55	55
2.	Cabinet	Revenue	80	-	80
3.	Agriculture	Revenue	663	-	663
	Capital		232	-	232
4.	Animal Husbandary & Dairy	Revenue	490	-	490
	Development	Capital	500	-	500
5.	Local Self Government	Revenue	231	-	231
6.	Co-operation	Capital	207	-	207
8.	Education	Revenue	2475	-	2475
		Capital	291	-	291
9.	Power & Irrigation	Revenue	297	-	297
		Capital	627	-	627
10.	Establishment Department	Revenue	2	-	2
11.	Exercise (Abkari)	Revenue	129	-	129
13.	Income Tax & Sales Tax	Revenue	34	-	34
14.	Other Expenditure of the	Revenue	-	50	50
	Finance Department	Capital	-	226	226
15.	Food Supplies & Fair Price	Revenue	52	-	52
	Shops				
16.	Forest, Fisheries & Soil	Revenue	732	-	732
	Conservation				
18.	Sikkim Nationalised Transport	Revenue	1076	-	1076
19.	Home Department	Revenue	167	25	167
20.	Administration of Justice	Revenue	98	81	179
21.	Police	Revenue	5	-	5
		Capital	746	-	746
22.	Land Revenue	Revenue	142	-	142
23.	Law Department	Revenue	67	-	67
24.	Medical, Public Health &	Revenue	21	-	21
	Social Welfare				
25.	Panchayat & Rural Works	Revenue	2750	-	2750
28.	Public Works, Roads, Bridges	Revenue	1227	-	1227
	& Water Supply	Capital	4900	-	4900
29.	Tourism	Revenue	1	-	1
		Capital	1682	-	1682
30.	Trade, Industries & Labour	Revenue	288	-	288
		Capital	2	-	2
Total:-			20346	443	20789

(3)

STATEMENT OF OBJECTS AND REASONS

This Bill is introduced in pursuance of Article 204 (1) of the Constitution of India, read with Article 205 thereof to provide for the appropriation out of the Consolidated Fund of the State of Sikkim of the moneys required to meet the expenditure charged on the Consolidated Fund of the State of Sikkim and the Supplementary Grants made by the Legislative Assembly for expenditure of the Government of Sikkim for the financial year 1976-77.

KAZI LHENDUP DORJEE KHANGSAI

Chief Minister of Sikkim

Member-in-Charge.

PRINTED AT THE SIKKIM GOVERNMENT PRESS

SIKKIM

GOVERNMENT GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No.25

GANGTOK, THURSDAY, MARCH 17, 1977.

HOME DEPARTMENT

No.F.51(3)-Home/77.

Dated Gangtok, the 14th March, 1977.

NOTIFICATION

In pursuance of the decision taken by the Government, a " Sikkim Medical Council " is hereby constituted under the Social Welfare Department, Government of Sikkim, with the following members :—

Chairman — Dr. G. P. Srivastava, Director of Health & Social Welfare Department.

Secretary & Treasurer — Dr. A. Pazo, Health Officer.

Members — Dr. C. R. Pradhan, Superintendent, S. T .N. M. Hospital Gangtok.
Dr. H. Lepcha, Pathologist.
Dr. H.C. Upreti, W. H. O. Epidevialogist.
Dr. H. Mardha, Private Practitioner.
Dr. P. S. Giri, D. M.O. North.
Dr. Tapan, M. O J/C Ravangla P, H. S.

T. S GYALTSHEN,

Chief Secretary, Government

of Sikkim

SIKKIM

GOVERNMENT



GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 26

Gangtok, Friday, March 18, 1977

BILL NO. 5 OF 1977
THE SIKKIM LAND (REQUISITION AND ACQUISITION) BILL, 1977.

A

BILL

to provide for the requisition and speedy acquisition of land for certain purposes.

WHEREAS it is expedient to provide for the requisition and speedy acquisition of land for public purposes as defined hereafter;

Be it enacted by the Legislature of Sikkim in the Twenty-eight year of the Republic of India as follows :—

Short title, extent and commencement.

1. (1) This Act may be called the Sikkim Land (Requisition and Acquisition) Act, 1977* *

(2) It extends to the whole of Sikkim.

(3) It shall come into force on such date as the State Government may by notification appoint.

Definitions.

(2)

In this Act, unless there is anything repugnant in the subject or context,—

(1) "Collector" means the Collector of the district where the land is situated and includes any other officer specially empowered by the State Government to perform the functions of a Collector under this Act;

(2) "Court" means a principal Civil Court of original jurisdiction and includes the Court of any Additional District Judge and also the Court of a Civil Judge whom the State Government may appoint, by name or by virtue of his office, to perform all or any of the functions of the Court under this Act within such local limits, if any, as may be specified and in the case of a Civil Judge, upto the limits of the pecuniary jurisdiction with which he is vested for the time being;

(3) "Cultivator" means a person who cultivates the land of another person on condition of delivering a share or any fixed quantity of the produce or any fixed amount to that person;

(4) "incumbrance", in relation to any land, includes all rights or interests of whatever nature belonging to any tenant, licensee, cultivator or trespasser or any other person;

(5) "land", includes benefits to arise out of land and things attached to earth or permanently fastened to anything attached

- to the earth and also includes any incumbrance in relation to such land;
- (6) 'notification" means a notification published in the Official Gazette;
- (7) "person interested" includes all persons claiming an interest in the amount to be paid on account of the requisition or the acquisition of land under this Act; and a person shall be deemed to be interested in the land if he is interested in an easement affecting the land;
- (8) "prescribed" means prescribed by rules made under this Act;
- (9) "public purpose" shall mean and include—
- (a) the provision for sanitary improvements of any kind, including reclamation;
- (b) the provision for laying out of village sites townships or the extension, planned development or improvement of existing village sites or townships;
- (c) the provision of land for town or rural planning under any law relating to such planning;
- (d) the provision of land,—
- (i) for maintaining supplies and services essential to the life of the community;
- (ii) for providing proper facilities for transport, communication, irrigation or drainage;
- (iii) for carrying out any housing scheme, Health scheme or any development scheme relating to agriculture, animal husbandry, irrigational facilities or promotion of tourism sponsored by the State Government or any local authority;
- (iv) for the creation of better living conditions in rural or urban areas, by clearing slum areas, relieving, congestion otherwise;
- (v) for housing poor, landless or displaced persons or persons residing in areas affected by land slides, floods other similar natural calamities;
- (e) the provision of land for, —
- (i) residential accommodation for any person serving under the Government where the provision of such accommodation is, in the opinion of the State Government, necessary in the interest of public service;
- (ii) building for locating a Government or other public offices;
- (f) the provision of land for the establishment, extension further development of any trade or industry or other concern owned, managed, controlled or nationalised by the Government;
- (g) the provision of land for establishing industrial estates by way of planned development from public funds subsequent disposal thereof in whole or in part by lease; assignment or other modes of transfer;
- (h) the provision of land for corporation owned, managed or controlled by the Government or for any municipal corporation or other local authority or for the establishment or development of any educational institution;
- (i) the provision of land for a company, corporation co-operative society for some work which, in the opinion of the State Government, is to be substantially useful for and beneficial for the public;
- (j) the provision of land for the relief of the poor, medical relief, education or advancement of any other object general public utility.

(3)

Power to requisition.

3. (1) If the State Government is of the opinion that it is necessary so to do for any public purpose* the State Government may, by order in writing, requisition any land and may make such further orders as appear to it to be necessary or expedient in connection with the requisitioning :

Provided no land used for the purpose of religious worship or used by an educational or charitable institution shall be requisitioned under this Section,

- (2) A Collector, when authorised by the State Government in this behalf, may exercise within his jurisdiction the powers conferred by sub-section (1).
- (3) An order under sub-section (1) or sub-section (2) shall be served in the manner prescribed on the owners of the land and where the land is in the occupation of an occupier, not being the owner of the land, also on such occupier.
- (4) If any person fails to comply with an order made under sub-section (1) or sub-section (2), the Collector or any other person authorised by him in writing in this behalf shall execute the order in such manner as he considers expedient and may, —
 - (a) if he is a Magistrate, enforce the delivery of possession of the land in respect of which the order has been made, to himself, or
 - (b) if he is not a Magistrate, apply to a Magistrate and such Magistrate and such Magistrate shall enforce the delivery of possession of such land to him.

Acquisition of land

4. (1) Where any land has been requisitioned under section 3, for any public purpose, the State Government may use or deal with such land for such public purpose or any other public purpose.

(2) The State Government may acquire any land requisitioned under Section 3 by notification to the effect that such land is required to be acquired for any public purpose.

(3) Where such a notification is published, the land requisitioned under Section 3 shall, on and from the beginning of the day on which the notification is published, vest absolutely in the State Government free from all incumbrances and the period of requisition of such land shall end forthwith.

Notice to persons interested.

5. (1) After the publication of a notification under sub-section (2) of Section 4. the Collector shall cause public notice to be given at convenient places on or near the land acquired stating that the State Government has acquired the land and that claims to the amount payable for the acquisition of such land may be made to him.

(2) Such public notice shall state the particulars of the land so acquired and shall require all persons interested in the land to appear personally or by agent before the Collector at such place and on such date and at such time as may be mentioned therein, not being earlier than fifteen days after the publication of such notice and to state in writing and signed by such person or his agent the nature and particulars of their claims to the amount payable for the acquisition of such land.

(3) The Collector shall also serve notice in the manner prescribed on the occupier, if any, of such land and on all such persons known or believed to be interested therein or to be entitled to act for such occupier or person so interested, as reside or have agents authorised to receive service on their behalf, within the district within which the land is situated.

(4) In case any person so interested reside elsewhere, and has no such agent, the notice shall be sent to him by registered

Release from requisition

- post to his last known residence, address or place of business.
6. (i) Where any land requisitioned under Section 3 is not acquired and is to be released from requisition, the State Government may, after making such inquiry as it considers necessary, specify, by order in "writing, who appears to it to be entitled to the possession, of such land.
- (2) The delivery of possession, of such land to the person, specified in the order made under sub-section (1) shall be a full discharge of any liability of the State Government for any claim for any amount payable for requisition or other claim in respect of such land for any period after the date of delivery, but shall not prejudice any right in respect of such land which any other person may be entitled by due process of law to enforce against the person to whom possession of the land is so delivered.
- (3) Where the person specified in the order made under sub-section (1) cannot be found or is not readily traceable or has no agent or other person empowered to accept delivery on his behalf, the State Government shall publish a notification declaring that such land is released from requisition and shall cause a copy of such notification to be affixed on some conspicuous part of the land.
- (4) On the publication of such a notification under sub-section (3), the land specified in such notification shall cease to be subject to requisition on and from the date of such publication and shall be deemed to have been delivered to the person specified in the order made under sub-section (1) and the State Government shall not be liable to pay any amount or other claims in respect of such land for any period after the said date.

Amount payable for acquisition.

7. (1) Whenever any land is acquired under Section 4, there shall be paid to every person interested an amount which shall be determined by the Collector in the manner and in accordance with the principles of Section 23 of the Land Acquisition Act, 1894, so far as they may be applicable;

Provided that the market value referred to in clause first of sub-section (1) of Section 23 of the said Act shall, in respect of any land acquired under this Act, be deemed to be the price which such land would have fetched in the open market if it had remained in the same state and condition as it was on the date of the order of requisition under Section 3 and been sold on the date of the publication of the notification referred to in sub-section (2) of Section 4.

- (2) When the amount has been, determined under sub-section (1), the Collector shall!, in accordance with the provisions of Section n of the Land Acquisition Act, 1894, so far as they may be applicable, make an award under his hand of-

- (i) the true area of the land;
- (ii) the amount determined as payable for the land; and
- (iii) the apportionment of the said amount among all persons known or believed to be interested, of whom, or of whose claims, he has information, whether or not they have respectively appeared before him:

Provided that interest at the rate of six per centum per annum on the amount under "the award from the date of the publication of the notification under sub-section (2) of section (4) until payment shall4e included:

- (3) (a) Such award & shall be filed in the office of the Collec-

tor and shall, except as hereinafter provided, be final and conclusive evidence, as between the Collector and the persons interested in the land, whether they have respectively appeared before the Collector or not, of the true area and value of the land and the apportionment of the amount among the persons interested;

(b) the Collector shall give, in the prescribed manner, immediate notice of his award to such of the persons interested in the land as are not present personally or by their representatives when the award is made;

(c) Upon an award being made under the foregoing provisions, the Collector shall proceed to make payment in accordance with the provisions contained in Sections 31 to 33 of the land Acquisition Act, 1894, so far as they may be applicable.

Amount payable for requisition.

8. (1) Where any land is requisitioned under Section 3, there shall be paid to every person interested an amount in respect of -

(a) the requisition of such land; and

(b) any damage done during the period of such requisition to such land other than what may have been sustained by reasonable user thereof or by natural causes.

(2) The principles to be followed in determining the amount payable under sub-section (1) shall be as follows, namely:—

(a) Where the Collector and the person interested agree as to the amount, the Collector shall make an award ordering payment of the agreed amount:

Where the Collector and the person interested do not agree as to the amount, or where the person interested cannot be traced or does not appear before the Collector when called upon to be present for the purpose of the determination of the amount, such amount shall be determined in the manner prescribed as appears reasonable to the Collector having regard to the facts and circumstances of the case and the Collector shall make an award, ordering payment of the amount so determined and shall give in the prescribed manner immediate notice of his award to such of the persons interested in the land as are not present personally or by their representatives when the award is made.

Reference to Court.

9. (1) The Collector shall, in every case, where any person interested being aggrieved by an award made under sub-section (2) of Section 7 or clause (b) of sub-section (2) of Section 8, makes an application requiring the matter to be referred to the Court, refer the matter for the decision of the Court.

(2) The application shall state the grounds on which objection to the award is taken and shall be made -

(a) If the applicant was present or represented before the Collector at the time when the award was made, within six weeks from the date of making of the award;

(b) in other cases, within six weeks of the receipt of the notice from the Collector under clause (b) of sub-section (3) of Section 7 or clause (b) of sub-section (2) of Section 8, as the case may be, or within six months from the date of the making of the award by the Collector whichever period shall first expire.

(3) The provisions contained in Sections 19 to 22 and Sections 25 to 28 of the land Acquisition Act, 1894, so far as they may be applicable and the principles set out in Sub-section (1) and sub-section (2) of Section 7 and clause (b) of sub-section

tion (2) of Section 8 of the Act so far as they may be applicable, shall apply in respect of any reference made to the Court under sub-section (1).

(4) No person who has received any amount under the award otherwise than under protest shall be entitled to make any application under sub-section

Payment to cultivators.

10. (1) Notwithstanding anything contained anywhere in this Act or any other law for the time being in force, if any land which being cultivated by any cultivator is requisitioned or acquired under this Act, the cultivator shall be paid an amount determined in accordance with the principles set out in sub-section (2) out of the amount payable for the requisition or the acquisition of the land, as the case may be, to the person interested in such land.

() The amount to be paid to the cultivator under sub-section (1) shall be determined according to the following principles, namely:—

(a) if the cultivator has been cultivating the land period of more than five years but not more than ten years the date of the requisition or the acquisition of the land, as the case may be, fifteen per cent of the amount payable for the requisition or the acquisition of such land, as the case may be;

(b) if the cultivator has been cultivating the land for more than ten years but not more than fifteen years on the date of the requisition or the acquisition of the land, as the case may be, twenty per cent of the amount payable for the requisition or the acquisition of the land, as the case may be;

(c) if the cultivator has been cultivating the land for more than fifteen years on the date of the requisition or the acquisition of the land, as the case may be, twenty five per cent of the amount payable for the requisition or the acquisition of the land, as the case may be.

Appeal.

11. The provisions of the Code of Civil Procedure, 1908, relating to appeals shall apply to an award made by the Court on a reference under Section 9, if such award were an original decree passed by Court in exercise of its civil jurisdiction.

Power to enter upon land, etc.

12. The State Government may, with a view to requisitioning acquiring any land or for the purpose of determination by the Collector of the amount payable under this Act, by order, -

(a) require any person to furnish to such authority as may be specified in the order, such information in his possession relating to land as may be specified;

(b) authorise any person -

(i) to enter upon and survey and take levels of any land in such locality;

(ii) to dig or bore into the sub-soil;

(iii) to do all other acts necessary to ascertain whether the land is adapted for such purposes;

(iv) to set out the boundaries of the land proposed to be taken and the intended line of the work (if any) proposed to be made thereon;

(v) to make such levels, boundaries and line by placing marks and cutting trenches;

(vi) and, where otherwise the survey cannot be completed and the levels taken and the boundaries and line marked, to cut down and clear away any part of the standing crop, fence or jungle;

Provided that no person shall enter into any building or

upon any enclosed court or garden attached to a dwelling-house (unless with the consent of the occupier thereof) without previously giving such occupier at least seven days' notice in writing of his intention to do so.

Requisition or acquisition to be made under this Act.

13. If the State Government is of the opinion that it is necessary to requisition or acquire any land for any of the public purposes as defined and specified in clause (7) of Section 2, all such requisition and acquisition shall be made under and in accordance with the provisions of this act and the rules made thereunder and not under any other law inconsistent with provision of this Act and the rules made thereunder.

Penalty.

14. If any person contravenes any order made under this Act, he shall be punishable with imprisonment for a term which may extend to one year or with fine which may extend to two thousand rupees or with both.

Saving.

15. Save as otherwise provided in this Act, no decision or order or award made in exercise of any power conferred by or under this Act shall be called in question in any Court.

Protection of action taken under this Act.

16. No suit, prosecution or other legal proceeding shall lie against the State Government or any officer of the State Government or any other person for anything, or for any damage cause or likely to be caused by anything, which is in good faith done or intended to be done in pursuance of this Act or any order made thereunder.

No Stamp Duty to be paid for award or agreement and no fees to be paid for copies thereof.

17. No award or agreement made under this Act shall be chargeable with any Stamp Duty, and no person claiming such award or under any or agreement shall be liable to pay any fee for a copy thereof.

Power to make rules.

18. (1) The State Government may make rules for carrying out the purposes of this Act.

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

(a) the manner of service of orders on the owner or occupier of land under sub-section (3) of Section 3 ;

(b) the manner of service of notice on the persons referred to in sub-section (3) of Section 5;

(c) the manner of service of notices of award under clause (b) of sub-section (3) of Section 7;

(d) the manner of determination of and of giving notice of the award to the persons interested under clause (b) of sub-section (2) of Section 8.

Certain laws to cease to apply

19. The provisions of the Sikkim Public Security (Requisitioning and Acquisition of Immoveable Property) Rules, 1962, and any other law shall cease to apply and have any effect to any matter for which provision is made in this Act.

STATEMENT OF OBJECTS AND REASONS

The principle underlying acquisition by State of private property rests up on the principle that welfare of the people or the public is the paramount law. In Sikkim, the provisions of the Sikkim Public Security (Requisitioning and Acquisition of Immovable Property) Rules, 1962, do not appear to be quite adequate and sufficient for the purpose. The central Land Acquisition Act, 1894, has not yet been extended to and enforced in Sikkim though the Government have already taken steps therefor. The central Requisitioning and Acquisition of Immovable Property Act, 1952 has, however, been extended to and enforced in Sikkim; but the provisions of the said Act can be invoked for requisition and acquisition of property only for the purpose of the Union. The Government have, therefore, felt the urgent necessity for an enactment providing for requisition and speedy acquisition of land for the purpose of the State in Sikkim and this bill has been framed with the above objects in view.

The Bill defines and specifies the public purposes for which land can be requisitioned or acquisitioned under the provision thereof, for the payment of an amount for such requisition and acquisition, the principles for determination of such amount and other matters connected therewith. In view of the great anxiety of the Government for the promotion for the economic interest of the weaker section of the people including the cultivators, in accordance with the Directives Principles enshrined in Article 46 of the Constitution of India, specific provisions have been made in the Bill that if any land requisitioned or acquired has been cultivated by a cultivator on the date of such requisition or acquisition, as the case may be, for a period of more than five years, a portion out of the amount payable for the requisition and acquisition of such land shall be paid to the cultivators.

The Bill has been framed accordingly.

**B. P. Kharel,
Minister-in-Charge
Department of Land and Land Revenue.
MEMBER-IN-CHARGE**

SIKKIM

GOVERNMENT



GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 27

Gangtok, Saturday, March 19, 1977

BILL NO.4 OF 1977

THE SIKKIM AGRICULTURAL LAND CEILING AND REFORMS BILL, - 1977

A

BILL

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

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

And

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

It is hereby enacted in the Twenty-eight Year of the Republic of India by the Legislature of Sikkim as follows :-

CHAPTER I

PRELIMINARY

Short title, extent and commencement.

- I. (1) This Act may be called the Sikkim Agricultural Land Ceiling and Reforms Act, 1977.
- (2) It extends to the whole of Sikkim ;

- (3) It shall come into force on such date as the State Government may, by notification, appoint.

Definations.

2.

In this Act, unless the context otherwise requires,-

- (a) “adhiadar” means a person who cultivates the land of a bustiwalla on condition of delivering to or receiving from the bustiwalla a share of the produce of such land.
- (b) ‘agricultural year’ means the Fasli year being the period of twelve calendar months commencing on and from the first day of February of one English year and ending with the thirty-first day of January of the next English Year immediately following ;
- (c) ‘agricultural land’ means land which is ordinarily used or which is capable of being used for purposes of agricultural or horticulture and includes such land, notwithstanding that it may be lying fallow for the time being but does not include any land used as homestead ;
- (d) ‘bustiwalla’ means a person who holds agricultural lands directly under the State and holds it ordinarily for the purpose of cultivating it by himself or by member of his family or by servants or labourers or by adhiadars or by kutiadars or by other cultivators.
Explanation : ‘Cultivators’ means a person who cultivates the land of another on condition of payment of any consideration in cash or in kind or in both or on condition of delivering or receiving a share or any fixed quantity of the produce and includes a person who cultivates the land of another person on any terms and conditions except as a paid servant or hired labourer.
- (e) ‘ceiling limit’ means the ceiling limit as determined in accordance with the provisions of Section 6 ;
- (f) ‘charitable purpose’ includes relief of the poor, medical relief of the advancement of education or of any other object of general public utility ;
- (g) ‘charitable authority’ means any person or authority authorized by the State Government by notification to perform the functions of the competent authority under this Act for such area may be specified in the notification and different persons or authorities may be authorized to perform different function ;
- (h) ‘date of vesting’ means the date mentioned in the notification under sub-section (1) of section 11 ;
- (i) “Family” relation to a person shall include the following persons who live with or under the care of that person, namely :-
- (a) his wife, minor sons, unmarried daughter, if any ;
- (b) his un married adults son, if any, who does not hold any agricultural land ;
- (c) his married adult son, if any , where neither such adult son nor the wife nor any minor son or unmarried daughter of such adult son holds any agricultural land ;
- (d) widow of his pre-deceased son, if any where neither such widow nor any minor son or unmarried daughter of such widow holds any agricultural lands ;
- (e) minor son or unmarried daughter if any , of his pre-deceased son, where such minor son or unmarried daughter does not hold any agricultural land;
Explanation :- The expression “unmarried” shall also apply to a person who is a widower or widow or a divorce and who has not remarried.

- (ii) References to wife, son or daughter shall, in relation to a person who is a woman, be construed as references to the husband, son or daughter, respectively, of such woman.
- (j) 'homestead' means a dwelling house together with any court-yard, compound, out-house, place of worship, family grave yard, library, office, guest house, tanks, wells, privies, latrines, drains and boundary walls, annexed to or appertaining to such dwelling house
- (k) 'non-agricultural land' means land other than agricultural land or other than land comprised in a forest;
- (l) 'notification' means a notification published in the Official Gazette;
- (m) 'notified area' means a district or part of a district or in any other area in respect of which a notification has been duly published under Section 5 ;
- (n) "Person' shall include a monastery or other religious, educational, charitable or other institution, co-operative society, corporation, local authority, company registered under any law for the time" being in force and all other concerns, institutions or authorities holding 1 agricultural lands, before the notified date.
- (o) 'prescribed' means prescribed by rules made under this Act;
- (p) 'religious purpose' means a purpose connected with , religious worship, teaching or service or any performance of religious rites;
- (q) 'kutiadar' means a person who cultivates a land of a bustiwalla on condition of delivering a fixed quantity of produce of the land or any other fixed amount to the bustiwalla ;

Act to override other laws :

- 3. (1) The provisions of this Act shall have effect notwithstanding anything to the contrary contained in any other-law or any contract or any usage or custom;
- (2) for the removal of doubts it is hereby declared that all bustiwallas and all persons holding agricultural lands hold such lands directly under the State and that there is no intermediate or interposing or intervening agency or interest between the State and the bustiwalla or other persons holding agricultural lands and that all such bustiwallas and other persons are liable to pay revenue to the Government of the State of Sikkim for such lands held by them.

Determination of bustiwalla.

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

CHAPTER II

CEILING ON AGRICULTURAL LAND

Person not entitled to hold agricultural land in excess of ceiling limit.

- (1) The State Government may from time to time by notification declare that with effect from the date mentioned in the notification (hereinafter in this Act referred to as the notified date) no person shall be entitled to hold any agricultural land in excess of the ceiling limit in the State of Sikkim and all lands in excess of the ceiling limit shall vest in the State in accordance with and under the provisions of this Act and the rules and notifications made thereunder.
- (2) The date mentioned in every such notification shall be the commencement of the agricultural year.

(4)

(3) Every such notification shall also be published in such manner as may be prescribed.

Ceiling Limit.

6.

(1) the ceiling limit shall be determined according to the following principles, namely :—

(a) in the case of an adult unmarried person or a person who has no family or is the sole surviving member of any family, six and half Standard acres,

(b) in the case of a person having a family consisting of not more than five members, twelve and half Standard acres.

(c) in the case of a person having a family consisting of more than five members, twelve and half Standard acres and further two Standard acres for each member in excess of five, so, however, that the aggregate of the ceiling limit for such person shall not, in any case, exceed twenty and half Standard acres;

(2) (i) Notwithstanding anything contained in Sub-section (1), where in the family of a person, there are other persons holding agricultural lands, the ceiling limit for the person concerned together with the ceiling limit of all such other persons in the family holding agricultural lands, shall not, in any case exceed the ceiling limit as specified under clause (b) or clause (c) of sub-section (1) as the case may be.

(ii) For the purpose of determining the ceiling limit under clause (1), lands held individually by the person concerned and the other members of the family or jointly by some or all the members of such family, shall be deemed to be held by one person having a family.

(3) For the purpose of determining the ceiling limit of any person holding agricultural lands, who is a member of a joint family, the share of such a person in the joint family shall be deemed to be the extent of land which would be allotted to such person had such lands been divided or partitioned, as the case may be, on the notified date.

(4) (i) in the case of monastery or other religious institution mentioned in Group 'A' of the Schedule, sixty Standard acres;

(ii) in the case of monastery or other religious institution mentioned in Group 'B' of the Schedule, twenty-five standard acres;

Provided that the State Government may, by notification, include any other monastery or religious institution in the Schedule*.

(5) in the case of tea garden, orchard, livestock and poultry farm, dairy, mill, factory, workshop, any local authority, any corporation, any educational institution or any institution established exclusively for a charitable purpose, any co-operative society, any company registered under any law for the time being in force, so much of land as in the opinion of the State Government is required for such tea garden or orchard or livestock and poultry farm or dairy or mill or factory or workshop or local authority or corporation or institution or co-operative society or company.

(6) The State Government may, in such manner as may be prescribed by notification, classify all agricultural lands in Sikkim into different Circles according to elevation and altitude and may also classify agricultural lands within each such Circle into different classes according to quality, produce, productivity and the like and shall specify in such notification what quantity of land in each such class shall

be treated as equivalent to one standard acre for the purpose of determining the ceiling limit under this section.

Transfer of land.

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

Persons holding land in excess of ceiling limit to file statement.

8. (1) Every person holding agricultural land in excess of the ceiling limit on the notified date shall within such period as may be prescribed file a statement before the competent authority having jurisdiction specifying the location, extent or such other particulars as may be prescribed of all agricultural lands held by him and also specify the lands within the ceiling limit which he intends to retain.
- (2) If the competent authority is of opinion that any person holds on the notified -date agricultural lands in excess of the ceiling limit, then notwithstanding anything contained in sub-section (i), it may serve a notice upon such person requiring him to file, within such period as may be specified in the notice, the statement referred to in sub-section (i).
- (3) The competent authority may, if it is satisfied that it is necessary so to do, extend the date for filing the statement under this section by such further period or periods as it may, think fit.
- (4) The statement under this Section shall be filed by such person and in such manner as may be prescribed.

Preparation of draft statement as regards lands in excess of ceiling limit.

9. (1) On the basis of the statement filed under Section 8 and after such enquiry as the competent authority may deem fit to make, the competent authority shall prepare a draft statement in respect of the person who has filed a statement under Section 8.
- (2) Every such draft statement prepared under sub-section (1), shall contain the following particulars, namely:-
- (i) the name and address of the person,
 - (ii) the particulars of all agricultural lands held by such person;
 - (iii) the particulars of agricultural lands which such person intends to retain within the ceiling limit ;
 - (iv) such other particulars as may be prescribed.
- (3) The draft statement shall be served in such manner as may be prescribed on the person concerned together with a notice stating that any objection to the draft statement shall be preferred within thirty days from the service thereof.
- (4) The competent authority shall duly consider any objection received within the period specified in the notice referred to in sub-section (3) or within such further period or periods as may be extended by the competent authority for any good or sufficient reason, from the person on whom a copy of the draft statement has been served under that sub-section and the competent authority shall, after giving the objector a reasonable opportunity of being heard, pass such orders as it deems fit.

Final statement.

10. After the disposal of the objection, if any, received under sub-section (4) of Section 9, or after the disposal of any appeal, if preferred under Section 13, the competent authority shall make the necessary alterations in the draft statements in accordance with the orders passed on the objection as foresaid or in accordance

with the orders, if any, passed under Section 13, as the case may be, and shall determine the land held by the person concerned in excess of the ceiling of limit and also the land which such person shall be allowed to retain within the ceiling limit and shall prepare a final statement on the basis of the draft statement as so altered and cause a copy of the final statement as so prepared to be served in the manner referred to in sub-section (3) of Section 9 on the person concerned.

Vesting of lands in excess of ceiling limit.

11. (1) As soon as may be after the service of the final statement under Section 10 on the person concerned the competent authority may by notification declare that all lands determined as in excess of the ceiling limit under Section 10 shall with effect from such date as may be specified in the declaration, be deemed to have been vested in the State and upon the publication of such declaration all such lands shall vest absolutely in the State free from all encumbrances with effect from the date so specified.
- (2) During the period ending with the date specified in the declaration made Under sub-section (1)
- (i) no person shall transfer by way of sale, gift, mortgage, lease or otherwise, any excess land specified in the notification aforesaid, and any such transfer made in contravention of this provision shall be null and void,
- and
- (ii) . no person shall alter or cause to be altered the use of such excess land.
- (3) Where any excess land is vested in the State Under sub-section (1), the competent authority, may, by notice in writing, order any person who may be in possession of such land to surrender or deliver possession thereof to the State Government or to any officer duly authorised by the competent authority in this behalf, within thirty days of the service of the notice.
- (4) If any person refuses or fails to comply with an order made under sub-section (3), the competent authority may take possession of the excess land or cause it to be given to the State Government or to any person authorised by the State Government in this behalf and may for that purpose use such force as may be necessary.

Payment of amount for excess land.

12. (1) Where any excess land vests or is deemed to have been- vested under sub-section (1) of Section 11 the State Government shall pay to the person or persons holding such land immediately before the date of vesting an amount determined by the competent authority according to the following principles :—
- (i) if the quantity of the excess land is not more than ten standard acres, an amount being two hundred times of the land revenue payable for such land;
- (ii) if the quantity of such excess land is more than ten standard acres but not more than twenty-five standard acres, an amount being hundred times of the land revenue payable for such land
- (iii) if the quantity of such excess land is more than twenty-five standard acres but not more than fifty standard acres, an amount being fifty times of the land revenue payable for such land.
- (iv) if the quantity of such excess land is more than fifty standard acres, twenty-five times of the land revenue payable for such land.
- (2) Before determining the amount to be paid as aforesaid, every person interested shall be given an opportunity to state his case as to the amount to be paid to him.

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

Constitution of Tribunal and appeals thereto.

13. (1) If any person is aggrieved by an order of the competent authority under Section 4 or sub-section (4) of Section 9 or Section 12, he may within thirty days from the date of the order prefer an appeal to the Tribunal to be constituted by the State Government.
- (2) Such Tribunal shall consist of a sole member who shall be not below the rank of a Deputy Secretary to the State Government.
- (3) The Tribunal may entertain an appeal after the expiry of the said period of thirty days if it is satisfied that the appellant was prevented by sufficient cause from filling the appeal in time.
- (4) In deciding appeals, the Tribunal shall exercise all the powers which a Civil Court has and shall follow as far as possible, the same procedure which a Civil Court follows in deciding appeals against decrees of an original court under the law relating to Civil Procedure.

Second appeal to state Land Tribunal.

14. (1) If any person is aggrieved by any decision of the Tribunal constituted under Section 13, he may within thirty days from the date of the decision prefer an appeal to the state Land Tribunal to be constituted by the State Government.
- (2) Such Tribunal shall consist of a member who shall not be below the rank of a District Judge or an Additional District Judge.
- (3) The State Land Tribunal may entertain an appeal after the expiry of the said period of thirty days if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.
- (4) In deciding appeals under this Section, the State Land Tribunal shall exercise all the powers and shall follow the same procedure to be followed by the Tribunal under sub-section (4) of Section 13 and may vary, alter modify or set aside the order of such Tribunal or pass such other orders as it may deem fit .

Mode of payment of amount.

15. (5) Save as otherwise provided, no Court or Tribunal except the Supreme Court exercising jurisdiction under Article 136 of the Constitution of India, shall have any jurisdiction with respect to all or any of the matters foiling within the jurisdiction of the Tribunal or the State Land Tribunal.
The State Government shall within a period of **ten** months from the date of the order of the competent authority determining the amount to be paid under Section 12, or in a case where an appeal has been preferred against such order under Section 13, or under Section 14, within a period of ten months from the date of the final appellate order, pay the amount determined under Section 12 or under Section 13, or under Section 14, as the case may be, to the person or persons entitled thereto in ten equal instalments and such amount shall carry interest at the rate

of five percent per annum from the date of the order under Section 12 until final payment.

Ceiling limit of future acquisition of land.

16. (1) If on or after the commencement of this Act or on or after the, notified date or on or after the date of vesting 4under Section-11, any person acquires by transfer, inheritance, or otherwise any agricultural land the-extent of which together with the extent of the agricultural land held by him exceeds in aggregate the ceiling limit, then he shall within three months of the date of such acquisition, file a statement before the competent' authority having jurisdiction specifying the extent, location and such other particulars as may be prescribed of all the agricultural lands held by him and also specifying, the T agricultural, lands within the ceiling limits which1 he intends to retain.
- (2) The provisions of Sections 8 to 15 (both inclusive) shall, so far as may be, apply to the statement filed under this section and to the land held by such person in excess of the ceiling limit.

Bar of jurisdiction.

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

Cultivation by cultivators.

18. (1) Where any land yested in the State under Section 11 is being cultivated by a cultivator, the right of cultivation of such cultivat-or in relation to any such vested land which including any other land held or ultivated by him is in excess of three standard acres shall on and from the date of vesting stands terminated.
- (2) Every cultivator shall in relation to the land which he is authorised by sub-section (1) to retain under his ultivation become on and from the date of vesting a bustiwalla in respect of such land.
- (3) If such cultivator is also a bustiwalla in respect of any other land immediately before the date of vesting in excess of three standard acres he shall not be entitled to retain under his cultivation any land under sub-section (1) and his right of cultivation in respect of all excess lands as referred to in sub-section (1) shall stand terminated.

CHAPTER III

PREPARATION OF RECORD - OF - RIGHTS.

Preparation of record-of-rights.

19. (1) The State Government may, for the purpose of carrying out the purposes of this Act, make and order-directing that a record -of- rights be prepared in respect of all agricultural lands in the State of Sikkim or for such area as may be specified in the notification
- (2) The State Government may by order declare that the record-of-rights, if any, already in the process of preparation or already made or prepared immediately before the commencement of this Act shall be deemed to be the record-of-rights prepared and published under this section and may, if necessary, order such record-of-rights to be revised.
- (3) The preparation of record-of-rights tinder sub-section(i) or the revision of record-of-rights under sub-section(2)shall be made by such officer appointed by the State Government referred to as the Revenue Officer in this act, in accordance with such rules as may be prescribed and shall contain such particulars as may be prescribed.

Draft and final publication of the record-of-

- 10
- (1) When a record-of-rights has been or prepared the Revenue Officer shall publish a draft of the record so revised or prepared in the prescribed manner and for the prescribed period and shall receive and consider any objection which may be made during such period to any entry therein or to any omission therefrom.
 - (2) When all such objections have been considered and disposed of according to such rules as may be prescribed in this behalf, the Revenue Officer shall finally prepare the record and cause such record to be finally published in the prescribed manner and make a certificate stating the fact of such final publication and the date thereof and shall date and subscribe the same under his name and official designation.
 - (3) Separate publication of different parts of draft or final records may be made under sub-section (1) or sub-Section (2) for different local areas.
 - (4) An Officer specially empowered by the State Government may, on application within one year or of his own motion within such period as may be prescribed from the date of final publication of the record-of-rights under sub-section (2), revise an entry in the record finally published under the provisions of sub-section (2) after giving the persons interested an opportunity of being heard and after recording reasons therefor.
 - (5) Any person aggrieved by an order passed under sub-section (4) may, within such period as may be prescribed, appeal in the prescribed manner to the Tribunal, constituted under Section 13.
 - (6) The certificate of final publication referred to in sub-section (2), or in the absence of such certificate, a certificate signed by the Revenue Officer of the area where the lands to which the record-of-rights relates is wholly or partly situate, stating that a record-of-rights has been finally published on a specified date, shall be conclusive proof of such publication and of the date thereof.
 - (7) The State Government may, by notification, declare with regard to any area specified in the notification that the record-of-rights for such area has been finally published and such notification shall be conclusive proof of such publication.
 - (8) In any suit or other proceeding in which a record-of-rights prepared and finally published under this Chapter, or a duly certified copy of the record or an extract therefrom, is produced, such record-of-rights shall be presumed to have been finally published.
 - (9) Every entry in the record - of-rights finally published under sub-section (2) including an entry revised under sub-section (4) subject to any modification by an order on appeal under sub-section (5), or corrected under Section 21 shall be presumed to be correct.

Correction of entry in the record-of-rights.

- 21.
- Any Revenue Officer specially empowered by the State Government in this behalf may, of his own, motion at any time or on application within one year from the date of certificate of the final publication of the record-of-rights under sub-section (2) of Section 20, correct any entry in such record-of-rights which he is satisfied has been made owing to a bona-fide mistake.
- Provided that no such correction shall be made if an appeal affecting such entry has been made under sub-section (5) of Section 20 or until reasonable notice has been given to the parties concerned to appear and to be heard in the matter.

Bar of jurisdiction of civil court in respect of certain matters.

22. (1) When an order has been made under Section 19 directing revision or preparation of a record-of-rights, no civil Court shall entertain any suit or application for the determination of the revenue or the incidents of any land or the status of any person in relation to any land to which the record-of-rights relates, and if any suit or application in which any of the aforesaid matters is in issue, is pending before a Civil Court on the date of such order, it shall be stayed and it shall, on the expiry of the period prescribed for an appeal under sub-section (5) of Section 20 or when such an appeal has been filed under that sub-section, on the disposal of such appeal, abate so far as it relates to any of the aforesaid matters.
Explanation : In this Section 'suit' includes an appeal.
- (2) No Civil Court shall entertain any suit or application concerning any land if it relates to any alteration of any entry in the record-of-rights finally published, revised, corrected or modified under any of the provisions of this Chapter.

CHAPTER IV

DISTRIBUTION OF VESTED LANDS

Principles of distribution of lands.

23. (1) Subject to the provisions of this Act and the rule made thereunder, the settlement of lands which vest in the State under Section 11 shall be made, on such terms and conditions and in such manner as may be prescribed, with persons who reside near the locality where the land is situated and who intend to bring the land under personal cultivation and who own no land or less than three standard acres of land, preference being given to those among such persons who form themselves into a co-operative farming social
- Provided that settlement of any such lands be made with other persons where such settlement in the opinion of the State Government necessary for the public purpose connected with agricultural or otherwise on such terms and conditions as the State Government may think fit.
- (2) Subject to the provisions of sub-section (1), all lands vested in the State under this Act, shall be disposed off or otherwise dealt with to subserve the common good or such terms and conditions as the State Government may deem fit.
- (3) Notwithstanding anything contained in sub-section (1) and (2), where the State Government is satisfied that it is necessary to retain or reserve any such land vested under this Act for the purpose of the State Government or any other public purpose, it shall be competent for the State Government to retain or reserve such land for the same.

CHAPTER V

MANAGEMENT OF LANDS VESTED IN THE STATE

Management of vested-land by the State.

24. All lands and all interests therein vested in the State under this Act shall, unless the State Government otherwise directs by any general or special order and subject to such rules as may be prescribed by the State Government in this behalf, be managed by the Collector of the district in which the lands are situated.
- Provided the State Government may entrust the management of such lands in any area, to such authority as may be prescribed and such authority shall, thereupon manage the lands subject to the control of the State Government and in accordance with such rules as may be prescribed.

CHAPTER VI

PROVISIONS AS TO REVENUE

- Liability to pay Revenue.** 25. (1) Every person shall be liable to pay revenue to the State Government for the lands allowed to be retained by him within the ceiling limit.
- (2) Revenue shall be the first charge on the lands.
- Determination of Revenue and appeal.** 26. (1) A person shall pay as revenue for the lands allowed to be retained by him such amount as may be determined by the Revenue Officer in the prescribed manner having regard to the amount payable by him as khazana for such lands immediately before the notified date;
- (2) Where, immediately before the notified date, no khazana was payable in respect of the lands allowed to be retained by such person or where khazana for such lands was payable wholly in kind or partly in kind and partly in cash, he shall pay as revenue such amount as may be determined by the Revenue Officer in the prescribed manner having regard to the prevailing average rate of cash khazana for lands of similar description and with similar advantages in the vicinity.
- (3) Until any revenue is determined under sub-section (1) or sub-section (2) every person shall continue to pay as revenue to the State Government for the lands allowed to be retained by him within the ceiling limit such proportionate amount as would have been paid by him as khazana for such lands immediately before the notified date.
- (4) Any person aggrieved by an order determining the amount of revenue under sub-section (1) or sub-section (2), may, within thirty days from the date of such order, appeal to the Tribunal constituted under section 13 and such appeal shall be disposed of in the manner provided in Section 13.

CHAPTER-VII

RESTRICTIONS ON ALIENATION OF LANDS BY SCHEDULED TRIBES.

- Commencement and overriding effect.** 27. (1) The provisions of this Chapter shall come into force on such date as the State Government may, by notification, appoint.
- (2) The provisions of this Chapter shall have effect notwithstanding anything to the contrary contained elsewhere in this Act.
- Restriction on alienation of lands by Scheduled Tribes.** 28. Save as otherwise provided in this Chapter, any transfer by a person belonging to a Scheduled Tribe in respect of any land allowed to be retained by him under this Act or portion thereof shall be void.
- Explanation:-** (1) The expression "Scheduled Tribes" in this Chapter shall mean such Tribes or Tribal communities as are deemed to be Scheduled Tribes in relation to the State of Sikkim under Article 342 of the Constitution of India.
- (2) "Land" for this Chapter shall mean lands allowed to be retained or any portion of such land by member of a Scheduled Tribe under this Act.

**Transfer of land by
Schedule Tribes.**

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

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

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

- (a) to meet the expenses for the maintenance, education, marriage or medical treatment of such person or any member of his family, or
- (b) to make payment of any amount payable to the Government or other local authorities, or
- (c) for the purpose of making gift of the land to any institution established exclusively, for religious or charitable purpose.
- (d) for the purpose of establishing or running any industry or
- (e) for such other purpose as may be prescribed.

**Bar on registration of
documents of transfer.**

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

**Power of Revenue
Officer to set aside im-**

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

(2) When the Revenue Officer has passed any order of ejection under sub-section (1). he shall also order restoration of the transferred land to the transferor or his successors-in-interest.

(3) If an order of ejection under sub-section (1) or an order of restoration under sub-section (2) is not complied with within thirty days of the passing of such order or within such further period as may be extended by Revenue Officer for good and sufficient reason, the Collector of the district in which such land is situated, shall a requisition to that effect from the Revenue Officer, effect such ejection and restoration and for that purpose such force as may be necessary.

**Restriction on the sale
inexecution of decree or
order.**

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

Appeal.

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

Bar to suit and other proceedings.

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

Certain laws to cease to have effect.

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

CHAPTER VIII

MISCELLANEOUS

Power to make rules.

36. (1) The State Government may, by notification, make rules for the purpose of carrying the provisions of this Act.
- (2) In particular and without prejudice of the generality of the provisions, such rules may provide for all or any of the following matters, namely :—
- (a) the manner of determination under Section 4;
 - (b) the manner of publication of the notification under sub-section (3) of Section 5;
 - (c) the manner of classification of agricultural lands into circles and classes and determination of quantity of land treated as equivalent to one standard acre under sub-section (6) of 6;
 - (d) the period within which the Statement may be filed under sub-section (1) of Section 8 and the particulars which are to be specified in such statement and the person by whom and the manner in which such statement is to be filed;
 - (e) the particulars to be mentioned in the draft statement under sub-section (2) of section 9.
 - (f) the manner of serving the draft statement under sub-section (2) of Section 9;
 - (g) determination and manner of payment of an annual sum under sub-section (3) of Section 12 ;
 - (h) the particulars to be mentioned in the statement referred to in sub-section (1) of Section 16;
 - (i) the preparation and revision of record-of-rights under Section 19;
 - (j) publication of the draft and final record-of-rights under Section 20, the period of such publication, the period within which an application is to be made under sub-section (4) of Section 20, and the period within which an appeal is to be preferred under subsection (r) of Section 20;
 - (k) the principle and the manner of distribution of lands under Section 23;
 - (l) management by the Collector or authority of the vested lands under Section (24) and the authority under the provision to Section 24;
 - (m) the manner of determination of revenue under sub-section (1) and sub-section (2) of Section 26;
 - (n) the purposes under clause (e) of sub-section (3) of section 29;
 - (o) the manner of enquiry under Section 31.

Power to remove difficulties.

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

**Sikkim Regulation of
Transfer and Use of Land
Act, 1975, not to apply.**

38. On and from the date of vesting under Section II of this Act, the provisions of the Sikkim Regulation of Transfer and Use of Lands Act, 1975, shall cease to have effect in respect of all lands to which provisions of this Act shall apply.

SCHEDULE

[Section 6 (4) (t) and Section 6 (4) (ii)]

GROUP 'A'

1. Pemayangste Gompa
2. Phodong Gompa
3. Phensang Gompa
4. Ralong Gompa
5. Rumtek Gompa
6. Tashiding Ngadak Gompa

GROUP 'P'

1. Melli Gompa
2. Sangnak Cholling Gompa
3. Khancheod Palri Gompa
4. Dubdi Gompa
5. Sinon Gompa
6. Tashiding Guru Lhakang
7. Dolling Gompa
8. Rinchenpung Gompa
9. Lhuntse Gompa
10. Namchi Ngadak Gompa
11. Simik Gompa
12. Yangang Gompa
13. Tumin Gompa
14. Kartok Gompa
15. Linkey Gompa
16. Pabyok Gompa
17. Enchey Gompa
18. Labrang Gompa
19. Lingdok Gompa
20. Ringeon Gompa
21. Hee Gyathang Gompa
22. Lingthem Gompa
23. Tolung Gompa
24. Sharchok Bayphuk
25. Labrang Wangditse
26. Chungthang Gompa
27. Chakung Gompa
28. Chawang Ani Gompa
29. Bakcham Gompa (Lhakang)
30. Hungri Gompa
31. Ship Kunzang Choling Gompa
32. Rhenok Gompa
33. Santam Gompa
34. Singohit Gompa
35. Linkey Phagyal Gompa
36. Sardong Gompa
37. Barmoik Gompa
38. Lachen Gompa
39. Lachung Gompa
40. Lachen Mani Gompa
41. Lachung Thangmochi
42. Lachung Mani Lhakang
43. Dotsuk Gompa
44. Lachen Thangu
45. Gying Gompa
46. Chaney Gompa

47. Tendang Tsamkang
48. Turulang Mani Lhakang
49. Tingbung Gompa
50. Sumen1 Gompa
51. Sang Gompa —
52. Parbing Gompa
53. Thakurbari, Gangtok Town
54. Zingling Mandir, Song
55. Durga Mandir, Rumtek
56. Mohadev Shivalaya Mandir, Parkha
57. Mahadev Mandir, Samdong
58. Shivalaya Mandir, Tintek
59. Shivalaya Mandir, Chhujachen
60. Thakurbari Rangpo Bazar
61. Thakurbari, Singtam Bazar
62. Radha Krisnna Mandir, Rhenock Bazar
63. Mahadev Mandir, Rhenock Bazar
64. Shivalaya Mandir, Aritar Khamdong
65. Shivalaya Mandir, Chhota Singtam
66. Shivalaya Mandir, Dikling Pachekhani
67. Shidheshwar Mahadev Mandir, Namchebong
68. Mandir, Tarpin
69. Thakurbari, Rongli Bazar
70. Onkareshwar Mandir, Aho
71. Kali Mandir Rangpo
72. Krishna Mandir, Duga
73. Thakurbari, Pakyong Bazar
74. Krishna Mandir, Niya Bram
75. Chemchey Mandir, Namchi
76. Thakurbari, Namchi Bazar
77. Thakurbari,,Melli Bazar
78. Mahadev Than, Legshep
79. Shri Pashupati Nath Mandir, Dhambudanra
80. Mandir, Timburbung
81. Icha Puma Dasi Ram Dham, Samdong
82. Thakurbari, Soreyong
83. Mandir, Gelling
84. Mandir Sadhungaon, Chakung
85. Durga Bhawani Mandir, Kaluk
86. Paranami Mandir, Tharpu
87. Bhagawati Saraswati Mandir, Dentam
88. Mandir,Hee Goan
89. Durga Mandir, Burmiok
90. Devi Mandir, Sancharey
91. Thakurbari, Nayabazar
92. Durga Bhawani Devi Mandir, Upper Burmiok
93. Devi Mandir, Tadung
94. Durga Mandir, Dentam
95. Shiva Mandir, Martam
96. Bhagawati Mandir, Kewzing
97. Rameshwar Mandir, Sadam
98. Rameshwar Mandir, Sumbuk
99. Bhagawati Mandir, Sumbuk
100. Shivalaya, Dhargoan
101. Shivalaya, Lingmo
102. Shankar Bhagawan Shivalaya, Majhitar
103. Gangtok Prebyterion Church
104. Namchi Prebyterion Church
105. Chakung Rumtuk Church
106. Wak Prebyterian Church
107. Phambong Prebyterian Church
108. Rhenock Prebyterian Church
109. Mangan Penticastal Church
110. Mosque at Gangtok

STATEMENT OF OBJECTS AND REASONS

There has been a demand for imposing a ceiling on agricultural lands in the State of Sikkim as has been done in other State in India . It has been considered necessary to take measures for exercising social control over the resources of agricultural lands in Sikkim with a view to prevent concentration of agricultural lands in the hands of a few person to the common people to subserve the common good.

In 1949 and in 1951 it was expressly declared for the removal of doubts that the Khazanas for land was payable directly to the State and that there was no interposing agency between the Government of Sikkim and the bustiwallas of agricultural lands. The same position has also been expressly and categorically reaffirmed and declared in this Bill. In order to implement socio-economic and welfare land reforms in Sikkim, it is, therefore, necessary to impose a ceiling limits on lands which may be retained by any person under the State Government and to provide that all lands in excess of such ceiling limits stand vested in the State and to be distributed or otherwise managed by the State Government for the welfare of the people and to subserve the common good.

With the objects in view the Bill provides for the following :-

- (1) Imposition of ceiling on agricultural lands,
- (2) vesting of all agricultural lands in excess of such ceiling limits,
- (3) payment of an amount to persons whose excess lands would stand vested,
- (4) preparation of records-of-rights in respect of all Agricultural lands,
- (5) determination of revenue payable by persons for lands allowed to be retained by them,
- (6) principle of distribution of vested lands and management of vested lands by the State Government.
- (7) and other incidental, consequential, procedural and miscellenous matters.

The Government is also of opinion that in order to protect the interests of the Schedule Tribes and to promote their economic interests with special care, in accordance with the Directive Principals, contained in Article 46 and other related Articles of the Constitution of India, special provisions should be made providing for restrictions on alienation of lands by persons belonging to such Schedule Tribes and a separate Chapter has been included in this Bill with that object in view.

The Bill has been framed accordingly.

B. P. Kharel.

Minister-in-Charge,

**Department of Lands & Land Revenue.
Member-in-charge.**

SIKKIM

GOVERNMENT



GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 28

GANGTOK, SATURDAY, MARCH 19, 1977.

Bill No. 6 of 1977

THE SIKKIM APPROPRIATION BILL OF 1977

A

BILL

to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of the State of Sikkim for the service* of the Financial year 1977-78.

BE it enacted by the Legislature of the State of Sikkim in the Twenty-eighth year of the Republic of India at follows:—

Short title

1. This Act may be called the Sikkim Appropriation Act, 1977

Issue of Rs.21,85,16000 out of the Consolidated Fund of the State of Sikkim for the Financial year 1977-78

2. From and out of the Consolidated Fund of the State of Sikkim there may be paid and applied sums not exceeding those specified in column 3 of the Schedule amounting to the sum of twentyone crores eightyfire lakhs and sixteen thousands Rupees towards defraying the several charges which will come in course for payment during the financial year 1977-78, in respect of the services specified in column 2 of the Schedule.

Appropriation.

3. The sums authorised to be paid and applied from and out of the Consolidated Fund of the State of Sikkim by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.

1	2	3			
No. of Vote	SERVICE & PURPOSE	Voted by the Legislature Assembly	SUMS NOT EXCEEDING Charged on the Conso- lidated Fund	Total	
		(Rs.)	(Rs.)	(Rs.)	
1.	State Legislature	Revenue	6,31,000	50,000	6,81,000
	Governor	Revenue	-	6,02,000	6,02,000
2.	Cabinet	Revenue	13,61,000	-	13,61,000
3.	Agriculture	Revenue	1,06,48,000	-	1,06,48,000
		Capital	16,50,000	-	16,50,000
4.	Animal Husbandary & Dairy Development	Revenue	77,59,000	-	77,59,000
		Capital	6,00,000	-	6,00,000
5.	Local Self Government	Revenue	17,37,000	-	17,37,000
		Capital	20,000	-	2,00,000
6.	Co-operation	Revenue	8,81,000	-	8,81,000
		Capital	4,00,000	-	4,00,000
7.	Ecclesiastical Department	Revenue	8,02,000	-	8,02,000
8.	Education	Revenue	1,36,90,000	-	1,36,90,000
		Capital	25,50,000	-	25,50,000
9.	Power & Irrigation	Revenue	1,12,95,000	-	1,12,95,000
		Capital	41,50,000	-	41,50,000
10.	Establishment Department	Revenue	1,63,000	-	1,63,000
11.	Exercise (Abkari)	Revenue	2,87,000	-	2,87,000
12.	Finance Department	Revenue	8,05,000	-	8,05,000
13.	Income Tax & Sale Tax	Revenue	2,01,000	-	2,01,000
14.	Other Expenditure of the Finance Department	Revenue	12,85,000	8,14,000	12,85,000
		Capital	18,20,000	11,22,000	18,20,000
15.	Food Supplies and Fair Price Shops	Revenue	7,76,000	-	7,76,000
		Capital	5,65,000	-	5,65,000
16.	Forest, Fisheries & Soil Conservation	Revenue	1,55,17,000	-	1,55,17,000
		Capital	1,00,000	-	1,00,000
17.	Motor Vehicles	Revenue	1,89,000	-	1,89,000
18.	Sikkim Nationalised Transport	Revenue	1,48,75,000	-	1,48,75,000
		Capital	21,09,000	-	21,09,000
19.	Home Department	Revenue	17,23,000	2,00,000	17,23,000
20.	Administration of Justice	Revenue	2,18,000	4,25,000	2,18,000
21.	Police	Revenue	75,84,000	-	75,84,000
		Capital	17,00,000	-	17,00,000
22.	Land Revenue	Revenue	37,50,000	-	37,50,000
		Capital	20,00,000	-	20,00,000
23.	Law Department	Revenue	1,33,000	-	1,33,000

1	2	3		TOTAL
No. of Votes	Service and purposes	Voted by the Legislative Assembly (Rs.)	Sums not exceeding Charged on Consolidates Fund (Rs.)	(Rs.)
24.	Medical, Public Health & Social Welfare	Revenue 1,26,85,000 Capital 34,25,000	- -	1,26,85,000 34,25,000
25.	Panchayat & Rural Works	Revenue 1,13,35,000	-	1,13,35,000
26.	Planning & Development Department	Revenue 7,10,000	-	7,10,000
27.	Press, Publicity & Cultural Affairs	Revenue 21,31,000 Capital 3,25,000	- -	21,31,000 3,25,000
28.	Public Works, Roads, Bridges & Water Supply	Revenue 2,78,81,000 Capital 2,60,00,000	- -	2,78,81,000 2,60,00,000
29.	Tourism	Revenue 8,00,000 Capital 32,00,000	- -	8,00,000 32,00,000
30.	Trade, Industries & Labour	Revenue 72,87,000 Capital 55,50,000	- -	72,87,000 55,50,000
Total:		21,53,03,000	32,13,000	21,85,16,000

STATEMENT OF OBJECTS AND REASONS

This Bill is introduced in pursuance of Article 204(1) of the Constitution to provide the appropriation out of the Consolidated Fund of the State of Sikkim of the moneys required meet the expenditure charged on the Consolidated Fund of the State of Sikkim and the grants made by the Legislative Assembly for expenditure of the Government of Sikkim for the financial year 1977-78.

KAZI LHENDUP DORJEE KHANGSARPA

Chief Minister of Sikkim

Minister-in-Charge.

SIKKIM

GOVERNMENT



GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 29

Gangtok, Monday, March 21, 1977

HOME DEPARTMENT

NOTIFICATION

Dated Gangtok, the 18th March, 1977.

I/Home— The Government of India, Ministry of Law, Justice & Company Affairs (Legislative Department) G.S.R. 991 dated 9th August, 1975 is republished for general information:—

S.R. 991.—In pursuance of the notification of the Government of India in the Ministry of Home Affairs No. S.O. 208(E), dated the 16th May, 1975, the Central Government hereby appoints the 11th day of August, 1975, as the date on which the General Clauses Act, 1897 (10 of 1897), shall come into force in the State of Sikkim".

(No. F. 13 (10)/75-LI)

S. RAMAIAH,

Deputy Legislative Counsel.

T. S. GALTSHEN,

Chief Secretary, Government

of Sikkim

F.7(5)-Home/77.

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SIKKIM

GOVERNMENT GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 30

Gangtok, Wednesday, March 30, 1977

ELECTION DEPARTMENT (HOME)

NOTIFICATION NO. 7/H.

Dated Gangtok the 25th January, 1977.

The Ministry of Law, justice and company Affairs Government of India Notification No F.7 (4.)/76-Leg. II dated 24th January, 1977 are republished in State Government extraordinary Gazette for General information: —

GOVERNMENT OF INDIA
MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS
(LEGISLATIVE DEPARTMENT).

Dated New Delhi, 25th January, 1977.

NOTIFICATION.

S.O. In exercise of the powers conferred by section 169 of the Representation of the People Act, 1951 (43 of 1951) and in supersession of the Conduct of Parliamentary Elections. (Sikkim) Rules, 1975, the Central Government, after consulting the Election Commission, hereby makes the following titles, namely:—

1. Short title and commencement. (1) These rules may be called the Conduct of Parliamentary Elections (Sikkim) Rules, 1977.

(2) They shall come into force at once.

2. Application of the Conduct of Election Rules, 1961 to elections to Parliament from Sikkim. The Conduct of Elections Rules, 1961 in so far as they relate to an election to the House of the People or, as the case may be, to the Council of States, shall apply in relation to any election to the House of the People or, as the case may be, to the Council of States from the State of Sikkim, Subject to the modification that in rule 90 of the said Rules, under the heading "I. States" after entry 21 relating to West Bengal, the following entry shall be inserted, namely:—

"22. Sikkim..15,000

(No. F. 7 (4)/76-Leg.II)

Sd/- E. VENKATESWARAN

JOINT SECRETARY OF THE GOVT. OF INDIA

NO. L. S. / 23 (23) E.D/77/2000/

By Order :-

D.C. Lucksom

Chief Electoral Officer, Sikkim
Election Department (Home).

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SIKKIM

GOVERNMENT



GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 31

GANGTOK, WEDNESDAY, MARCH 30, 1977.

ELECTION DEPARTMENT (HOME)

NOTIFICATION No. 8/H.

DATED GANGTOK THE 8TH FEBRUARY, 1977.

Election Commission of India Notification No. 56/75 -XIII Dated 8th February, 1977 are republished in the State Government Gazette for general information:—

ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN,
ASHOKA ROAD,
NEW DELHI.

NOTIFICATION.

S.O.— (E) Whereas the Jammu and Kashmir National Conference is a recognised political party, with the symbol 'Plough' reserved for it, in the State of Jammu and Kashmir, under notification No.56/J&K/73, dated 12 April, 1973 in relation to elections to the Legislative Assembly of that State;

And whereas, the said party has made a request to the Election Commission to grant recognition and reservation of symbol for the purposes of elections to the House of the People and the Commission is satisfied that the request is reasonable and proper;

Now, therefore, in exercise of the powers conferred on it by article 324 of the Constitution of India, rules 1 & 10 of the Conduct of Elections Rules, 1961 and paragraph 18 of the Election Symbols (Reservation and Allotment) Order, 1968, and all other powers enabling it in that behalf, the Election Commission of India hereby directs that—

(a) Jammu and Kashmir National Conference shall be recognised as a State Party and that the symbol 'Plough' shall be reserved for it; and

(b) In Table 2 to the Commission's notification in S.O. 61 (E) dated 31 January, 1975, the following entries shall be made after the entry relating to Haryana :—

"Jammu & Kashmir	Jammu & Kashmir National Conference	Plough"
---------------------	---	---------

(c) In Table 3 to the Commission's notification against the entry "7. Jammu & Kashmir for the entries 6i(8) Spade, (9) Two leaves and (10) Plough", the entries "(8) Spade and (9) Two leaves" shall be substituted.

(No. 56/75 - XIII)

By Order,

Sd/- V. NAGASUBRAMANIAN

SECRETARY.

By Order,

D. C. Lucksom

Chief Electoral Officer, Sikkim
Election Department (Home).

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GOVERNMENT GAZETTE



EXTRAORDINARY
PUBLISHED BY AUTHORITY

No.32

GANGTOK, FRIDAY, APRIL 1, 1977.

ELECTION DEPARTMENT (HOME)

NOTIFICATION NO. 9/H.

DATED GANGTOK, THE 8TH FEBRUARY, 1977.

Election Commission of India Notification No. 56/7C-XV Dated 8th February, 1977 are republished in the State Government Gazette for General information:—

ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN
ASHOKA ROAD,
NEW DELHI.

NOTIFICATION

S.O. Whereas Muslim League (Opposition) in Kerala has applied for recognition as a State Party and allotment to it of a reserved symbol ; and

Whereas the Secretary, Kerala Legislative Assembly has informed the Commission that seven members returned to the Assembly on Muslim League ticket in the general election held in 1970, belong to Muslim League (Opposition) party and is recognised in the Assembly as such; and

Whereas after due consideration the Commission is satisfied that the Muslim League (Opposition) should be granted ad hoc recognised as a State Party;

Now, therefore in exercise of the powers conferred on the Election Commission of India by article 324 of the Constitution of India, rules 5 and 10 of the Conduct of Elections Rules, 1961 and paragraph 18 of the Election Symbols (Reservation and Allotment) Order, 1968, and all other powers enabling it in that behalf, the Election Commission of India hereby directs that—

(a) Muslim League (Opposition) shall be recognised as a State Party on *ad hoc* basis in the State of Kerala and that the symbol 'Boat' shall be reserved for it; and

(b) *In Table 2* to the Commission's notification No. 56/75-I, dated 31 January, 1975 published as S.O.61 (E) in the Gazette of India, Extraordinary Part II, section 3 (ii), dated 31 January, 1975 against the item "Kerala" the following entries shall be added :—

"4. Muslim League (Opposition).. .. .Boat"

AND

(c) *In Table 3* of the said notification against the entry "9. Kerala", the entry "(2) Boat," shall be deleted and the remaining entries 3 to 12 shall be renumbered as 2 to 11 respectively.

(No. 56/75 -XV)

By Order

Sd/- V. NAGASUBRAMANAIN,
SECRETARY.

By Order

(D. C. LUCKSOM),
CHIEF ELECTORAL OFFICER, SIKKIM.

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GOVERNMENT GAZETTE



EXTRAORDINARY
PUBLISHED BY AUTHORITY

No.33

Gangtok, Saturday, April 2, 1977

ELECTION DEPARTMENT (HOME)

NOTIFICATION NO. 10/H

DATED GANGTOK, THE 8TH FEBRUARY, 1977.

Election Commission of India Notification No. 56/75-XIV Dated 8th February, 1977 are republished in the State Government Gazette for General information:—

ELECTION COMMISSION OF INDIA.

NIRVACHAN SADAN,
ASHOKA ROAD,
NEW DELHI,

NOTIFICATION.

S. 0. — Whereas it has been decided by the Election Commission by its order dated February, 1977 under paragraph 15 of the Election Symbols (Reservation and Allotment) Order, 1968, that the group led by Capt. W.A. Sangma was the All Party Hill Leaders' Conference, a recognised State Party the State of Meghalaya;

And whereat the Commission has further held that the All Party Hill Leaden' Conference has merged with the Indian National Congress and consequently has ceased to exist to as a separate political party;

And whereas the Commission, by its order referred to above has also ordered that the name If the All Party Hill Leaders' Conference with the reserved symbol "Flower" be deleted from the list of recognised State Parties and that the said symbol shall remain frozen in respect of the States of Assam and Meghalaya;

And whereas it is necessary to give effect to these decisions and also to bring the position upto date under sub-para (2) of paragraph 17 of the said Order;

Now, therefore, in pursuance of clause (b) of sub-para (i) of paragraph 17 of the Election Symbols (Reservation and Allotment) Order, 1968, the Commission makes the following amendment in its notification No. 46/7 c/1, dated 31 January, 1975 published as S.O. 61 (E) in the Gazette of India, Extraordinary, Part II, section 3 (ii), dated 31 January, 1975 and as amended from time to time namely-

IN TABLE 2

Under columns 1, 2 and 3 the entries "Meghalaya"
"All Party Hill Leaders' Conference" and.. .. "Flower" respectively
shall be deleted.

(No. 56/76 -XIV)

By Order,

Sd/- V. NAGASUBRAMANIAN
SECRETARY

By Order

D.C. Lucksom,
Chief Electoral Officer, Sikkim,
Election Department (Home).

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SIKKIM

GOVERNMENT GAZETTE



EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 34

Gangtok, Wednesday, April 6, 1977

LEGISLATIVE DEPARTMENT

NOTIFICATION

NO. 1 /LL/1977

Dated Gangtok, the 31st March, 1977

The following Act of the Sikkim Legislative Assembly having received the assent of the Governor on the 28 th day of March, 1977 is hereby published for general information :—

SIKKIM ACT NO. 1 OF 1977.

THE SIKKIM CONTINGENCY FUND (AMENDMENT) ACT, 1977.

AN

ACT

to amend the Sikkim Contingency Fund Act, 1975.

Be it enacted by the Legislature of Sikkim 1ft the Twenty-eighth year of the Republic of India as follows:—

- Short title and comment.** (1) This Act may be called the Sikkim Contingency Fund (Amendment) Act, 1977.
(2) It shall come into force at once.
- Amendment to Section 22 of the Sikkim Contingency Fund Act, 1975.** (1) In Section 2 of the Sikkim Contingency Fund Act, 1975 for the words "a sum of twenty-five lakhs of rupees", the words "a sum of fifty-lakhs of rupees" shall be substituted.
(2) After Section 2 of the Sikkim Contingency Fund Act, 1975-, the following proviso shall be added and shall always be deemed to have been added.
Provided that the State Government may, from time to time, after appropriation for the purpose is made by law, increase the amount at the credit of the Contingency Fund of Sikkim by transfer from the Consolidated Fund of Sikkim such further amounts as it may deem fit, not exceeding the amount of the said appropriation.

BY ORDER OF THE GOVERNOR.

B. R. Pradhan,
Secretary to the Government of Sikkim.
F. 96/LL/77

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SIKKIM
GOVERNMENT  GAZETTE
EXTRAORDINARY
PUBLISHED BY AUTHORITY

No.34A

Gangtok, Wednesday, April 6, 1977

LEGISLATIVE DEPARTMENT

NOTIFICATION

NO. 2 /LL/1977

Dated Gangtok, the 31st March, 1977.

The following Act of the Sikkim Legislative Assembly having received the assent of the Governor on the 28th day of March, 1977 is hereby published for general information :—

SIKKIM ACT NO. 2 OF 1977.

THE SIKKIM APPROPRIATION ACT OF 1977

AN

ACT

to authorise payment and appropriation of certain further sum from and out of the Consolidated Fund of the State of Sikkim for the services of the Financial year, 1976-77.

BE it enacted by the Legislature of the State of Sikkim in the Twenty-eighth year of the Republic of India as follows:—

Short title

1. This Act may be called the Sikkim Appropriation Act, 1977.

Issue of Rs. 2, 07, 89, 000 consolidated Fund of the State of Sikkim for the Financial year 1976-77

2. From and out of the Consolidated Fund of the State of Sikkim there may be paid and applied sums not exceeding those specified in column 3 of the Schedule amounting to two crores seven lakhs eightynine thousands of Rupees towards defraying the several charges which will come in course for payment during the financial year 1976-77, in respect of the services specified in column 2 of the Schedule.

Appropriate

3. The sums authorised to be paid and applied from and out of the Consolidated Fund of the State of Sikkim by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.

SCHEDULE
(See section 2 & 3)

1	2	3			
No. of Service and purposes		Sums not exceeding			
		Voted by the Le- gislative Assembly	Charged on the Consolida- ted Fund .	TOTAL	
		In thousands of Rupees	In thousands of Rupees	In thousands of Rupees	
1.	State Legislature	Revenue	114	6	120
	Appropriate Revenue	-	55		55
2.	Cabinet	Revenue	80	-	80
3.	Agriculture	Revenue	663	-	663
		Capital	232	-	232
4.	Animal Husbandry & Diary	Revenue	490	-	490
	Development Capital	500	-		500
5.	Local Self Government	Revenue	231	-	231
6.	Co-operation Capital	207	-		207
8.	Education	Revenue	2475	-	2475
		Capital	291	-	291
9.	Power & Irrigation	Revenue	297	-	297
		Capital	627	-	627
10.	Establishment Department	Revenue	2	-	2
11.	Excise (Abkari)	Revenue	129	-	129
13.	Income Tax & Sales Tax	Revenue	34	-	34
14.	Other Expenditure of the	Revenue	-	50	-
	Finance Department	Capital	-	226	226
15.	Food Supplier & Fair Price	Revenue	52	-	52
	Shops				
16.	Forest, Fisheries & Soil	Revenue	732	-	732
	Conservation				
18.	Sikkim Nationalised Transport	Revenue	1076	-	1076
19.	Home Department	Revenue	167	25	192
20.	Administration of Justice	Revenue	98	81	98
21.	Police	Revenue	5	-	5
		Capital	764	-	764
22.	Land Revenue	Revenue	142	-	142
23.	Law Department	Revenue	67	-	67
24.	Medical, Public Health &	Revenue	21	-	21
	Social Welfare				
25.	Panchayat & Rural Works	Revenue	2750	-	2750
28.	Public Works, Roads, Bridges	Revenue	1227	-	1227
	& Water Supply	Capital	4900	-	4900
29.	Tourism	Revenue	1	-	1
		Capital	1682	-	1682
30.	Trade, Industries & Labour	Revenue	288	-	288
		Capital	2	-	2
	Total:-		20346	443	20789

BY ORDER OF THE GOVERNOR

B. R. Pradhan,
Secretary to the Government of Sikkim
F. 104/LL/77

SIKKIM

GOVERNMENT GAZETTE



EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 35

Gangtok, Wednesday, April 6, 1977

LEGISLATIVE DEPARTMENT

NOTIFICATION

No. 3 /LL/197

Dated Gangtok, the 31st March, 1977

The following Act of the Sikkim Legislative Assembly having received the assent of the Governor on the 28th-day of March, 1977 is hereby published for general information :—

SIKKIM ACT NO. 3 OF 1977.

THE SIKKIM APPROPRIATION ACT OF 1977

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, 1977-78.

BE it enacted by the Legislature of the State of Sikkim in the Twenty-eighth year of that Republic of India as follows:—

- | | |
|--|--|
| Short title | 1. This Act may be called the Sikkim Appropriation Act, 1977. |
| Issue of Rs.21,85,16,000 out of the Consolidated Fund of the State of Sikkim for the Financial year 1977-78 | 2. From and out of the Consolidated Fund of the State of Sikkim there may be paid and applied sums not exceeding those specified in column 3 of the Schedule amounting to the sum of twentyone crores eightyfive lakhs and sixteen thousands Rupees towards defraying the several charges which will come in course for payment during the financial year 1977-78, in respect of the services specified in column 2 of the Schedule. |
| Appropriation | 3. The sums authorised to be paid and applied from and out of the Consolidated Fund of the State of Sikkim by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year. |

(2)
SCEHUDLE

(See section 2 & 3)

1	2	3			
No. of Vote	SERVICE & PURPOSE	Vote by the Legislative Assembly (Rs.)	SUMS NOT EXCEEDING Charged on the Conso- lidated Fund (Rs.)	Total (Rs.)	
1.	State Legislature	Revenue	6,31,000	50,000	6,81,000
	Governor	Revenue	-	6,02,000	6,02,000
2.	Cabinet	Revenue	13,61,000	-	13,61,000
3.	Agriculture	Revenue	1,06,48,000	-	1,06,48,000
		Capital	16,50,000	-	16,50,000
4.	Animal Husbandry & Dairy Development	Revenue	77,59,000	-	77,59,000
		Capital	6,00,000	-	6,00,000
5.	Local Self Government	Revenue	17,37,000	-	17,37,000
		Capital	20,000	-	20,000
6.	Co-operation	Revenue	8,81,000	-	8,81,000
		Capital	4,00,000	-	4,00,000
7.	Ecclesiastical Development	Revenue	8,02,000	-	8,02,000
8.	Education	Revenue	1,36,90,000	-	1,36,90,000
		Capital	25,50,000	-	25,50,000
9.	Power & Irrigation	Revenue	1,12,95,000	-	1,12,95,000
		Capital	41,50,000	-	41,50,000
10.	Establishment Department	Revenue	1,63,000	-	1,63,000
11.	Excise (Abkari)	Revenue	2,87,000	-	2,87,000
12.	Finance Department	Revenue	8,05,000	-	8,05,000
13.	Income Tax & Sales Tax	Revenue	2,01,000	-	2,01,000
14.	Other Expenditure of the Finance Department	Revenue	12,85,000	8,14,000	20,99,000
		Capital	18,20,000	11,22,000	29,42,000
15.	Food Supplies and Fair Price Shops	Revenue	7,76,000	-	7,76,000
		Capital	5,65,000	-	5,65,000
16.	Forest, Fisheries & Soil Conservation	Revenue	1,55,17,000	-	1,55,17,000
		Capital	1,00,000	-	1,00,000
17.	Motor Vehicles	Revenue	1,89,000	-	1,89,000
18.	Sikkim Nationalised Transport	Revenue	1,48,75,000	-	1,48,75,000
		Capital	21,09,000	-	21,09,000
19.	Home Department	Revenue	17,23,000	-	17,23,000
20.	Administration of Justice	Revenue	2,18,000	4,25,000	6,43,000
21.	Police	Revenue	75,84,000	-	75,84,000
		Capital	17,00,000	-	17,00,000
22.	Land Revenue	Revenue	37,50,000	-	37,50,000
		Capital	20,00,000	-	20,00,000
23.	Law Department	Revenue	1,33,000	-	1,33,000

1	2	3		
No. of Vote	Services and purposes	Voted by the Legislative Assembly (Rs.)	Sums not exceeding Charged on Consoli- dated Fund (Rs.)	TOTAL (Rs.)
24.	Medical, Public Health & Social Welfare	Revenue 1,26,85,000 Capital 34,25,000	- -	1,26,85,000 34,25,000
25.	Panchayat & Rural Works	Revenue 1,13,35,000	-	1,13,35,000
26.	Planning & Development Department	Revenue 7,10,000	-	7,10,000
27.	Press, Publicity & Cultural Affairs	Revenue 21,31,000 Capital 3,25,000	- -	21,31,000 3,25,000
28.	Public Works, Roads, Bridges & Water Supply	Revenue 2,78,81,000 Capital 2,60,00,000	- -	2,78,81,000 2,60,00,000
29.	Tourism	Revenue 8,00,000 Capital 32,00,000	- -	8,00,000 32,00,000
30.	Trade, Industries & Labour Capital	Revenue 72,87,000 55,50,000 -	- 55,50,000	72,87,000
Total:		21,53,03,000	32,13,000	21,85,16,000

BY ORDER OF THE GOVERNOR,

**B. R. Pradhan,
Secretary to the Government of Sikkim,
F. 105/LL/*77**

PRINTED AT THE SIKKIM GOVERNMENT PRESS

SIKKIM

GOVERNMENT



GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 36

Gangtok, Thursday, March 30, 1978

LEGISLATIVE DEPARTMENT

NOTIFICATION

No. 2/LL/78

Dated Gangtok, the 30th March, 1978

The following Act of the Sikkim Legislative Assembly having received the assent of the Governor on the 30th day of March, 1978 is hereby published for general information.

SIKKIM ACT NO 2 OF 1978

THE GANGTOK MUNICIPAL CORPORATION (AMENDMENT) ACT.

AN

ACT

to amend the Gangtok Municipal Corporation Act, 1975 (Act No. IV of 1975).

WHEREAS it is expedient to amend the Gangtok Municipal Corporation Act, 1975 (Act No. IV of 1975) in the manner hereinafter appearing;

It is hereby enacted by the Legislature of the State of Sikkim in the Twenty-ninth Year of the Republic of India as follows:—

- Short title and commencement.** 1. (1) This Act may be called the Gangtok Municipal Corporations (Amendment) Act, 1978.
(2) It shall come into the force at once.
- Definitions.** 2. In this Act, the expression "the Act" means the Gangtok Municipal Corporation Act, 1975.
- Amendment of section 3.** 3. In section 3 of the Act, after sub-section (3) the following proviso shall be added—
"Provided that the Government may by notification nominate a new Councillor or Councillors in the place of the existing Councillor or Councillors within the said period of four years."
- Amendment of section 5.** 4. In section 5 of the Act, the "full stop" at the end of Clause (g) of sub-section (1) shall be deleted and a "semicolon" and the word "or" shall be added and after clause (g) so amended the following clauses shall be added—
"(h) having held any office under the Government of India or the Government of any State, has been dismissed for corruption or disloyalty to the State, unless a period of five years has elapsed since his dismissal; or
(l) is disqualified under sub-section (4) of section 8 of the Act."

Amendment of section 8.

5. In section 8 of the Act,
(f) at the end of Clause (f) of sub-section (f) the "full stop" shall be deleted and a "semicolon" and the Word "or" shall be added after clause (f) so amended, the following clauses shall be added—
(g) if he has acted as a Councillor by voting or taking part in the discussion of any matter in which he has directly or indirectly a personal interest or in which he is professionally interested on behalf of a client, principal or any other person; or
(h) if he has flagrantly abused his position or has been guilty of gross misconduct in the discharge of his duty as such Councillor."
(2) After sub-section (3), the following sub-section shall be added—

"(4) A person who has been removed from the Councillorship of the Corporation under sub-section (1), shall be disqualified for being elected or nominated and being a Councillor of the Corporation for a period of four years from the date of his removal ;

Provided that the State Government may at any time by order remove the disqualification”.

Insertion of new section 8 A and 8B.

6. After section 8 of the Act, the following sections shall be inserted.

Casual Vacancy.

" 8 A. (1) Where before the expiry of the term of office of a Councillor or his seat becomes vacant owing to death, resignation or any other cause, a new Councillor shall be nomination or elected as the case may be, in the same manner as is provided for the nomination or election of Councillors under the Act;

Provided that where the term of any outgoing Councillor would in the ordinary course expire within four months of the occurrence of the vacancy his seat shall be left unfilled unless the Government decide otherwise,

(2) The existence of a casual vacancy will not at any time render any action of the Corporation invalid or inoperative in anyway whatsoever.

Regisnation.

8B. A Councillor may at any time resign by writing under his hand addressed to the Chairman and his resignation shall take effect from the date of its acceptance by the Councillor at a meeting. In case the Chairman wishes to resign he shall address his resignation letter to the Government and his resignation shall take effect from the date of its acceptance by the Government.”

Amendment of section 12.

7. In section 12, for the words "the Corporation may, subject to the sanction of the State Government ”, the following words shall be substituted—

“ The State. Government may ”

Amendment of section 20.

8. In section 12, for the words “ The Corporation may, subject to the sanction of the State Government”, the following words shall be substituted-

“The State Government may”

Insertion of new section 21 A. Additional duties and functions of the Corporation.

9. After section 21 the following section shall be inserted-
“ 21A. In addition to the duties and functions already provided for in the Act the State Government may by notification entrust any other duty or function to the Corporation and thereafter it shall be the duty of the Corporation to make reasonable provision therefore within the Municipal Corporation limits.”

Amendment of section 28.

10. In section 28 of the Act, for clause (a) the following shall be substituted-

“ (a) a rate on holding situated within the limits of the Corporation assessed on their annual value including difference rates for different grade of valuation.”

Amendment of section 30.

11. For sub-section (2) of section 30 of the following shall be substituted-

“(2) The rate imposed under clause (a) of section 28 shall be levied in respect of all holdings within the limits of the Corporation except-

- (a) holdings belonging to the State and Central Government ;
- (b) holdings used exclusively as a place of public workship or for purposes of public charity or a public burial or burning ground or as a mortuary ;

(c) any holding the annual value of which is less than an amount to be fixed by Government before the close of the year next preceeding the year to which such fixation will be applicable."

Amendment of section 45.

12. In section 45 of the Act the words "in this behalf by the Corporation" appearing at the end shall be substituted by the words "under this Act".

Amendment of section 50.

13. In section 50 to of the Act, for the word "rules" appearing in the first line, the word "bye-laws" shall be substituted.

Amendment of section 56.

14. In sub-section (2) of section c.6 for the words "two rupees" the words "twentyfive rupees" shall be substituted.

Amendment of Section 74A to 74D after Section 74.

15. In Chapter XV; and after, Section 74, the following sections shall be inserted—

Power of Government to call for

"74A. The State Government may at anytime call upon the Corporation to furnish it with - any information, report or extract from any proceedings of the. Corporation or any of its Committees or from any record under the control of the Corporation and with any statistics concerning or connected with the administration of the Act and the Corporation shall furnish the same without unreasonable delay.

Execution of works in emergency.

74B. (1) In case of emergency the State Government may provide for the execution through such agency and in such manner as it may specify in its order, of any work or the doing of any act Which the Corporation or the Executive Officer is empowered to execute or do and of which the immediate execution or doing is, in its opinion; necessary for the safety or protection of the public and. may direct that, the expenses of executing the work or doing the act shall be paid by the Corporation.

(2) If the expenses are not so paid the State Government may make an order directing the person having the custody of the Corporation fund to pay the expenses from such fund.

Suspension of resolution.

74C. (1) If the State Government is of the opinion that the execution of any resolution or order of the Corporation or any Corporation authority or of any officer or servant of the Corporation or the doing of any act which is about to be done or is being done by or on behalf of the Corporation, is in contravention of or in excess of the powers conferred by the Act or the rules and bye-laws framed under the Act or of any other law for the time being in force or has been passed or made in abuse of any such power or is likely to lead to a breach of peace or to cause obstruction, injury or annoyance to the public or to any class or body of persons or danger to human life, health or safety or is prejudicial to public interest the State Government may, by order in writing, suspend the execution of such resolution or order or prohibit the doing of any such act.

(2) A copy of such order shall forthwith be sent to the Corporation by the State Government.

(3) The State Government may at any time, on representation by the Corporation or otherwise, review, modify or revoke an order passed under sub-section (1).

Supersession.

74D. (1) If at any time it appears to the State Government that the Corporation is not competent to perform, or is persistantly making default in the performance of, duties imposed upon it by or under this Act or any other law for the time being in force or has exceeded or abused its powers more than once, the State Government may, after having given the Corporation an opportunity to show cause why such order should not be made, by an order published with the reasons therefor in the Official Gazette, supersede the Corporation for such period as may be specified.

(2) The period of supersession specified under sub-section (1) may, if the State Government so consider expedient, be extended from time to time by notification.

(3) When the Corporation is superseded under sub-section (1) the following consequences shall ensue—

(a) all the Councillors of the Corporation including the Chairman and Vice-Chairman shall vacate their offices as such from the date of the order of supersession;

(b) all the power and duties of the Corporation shall, during the period of supersession , be exercised and performed by such person or persons as the State Government may appoint in this behalf from time to time and until a new body of councilors is elected under the provisions of the Act in pursuance of an order of the State Government issued in this behalf."

(4)

- Amendment of section 75.** 16. In section 75 of the Act the words "which may extend to hundred rupees" shall be deleted and for die words "fifty rupees",the words "one hundred rupees" shall be substituted.
- Amendment of section 79.** 17. In section 79 for clause (b) the following clause shall be substituted
“(b) such person as mentioned in clause (a) shall observe the terms and conditions which may be prescribed by the Corporation by bye-laws”.
- Insertion of new section 81 A after section 82. Surcharge.** 18. After section 82 of the Act. the fallowing section shall be inserted-
“82 A. (1) The Chairman, Vice Chairman, every Councillor and every Officer and servant of the Corporation shall be liable to surcharge for the loss, waste or misapplication of any money or property of the Corporation if such loss, waste or misapplication is a direct consequence of his neglect or misconduct while acting as such. Chairman, Vice-Chairman, Councillor, officer or servant”.
(2) The procedure of imposing Surcharge and the manner of payment of the amount involved in loss, waste or misapplication shall be such as may be prescribed by rules.
(3) Where no proceeding for imposing surcharge is taken the Corporation may with the previous sanction of die Government institute a suit for compensation against such Chairman, Vice-Chairman, Councillor, officer or servant”.
- Amendment of section 84.** 19. After sub-section (2) of lection 84, the following sub-sections shall be added—
"(3) No bye-laws made by the Corporation under the Act shall have any validity unless they are approved by the State Government and, while approving the bye-laws, the State Government may make such modification or modifications therein, as it may deem fit.
(4) The rules made by the State Government under sub-section (1) and the bye-laws made by the Corporation under sub-section (2) shall have effect from the date of their publication in the Official Gazette.”

By Order of the Governor.

R . K. GUPTA,

**Secretary to the Government of Sikkim
Legislative Department.**

No. I6 (6)LL/78.

SIKKIM
GOVERNMENT  GAZETTE
EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 37

Gangtok, Thursday, April 7, 1977

ELECTION DEPARTMENT (HOME)

NOTIFICATION No. 1 1/H

DATED GAGTOK THE 9TH FEBRUARY, 1977

Election Commission of India Notification No. 56/77-11 Dated 9th February, 1977 are republished in the State Government Gazette for general information:—

ELECTION COMMISSION OF INDIA

NIRVACHAM SADAN,
ASHOKA ROAD,
NEW DELHI.

NOTIFICATION

S.O. - (E) In pursuance of clauses (a), (b) and (d) of sub-paragraph (1) and sub-paragraph (2) of paragraph 17 of the Election Symbols (Reservation and Allotment) Order, 1968, and in supersession of its notification No. 56/75 -I, dated 31 January, 1975 published at S.O. 61(E) in the Gazette of India, Extraordinary, Part II, section 3 (ii) dated 31 January, 1975, the Commission hereby specifies:—

- (a) the National Parties and the symbols respectively reserved for them in Table 1,
- (b) the State Parties, the State or States in which they are State Parties and the symbols respectively reserved for them in such State or States in Table 1 and
- (c) the free symbols for each State in Table 3.

TABLE 1

National Parties	Reserved symbols
1	2
1. Indian National Congress Calf and Cow	
2. Indian National Congress (Organisation)	Charkha being plied by a woman
3. Bharatiya Jana Sangh	Lamp
4. Communist Party of India Ears of Corn and Sickle	
5. Socialist Party	Tree
6. Communist Party of India (Marxist)	Hammer, Sickle and Star
7. Bharatiya Lok Dal	Haldhar within wheel (Chakra Haldhar)

TABLE-2

Name of the State	Name of the State Party	Reserved symbol
Haryana	1. Vishal Haryana	Rising Sun
Jammu and Kashmir	2. Akhil Bharatiya Arya Sabha Jammu and Kashmir National Conference	Swastik within a circle Plough
Kerela	1. Muslim League	Ladder
	2. Kerela Congress	Horse
	3. Revolutionary Socialist Party	Spede and Stroke
	4. Muslim League	Boat
Maharastra	Peasants 'and Workers' party	Cart
Manipur	1. Manipur People's Party	Bicycle
	2. Manipur Hills-Plain Union	Lion (since frozen)
	3. Kuki National Assembly	Two leaves
Nagaland	United Democratic Front	Cook
Punjab	Shriromani Akali Dal	Scales
Tamil Nadu	Dravida Munnetra Kazhagam	Rising Sun
Goa,Daman and Diu	1. Maharastrawadi Gomantak	Lion
Pondicherry	2. United Goans (Squeira Group)	Two leaves
	1. Dravida Munnetra Kazhagam	Rising Sun
	2. All India Anna Dravida Munnetra Kazhagam	Two leaves.

T A B L E - 3

Name of the State	Free Symbols
1	2
1. Andhra Pradhan	(1) Bicycle, (2) Boat, (3) Camel, (4) Elephant (5) Flaming Torch, (6) Hand, (7) Pot (8) Railway Engine, (9) Rising Sun, (10)Scales, (11) Sparrow, (12) Swastik within a circle, (13)Tiger, (14) Tractor, and (15) Two leaves.
2. Assam	(1) Bicycle, (2) Boat, (3) Camel, (4) Lion (5) Pot, (6) Railway Engine, (7) Scales, (8) Spade, (9) Spade and Stroker, (10) Sparrow and (11) Two leaves.
3. Bihar	(1) Bicycle, (2) Boat, (3) (5) Cart, (6) Cultivator cutting crop, (7) Drum, (8) Elephant, (9) Fish, (10) Horse and Rider, (11)Ladder, (12) Lion, (13) Pot (14)Railway Engine, (15) Rising Sun, (16) Scales, (17) Spade and Stroker, (18) Swastik within a circle, and (19) Two leaves.
4. Gujarat	(1) Bicycle, (2) Boat, (3) Camel (4) Cultivator cutting crop, (5)Cultivator winnowing grain, (6) Elephant (7) Flamming Torch (8) Horse, (9) Lion , (10) Plough, (11) Pot, (11) Railway Engine, (13) Rising Sun, (14) Scales, (15) Sparrow, (16) Tractor, (17) Two cultivators cutting crop, and (18) Two leaves.
5. Haryana	(1) Bicycle, (2) Boat, (3) Elephant, (4) Hand, (5) Horse and Rider, (6) Lion (7) Plough, (8) Scales, (9) Tractor, and (10) Two leaves.

6. Himachal Pradesh (1) Bicycle, (2) Boat, (3) Farmer winnowing grain, (4) Lion, (5) Railway Engine, (6) Rising Sun, (7) Scales, (8) Sparrow, and (9) Two leaves.
7. Jammu & Kashmir (1) Bicycle, (2) Boat, (3) Car, (4) Cart, (5) Hand, (6) Rising Sun, (7) Spade, and (8) Two leaves.
8. Karnataka (1) Bicycle, (2) Boat, (3) Camel, (4) , Cart (5) Cultivator cutting crop, (6) Elephant, (7) Hand, (8) Lion, (9) Pot, (10) Railway Engine, (11) Rising Sun, (12) Scales, (13) Spade, (14) Sparrow, (15) Tractor, and (16) Two leaves.
9. Kerala (1) Bicycle, (2) Camel, (3) Coconut tree bearing fruits (4) Flaming Torch, (5) Pot, (6) Railway Engine, (7) Rising Sun, (8) Scales, (9) Sparrow, (10) Swastik within a circle, and (11) Two leaves.
10. Madhya Pradesh (1) Bicycle, (2) Bow and Arrow, (3) Cultivator wino- wing grain, (4) Elephant, (5) Horse and Rider, (6) Lion (7) Pot, (8) Railway Engine, (9) Rising Sun, (10) Spade and Stroker, (11) Swastik within a circle, and (12) Two leaves.
11. Maharastra (1) Bicycle, (2) Boat, (3) Camel, (4) Elephant (5) Horse, (6) Lion, (7) Pot, (8) Railway Engine (9) Rising Sun, (10) Scales, (11) Sparrow, (12) Swastik within a circle, (13) Two leaves, and (14) Two Swords and a Shield.
12. Manipur (1) Camel, (2) Elephant, (3) Horse, (4) Pot (5) Scales, and (6) Spade.
13. Meghalaya (1) Bicycle, (2) Boat, (3) Camel, (4) Lion (5) Pot, (6) Railway Engine, (7) Scales, (8) Spade, (9) Sparrow, and (10) Two leaves.
14. Nagaland (1) A pair of pigeons, (2) Bow and Arrow, (3) Elephant, (4) Flaming Torch (5) Hornbill, (6) Log Drum, (7) Mug, and (8) Tiger.
15. Orrisa (1) Aeroplane, (2) Bicycle, (3) Boat, (4) Bow and Arrow, (5) Camel, (6) Dam, (7) Drum, (8) Elephant (9) Horse, (10) Lion, (11) Pot, (12) Railway Engine and (13) Two leaves.
16. Punjab (1) Bicycle, (2) Bow and Arrow, (3) Camel, (4) Eagle about to fly, (5) Elephant, (6) Flaming Torch, (7) Horse and Rider (8) Lion (9) Railway Engine, (10) Rising Sun, (11) Swastik within a circle, (12) Tractor, and (13) Two leaves.
17. Rajasthan (1) Bicycle, (2) Pot, (3) Camel, (4) Elephant, (5) Horse, (6) Lion, (7) Rising Sun, (8) Scales, (9) Sparrow, (10) Two leaves, and (11) Umbrella.
18. Sikkim (1) Bicycle, (2) Bow and Arrow, (3) Elephant, (4) Hand, (5) Horse, (6) Pot, (7) Rising Sun, (8) Scales, (9) Tiger, (10) Two leaves, and (11) Umbrella.
- Tamil Nadu (1) Bicycle (2) Boat, (3) Camel, (4) Elephant, (5) Lion, (6) Pot, (7) Scales, (8) Spade, (9) Sparrow, (10) Swastik within a circle and (11) Two leaves.
- Tripura (1) Bicycle, (2) Horse, (3) Lion, (4) Pot, (5) Rising Sun, (6) Scales, (7) Spade, (8) Sparrow (9) Swastik within a circle, and (10) Two leaves.
- Uttar Pradesh (1) Aeroplane, (2) Bicycle, (3) Boat, (4) Bow and Arrow, (5) Camel, (6) Car, (7) Dam, (8) Elephant (9) Fish, (10) Flaming Torch, (11) Hand Pump, (12) Horse and Rider, (13) Ladder, (14) Lion, (15) Pot, (16) Railway Engine, (17) Rising Sun, (18) Scales (19) Sewing Machine, (20) Sparrow, (21) Swastik within a circle, (22) Tractor, (23) cultivators cu ting crop, and (24) Two leaves.

- 22. West Bengal**
- (1) A woman carrying basket on her head,
 - (2) A pair of pigeons, (g) Bicycle, (4) Bow and Arrow
 - (5) Camel, (6) Cultivator cutting crop, (7) Drum
 - (6) Eagle about to fly (9) Elephant, (10) Fish,
 - (11) Flaming Torch, (12) Hand Pump, (13) Horse and Rider
 - (14) Ladder (15) Lion, (16) Plough, (17) Pot,
 - (15) Radio, (19) Railway Engine, (20) Rising Sun, (21) Scales, (22) Sewing Machine, (23) Ship,
 - (24) Spade and Stoker, (25) Swastik within a circle (26) Tractor, and (27) Two leaves.
- 24. Andaman and Nicobar Island**
- (1) Bicycle, (2) Boat, (3) Rising Sun, (4) Scale, and
 - (5) Two leaves.
- 25. Arunachal Pradesh**
- (1) Boat, (2) Bow and Arrow, (3) Elephant,
 - (4) Fish, (5) Hand, (6) Hornbill, (7) Horse,
 - (8) Mitun, (9) Plough, (10) Pot, (11) Rising Sun,
 - (12) Scales, (13) Spade, (14) Tiger, (15) Two leaves and
 - (16) Umbrella.
- 26. Dadra and Nagar Haveli**
- (1) Bicycle, (2) Boat, (3) Camel, (4) Horse,
 - (5) Railway Engine, (6) Rising Sun, (7) Scales
 - (8) Tractor and (9) Two leaves.
- 27. Delhi**
- (1) Bicycle, (2) Boat, (3) Bow and Arrow,
 - (4) Camel, (5) Elephant, (6) Flaming torch,
 - (7) Horse and Rider, (8) Ladder, (9) Lion
 - (10) Pot, (11) Rising Sun, (12) Scales, and
 - (13) Two leaves.
- 28. Goa, Daman & Diu**
- (1) Bicycle, (2) Boat, (3) Camel, (4) Horse,
 - (5) Pot, (6) Scales, and (7) Spade.
- 29. Lakshadweep**
- (1) Bicycle, (2) Boat, (3) Camel, (4) Elephant,
 - (5) Horse, (6) Scales, (7) Spade, and (8) Two leaves.
- 30. Mizoram**
- (1) Bicycle, (2) Boat, (3) Camel, (4) Eagle about to fly,
 - (5) Lion, (6) Pot, (7) Railway Engine, (8) Scales,
 - (9) Spade, (10) Spade and Stroker, (11) Sparrow, and
 - (12) Two leaves.
- 31. Pondicherry**
- (1) Bicycle, (2) Horse and Rider, (3) Ladder,
 - (4) Lion, (5) Railway Engine, (6) Scale,
 - (7) Spade and (8) Sparrow.

(No. 56/77-II)

By Order,

Sd/- (V. NAGASUBRAMANIAN),
SECRETARY,

By Order,

(D.C. Lucksom)
Chief Electoral Officer,
Sikkim.

SIKKIM

GOVERNMENT



GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 38

Gangtok, Monday, April 11, 1977

ELECTION DEPARTMENT (HOME)

NOTIFICATION No. 12/H

DATED GANGTOK THE 10TH FEBRUARY, 1977.

Election Commission of India Notification No. 56/77-IH dated the 10th February, 1977 are republished in the State Government Gazette for general information ;—

ELECTION COMMISSION OF INDIA
NOTIFICATION.

S.O. - Whereas the Manipur Hills Lira on was a recognised State Party in the State of Manipur with the symbol "Lion" reserved for it;

And whereas the name of the Party was subsequently changed as the Manipur Hills-Plain Union;

And whereas the Manipur Hills Union has represented that all the 12 Members of the Legislative Assembly returned to the Manipur Legislative Assembly on its ticket have joined the Indian National Congress, that the party as such has ceased to exist and that it had at no time merged with the Manipur Hills Plain Union Party;

And whereas the Manipur Hills Plain Union Party has represented that the Manipur Hills Union has merged with it and that the Manipur Hills Plain Union has not merged with the Indian National Congress;

And whereas there is no time to enquire into the said dispute before the forthcoming "General Election to the House of the People, in accordance with paragraph 15 of the Election Symbol, (Reservation and Allotment) Order 1968, and immediate action is necessary to avoid confusion at the election ;

Now, therefore, in exercise of the powers conferred on it by article 324 of the Constitution of India, rules 5 and of the Conduct of Election Rules, 1961, and paragraph 18 of the Election Symbols (Reservation and Allotment) Order, 1968, and all other powers enabling it in that behalf, the Election Commission of India hereby directs-

- (i) that the symbol 'Lion' reserved for the Manipur Hills -Plain Union in the State of Manipur referred to in Table 2 of the Commission's Notification No. 46/77-II, dated 9 February, 1977, published in the Gazette of India, Extraordinary, Part II, section 3 (ii), dated 9 February, 1977 shall be withdrawn and shall remain so withdrawn so far as the State of Manipur is concerned, with immediate effect and until further orders; and
- (ii) that for any purposes of the said general election, none of the rival groups shall be treated as a recognised State Party in the State of Manipur:

(No.56/77 - III)

By order,

Sd/- (V. NAGASUBRAMANIAN)
SECRETARY.

By order,

(D. C. LUCKSOM)

CHIEF ELECTORAL OFFICER, SIKKIM.

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SIKKIM

GOVERNMENT GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 38

Gangtok, Monday, April 11, 1977

ELECTION DEPARTMENT (HOME)

NOTIFICATION NO. 13/H.

Dated Gangtok the 23rd. February, 1977.

Election Commission of India Notification No. J6/77 - V dated 23rd. February, 1977 are republished in the State Government Gazette for General information:—

ELECTION COMMISSION OF INDIA

**NIRVACHAN SADAN,
ASHOKA ROAD,
NEW DELHI.**

Dated New Delhi, 23rd. February, 1977.

NOTIFICATION.

S.O. In pursuance of paragraph 17 of the Election Symbols (Reservation and Allotment) Order, 1968, the Election Commission of India hereby directs that in the Commission's notification No.56/77-II, dated 9 February, 1977 published as S.O.C 152 (E) in the Gazette of India, Extraordinary, Part II, section 3 (ii), dated 9 February, 1977, and as amended subsequently, in Table 3 against the entry "9. Kerala" for existing entries, "(9) Swastik within circle, and (10) Two leaves", the entries (9) Swastik within circle, and (10) Two leaves", the entries (9) Swastik within a circle, (10) Two leaves and Spade" shall be substituted.

(No. 56/77-V)

Sd/- V. NAGASUBRAMAMAN

SECRETARY.

BY ORDER :—

D.C. LUCKSOM

CHIEF ELECTORAL OFFICER, SIKKIM.

SIKKIM
GOVERNMENT  GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 40

GANGTOK, MONDAY, APRIL 11, 1977.

ELECTION DEPARTMENT (HOME)

NOTIFICATION NO.14/CEO.

Dated Gangtok, the 1st March, 1977.

Election Commission of India Notification No. 56/77 dated 1st March, 1977 are republished in the State Government Gazette for general information:—

ELECTION COMMISSION OF INDIA

**Nirvachan Sadan,
Ashoka Road,
New Delhi.**

Dated the 1st March, 1977.

NOTIFICATION

S. O. - In pursuance of paragraph 17 of the Election Symbols (Reservation and Allotment) Order, 1968, the Election Commission of India hereby directs that in the Commission's notification No. 56/77-11, dated 9th February, 1977, published as S. O. 152 (E) in the Gazette of India, Extraordinary, Part II, section 3 (ii), dated 9th February, 1977, and as amendment subsequently, in Table 3 against the entry "7 Jammu and Kashmir", for existing entries "(7) Spade, and (8) Two leaves", the entries "(7) Spade, (8) Two leaves, (9) A pair of pigeons, and (10) Horse and Rider", shall be substituted.

**(No. 56/77-YI)
Sd/- V. NAGASUBRAMANIAN,**

**Secretary,
Election Commission of India.**

By Order

**D. C. LUCKSOM,
CHIEF ELECTORAL OFFICER.**

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SIKKIM



GOVERNMENT GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 41

Gangtok, Monday, April 11, 1977

**OFFICE OF THE RETURNING OFFICER,
SIKKIM PARLIAMENTARY CONSTITUENCY, GANGTOK.**

LIST OF NOMINATED CANDIDATES.

Notification No. 15/RO.

Election to the House of People from the Sikkim Parliamentary constituency.

The following nomination in respect of the above election have been received upto 3 p.m. today :—

Serial number of nomination paper	Name of candidate	Name of father/husband	Age of candidate	Address	Electoral roll number of candidates	Name of proposer	Electoral roll number of proposer
1	2	3	4	5	6	7	8
1.	Shri Chatra Bahadur	Hasta Bahadur	36	Gayzing, W. Sikkim	69	Bhim Bahadur Gurung	29
2.	Ruth Karthak Lepchani	C. D. Karthak	39	14/D Roy D Street P.O. Park Street Calcutta-700016	361	Deki Ladingpa	81
3.	Shri Indra Bahadur Gurung	(L) Ram Bahadur Gurung	42	P.O Kaluk, West Sikkim	432	Krishna Bahadur	65
4.	Shri Santosh Kumar Rai	Ram Datta Rai	37	6th Mile, Rani- pool P.O. Gangtok (Sikkim)	228	Nar Bahadur Chettri	154
5.	Shri Phur Tsering	Purba Lepcha	28	Dentam	321	Isoroy	66
6.	Shri Nar Bahadur Bhandari	(L) Balaram	35	Primula Cottage, Chruch Road, Gangtok	620	Namgyal Tsering	268
7.	Shri Bhim Bahadur Misra	Ratna Bahadur Misra	50	Amba, P.O. Rhenock, East Sikkim	42	Bishnu Prasad Sharma	12
8.	Shri Isoroy	Marichey Majhi	25	Jorethang	66	Dirga Bahadur	83.

Place Gangtok
Date 17th February, 1977.

(Sonam Wangdi)
Returning Officer,
Parliamentary Constituency.

SIKKIM

GOVERNMENT



GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 42

Gangtok, Monday, April 11, 1977

PLANNING AND DEVELOPMENT DEPARTMENT

GOVERNMENT OF SIKKIM,

NOTIFICATION NO.1

Dated Gangtok, the 8 th April, 1977

The Government of Sikkim is pleased to form District Planning Committees in the districts with the following as Members :

- | | | | |
|----|---|------------|-------------------|
| 1. | D. M. Collector | .. ..... | Chairman. |
| 2. | All Member of the Sikkim Legislative Assembly in the concerned district | .. . . . | Members. |
| 3. | Other non-officials nominated by Government | | Members. |
| 4. | All District level officers in-charge of Plain implementation | | Members. |
| 5. | D.D.O | ..... .. . | Member/Secretary. |

The Committee shall meet once every month on the 7th day and if the 7th day is a holiday on the next working day. The non-official Members in each of the districts including the M. L .As will be the following :

West District :

1. Shri Digey Bhutia, M.L.A.
2. Shri B.B. Gurung, M.L.A.
3. Shri N.K. Subedi, M.L.A.
4. Shrimati Hemlata Chhetri, M.L.A.
5. Shri N.B. Khatiwada, M.L.A.
6. Shri Aden Lepcha, Tashiding.
7. Shusree Sonam Lepcha, Sombaria
8. Shri LB. Gurung, Kaluk
9. Shri K.P. Thapa, Soreng
10. Shri Kamal Prasad Gurung, Chakung
11. Shri Norbu Tsering Bhutia, Yoksam
12. Shri Kuldip Gurung, Bariakhop
13. Shri Khadananda Niraula, Burmiok
14. Shri Dudraj Gurung, Geyzing
15. Shri Navin Gurung, Dentam
16. Shri Phulbir Rai, Mangalbarey
17. Shri B. K. Pradhan, Sombaria
18. Shri Ram Bahadur Subba, Tashiding.

East District :

1. Shri R. C. Poudyal, M.L.A.
2. Shri Dugo Bhutia, M.L.A.
3. Shri Sonpem Luksom, M.L.A.
4. Shri Kehar Singh Karki, M.L.A.
5. Shri Sepchung Lepcha, M.L.A.
6. Shri Nim Tsering Lepcha, M.L.A.
7. Shri Phigu Tsering, M.L.A.
8. Shri Mohan Gurung, M.L.A.
9. Shri Dafok Lepcha, Samdong
10. Shusree Shobha Thegim, Gangtok
11. Shri Iswari Prasad Nepal, Rakdong—Tintek
12. Shri Tenzing Lepcha, Rey-Mindu
13. Shri Dhanapati Pandey, Rataka-Luing
14. Shri Bhagiswar Lama, Sang
15. Shri Jainarayan Acharya, Central Pendam
16. Shri Khadananda Upreti, Assam Linzey
17. Shri Chandralall Pokhrel, Thekabung
18. Shri Dalbahadur Pradhan, Aritar
19. Shri Laxman Adhikari, Rhenock
20. Shri Damber Basnet, Gangtok
21. Shri M.B. Rai, Rongli
22. Shri Adhiklal Pradhan, Pakyong.

North District :

1. Shri Loden Tsering Lepcha, M.L.A.
2. Shri Tasa Tengey, M.L.A.
3. Shri Kalzang Gyatso, M.L.A.
4. Shri Atang Lepcha, Lower Dzongu
5. Supen Kazi, Mangan
6. Shri Nima Rinchen Lama, Lingdok - 9th Mile.

South District :

1. Shri R.B. Rai, M.L.A.
2. Shri Adar Singh Lepcha, M.L.A.
3. Shri N.B. Rai, M.L.A.
4. Shri Passang Tsering, M.L.A.
5. Shri B.N. Pradhan, M.L.A.
6. Shri K.C. Pradhan, M.L.A.
7. Shri Kusu Das, M.L.A.
8. Shri Abichandra Kharel, Namthang
9. Shri Sailesh Chandra Pradhan, Sumbuk
10. Shri Ramjivan Prasad, Jorethang
11. Shri Panduram Rai, Sanganath
12. Shri C.B. Gurung, Bul
13. Shri Brihaspati Parsai, Ralong
14. Shri K.B. Rai, Yangang
15. Shri M.B. Tiwari, Temi-Tarku
16. Shri K.B. Rai, Tangzi.

The functions of the Committee will be broadly the following :

(a) Plan Formulation - The Committee shall recommend drawing up of priority list in the following Plan sectors :—

- (1) Rural Works including village roads, drinking water supply, minor irrigation scheme and bridges.**
- (2) L.S.G. – Drinking water scheme, carpeting, electrification of bazaars.**
- (3) Education – Taking over, upgradation and setting up of Primary and Junior High Schools.**
- (4) Health Department – Selection of sites for establishment of Primary Health Centres and Sub-Centres.**

- (5) **Agriculture - Setting up of demonstration farms and soil conservation programmes.**
- (6) **Animal Husbandry - Setting up of veterinary aid centres, artificial insemination centres and distribution of bulls.**
- (7) **Forest - Soil conservation programme.**

The District Planning Committee in drawing up of priority list in various sectors shall follow the rules and procedures as laid down from time to time by the concerned departments. No single scheme shall, however, exceed Rs. 5.00 lakhs.

The terms and conditions of the Committee will be communicated to the non-official Members separately by the Government.

R. Narayanan,

**Development Commissioner,
Government of Sikkim.**

SIKKIM

GOVERNMENT



GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 43

Gangtok, Tuesday, April 12, 1977

ELECTION DEPARTMENT (HOME)
NOTIFICATION NO. 16/H.
DATED GANGTOK THE 31st MARCH, 1977.

The Election Commission of India Notification No. 464/77 dated 22nd March, 1977 are republished for General information:-

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

DATED 22ND. MARCH, 1977.

NOTIFICATION.

S.O. Whereas the Election Commission has received reports from the Returning Officer of 13-Firozpur Parliamentary Constituency that the counting on 21 March 1977 as seriously disturbed by violence; that the ballot papers of some of the assembly segments of the parliamentary constituency have been destroyed by violence; that as a consequence it is not possible to complete that counting of the votes in the constituency and the declaration of the result cannot be made with any degree of certainty;

And whereas the Commission is satisfied that taking all circumstances into account, the poll in the constituency has been vitiated to such an extent as to affect the result of the election;

Now, therefore, the Commission, in exercise of the powers vested in it under article 324 of the Constitution, Section 153 of the Representation of the People Act, 1951 and all other powers enabling it so to do, cancels the poll already taken in the constituency and extends the times for the completion of the election up to 30 April, 1977 by amending its notification No.464/77 dated 10th February, 1977 issued under section 30 as subsequently amended by the notification No.464/77 dated February, 1977 in respect of the above election as follows:-

In clause (d) of item (i) of the said notification (d) relating to the completion of election-

- (a) in the existing item (i), after the words "State of Jammu and Kashmir", the words "and 13-Firozpur parliamentary constituency in the State of Punjab" shall be inserted; and
- (b) the existing item (ii) shall be renumbered as item (iii), and before the item (iii) as so renumbered, the following item shall be inserted, namely :-

"(ii) 30 April 1977 (Saturday) as the dated before which the election shall be completed in " 13-Firozpur parliamentary Constituency in the State of Punjab." .

(-464/77)

Sd/- A. N. SEN
SECRETARY.

BY ORDER :-

D. C. LUKSOM
CHIEF ELECTORAL OFFICER, SIKKIM.

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GOVERNMENT  GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 44

GANGTOK, TUESDAY, APRIL 12, 1977.

SALES TAX DEPARTMENT

Notification No. 1669-200/ST.

It is hereby notified for information of the general public/shop keepers throughout Sikkim that the system of selling the right to import and sale of Cigarettes, Biris, Cut-tobacco and Scented Khaini in Sikkim to a contractor offering highest bid in a public auction has been abolished with effect from 1.4.1977.

Now there is no restriction on the import and sale of the above goods in Sikkim with effect from 1.4.1977.

By order.

Sd/- M. P. Pradhan.

**Gangtok,
The 23 rd . March, 1977.**

**Secretary Finance,
Income and Sales Tax Department
Government of Sikkim.**

SIKKIM

GOVERNMENT



GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 45

Gangtok, Tuesday, April 12, 1977

HOME DEPARTMENT

NOTIFICATION

Dated Gangtok, the 30th March, 1977.

No.12/Home— The Government of India, Ministry of Home Affairs, New Delhi Notification No. G.S.R. 117 (E) dated 21st March 1977 is published for general information:—

"G.S.R. 117(E).— The following Proclamation made by the Vice-President acting as President of India is published for general information:—

PROCLAMATION

In exercise of the powers conferred by sub-clause (a) of clause (2) of article 352 of the Constitution. I, Basappa Danappa Jatti, Vice President acting as President of India, hereby revoke the Proclamation of Emergency issued under clause (I) of that article on the 25th June, 1975, and published with the notification of the Government of India in the Ministry of Home Affairs No GSR 353 (E) dated the 26th June, 1975.

New Delhi

B.D. JATTI

The 21st March, 1977.

Vice President acting as President.
(No. II/16013/1/75- S&P (D. II)
S.L. KHURANA. Secy."

T.S. GYALTSEN,

Chief Secretary,
Government of Sikkim.

F.5(4) –Home/ 77.

SIKKIM

GOVERNMENT



GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No 46

GANGTOK, TUESDAY, APRIL 12, 1977.

OFFICE OF THE SECRETARY, FINANCE

Notification No.6028/Fin.

Dated Gangtok, the 30th March ' 77

The Sikkim Legislative Assembly having voted without reduction, demands for grants for the year 1977-78 as presented to it on Wednesday the 23rd March 1977 and further the State Assembly having passed the Sikkim Appropriation Bill 1977 which was assented to by the Governor of Sikkim, on 28th March, 1977 the estimates included in the Demands for Grants and Appropriation for the year 1977-78 as laid before the Legislative Assembly will be treated as final estimates of the year and are placed at the disposal of the Controlling Officer of the Grant concerned. The budget allotments of various offices under the administrative control of a Controlling Officer shall be communicated by him to the officer concerned.

M. P. Pradhan

**Secretary Finance,
Government of Sikkim.**

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EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 47

GANGTOK, TUESDAY, APRIL 12, 1977

GOVERNMENT OF SIKKIM
PANCHAYAT & RURAL WORKS DEPARTMENT

Notification No.53/P.

Dated Gangtok 5th April, 1977.

In accordance with Section No.9 of the Sikkim Panchayat Act, 1965-, on the death of Shri T. Pintso Phenchungpa, President of Tinkitam-Sanganath Panchayat Unit (Unit No.56) on 2.11.1976 Mr Tashi Wangdi Bhutia has been declared elected as a member of the Unit.

Subsequently Shri Ganden Pintso Bhutia is declared elected as President of the Unit in place of Mr. Phenchungpa.

P. K. Pradhan,

Secretary,
Panchayat & Rural Works Department,

Government of Sikkim.

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EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 48

Gangtok, Tuesday, April 12, 1977

**OFFICE OF THE CHIEF ELECTORAL OFFICER, SIKKIM
GANGTOK**

Noll/CEO.

Dated Gangtok, the 2nd April, 1977.

In pursuance of Office Order No. 4(G)/Est. dated Gangtok, the Second April, 1977 I have made over the charge of the Office of Chief Electoral Officer to Shri D. K. Manavalan, Divisional Commissioner of Sikkim on today the Second April 1977 (Forenoon).

D. C. Lucksom,

Chief Electoral Officer, Sikkim, Gangtok.

In pursuance of Office Order No. 4(G)/Est. dated Gangtok, the Second April, 1977 I have taken over the charge as Chief Electoral Officer, Sikkim from Shri D. C. Lucksom today the Second April 1977 (Forenoon).

D. K. Manavalan,

Divisional Commissioner of Sikkim, Gangtok.

SIKKIM

GOVERNMENT



GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 49

Gangtok, Wednesday, April 13, 1977

PLANNING AND DEVELOPMENT DEPARTMENT

GOVERNMENT OF SIKKIM

NOTIFICATION NO. 2/P&D.

Dated Gangtok, the 13th April, 1977.

It is hereby notified that an additional item No. (8) namely "Power-Rural Electrification Schemes" will be added after the item No. (7) regarding the functions of the District Planning Committees which appeared in Sikkim Government Gazette Extraordinary No. 42 dated nth April, 1977.

R. Narayanan,

**Development Commissioner,
Government of Sikkim.**

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GOVERNMENT



GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 50

GANGTOK, WEDNESDAY, APRIL 13, 1977.

HOME DEPARTMENT

NOTIFICATION

Dated Gangtok, the 1st April, 1977

THE SIKKIM ESSENTIAL COMMODITIES (PRICE DISPLAY AND CONTROL OF SUPPLY AND DISTRIBUTION) ORDER, 1977.

No.5/Home:

Whereas the Governor is of opinion that it is necessary and expedient so to do for maintaining supplies and securing the equitable distribution and availability of essential commodities at fair prices;

Now, therefore, in exercise of the powers conferred by Section 3 of the Essential Commodities Act, 1955 (Act No. 10 of 1955) read with the Notification of the Government of India in the Ministry of Industry and Civil Supplies Department of C.S. & C. published under Notification No.S.0.30(E) dated 9th January, 1976 and read with the Government of India Notification No. 475(E) dated 24th July, 1976 of the Ministry of Agriculture & Irrigation (Department of Food) published in the Government of India Extra Ordinary Gazette, Part II dated 24th July, 1976, the Governor is hereby pleased to make the following order:

1. (1) The Order may be called the Sikkim Essential Commodities (Price Display and Control of Supply and Distribution) Order, 1977.
- (2) It shall come into force at once.
- (3) It extends to the whole of Sikkim.

Short title commencement and extent.

Definitions

2. In this order,
 - (a) "Wholesaler" means a person engaged in the business of purchase, sale or storage for sale of any scheduled commodity by wholesale and includes his representative or agent;
 - (b) "Retailer" means a person engaged in the business of purchase, sale or storage for sale of any scheduled commodity by retail and includes his representative or agent;
 - (c) "Distributor" means a person engaged in the distribution of scheduled commodity to the wholesaler or retailer;
 - (d) "Enforcement Officer" means 1. the Secretary, Food & Civil Supplies, 2. Joint Commissioner, Food & Civil Supplies, 3. Under Secretaries, Food & Civil Supplies, 4. Marketing Officers, Marketing Inspectors, 5. Inspector & Sub-Inspectors, Food & Civil Supplies and Police, 6. District Magistrate and such other officers as may be authorised by the State Government to exercise the powers and perform the functions of enforcement officers under this Order;
 - (e) "Manufacturer or producer" means a person engaged in the business of manufacture or production of a scheduled commodity;
 - (f) "Scheduled commodity" means any of the commodities specified in the schedule to this Order;

- Exhibition of price list and stocks by wholesalers.**
3. Every wholesaler of scheduled commodities shall display prominently in the shops or showrooms a list legibly written in English or in Nepali indicating the opening stock of such commodities and the wholesale price thereof each day as as fixed or approved by the Central Government or the State Government or if no such price is fixed or approved such prices as may be fixed by the manufacturer, producer, or the distributor and no wholesaler shall charge in excess of such price.
- Exhibition of price list and stocks by retailers.**
4. Every retailer of scheduled commodities shall display prominently in the shops or showrooms a list legibly written in English or in Nepali indicating the opening stock of such commodities and the retail price thereof as fixed or approved by the Central Government or the State Government or if no such price is fixed or approved, such price as may be fixed by the manufacturer, producer, or the distributor and no retailer shall charge in excess of such price.
- Wholesalers or retailer not to withhold from sale.**
5. The wholesaler or retailer shall not withhold from sale of any scheduled commodity held in stock by him for sale:
- Provided that the State Government or subject to any directions of the State Government, the District Magistrate may by general or special order subject to such conditions or restrictions, if any, as may be specified allow any society, employer, institution or other person to give preference to its or his members, employees, inmates or other restricted category of persons, in the sale of any scheduled commodity or to restrict the sale thereof to such persons.
- Issue of receipts etc.** 6. Every wholesaler or retailer shall issue to every customer of scheduled commodities of the value of more than Rupees Twenty a cash memo or receipt, as the case may be, containing the name, address of the customer, the date of transaction, the quantity and the name of the commodity sold the rate and the total amount charged, and shall keep a duplicate of the same for inspection on demand by any officer authorised in this behalf. Such duplicate, however, need not be preserved for more than a year.
- Maintenance of accounts.**
7. Every wholesaler or retailer shall maintain separately for each place of his business or godown correct and true accounts of purchase sale and storage of scheduled commodities to be written up at the end of each day showing -
- (a) the opening stock of the day
 - (b) the quantities received during the day,
 - (c) the quantities delivered or otherwise disposed of during the
 - (d) the closing stock of the day, and
 - (e) such other particulars as the Enforcement Officer may, by order in writing, specify.
- Production of accounts and other information.**
8. The enforcement Officer or any officer authorised by the Enforcement Officer or any Officer in the Department of Food & Civil Supplies or any Police Officer not below the rank of Assistant Sub-Inspector may require the wholesaler or retailer - —
- (a) to produce for inspection his stocks, accounts and records relating to the scheduled commodities,
 - (b) to furnish any information in his possession relating to scheduled commodities, and
 - (c) to give all facilities at all reasonable times for the inspection of his stocks and accounts at any shop, godown or other place used by him for storage or sale of scheduled commodities and for weighing of his stocks and for the taking of samples for examination.
- (1) The State Government may by order regulate the distribution of scheduled commodities by any manufacturer, producer or distributor in such supply area or areas and in such manner as may be specified.
 - (2) Every manufacturer, producer or distributor shall comply any directions issued by the State Government under sub-clause (1)
 - (3) Without prejudice to sub-clause (2) every manufacturer, producer or distributor shall supply such informations as may be required by the State Government in respect of supply and distribution of the scheduled commodities.
 - (4) Every distributor, wholesaler or retailer shall, on receipt of a scheduled commodity supplied by any manufacturer, producer or distributor, as the case may be, whether in pursuance of an order made under sub-clause (1) or otherwise, distribute the same in the supply area concerned in accordance with any direction issued by the Enforcement Officer in this behalf.

Power of entry, search and seizure etc.

10. (1) The Enforcement Officer or any other Officer not below the rank of a Sub-Inspector of Food and Civil Supplies and Police authorised by the Enforcement Officer in this behalf, may with such assistance, if any, as he thinks fit -

(a) require the owner, occupier or any other person in charge of any vehicle or vessel in which he has reason to believe that a contravention of this order has been, is being or is about to be committed to produce any book, account or other records showing transactions relating to such contravention;

(b) enter, inspect, or break open and search any premises, vehicle or vessel in which he has been reason to believe that any contravention of the provisions of this order has been, is being or is about to be committed;

(c) take or cause to be taken, extracts from or copies of any document transactions relating to such contravention which are produced before him.;

(d) search, seize documents, account books, stocks etc. and also remove scheduled commodities, in respect of which he has reason to believe that a contravention of the provisions of this Order, has been, is being or is about to be committed, and thereafter take or authorise the taking of all measures necessary for securing the production of the stocks, documents and account books etc. so seized in a Court and for their safe custody pending such production.

SCHEDULE

1. Vanaspati (hydrogenated edible oils)
2. Other edible oils
3. Milk powder(including Baby-food packed in sealed containers).
4. Soaps.
5. Matches
6. Razor blades.. .
7. Fluroscnt tubes.
8. Electric bulbs.
9. Soda Ash.
10. Dry Cells for torches.
11. Dry cells for transistor radios.
12. Hurricane Lanterns.
13. Tyres, tubes of Motor Cars, buses, jeeps, vans, trucks, animal drawn vehicles and automobiles.
14. Kerosene oil.
15. Paper (including exercise books)
16. Sugar
17. Salt
18. Rice
19. Wheat, wheat products, namely maida, suji, atta.
20. Atta of rice and other grains.
21. Pulses whole or split including gram or gram dal.
22. Gur.
23. Edible oils of all kinds.
24. Mustard seeds.
25. Tinned Milk
26. Horlicks, Viva and Astra.
27. Butter
28. Baker's Bread
29. Tea
30. Coffee
31. Cement
32. Coal including soft coke and charcoal.
33. Petrol and HSD ex-pump and motor oils in sealed tin.
34. Black sheets (plain, corrugated),
35. Galvanised sheets (plain, corrugated), joints, angles, channels, plates, wire, bars, pig-iron, tin plate & terne-plate, pipes & flats.
36. Genenral Lighting service lasmps.

BY ORDER,

SIKKIM

GOVERNMENT



GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 51

Gangtok, Wednesday, April 13, 1977

NOTIFICATION

Dated Gangtok, the 1st April, 1977,

THE SIKKIM SUGAR AND GUR DEALERS LICENSING ORDER, 1977

No.6/Home:—

1. In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955) read with the order of Government of India in the Ministry of Agriculture and Irrigation (Department of Food) G.S.R.475(E) dated the 24th July, 1976 and with the prior concurrence of the Central Government, the Governor of Sikkim is pleased to make the following order, namely :—

Short title, Extent and commencement :—(i) This order may be called the Sikkim sugar and Gur Dealers Licensing order, 1977.

- (ii) It extends to the whole of the State of Sikkim.
- (iii) It shall come into force at once.

2. Definitions :— In this order, unless the context otherwise require :

(a) "dealer" means a person engaged in the business of purchase, sale or storage for sale of Sugar and Gur or both in the quantities exceeding :

- i. in the case of sugar five quintals thereof, and
- ii. in the case of gur, 50 quintals thereof, at any time, but does not include, an Industrial undertaking which is engaged in the manufacturer or production of sugar and gur and which is registered or licensed under the Industries (Development and Regulation) Act, 1951.

(b) "form" means a form set forth in the schedule to this order.

(c) "Gur" means the article known as gur, gul, jaggery, shakkar, rab and other intermediary products, prepared by boiling sugarcane juice with or without admixture of molasses, which is identifiable by the following chemical characteristics, namely :—

i. total sugars (Sucrose plus reducing sugars) as percentage of dissolved solids ranging from 70.0 to 95.0 and

ii. ash (sulphated) as percentage of dissolved solids ranging from 1.5 to 5.0; and includes a solution of any of the aforesaid articles in water,

(d) "Sugar" means any form of sugar, including Khandsari sugar containing more than 90percent sucrose.

(e) "Licensing authority"- The, District Magistrate within the jurisdiction of their respective districts will exercise the powers and perform the duties of the licensing authority under this order :

3. Licensing of dealers : (i). No person shall carry on business as a dealer except under and in accordance with the terms and conditions of a license issued in this behalf by the licensing authority.

(ii) A separate license shall be necessary for sugar and gur and for each place of business.

(iii) For the purposes of this clause, any person who stores sugar/gur in any quality exists proved, be deemed to store sugar/ 50 quintals of gur at any time shall, unless the contrary purchase, or sale or storage or sale of sugar/gur.

4. Issue of licence : (1) Every application for licensee or renewal thereof shall be made to the licensing authority in Form "A". (2). Every licence issued, reissued or renewed under this order shall be in Form "B" and shall be subject to the conditions specified therein.

5. Period of licence and fees chargeable :(i) Every licence issued or renewed under this order shall be valid until 31st day of December of the year for which it is issued or renewed.

(ii) Every application for renewal of licence shall be made to the licensing authority not less than 30 days before the expiry of the period of the licence, provided, however, the licensing authority may for sufficient reasons to be recorded in writing entertain any such application after the period as mentioned above.

(iii) Where an application for renewal of licence made in accordance with sub-clause (ii) has not been disposed of until the 31st day of December, the licence shall continue to be valid till it is renewed or renewal is refused.

(iv) The fees specified below shall be chargeable in respect of each licensee namely :

For issue of a licence	Rs.5.00
For renewal of licence	Rs.2.00
For issue of duplicate licence	Rs.5.00

6. Power to refuse License: The licensing authority may, after giving the dealer concerned, an opportunity of stating his case in writing and for reasons to be recorded in writing, refuse to grant or renew a licence.

7. (i) Contravention of condition of licence : No holder of a licence issued under this order or his agent or servant or any other person acting on his behalf shall contravene any of the provisions of this order or any of the terms and conditions of licence issued under this order and on any such contravention his licence may be cancelled or suspended by order in writing of the licensing authority without prejudice to any other action that may be taken against him under the laws in force.

Provided that no order shall be made under this clause unless the licensee has been given reasonable opportunity of stating his case against the proposed cancellation or suspension:

(ii) The provision to sub-clause (i) shall not apply where a licence is cancelled on the ground of conduct which has led to the conviction of the licensee on a charge of contravention of any order under section 3 of the Essential Commodities Act, 1955 (Act No. 10 of 1955) relating to Sugar, Gur, or Khandsari:

Provided that where such conviction is set aside on appeal or revision, the licencing authority may, on application in form "A" by the person whose licence has been cancelled, reissue the licence to such person.

8. (i) Appeal: Any person aggrieved by any order of the licencing authority refusing to issue, reissue or renew a licence or cancelling or suspending a lice rice under the provisions of this order may appeal to the Secretary, Food &,Civil Supplies not later than 30 days of the date of receipt by him of such order.

(ii) Provided that the Secretary, Food & Civil Supplies may admit an appeal after expiry of the said period of 30 days, if the applicant satisfies him that he had sufficient cause, for not preferring the appeal within such period.

(iii) No order shall be made under this clause unless the aggrieved person has been given reasonable opportunity of stating his case.

(iv) Pending the disposal of any appeal the Secretary, Food & Ciyil Supplies may direct order refusing new a licence or the order cancelling or suspending a licence shall not take effect until the appeal is disposed of.

9. Power of entry, search, seizure etc. (1) The licencing authority or any other officer authorised by the Secretary, Food & Civil Supplies in this behalf may with such assistance, if any as he thinks fit:

(a) Require the owner, occupier or any person in charge of any place, premises, vehicle or vessel in which he has reason to believe that any contravention of the provisions of this older or the conditions of any licence issued thereunder has been, is being or is about to be committed, to produce any book, account or other document showing transactions relating to such contraventions.

(b) Enter, inspect or break open and search any place or promises, vehicle or vessel in which he has reason to believe that any contravention of the provisions of this Order or other condition of any licence issued, thereunder, has been or is being or is about to be committed.

(c) Take or cause to be taken , extracts from copies of any document for showing transactions relating to such contraventions which are produced before him.

(d) Search, seize and remove stocks of sugar and/or Gur and the animals, vechiles, vessel, other conveyance used in carrying the said sugar in contravention of the provisions of this order or of the conditions of the license issued thereunder and thereafter take or authorise the taking of all measures necessary for securing the production of stocks of sugar and/or Gur and the animals, vehicles, vessels or other conveyances so seized, in court and for their safe custody pending such production.

(3)

(2) the provisions relating to search and seizure under the law relating to criminal Procedure in force in Sikkim shall apply to searches and seizure under this clause.

10. Saving : Nothing in this Order shall apply to :—

- i.** The sale or storage for sale or purchase of sugar or gur on Government account ;
- ii** The sale by banks of stocks of gur hypothecated to them in accordance with the terms and conditions applicable to the hypothecators; and
- iii** The sale by banks of stocks of sugar hypothecated to them provided that no such bank shall sell the sugar pledged to it except under and in accordance with a direction issued in writing by the Central Government .

BY ORDER,

T.S. Gyaltshen,

**Chief Secretary,
Government of Sikkim.**

F.7(8)-Home/77.

(4)

SCHEDULE

Form "A"
(See Clause 4 (I))

The Sikkim Sugar and Gur Licensing Order, 1977.

(Application for Licence)

1. Applicant's name
2. Applicant's profession.
3. Applicant's residence.
4. Situation of applicant's place or places of business and godown with particulars as to number of house, town or village, police station and district.
5. How long the applicant has been trading in sugar and/or gur,
6. Quantities of sugar and/or gur handled annually during the last three years (November-October)
7. Income-tax paid in the two years preceding the year of application (to be indicated separately)-
 - (i)
 - (ii)
8. Quantity of sugar and/or gur in the possession of the applicant on the date of application and the places at which the different quantities are kept .

I declare that the quantities of sugar and/or gur specified above are in my possession this day and are held at the places noted against them.

I have carefully read the conditions of licence given in Form "B" appended to Sikkim Sugar and Gur Dealers Licensing Order, 1977 and I agree to abide by them,

- (a) I have not previously applied for a licence in this district under this Order.
- (b) I hereby apply for renewal of licence no.....

Dated... ..issued to me on

Date

Signature of the applicant.

FORM "B"

(See Clause 4 (2))

The Sikkim Sugar and Gur Dealers Licencing Order, 1377 Licence for purchase, sale or storage of sugar and/or gur for sale.

Licence No.....

1. Subject to the provisions of the Sugar and Gur Dealers Licensing Order, 1977 and to the terms and conditions of this Licence.....is/are hereby authorised to purchase, sell, or store sugar and/or gur for sale.
2. The Licensee shall carry on the aforesaid business at the following place/places/godowns.
3. (i) The Licensee shall maintain a register of daily accounts for sugar and/or gur showing correctly-
 - (a) the opening stock on each day.
 - (b) the quantities received each day showing the place from where and the source from which received;
 - (c) the quantities delivered or otherwise removed on each day showing the places of destination and;
 - (d) the closing stock on each day.
 - (ii) The licensee shall complete his accounts for each day on the day to which they relate, unless prevented by reasonable cause, the burden of which shall be upon him.
 - (iii) Separate register should be maintained for Khandsari Sugar.
4. The licensee shall submit to the licensing authority concerned, a true return, in Form "C" of the stocks, receipts and deliverance of each of the sugar and/or gur every fortnight (1st to 15th and 16th to end of the month), so as to reach him within five days after the close of the fortnight.
5. The licensee shall not contravene the provisions of the Sikkim Sugar and Gur Dealers Licensing Order, 1977 or any other order relating to foodstuff issued under the Essential Commodities Act, 1955 (10 of 1955)
6. The licensee shall not contravene the provisions of any law relating to foodstuff for the time being in force.
7. The licensee shall not;
 - (i) enter into any transaction involving purchases, sale or storage for sale of sugar and/or gur in speculative manner prejudicial to the maintenance and easy availability of supplies for sugar/or gur in the market,
 - (ii) Withhold from sale, supplies of sugar/and or gur ordinarily kept for sale; and
 - (iii) Charge, in respect of sale and/or gur made by him, a margin fixed for wholesale transactions in sugar/and or gur by a representative body of sugar/and or gur dealers for the locality concerned.
8. The licensee shall issue to every customer correct receipt on invoice, as the case may be, giving his own name, address and license number (if any), of the customer, the date of transaction the quantity sold, the price per quintal and the total amount charged and shall kept a duplicate of the same to be available for inspection on demand by the licensing authority or any other officer authorised by him in his behalf.
9. The licensee shall give at all reasonable times to the licensing authority or any officer authorised by the State Government for the inspection of his stocks and accounts at Any shop; godown or other place used by him for the storage or purchase of sugar/and or gur and for the taking of samples of sugar and/or gur for examination.
10. The licensee shall comply with any direction that may be given to him by the State Government or the licensing authority in regard to purchase, sale and storage for sale, sugar and/or gur and in regard to the language in which the register, returns, receipts or invoices mentioned in paragraphs 3,4, or 8 shall be written and the authentication and maintenance of the register mentioned in paragraph 3.
11. This license shall be attached to any application for renewal.
12. This license shall be valid up to

Signature of the Officer issuing license.

FORM 'C'

(FOR USE BY A DEALER)

(See Condition 4 of the Form 'B')

Return of stocks, receipts and sales of sugar and/or gur for the fortnight ending.....1977.

Name.....

No. of Licence.....

Address.....

.....

Particulars of godowns where stock held and quantity in stock in each quality of sugar and] or gur of in stock in bags/quintals. :

Particulars of godown	Quantity in stock (bags/quintal)	Remarks, if any.
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- 1.
- 2.
- 3.

1. Stock at the beginning of the fortnight-

(a) Actually with the licensee.....bags/quintals.

(b) Pledged with any person or institution such as a bank or cooperative society..... bags/quintals.

Total.....bags/quintals.

2. Quantity purchased during the fortnight:

Name of the of the factory from whom purchased	Quantity (in bags/quintals).
--	------------------------------

- (i)
- (ii)
- (iii)
- (iv)

Total.....

3. Quantity received out of quantity purchased :

From (name of factory)	Quantity (in bags/ Quintals)	Date of purchase.
------------------------	---------------------------------	-------------------

- (i)
- (ii)
- (iii)
- (iv)

Total.....

4. Quantity sold -
- (a) quantity sold/and delivered/removed during the fortnight.....bags/
quintals.
 - (b) quantity sold but not yet delivered.....
- Total sold..... bags/quintals.
5. Stock at the end of the fortnight :
- (a) Actually with the licensee-
 - (i) unsold.
 - (ii) sold but awaiting delivery.....
 - (b) Pledged with any other person or institution such as a bank or a co-operative
society.
- Total.....

To

1. Licensing Authority,
District.

Place:

Date:

(Signature)

SIKKIM

GOVERNMENT GAZETTE



EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 52

GANGTOK, WEDNESDAY, APRIL 13, 1977.

HOME DEPARTMENT NOTIFICATION

Dated Gangtok, the 1st April, 1977.

THE SIKKIM FOODSTUFFS (DISPLAY OF PRICES BY CATERING ESTABLISHMENT) ORDER, 1977.

No. 7/. HOME:-

Whereas the State Government is of the opinion that for the maintenance of supplies and services essential to the life of the community and for securing availability at fair prices of foodstuffs, it is necessary and expedient so to do;

And whereas the powers conferred on the Central Government by section 3 of the Essential Commodities Act, 1955 (Act No. 10 of 1955) to make order for the matters specified in clause (a), (b), (c), (d), (e), (f), (h), (i), and (ii), and (j) of sub-section (2) thereof have been delegated to the State Government vide Notification No. SO 30 (E) dated 9th January, 1976 by the Government of India, Ministry of Industry and Civil Supplies (Department of Civil Supplies & Cooperation) and order G.S.R. 475 (E) dated 24.7.76 of the Ministry of Food, Agriculture & Irrigation (Department of Food).

Now, therefore, in pursuance of the authority delegated the Government of Sikkim hereby makes the following order:—

1. Short title, extent and commencement.

- (1) This order may be called The Sikkim Foodstuffs. (Display of prices by Catering Establishment) Order, 1977.
- (2) It extends to the whole of the State of Sikkim.
- (3) It shall come into force at once.

Definition:—In this Order, unless the context otherwise requires,

- (a) "Catering Establishment" means a hotel, restaurant, eating house, cafe, tea shop, coffee house, feeding centre, club, canteen and includes any other place of like nature open to the public where food is served, supplied, or consumed;
- (b) "Foodstuff" means any foodstuff kept for sale or service at a catering establishment and includes liquid refreshments and beverages;
- (c) "Joint Commissioner" means the Joint Commissioner, Department of Food & Civil Supplies, Government of Sikkim and includes the under Secretaries Department of Food & Civil Supplies, Government of Sikkim and any other officer authorised by the Secretary to perform all or any of the functions of the Joint Commissioner under this Order.
- (d) "Secretary" means the Secretary, Department of Food & Civil Supplies, Government of Sikkim.

Display of Prices of Foodstuffs:- Every catering establishment shall display prominently at a conspicuous place of its business premises the price of every item of foodstuff kept for sale, service or supply at the catering establishment in English or Nepali.

Power to issue direction:- Every catering establishment shall comply with the direction that may be given in writing by the Secretary or the Joint Commissioner, with regard to the display of prices of foodstuffs from time to time.

5. **Power to call for information:**—Every catering establishment shall, when so required by any general or special directions of the Secretary or the Joint Commissioner, furnish truthfully and to the best of his knowledge such particulars as may be required in such directions.

6. **Power to entry, search, seizure etc;-**

1. The Secretary or the Joint Commissioner or any Magistrate or any Police Officer not below the rank of Sub-Inspector or an Inspector of the Department of Food & Civil Supplies, Government of Sikkim or any other Officer of Gazetted cadre authorised by the Secretary in writing, may with such assistance as he thinks fit,

(a) require the owner, occupier or any other person in charge of any catering establishment to make any statement or furnish any necessary information or produce (any book of accounts or other documents relating to transactions of foodstuffs and every person so required shall Comply with such requisition:

(b) inspect any foodstuff, books of accounts or other documents pertaining to any foodstuff and for that purpose enter into any premises used or believed to be used for preparation, sale, service or supply of any foodstuff (c) enter into, inspect or break open and search any place or premises in which he has reason to believe that any contravention of the provisions of this Order has been, is being or is about to be committed;

(d) seize any document or take or cause to be taken extract from or copies of any document showing transactions relating to any foodstuff;

(e) seize any article, books of account or documents which in his opinion would be useful for or relevant to any proceedings under this order;

(f) search, seize and remove any foodstuff together with packages, coverings, receptacles, vehicles or vessels in which the foodstuff is found in contravention of the provisions of this order and thereafter take or authorise the taking of all measures necessary for securing the production of such foodstuff and the packages, coverings receptacles, vehicles or vessels so seized in a court of law and for their safe custody pending such production.

(2) The provision relating to searches and seizures under the Law relating to Criminal Procedure shall, so far as may be, apply to searches and seizures under this clause.

7. **Exemptions :-**

The State Government may, by order notified in the official Gazette exempt any catering establishment or class of catering establishments from the operation of all or any of the provisions of this Order subject to such conditions, if any, as he may deem fit to impose and may at any time in the like manner suspend or rescind such exemption.

By Order

T. S. GYALTSHEN,

**Chief Secretary,
Government of Sikkim.**

F.7(8)-Home/77.

SIKKIM
GOVERNMENT  GAZETTE
EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 53

Gangtok, Friday, April 15, 1977

INCOME AND SALES TAX DEPARTMENT

Notification No. 40-400/ST.

It is hereby notified for the information of all the merchants and public that the Government of Sikkim has been pleased to waive the levy of Sales Tax on silk and silk products in Sikkim.

This order shall be applicable with immediate effect.

Gangtok,
The 11 th April, 1977.

M. P. Pradhan
Secretary Finance
Income and Sales Tax Department,
Government of Sikkim.

SIKKIM

GOVERNMENT



GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 54

Gangtok, Friday, April 15, 1977.

ESTABLISHMENT DEPARTMENT

NOTIFICATION

No. 7(Gen)/Est.

Dated Gangtok, the 12th April, 1977.

With a view to reorganise the administration of the State Finance, the Secretary Finance is hereby declared as the sole Head of the Finance Department controlling and supervising both Normal Finance and Plan Finance, with immediate effect. All financial matters pertaining to plan and non-plan finance of the State shall be referred to the Secretary, Finance.

The Officers and staff of the erstwhile Plan Finance Section shall henceforth be under the direct administrative control of the Secretary, Finance.

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

Sd/- T. S. Gyaltsen,

**Chief Secretary,
Government of Sikkim.**

SIKKIM

GOVERNMENT GAZETTE
EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 55

Gangtok, Saturday, April 16, 1977

HOME DEPARTMENT

NOTIFICATION

Dated Gangtok, the 13th April, 1977.

No. 13/Horne.—The Government of India, Ministry of Home Affairs, New Delhi Notification No. G.S.R. 132 (E) dated 27th March, 1977 is published for general information:—

"G.S.R. 132 (E).—The following Proclamation made by the Vice-President acting as President of India is published for general information:—

PROCLAMATION

In exercise of the powers conferred by sub-clause (a) of clause (2) of Article 352 of the Constitution, I Basappa Danappa Jatti, Vice-President acting as President of India, hereby revoke the Proclamation of Emergency issued under clause (1) of that article on the 3rd December, 1971, and published with the notification of the Government of India in the Ministry of Home Affairs No. G.S.R. 1789, dated the 3rd December, 1971.

B. D. JATTI

Vice President acting as President

(No.II/16013/1/75-S &P(D.II)

S. L. KHURANA Secy."

New Delhi
The 27th March, 1977.

T. S. GYALTSHEN,

**Chief Secretary,
Government of Sikkim.**

F. 5(4)-Home/75.

SIKKIM

GOVERNMENT



GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 56

GANGTOK, FRIDAY, JULY 1, 1977,

GOVERNMENT OF SIKKIM ESTABLISHMENT DEPARTMENT

No.5(98)SSCS/Est.

NOTIFICATION

In exercise of the powers conferred by proviso to Article 309 of the Constitution of India and in supersession of all previous rules on the subject, the Governor is hereby pleased to make the following rules regulating the recruitment and the conditions of service of persons appointed to the Sikkim State Civil Service, namely :—

1. Short Title and Commencement :

- (i) These rules may be called as the Sikkim State Civil Service Rules, 1977;
- (ii) These rules shall come into force on and from the date of their publication in the Sikkim Government Gazette except Rule 3 which shall be deemed to have come into force with effect from the 1st day of June, 1976.

2. Definitions : In these rules, unless the context otherwise requires :—

- (a) "Commission" means the Sikkim Public Service Commission;
- (b) "Committee" means the Committee constituted under Rule r.;
- (c) "Cadre Schedule" means the Schedule appended to these rules;
- (d) "Government" means the Government of Sikkim;
- (e) "Governor" means the Governor of Sikkim;
- (f) "Member of the Service" means a Member of the Sikkim State Civil Service;
- (g) "Recommending Authority" means the Secretary/Head of the Department under whose Department a person is serving for the time being;
- (h) "Service" means the Sikkim State Civil Service;
- (i) "State" means the State of Sikkim;
- (j) "Year" means the financial year commencing on the 1st day of April and ending on the 31st day of March next following.

3. Initial Constitution of the Service : The Service in its initial constitution shall consist of: —

- (1) (i) Persons holding the post of Chief Secretary to the Government and Secretaries/Additional Secretaries to the Government :

Provided that no ex-officio Secretary shall belong to the Service;

- (ii) Persons holding the posts of Joint/Deputy Secretaries to the Government and District Magistrate-cum-District Collector substantively :

Provided that no ex-officio Joint/Deputy Secretary shall belong to the Service.

- (2) Persons holding on or before the publication of these rules, the posts of Under Secretary, Deputy District Officer-cum-Panchayat Officer, Deputy Magistrate-cum-Deputy Collector or holding any other administrative or executive non-technical posts (gazetted) under the Government;

Provided that the recruitment of such persons to the Service shall be made by the Government on the recommendation of a Committee consisting of the Chief Secretary, the Finance Secretary, the Development Commissioner and the Establishment Secretary who shall make recommendation in respect of the persons on the basis of seniority-cum-merit and shall submit a list containing such recommendation to the Government and recruitment of such persons included in the list shall be made by the Government in the order in which the names of such persons appear in the list.

EXPLANATION.

Persons having technical qualifications such as degree/diploma or training in Medicine, Surgery, Engineering, Architecture, Chemical Technology, Forestry, Agriculture etc. shall not be eligible for initial appointment to the Service. The question as to whether a post is technical or non-technical shall be decided by the Government and its decision thereon shall be final.

Police Officers shall also not be eligible for initial appointment to the Service.

4. Method of Recruitment to the Service : (1) Recruitment to the Service after the publication of these rules shall be by the following methods, namely :—

- (a) Competitive Examinations to be held by the Commission;
- (b) Selection from among persons serving in connection with the affairs of the State of Sikkim.

(2) The proportion of vacancies to be filled in in any year in accordance with clauses (a) and (b) above, shall be 50 : 50 respectively :

Provided that the number of persons, recruited under clause (b) above, shall not at any time exceed 50 per cent of the total strength of the Service.

(3) Notwithstanding anything contained in sub-rule (1), if in the opinion of the Government the exigencies of the service so require, the Government may, after consultation with the Commission, adopt such method of recruitment to the Service, other than those specified in the said sub-rule, as it may, by Notification in this behalf, prescribe.

5. Recruitment by Selection : (1) There shall be a Selection Committee consisting of the following, namely :—

- (a) Chairman, Sikkim Public Service Commission, or, where the Chairman is unable to attend a Member, Sikkim Public Service Commission.
- (b) Chief Secretary to the Government.
- (c) Secretary to the Government, Establishment Department.
- (d) Secretary to the Government to be nominated by the Government.

The Chairman or the Member, Sikkim Public Service Commission, as the case may be shall preside at the meeting of the Selection Committee at which he is present.

(2) The Government shall from time to time for the purpose of recruitment to the Service under Clause (b) of Rule 4 call upon the Recommending Authority to submit recommendations in respect of persona who :

- (a) are of outstanding merit and ability;
- (b) have, on the first day of that year completed, not less than six years continuous service under the Government in a post not below the rank of an Office Superintendent in the Sikkim Secretariat or who on the first day of that year have completed not less than six years continuous service under the Government in a post involving duties comparable in importance and responsibility to that of an Office Superintendent in the Sikkim Secretariat carrying a pay scale of Rs.370—630 and above, and who are holding those posts in a substantive capacity provided that they possess the academic qualification as specified under Sub-Rule i (iii) of Rule 9. The Government may relax the academic qualification in respect of persons who are of outstanding merit and ability.

(3) The Government shall refer the cases of such persons recommended under sub-rule to the Committee and shall simultaneously forward to the Committee the recommendations of the Recommending Authority together with the Character Rolls and Service Records of such persons and shall also indicate the approximate number of vacancies to be filled by selection.

(4) The Committee shall on initial scrutiny of the recommendations and the Character Rolls and service records call such persons, as it may consider prima facie suitable for interview and prepare a list of such persons who, in its opinion, are suitable for appointment to the Service in order of preference which shall be determined in accordance with the general suitability of such persons for appointment to the Service :

Provided that no person shall be recommended under sub-rule (2) nor shall the Committee select any such person unless the Recommending Authority or the Committee, as the case may be, is further satisfied that :-

- (a) he has executive ability; and
- (b) his service can more profitably be utilised by appointment to the Service.
- (5) The number of persons to be included in such list shall not exceed twice the number of vacancies to be filled by selection.
- (6) The Committee shall ordinarily meet at an interval not exceeding one year.

6. Consultation with Commission : (1) The list prepared in accordance with rule 5 shall be forwarded to the Commission by the Government along with :—

- (i) the records of all the persons included in the list;
- (ii) the records of all the persons, who are proposed to be superseded by the recommendations made in the list;
- (iii) the reasons as recorded by the Committee for the proposed supersession; and
- (iv) the observations of the Government on the recommendations of the Committee.

(2) The Commission shall consider the list prepared by the Committee along with the other documents received from the Government or on receipt of other document as may be called for by the Commission and unless it considers any change necessary, approve the list.

(3) If the Commission considers it necessary to make any changes in the list received from the Government, the Commission shall inform the Government of the changes proposed and after taking into account the comments, if any, of the Government, may approve the list finally with such modification, if any, as may, in its opinion, be just and proper.

(4) The list, as finally approved by the Commission, shall be forwarded to the Government along with all the papers received under sub-rule (1) and sub-rule (2), if any.

- (5) The list shall ordinarily be in force until its review and revision :

Provided that in the event of a grave lapse in the conduct or performance in duty on the part of person included in the list, a special review of the list may be made at any time at the instance of the Government and the Commission may, if it so thinks fit, remove the name of such person from the list.

7. Appointment to the Service from the list :

(1) Appointment of persons included in the list to the Service shall be made by the Government in the order in which the names of persons appear in the list for the time being in force.

(2) It shall not ordinarily be necessary to consult the Commission before such appointments are made, unless during the period intervening between the inclusion of the name of the person in the list and the date of the proposed appointment thereto 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.

8. Recruitment by Competitive Examination :

(1) A Competitive Examination for recruitment to the Service shall be held at such interval as the Government may, in consultation with the Commission 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 in consultation with the Commission.

(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 to the extent and subject to the conditions as the Government may, from time to time, prescribe.

(4) The Commission shall prepare a list of all candidates who have qualified in the examination in order of merit which shall be determined in accordance with the aggregate marks obtained by each candidate and if two or more candidates obtain equal marks, the Commission shall arrange them in order of their relevant merit which shall be determined in accordance with the general suitability of the candidate for appointment to the Service. The list shall be forwarded to the Government and published in the Gazette of Sikkim.

(5) The inclusion of candidates' name in the list shall confer no right to appointment to the Service.

9. Conditions of eligibility for appearing at the Competitive Examination :

In order to be eligible to compete at the competitive examination, a candidate must satisfy the following conditions, namely :—

- (i) **Nationality** — He must be a citizen of India.
- (ii) **Age** — He must have attained the age of 21 years but must not have exceeded the age of 30 years on the first day of the year of advertisement :

Provided that the upper age limit may be relaxed in respect of candidates belonging to Scheduled Castes and Scheduled Tribes in accordance with the orders issued by the Government from time to time.

- (iii) **Educational Qualification** — He must hold a degree of any University recognised by the Government for this purpose.

- (iv) He must pay the fees prescribed by the Commission.

10. Attempts at the examination : No candidate 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.

11. Disqualification for admission to examination :

Any attempt on the part of the candidate to obtain support for his candidature by any means shall be held by the Commission to disqualify him for admission to the competitive examination.

12. 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 and no candidate whose certificate of admission has not been issued by the Commission shall be admitted to the examination.

13. Appointments from the list : Subject to the provisions of rules 14, 15, and 16 candidates will be considered for appointment to the available vacancies in the order in which their names appear in the list.

14. Disqualification for appointment on grounds 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 this rule.

15. Penalty for impersonation : A candidate, who is or has been declared by the Commission guilty of impersonation or of submitting false or fabricated document or documents which have been tampered 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 specified period :—

- (a) by the Commission from admission to any examination or appearance at any interview held by the Commission for selection of candidates; and
- (b) by the Government from employment under the Government.

16. Disqualification for appointment on medical grounds :

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 any physical defect likely to interfere with the discharge of the duties of the Service.

17. 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 selection shall be appointed to the Service on probation for a period of one year.

(3) The Government may, if it so thinks fit in any case or class of cases, extend the period of probation by a period not exceeding two years.

18. 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.

19. Execution of agreement : A probationer who has been appointed to the Service by competitive examination shall, on appointment to the Service, execute an agreement in the form as may be prescribed by the Government, binding himself and one surety, jointly or severally, in the event of his failing to comply with any of the provisions of these rules to the satisfaction of the Government to refund any money paid to him consequent on his appointment as probationer.

20. Training : A probationer who has been appointed to the Service by competitive examination shall, on appointment to the Service, undergo such training and for such period as the Government may direct.

21. Departmental Examination : Every probationer who has been recruited to the Service by competitive examination, during the period of probation, shall appear at and pass the prescribed Departmental Examination.

22. 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
- (b) 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
- (c) 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
- (d) if he fails to comply with any of the provisions of these rules.

23. Composition and Strength of the Service : (1) The posts borne on and 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 the composition of the Service shall be as shown in Schedule I.

(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.

T. S. GYALTSHEN,

Chief Secretary to the Government of Sikkim.

(7)
SCHEDULE II

SCALE OF PAY OF THE SIKKIM STATE CIVIL SERVICE.

1. Junior Scale (Class II)

Rs. 510—25—760—EB—30—1210.

2. Senior Scale (Class I)

Rs.750—40—950—EB—50—1450.

(a) The number of officers in the Senior Scale shall not exceed 30 per cent of the posts enumerated in item 1 of the Cadre Schedule.

(b) No Officer from the Junior Scale shall be promoted to the Senior Scale unless he has put in 8 years of service in the Junior Scale. In case of promoted Officers to the Sikkim State Civil Service, for the purpose of reckoning the 8 years of service in the Junior Scale, a weightage of one year for every c years of service put in by him prior to his promotion to the Junior Scale may be given :

Provided that a member of the Service who has attained the Administrative Scale of Rs.750-1450 immediately before the publication of these rules shall continue to draw pay in the Senior Scale Scale of Rs.750—40—950—EB—60—1450.

3. Selection Grade (Class I)

Rs.1200—50—1450—EB—60—2050.

(a) the number of posts in the Selection Grade shall not exceed 15 per cent of the posts enumerated in item 1 of the Cadre Schedule.

(b) No officer shall be promoted from the Senior Scale to the Selection Grade unless he has put in 7 years of service in the Senior Scale and he is found suitable on the basis of merit to be assessed by the Committee constituted under Rule c :

Provided that a member of the Service who has been promoted to the scale of Rs.1075—1815 immediately before the publication of these rules shall be allowed to draw pay in the scale of Rs.1200—50—1450—EB—60—2050 duly refixing his pay which shall not be at a stage lower than the pay he is drawing.

T. S. GYALTSHEN,

Chief Secretary to the Government of Sikkim.

SIKKIM

GOVERNMENT  GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 57

Gangtok, Wednesday, April 27, 1977

PANCHAYAT AND RUARAL WORKS DEPARTMENT
GANGTOK

Notification No. 54/P.

Dated Gangtok, the 23rd April, 1977.

In accordance with section 9 of the Sikkim Panchayat Act of 1965, on the death of Shri Saharman Rai, Vice-President of Sadam-Rabitar Panchayat Unit (No. 32). Shri Kul Bhadur Karki has been returned unopposed as a member and subsequently elected as the Vice-President of the unit in place of Shri Rai w.e.f. 7.4.77.

(P. K. Pradhan)

Secretary,
Panchayat & Rural Works Department.

SIKKIM
GOVERNMENT  GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 58

Gangtok, Monday, May, 9 1977

ESTABLISHMENT DEPARTMENT

No. 5 (100)SSFS/Est.

Dated Gangtok, the 29th April, 1977.

NOTIFICATION

In exercise of the powers conferred by proviso to Article 309 of the Constitution of India and in supersession of all previous rules on the subject, the Governor is hereby pleased to make the following rules regulating the recruitment to the Sikkim State Forest Service, namely :—

1. **SHORT TITLE AND COMMENCEMENT:—**(1) These rules may be called the Sikkim State Forest Service (Recruitment) Rules, 1976.
(2) They shall come into force with effect from the date of their publication in the Sikkim Government Gazette.
2. **DEFINITIONS :—** In these rules, unless the context otherwise requires :—
 - (a) "Commission" means the Sikkim Public Service Commission;
 - (b) "Committee" means the Committee constituted under rule 5;
 - (c) "Cadre Schedule" means the schedule appended to these rules;
 - (d) "Government" means the Government of Sikkim;
 - (e) "Governor" means the Governor of Sikkim;
 - (f) "Member of the Service" means a Member of the Sikkim State Forest Service;
 - (g) "Recommending Authority" means the Secretary to the Government of Sikkim
 - (h) "Service" means the Sikkim State Forest Service;
 - (i) "State" means the State of Sikkim;
 - (j) "Year" means the financial year.
3. **CONSTITUTION OF THE SERVICE:—** The Service shall consist of the following persons, namely:—
 - (a) Persons holding the posts of Chief Conservator of Forests, Additional Chief Conservator of Forests, Chief Wild Life Warden, Conservator of Forests, Divisional Forest Officer, Divisional Forest Officer (Soil Conservation & Utilization), Assistant Conservator of Forests, Assistant Conservator of Forests (Soil Conservation) Assistant Conservator of Forests (Logging), Assistant Conservator of Forests (Cardamom), Assistant Conservator of Forests (Parks & Gardens') Assistant Centre).
 - (b) Persons recruited to the Service before the commencement of these rules.
 - (c) Persons recruited to the Service in accordance with the provisions of the rules.
4. **METHOD OF RECRUITMENT TO THE SERVICE :-** (1) Recruitment to the Service after the commencement of these rules shall be by the following methods, namely :-
 - (a) By the Competitive Examination to be held by the Commission;

(b) By selection from among persons serving in connection with the affairs of the State of Sikkim.

(2) The proportion of vacancies, to be filled in any year in accordance with clauses (a) and (b) above, shall be 50 : 50 respectively :

Provided that the number of persons, recruited under clause (b) above, shall not at any time exceed 50% of the total strength of the Service.

(3) Notwithstanding anything contained in sub-rule (1), if in the opinion Government, the exigencies of the service so require, the Government may, after consultation with the Commission, adopt such method of recruitment to the Service, other than those specified in the said sub-rule, as it may, by Notification in this behalf, prescribe.

5. RECRUITMENT BY SELECTION:— (1) There shall be a Selection Committee consisting of the following, namely :-

(a) Chairman, Sikkim Public Service Commission, or, where the Chairman is unable to attend, a Member, Sikkim Public Service Commission.

(b) Chief Secretary to the Government.

(c) Chief Conservator of Forests.

(d) Secretary to the Government, Establishment Department.

Chairman or the Member, Sikkim Public Service Commission, as the case may be, shall preside at the meetings of the Selection Committee at which he is present.

(2) The Government shall call upon the Recommending Authority to submit recommendation in respect of persons serving in connection with the affairs of the State:

(a) Who are of outstanding merit and ability;

(b) Who, on the first day of that year, have completed not less than 10 years' continuous service under the Government in the posts of Forest Range Officers, Game Warden and any other posts which are equivalent in duties and responsibilities to the posts of Forest Range Officers and who are holding those posts substantively.

(3) The Government shall refer the cases of such persons recommended under sub-rule (2) to the Committee and shall simultaneously forward to the Committee the recommendations of the Recommending Authority together with the Character Rolls and Service Records of such persons and shall indicate the approximate number of vacancies to be filled by selection.

(4) The Committee shall, on initial scrutiny of the recommendations and the Character Rolls and Service Records call such persons, as it may consider prima facie suitable for interview and prepare a list of such persons who, in its opinion, are suitable for appointment to the service in order of preference which shall be determined in accordance with the general suitability of such persons for appointment to the service :

Provided that no person be recommended under sub-rule (2) nor shall the Committee select any such person unless the Recommending Authority and/or the Committee, as the case may be, is further satisfied that :-

(a) he has executive ability ; and

(b) his service can more profitably be utilized by appointment to the Service.

(5) The number of persons to be included in such list shall not exceed twice the number of vacancies to be filled by selection.

(6) The Committee shall ordinary meet at the interval not exceeding one year.

6. CONSULTATION WITH COMMISSION :- (1) The list prepared in accordance with rule 5 shall be forwarded to the Commission by the Government along with :-

(i) the records of all the persons included in the list ;

(ii) the records of all the persons, who are proposed to be superseded by the recommendations made in the list ;

(iii) the reasons as recorded by the Committee for the proposed supersession ; and

(iv) the observations of the Government on the recommendations of the Committee-

(2) The Commission shall consider the list prepared by the Committee along with the other documents received from the Government or on receipt of other document as may called for by the Commission and unless it considers any change necessary, approve the list.

(3) If the Commission considers it necessary to make any changes in the list received from the Government the Commission shall inform the Government, of the changes proposed and after taking into account the comments, if any, of the Government may approve the list finally with such modification , if any ,as may, in its opinion, be just and proper.

(4) The list, as finally approved by the Commission, shall be forwarded to the Government along with all the papers received under sub-rule (1) and sub-rule (2), if any.

(5) The list shall ordinary be in force until its review and revision :

Provided that in the event of a grave lapse in the conduct or performance in duty on the part of any person included in the list, a special review of the list may be made at any time at the instance of the Government and the Commission may, if it so thinks fit, remove the name of such person from the list.

7. APPOINTMENTS TO THE SERVICE FROM THE LIST :—

(1) Appointment of persons included in the list of the service shall be made by the Government in the order in which the names of persons appear in the list for the time being in force.

(2) It shall not ordinarily be necessary to consult the Commission before such appointments are made, unless during the period intervening between the inclusion of the name of the person in the list and the date of the proposed appointment there occurs a deterioration the work of the person which, in the opinion of the Government, is such as to render him unsuitable for appointment to the Service.

8. RECRUITMENT BY COMPETITIVE EXAMINATION :—

(1) A Competitive Examination for recruitment to the Service shall be held at such intervals as the Government may, in consultation with, the Commission, from time to time, determine.

(2) The examination shall be conducted by the Commission in accordance with such rules and syllabus as the Government, from time to time, make in consultation with the Commission.

(3) Of the number of vacancies to be filled upon the result of each examination, there shall be reservation in favour of candidates belonging to Scheduled Castes and Scheduled Tribes to the extent and subject to the conditions as the Government may, from time to time, prescribe.

(4) The Commission shall prepare a list of all candidates who have qualified in the examination in order of merit which shall be determined in accordance with the aggregate marks obtained by each candidate and if two or more candidates obtain equal marks, the Commission shall arrange them in order of their relevant merit which shall be determined in accordance with the general suitability of the candidate for appointment to the Service. The list shall be forwarded to the Government and be published in the Gazette of Sikkim.

(5) The inclusion of candidates name in the list shall confer no right to appointment unless the Government is satisfied, after such enquiry as may be considered necessary, that the candidate is suitable in all respects for appointment to the Service.

9. CONDITION OF ELIGIBILITY FOR APPEAR NG AT THE COMPETITIVE

EXAMINATION:— (1) In order to be eligible to compete at the competitive examinations, a candidate must satisfy the following conditions, namely:—

(i) Nationality—He must be a citizen of India.

(ii) Age—He must have attained the age of 21 but must not have exceeded the age of 30 on the first day of the year of advertisement:

Provided that the upper age limit may be relaxed in respect of candidates belonging to Scheduled Castes and Scheduled Tribes in accordance with orders issued by the Government from time to time.

(iii) Educational Qualification— He must hold a degree of any University recognised by the Government for this purpose.

(iv) He must pay the fees prescribed by the Commission.

10. ATTEMPTS AT THE EXAMINATION:— No candidate:— 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.

11. DISQUALIFICATION FOR ADMISSION TO EXAMINATION :—

Any attempt on the part of the candidate to obtain support for his candidature by any means may be held by the Commission to disqualify him for admission to the competitive examination.

12. 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 and no candidate whom certificate of admission has not been issued by the Commission shall be admitted to the examination.

13. APPOINTMENT FROM THE LIST :- Subject to the provisions of rules 14, 15 and 16 candidates will be considered for appointment to the available vacancies in the order which their names appear in the list.

14. DISQUALIFICATION FOR APPOINTMENT ON GROUNDS 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 this rule.

15. PENALTY FOR IMPERSONATION :— A candidate, who is or has been declared by the Commission guilty of impersonation or of submitting fabricated document or documents which have been tampered 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 :—

(a) by the Commission from admission to any examination or appearance at any interview held by the Commission for selection of candidates; and

(b) by the Government from employment under the Government.

16. 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 in good mental or bodily health and free from any mental or physical defect likely to interfere with discharge of the duties of the Service.

17. PROBATION :— (1). Every person recruited to the Service by the competitive examination shall be appointed to the Service on probation for a period of two years.

(2) Every person recruited to the Service by selection be appointed to the Service by selection be appointed to the Service on probation for a period of one year.

(3) The Government may, if it so thinks fit in any case or class of cases, extend the period of probation by a period not exceeding two years.

18. 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.

19 EXECUTION OF AGREEMENT :—A probationer, who has been appointed to the Service by competitive examination, shall on appointment to the Service execute agreement in the form as may be prescribed by the Government, binding himself and one surety, jointly or severally, in the event of his failing to comply with and of the provisions of these rules to the satisfaction of the Government to refund any money paid to him consequent on his appointment as probationer.

20. TRAINING :— A probationer, who has been appointed to the Service by the competitive examination, shall on appointment to the Service undergo such training and for such period as the Government may direct.

21. DEPARTMENTAL EXAMINATION :—Every probationer, who has been recruited to the Service by the competitive examination, during the period of probation, shall appear at and pass the prescribed Departmental Examination.

22. DISCHARGE OF A PROBATIONER :— A probationer shall be liable to be discharged from the service or as the case may be, reverted to substantive post :-

(a) if he fails to pass the Departmental Examination; or

(b) 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

(c) 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

(d) if he fails to comply with any of the provisions of these rules.

23. COMPOSITION AND STRENGTH OF THE SERVICE:—

(1) The posts borne on and the strength and composition of the Service shall as determined by the Government from time to time.

(2) At the commencement of these rules, the strength and the composition of the Service shall be as shown in schedule I.

24. (1) The scale of pay admissible to the members of the Service shall be as determined by the Government from time to time .

(2) At the commencement of these rules, the scale of pay admissible to the member of the Service shall be as shown in Schedule II.

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

SCHEDULE I

SIKKIM STATE FOREST SERVICE

Strength and Composition of Cadre:

1.Designation of Posts.	Number.
Assistant Conservator of Forest (Territorial)	.. 8
Assistant Conservator of Forest (Soil Conservation)	.. 4
Assistant Conservator of Forest (Working Plan)	.. 1
Assistant Conservator of Forest (Fisheries)	.. 1
Assistant Conservator of Forest (Wild Life)	.. 3
Assistant Conservator of Forest (Timber Extraction & Utilisation)	.. 4
Assistant Conservator of Forest (Planning & Statistics)	.. 1
Assistant Conservator of Forest (Technical Assistant to Conservator of Forest	.. 2
Assistant Conservator of Forest (Cardamom)	.. 1
Assistant Conservator of Forest (Parks & Gardens)	.. 1
	<hr/>
	26
2.Deputation Reserve at 15% of 1 above	.. 4
3.Leave Reserve at 5% of 1 above	.. 1
4.Training Reserve at 20% of 1 above	.. 5
	<hr/>
Total Authorised Strength	.. 36

T. S. GYALTSHEN,

**Chief Secretary,
Government of Sikkim.**

SCHEDULE II

SCALE OF PAY OF SIKKIM STATE FOREST SERVICE

1. ORDINARY SCALE : Rs.510-20-760Eb-30-1210.

2. SENIOR SCALE : Rs.750-40-950Eb-50-1450.

(a) The number of posts in the Senior Scale shall not exceed 25% of the posts enumerated in item 1 of the Cadre Schedule of Sikkim State Forest Service.

(b) No officer from the Ordinary Scale shall be promoted to the Senior Scale unless he has put in 10 years of service in the Ordinary Scale. In case of promoted officers to the Sikkim State Forest Service, for the purposes of reckoning the 10 years of service in the Ordinary Scale, a weightage of one year for every 5 years of service put in by him prior to his promotion to the Ordinary Scale may be given.

3. SELECTION GRADE: Rs. 1200-50-1609.

(a) The number of posts in the Selection Grade shall not exceed 10% of the posts enumerated in item 1 of the Cadre Schedule.

(b) No officer shall be promoted from the Senior Scale to the Selection Grade unless he has put in 10 years of service in the Senior Scale.

T. S. GYALTSHEN,

**Chief Secretary,
Government of Sikkim.**

SIKKIM

GOVERNMENT GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 59

Gangtok, Tuesday, May, 17 1977

ELECTION DEPARTMENT (HOME)

NOTIFICATION NO. 17/H.

Dated Gangtok, the 5th May, 1977.

Election Commission of India Notification No. 56/77 dated 5th May, 1977 are republished in the State Government Gazette for general information:—

ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN
ASHOKA ROAD
NEW DELHI.

Dated 5th May, 1977.

NOTIFICATION

S.O.— Whereas as a result of the review undertaken in terms of paragraph 6 read with paragraph 7 of the Election Symbols (Reservation and Allotment) order, 1968, with reference to the general election to the House of the People held in 1977, the Election Commission is satisfied that certain political parties have fulfilled the conditions for recognition as State parties in States in which they had set up candidates at the said general election;

And whereas in view of the impending general election to the Legislative Assemblies of a number of States, it has become necessary for the Commission to accord recognition urgently to these parties;

Now, therefore, in pursuance of clauses (a), (b) and (d) of sub-paragraphs (1) and (2) of paragraph 17 of the Election Symbols (Reservation and Allotment) order, 1968, the Commission hereby makes the following amendments to its notification No. 56/77-2 dated 9th February, 1977 published as S.O.*152 (E) in the Gazette of India, extraordinary, Part II, Section 3 (ii), dated 9th February, 1977 as amended from time to time :—

(i) In Table 2 of the said Notification:—

(a) against the State of Tamil Nadu, the existing entry in column 2 shall be numbered as item No. 1 and the following entries shall be added in columns 2 and 3 :—

“2 All India Anna Dravida Munnetra Kazhagam	Two leaves” ; and
--	----------------------

(b) After the State of Tamil Nadu, the following shall be added :-

“West Bengal	Revolutionary Socialist Party	Spade and Stoker”
--------------	-------------------------------	-------------------

(2)

(ii) In Table 3 of the said Notification:—

(a) against item No. 19, Tamil Nadu, for the entries, "(9) Sparrow, (10) Swastik within a circle and (11) Two leaves", the entries (9) Sparrow, and (10) Swastik within a circle" shall be substituted; and

(b) against item No. 22, West Bengal, for the entries" (24) Spade and Stoker (25) Swastik within a circle, (26) Tractor and (27) Two leaves", the entries" (24) Swastik within a circle, (25) Tractor and (26) Two leaves" shall be substituted.

By Order,

(D. K. MANAVALAN)

**Chief Electoral Officer,
Sikkim.**

(No. 56/77-VII)

Sd/- (V. NAGASUBRAMANIAN)

**Secretary to the Election
Commission of India.**

SIKKIM

GOVERNMENT



GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 60

Gangtok, Friday, May, 27 1977

ELECTION DEPARTMENT (HOME)

NOTIFICATION NO.18/H.

DATED GANGTOK THE 9 MAY, 1977.

The Election Commission of India Notification No. 56/77-VIII dated 9 May, 1977 is republished for General information:—

NIRVACHAN SADAN,

ELECTION COMMISSION OF INDIA

ASHOKA ROAD,
NEW DELHI-11G001.

Dated 9th May, 1977.

NOTIFICATION

S.O. Whereas the Election Commission is satisfied that as a result of its performance at the general election to the House of the People held in March, 1977, the All India Forward Bloc is entitled for recognition as a State Party in the State of West Bengal in terms of paragraph 6 read with paragraph 7 of the Election Symbols (Reservation and Allotment) Order, 1968.

And whereas the Commission has decided to recognise the All India Forward Bloc as a State Party in the State of West Bengal and reserve the symbol 'Lion' for the said Party in West Bengal.

Now, therefore, in pursuance of clause (b) of sub-paragraph (1) and sub-paragraph (2) of paragraph 17 of the Election Symbols (Reservation and Allotment) Order, 1960, the Commission makes the following amendments to its notification No. 56/77-11, dated 9 February, 1977 published as SO. 152 (E) in the Gazette of India, Extra-ordinary, Part II, selection 3 (ii), dated 9 February, 1977 as amended from time to time, namely—

- (I) In Table 2 of the said notification—
- (a) against the State of West Bengal, the existing entry in column 2 shall be numbered as items No. 1 and the following entries shall be added in columns 2 and 3 :-

“2. All India Forward BlocLion
And

(2)

(II) In Table 3 of the said notification—
against item No. 22. West Bengal, under column 2 the entry "(15)
Lion,"
shall be deleted and the remaining entries "(16) Plough,"
"(26) Two leaves," shall be renumbered to read as "(15) Plough,"
to "25. Two leaves".

Further, in pursuance of clause (c) of sub-paragraph (1) and sub-paragraph
of paragraph 17 of the said Order, the Commission hereby makes the following amendment
in its notification No. 56/77-1 dated 22 January, 1977, published as S.O. 37 (E) in the
Gazette of India, Extraordinary, Part II, Section 3 (ii), dated 22 January, 1977, namely.

In the Table appended to the said notification—
the entry at S. No. 7 relating to All India Forward Bloc shall be deleted and the
remaining entries at S.No. 8 to 39 shall be renumbered to read as S.No.
7 to 38.

(No. 56/77-VHI)

Sd/-V. NAGASUBRAMANIAN)
Secretary to the Election Commission of India.

By Order,
D. K. Manavalan,
Chief Electoral Officer, Sikkim,
Election Department (Home).

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SIKKIM

GOVERNMENT GAZETTE



EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 61

Gangtok, Friday, May, 27 1977

ELECTION DEPARTMENT (HOME)

NOTIFICATION NO.19/H.

DATED GANGTOK THE 11 MAY, 1977.

The Election Commission of India Notification No. 56/77-X dated 11 May, 1977 is republished for General information :—

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

DATED 11 TH MAY; 1977.

NOTIFICATION.

S.O. In pursuance of clause (d) of sub-paragraph (1) and sub-paragraph (2) of paragraph 17 of the Election Symbols (Reservation and Allotment) Order, 1968, the Commission hereby makes the following amendments in its notification No. 56/77-H, dated 9 February, 1977, published as S.O. 152(E) in the Gazette of India, Extraordinary, Part II, Selection 3 (ii), dated 9 February, 1977 and as amended from time to time, namely—

In TABLE 3 of the said notification :—

- (i) against item No. 4 Gujarat, under column 2 the entries " (5) Cultivator winnowing grain "and "(10) Plough" shall be deleted and the remaining entries Nos. (6).to (9) shall be renumbered as (5) to (8) and the entries at Nos. (11) to (18) shall be renumbered as (9) to (16) ;
- (ii) Against item No. 6. Himachal Pradesh, under column 2, the entry "(3) Farmer winnowing grain" shall be deleted and the remaining entries Nos. (8) to (10) shall be renumbered as (7) to (9) ;
- (iii) Against item No. 6: Himachal Pradesh, under column 2, the entry "(3) Farmer winnowing grain" shall be deleted and the remaining entries Nos (4) to (9) shall be renumbered as (3) to (8);

(2)

- (iv) Against item No. 10. Madhya Pradesh, under column 2, the entry "(3) Cultivator winnowing grain" shall be deleted and the remaining entries Nos. (4) to (12) shall be renumbered as (3) to (11);
- (v) against item No. 22 West Bengal, under column 2, the entry "(15) Plough" shall be deleted and the remaining entries Nos. (16) to (25) shall be renumbered as (15) to (24);

and

- (vi) against item No.24. Arunachal Pradesh, under column 2, the entries "(8) Mithun. (9) Plough" and "(11) Rising Sun" shall be deleted and the entry at S.No. (10) shall be renumbered as (8) and entries at S. Nos. (12) to (16) shall be renumbered as (9) to (13).

(No. 56/77-X)

By Order:—

D. K. Manavalan,

Chief Electoral Officer, Sikkim.

Sd/-V. NAGASUBRAMANIAN.

SECRETARY,

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GOVERNMENT



GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 62

Gangtok, Friday, May, 27 1977

ELECTION DEPARTMENT (HOME)

NOTIFICATION NO. 20/H.

DATED GANGTOK 11TH MAY, 1977.

The Election Commission of India Notification No. 56/77 - XI dated 11 May, 1977 are republished for General information :-

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

DATED 11TH MAY, 1977.

NOTIFICATION.

S. O. Whereas by its order dated 11 May, 1977, under paragraph 16 of the Election Symbols (Reservation and Allotment) Order, 1968, the Election Commission has decided that Janata Party formed as a result of the amalgamation of four National Parties, namely, 1. Indian National Congress (Organisation), 2. Bharatiya Jana Sangh, 3. Bharatiya Lok Dal and 4. Socialist Party, shall be a National Party and that the Symbol ' Haldhar within wheel (Chakra Haldhar)' shall be reserved for it;

And whereas the Commission has further decided in the said order that the names of the four National Parties, namely, 1. Indian National Congress (Organisation) 2. Bharatiya Jana Sangh, 3. Bharatiya Lok Dal and 4. Socialist Party should be deleted from the list of National Parties and that the reserved symbols 1. "Charkha being plied by a woman", 2. "Lamp" and 3. "Tree", should be frozen ;

Now, therefore, in pursuance of clause (a) of sub-paragraph (1) and sub-paragraph (2) of paragraph 17 of the Election Symbols (Reservation and Allotment) Order, 1968, the Commission hereby maked the following amendments to its notification No.56/77-II ,dated 9 Februrary, 1977, published as S.O. 152 (E) in the Gazette of India,

Extra-ordinary, Part II, section 3 (ii), dated 9 February, 1977, and as amended from time to time, namely—

IN TABLE 1 appended to the said notification, for the existing entries, the following entries shall be substituted:—

- | | | |
|---------------------------------------|----|---|
| 1. Indian National Congress | .. | Calf and Cow |
| 2. Communist Party of India | .. | Ears of corn and sickle |
| 3. Communist Party of India (Marxist) | .. | Hammer, Sickle and Staiv |
| 4. Janata Party | .. | Haldhar within wheel
(Chakra Haldhar). |

(No.. 56/77 — XI)

Sd/- V. NAGASUBRAMANIAK
SECRETARY.

By order:—

D. K. Manavalan,
Chief Electoral Officer, Sikkim,
Election Department (Home).

SIKKIM

GOVERNMENT GAZETTE



EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 63

Gangtok, Friday, May, 27 1977

ELECTION DEPARTMENT (HOME)

Notification No. 21/H.

Dated Gangtok the 13th May, 1977.

The Election Commission of India Notification No. 56/77-XII dated 13th May, 1977 are republished for General information:—

ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN,
ASHOKA ROAD,
NEW DELHI—110001.

Dated 13th May, 1977.

NOTIFICATION

S.O. In pursuance of clause (d) of sub-paragraph (1) and sub-paragraph (2) of paragraph 17 of the Election Symbols (Reservation and Allotment) Order, 1968, the Commission hereby make the following amendments in its notification No.56/77-II, dated 9 February, 1977, published as S.O. 152 (E) in the Gazette of India, Extraordinary, Part II, section 3 (ii) dated 9 February, 1977 and as amended from time to time, namely—

In TABLE 3 of the said notification:—

- (i) Against item No. 3-Bihar, under column 2, the entry "(6) Cultivator cutting crop" shall be deleted and entries (7) to (19) shall be renumbered as (6) to (18);
- (ii) against item No.4-Gujarat, under column 2, the entries"(4) Cultivator cutting crop" and (15) Two cultivators cutting crop" shall be deleted and entries (5) to (14) shall be re-numbered as (4) to (13) and entry (16) shall be re-numbered as (14);
- (iii) against items No. 21- Uttar Pradesh, under column 2, the entry “ (5) Two culti-crop” shall be deleted and entries (6) to (16) shall be re-numbered as (5) to (15) ;
- (iv) against item No. 21- Uttar Pradesh, under column 2, the entry “ (23) Two culti-vators cutting crop” shall be deleted and entry (24) shall be re-numbered as (23) ; and

(2)

(v) against item No. 22-West Bengal, under column 2, the entry "(6) Cultivator cutting crop" shall be deleted and entries (7) to (24) shall be re-numbered as (6) to (23).

No-56/77-XII

Sd/-V. NAGASUBRAMANIA

SECRETARY TO THE ELECTION

COMMISSION OF INDIA.

BY ORDER:

D. K. MANAVALAN

**CHIEF ELECTORAL OFFICER, SIKKIM.
ELECTION DEPARTMENT (HOME).**

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GOVERNMENT GAZETTE



EXTRAORDINARY
PUBLISHED BY AUTHORITY

No 64

Gangtok, Thursday, June, 2 1977

ELECTION DEPARTMENT (HOME)

NOTIFICATION NO. 22/H.

Dated Gangtok, the 27th May, 1977.

The Election Commission of India Notification No. 56/77 dated 17th May, 1977
are republished for General information:—

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

Dated 17th May, 1977.

NOTIFICATION

S. 0. In pursuance of clause (d) of sub-paragraph (1) and sub-paragraph (2) of paragraph 17 of the Election Symbols (Reservation and Allotment) Order, 1968, the Election Commission hereby makes the following amendment in its notification No. 56/77-11, dated 9th February, 1977, published as SO- 152(E) in the Gazette of India, Extraordinary, Part II, Section 3 (ii), dated 9th February, 1977 as amended from time to time, namely—

IN TABLE 3 OF THE SAID NOTIFICATION:—

against item No. 17. Rajasthan, for the existing entries, "(10) Two leaves, (11) Umbrella" the entries (10) Two leaves, (11) Umbrella, and (12) Ladder" shall be substituted.'

By Order,

(O.K. MANAVAN)

Chief Electoral Officer,
Sikkim.

(No. 56/77 – XII)

Sd/- (V. NAGASUBRAMANIAN)

Secretary.

SIKKIM

GOVERNMENT  GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 65

Gangtok, Thursday, June, 2 1977

ELECTION DEPARTMENT (HOME)

NOTIFICATION NO.23/H.

DATED GANGTOK THE 28 MAY, 1977.

Election Commission of India, Notification No.154/SKM/77 dated 13th May, 1977 are republished in the State Government Gazette for General information:—

ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN,
ASHOKA ROAD,
NEW DELHI-110001.

Dated 13th May, 1977.

NOTIFICATION

No.154/SKM/77 In exercise of the powers conferred by Sub-section (1) of Section 13A of the Representation of the People Act, 1950 (43 of 1950), the Election Commission, in consultation with the Government of Sikkim, hereby nominates Shri D.K. Manavalan, IAS., Divisional Commissioner, Sikkim, as the Chief Electoral Officer for the State of Sikkim with effect from 2 April, 1977 and until further orders vice Shri D. C. Lucksom.

Sd/- P. K. MISRA,

Secretary.

By Order,

D. K. Manavalan,

Chief Electoral Officer, Sikkim,
Election Department (Home).

SIKKIM

GOVERNMENT  GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 66

Gangtok, Thursday, June, 2 1977

HOME DEPARTMENT

NOTIFICATION

Gangtok, the 27th May, 1977.

No. 14/Home. The Government of India, Ministry of Home Affairs, New Delhi Notification No. S.O. 3310 dated the 30th August, 1976 is republished for general information.

“S.O. 3310.— In pursuance of the notification of the Government of India in the Ministry of Home Affairs No. 208 (E) dated the 16th May, 1975, the Central Government hereby appoints the 1st day of September, 1976, as the date on which the Unlawful Activities Prevention) Act, 1967 (37 of 1967), shall come into force in the State of Sikkim.

(No. I-11012/I/75-S&P(D.I)

Sd/- S. C. Vaish

Director

T. S. Gyaltshen,

Chief Secretary,
Government of Sikkim.

F. 7 (18)-Home/77.

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GOVERNMENT



GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 67

Gangtok, Wednesday, June, 15 1977

OFFICE OF THE SECRETARY, LAND REVENUE,
GOVERNMENT OF SIKKIM

Notification No. 41/L.R.

Dated Gangtok, the 15th June, 1977.

1. In Supersession of Notification No. 138/L.R. dated the 28th August, 1975, it is hereby notified for the information of General Public that Land Revenue in respect of all Lands in Sikkim is payable to the Government of Sikkim and that only the District Collectors within their respective Jurisdictions are authorised to collect Land Revenue and other public dues relating to agricultural lands and to get them deposited in the Government account under proper heads relating to Land Revenue. This Notification shall come into force with immediate effect.
2. This Notification shall not apply to taxes or other dues in respect of Lands realised by the Department of Local Self Government and Gangtok Municipal Corporation.

By Order

(R.B. MUKHIA)

Secretary,
Land Revenue Department,
Government of Sikkim,
Gangtok,

SIKKIM
GOVERNMENT  GAZETTE
EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 68

Gangtok, Monday, June, 20 1977

SIKKIM LEGISLATIVE ASSEMBLY
SECRETARIAT GANGTOK

Notification No. 102/SLAS/77

Dated Gangtok, the 15th June, 1977.

The following Order of the Governor of Sikkim, dated 14th June, 1977 is published for general information:

"In exercise of the powers conferred by Article 174(2)(a) of the Constitution, I, B. B. Lai, Governor of Sikkim, hereby prorogue the Legislative Assembly of Sikkim which was summoned to meet on the 22nd of March, 1977.

B. B. LAL,

Governor of Sikkim"

R. K. GUPTA,

Secretary,
Sikkim Legislative Assembly.

SIKKIM

GOVERNMENT GAZETTE



EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 69

Gangtok, Monday, June, 20 1977

ELECTION DEPARTMENT (HOWE)

NOTIFICATION NO. 24/H.

Dated Gangtok, the 14th June, 1977.

The Election Commission of India Notification No. 56/77-XIV dated 7th June, 1977 are republished for General Information:—

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

Dated 7th June, 1977.

NOTIFICATION

S.O.—In exercise of the powers conferred by rules 5 and 10 of the Conduct of Elections Rules, 1961, and clause (d) of sub-paragraph (1) and sub-paragraph (2) of paragraph 17 of the Election Symbols (Reservation and Allotment) Order, 1968, the Election Commission hereby makes the following further amendments in its notification No. 56/77-11, dated 9 February, 1977, published as S.O. 152 (E) in the Gazette of India, Extraordinary, Part II, section 3 (ii), dated 9 February, 1977, which shall be deemed to have been made with effect from 21 May, 1977, namely—

IN TABLE 3 appended to the said notification

- (i) against item No. 3. Bihar, for the existing entries "(17) Swastik within a circle, and (18) Two leaves" the entries" (17) Swastik within a circle, (18) Two leaves, (19) Woman, (20) Charkha, (21) Pigeon, (22) Horse, (23) Lotus, (24) Chair, (25) Camel, (26) Car, (27) Umbrella, (28) Bucket, (29) Lock and Key, and (30) Cultivator winnowing grain" shall be substituted ;
- (ii) against item No. 5. Haryana, for the existing entries "(8) Tractor, and (9) Two leaves "the entries" (8) Tractor, (9) Two leaves, (10) Bow and Arrow, (11) Camel, (12) Cart, (13) Chair, (14) Flower, (15) Goat, (16) Hurricane Lamp, (17) Ladder, (18) Pigeon, (19) Railway Engine, and (20) Spade and Stoker" shall be substituted;
- (iii) against item No. 6. Himachal Pradesh, for the existing entries "(7) Sparrow, and (8) Two leaves "the entries" (7) Sparrow, (8) Two leaves, and (9) Bow and Arrow" shall be substituted;
- (iv) against item No. 10, Madhya Pradesh , for the existing entries "(7) Swastik within a circle, and (11) Two leaves "the entries" (10) Swastik within a circle, (11) Two leaves, (12) Boat, (13) Camel, (14) Car, (15) Drum, (16) Fish, (17) Flaming Torch, (18) Radio, (19) Sparrow, (20) Tractor, (21) Two swords and a shield, (22) Peacock, (23) Chair, (24) Cart, (25) Clock, (26) Umbrella, (27) Lock and Key, (28) Hand Pump, (29) Ink Pot and Pen, (30) Jug , (31) Ladder, (32) Flower , (33) Spectacle, and (34) Sewing Machine," shall be substituted;

(2)

(v) against item No. 16, Punjab, for the existing entries "(12) Tractor, and (13) Two leaves "the entries" (12) Tractor, (13) Two leaves, (14) Boat, (15) Spade and Stocker, (16) Drum, and (17) Umbrella," shall be substituted;

and

(vi) against item No. 17. Rajasthan, for the existing entries "(11) Umbrella, and (12) Ladder "the entries" (11) Umbrella, (12) Ladder, (13) Pot, (14) Flaming Torch, (15) Railway Engine, (16) Watch, (17) Hand, (18) Cat, (19) Deer, (20) Tractor (21) Lock, (22) Cock, and (23) Cultivator cutting crop" shall be substituted.

(No. 56/77-XIV)

By Order,

Sd/- (V. NAGASUBRAMANIAN)

Secretary.

By Order,

D.K. MANAVALAN,
Chief Electoral Officer, Sikkim.
Election Department (Home)-

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GOVERNMENT  GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 71

GANGTOK, MONDAY, JULY 4, 1977.

ELECTION DEPARTMENT (HOME)

NOTIFICATION NO. 25/H.

Dated Gangtok, the 1st July, 1977.

The Election Commission of India Notification No. 479/77(3)/III dated 25th June, 1977 is republished for General information :—

ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN,
ASHOKA ROAD,
NEW DELHI-110001.

Dated 25th June, 1977.

NOTIFICATION

No. 479/77(3)/III:—In pursuance of sub-section (1) of section 3 of the Presidential and Vice-Presidential Election Act, 1952 (31 of 1952), the Election Commission hereby appoints the Secretary to the Legislative Assembly of each State to be an Assistant Returning Officer for the Presidential Election.

Sd/- A. N. SEN

Secretary.

By Order,

D. K. MANAVAN,

Chief Electoral Officer, Sikkim.
Election Department (Home).

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EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 72

Gangtok, Monday, July 4, 1977

ELECTION DEPARTMENT (HOME)

NOTIFICATION NO- 26 /H

Dated Gangtok the 1st July, 1977.

The Election Commission of India Notification No.479/77 (3)/II dated 25th the, June, 1977 is republished for General information:—

ELECTION COMMISSION OF INDIA

**NIRVACHAN SADAN,
ASHOKA ROAD,
NEW DELHI- 110001.**

Dated 25th June, 1977.

NOTIFICATION

No.479/77(3)II :—In pursuance of subsection (1) of section 3 of the Presidential and Vice-Presidential Elections Act, 1952 (31 of 1952), the Election Commission hereby appoints Shri J. R. Kapur, Chief Legislative Committee Officer, Lok Sabha Secretariat parliament House, New Delhi, to be an Assistant Returning Officer for the Presidential election.

**Sd/- A. N. SEN
Secretary**

By Order

D. K. MANAVLAN

**Chief Electoral Officer, Sikkim.
Election Department (Home)**

SIKKIM

GOVERNMENT  GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 73

Gangtok, Monday, July 4, 1977

ELECTION DEPARTMENT (HOME)

NOTIFICATION N027/H.

Dated Gangtok the 1st July, 1977.

The Election Commission of India Notification No.479/77(3)/I dated 25th June, 1977 is republished for General information:—

ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN,
ASHOKA ROAD,
NEW DELHI—110001.

Dated 25th June, 1977.

NOTIFICATION

No.479/77(3)/I : - In pursuance of sub-section (1) of section 3 of the Presidential and Vice-Presidential Elections Act, 1952 (31 of 1952), the Election Commission, in consultation with the Central Government, hereby appoints the Secretary to the Lok Sabha, Parliament House, New Delhi, to be the Returning Officer for the Presidential election.

Sd/- A. N. SEN
Secretary.

By Order

D. K. MANAVALAN

Chief Electoral Officer, Sikkim.
Election Department (Home)

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GOVERNMENT  GAZETTE
EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 74

GANGTOK, MONDAY, JULY 4, 1977.

ELECTION DEPARTMENT (HOME)

NOTIFICATION NO. 28/H.

Dated Gangtok, the 4th July, 1977.

The Election Commission of India Notification No. 479/77 dated 25 th June, 1977 is republished for General information :-

ELECTION COMMISSION OF INDIA

**NIRVACHAN SADAN,
ASHOKA ROAD,
NEW DELHI-110001.**

Dated 25th June, 1977.

NOTIFICATION

No,479/77 :—WHEREAS a vacancy in the office of the President of India has occurred by reason of the death of Shri Fakhruddin All Ahmed on the 11th February, 1977;

AND WHEREAS under clause (2) of article 62 of the Constitution of India, an election to fill the said vacancy is required to be held as soon as possible after, and in no case later than six months from, the date of occurrence of the vacancy;

NOW, THEREFORE, in pursuance of sub-section (1) of section 4 of the Presidential and Vice-Presidential Elections Act, 1952 (31 of 1952), the Election Commission hereby appoints for the said election—

- (a) the 18th July, 1977 (Monday) as the last date for making nominations;
- (b) the 19th July, 1977 (Tuesday), as the date for the scrutiny of nominations;
- (c) the 21st July, 1977 (Thursday), as the last date for the withdrawal of candidatures; and
- (d) the 6th August, 1977 (Saturday), as the date on which a poll shall if necessary, be taken.

Sd/- A. N. SEN

Secretary.

By Order,

D. K. MANAVAN,

**Chief Electoral Officer, Sikkim.
Election Department (Home).**

SIKKIM

GOVERNMENT GAZETTE



EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 75

Gangtok, Monday, July 4, 1977

GOVERNMENT OF SIKKIM

HOME DEPARTMENT

Gangtok, the 4th July, 1977.

No. 3(8)/Home/77. The public notice issued by the Lok Sabha Secretariat is republished for general information:—

LOK SABHA SECRETARIAT

FORM 1

[See rule 3 of the Presidential and Vice-Presidential Elections Rules, 1974]

To be published in the Extra-ordinary issue of the Gazette of India, Part II, Section 3(ii) dated the 4th July, 1977.

Public Notice

of

Election to the office of President of India

WHEREAS - notification under sub-section (1) of section 4 of the Presidential and Vice-Presidential Elections Act, 1951, for the holding of an election to fill the office of President of India has been issued by the Election Commission, I, Avtar Singh Rikhy, the Returning Officer for such election, *do* hereby give notice that—

- (i) nomination papers may be delivered by a candidate or any one of his proposers or seconders to the undersigned at his office in Room No.18, Ground Floor, Parliament House, New Delhi, or if he is unavoidably absent, to the Assistant Returning Officer, Shri J. R. Kapur, Chief Legislative Committee Officer, Lok Sabha Secretariat, at the said office between 11 A.M. and 3 P.M. on any day (other than a public holiday) not later than the 18th July, 1977;
- (ii) each nomination paper shall be accompanied by a certified copy of the entry relating to the candidates in the electoral roll for the Parliamentary constituency in which the candidate is registered as an elector ;

- (iii) every candidate shall deposit or cause to be deposited a sum of rupees two thousand five hundred only. This amount may be deposited in cash with the Returning Officer at the time of presentation of the nomination paper or deposited earlier in the Reserve Bank of India or in a Government Treasury and in the latter case a receipt showing that the said deposit of the sum has been so made is required to be enclosed with the nomination paper ;
- (iv) forms of nomination papers may be obtained from the above said office at the times aforesaid;
- (v) the nomination paper, other than these rejected under sub-section (4) of section 5B of the Act, will be taken up for scrutiny at the said office in Room No.18, Ground Floor, Parliament House, New Delhi on Tuesday, the 19th July, 1977 at 11 A.M.
- (vi) the notice of withdrawal of candidatures may be delivered by a candidate, or any one of his proposers or seconders who has been authorised in this behalf in writing by the candidate, to the undersigned at the place specified in paragraph (i) above before three o'clock in the afternoon Thursday, the 21st July, 1977.
- (vii) in the event of the election being contested, the poll will be taken on Saturday, the 6th August, 1977 between the hours of 10 A.M. and 5 P. M. at the places of polling fixed under the rules.

NEW DELHI;

Dated the 4th July, 1977.

Presidential Election.

AVTAR SINGH RIKHY,

Secretary, Lok Shabha
and

Returning Officer for the

T.S. Gyaltshen,

Chief Secretary,
Government of Sikkim.

F. 3 (8)- Home/77.

SIKKIM

GOVERNMENT GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 76

Gangtok, Wednesday, July 6, 1977

GOVERNMENT OF SIKKIM

HOME DEPARTMENT

F. No. 7 (13)-Home/77.
NOTIFICATION

Gangtok, the 1st July 1977.

In exercise of the powers conferred by section 8 of the Sikkim Salaries and Allowances Act, 1977 (4 of 1977) the State Government hereby makes the following rules regulating free rail and road travel facilities to members, namely :

THE SIKKIM LEGISLATIVE ASSEMBLY MEMBERS (FREE RAIL AND ROAD TRAVEL FACILITIES) RULES, 1977.

1. Short title and commencement :

- (1) These rules may be called the Sikkim Legislative Assembly Members (Free Rail and Road Travel Facilities) Rules, 1977.
- (2) They shall come into force at once.

2. Definitions :

In these rules, unless the context otherwise requires :

- (a) "Act" means the Sikkim Salaries and Allowances Act, 1977 (4 of 1977).
- (b) "Assembly" means the Legislative Assembly of Sikkim.
- (c) "Pass" means the Road Journey Pass" issued under rules 10.
- (d) "Secretary" means the Secretary, Sikkim Legislative Assembly.

3. Free rail travel facility :— Every member shall be provided by the Secretary with free non-transferable first class rail travel coupons entitling the member to obtain in lieu therefore first class railway tickets for travelling by the member throughout the territory of India at any time and by any Indian Railway subject to the distance limit laid down in section 5(3) of the Act.

4. Arrangement for coupons :— The arrangements necessary for the requisition of coupons from the Railway Administration, for the issue of coupons to the members, for drawal of monies for payment to the Railways towards the cost of the coupons and for the refund of unused coupons to the Railway Administration, shall be made by the Secretary.

5. Distances for rail travel coupons books :

Travel coupons available in books of aggregate distance of 1000 kilometres, and 2000 kilometres shall be purchased by the Secretary and kept in stock with him, and issued to the members as and when required.

6. Coupons not transferable :

- (1) The coupons shall not be transferable and shall be used only for journeys by the member in whose favour they are issued.
- (2) All unused coupons shall be returned by a member to the Secretary at least 15 days before the expiry of the period of their validity to facilitate refund from Railway Administration
- (3) In the event of a person ceasing to be a member of the Assembly, unused coupons books shall forthwith be returned by him to the Secretary.
- (4) Each coupon book will contain the following certificate over the Signature of the Secretary :—
"I certify that Shri.....
is a member of the Sikkim Legislative Assembly and tickets may be issued in exchange of rail travel coupons for journeys to be undertaken by him throughout the territory of India."

Secretary
Sikkim Legislative Assembly

SEAL

7. Method of purchasing tickets with coupons :—

The coupon book shall be presented by the member undertaking the journeys to the Railway Booking Counter, which will remove from the book number of coupons necessary for the journey and issue in exchange for the coupons single journey ticket or tickets as may be required.

8. Travel in air-conditioned class :— Where a member chooses to travel in air-conditioned first class, he shall himself bear the difference in the railway fare between the first class and air-conditioned class.

9. Alternative facility:— Where for the purpose mentioned in Rule 7 above, coupons are not available for any reason, Secretary may allow a member to claim payment to the extent of first class fare in respect of journeys actually performed by him throughout the territory of India subject to the distance limit provided in section 5(3) of the Act and may also grant an advance for the purpose not exceeding 75 percent of the calculated fares for the journeys proposed to be undertaken by the member subject to the said advance being adjusted by preferring a final bill on the completion of the journeys.

10. Free transit by road transport services:—

(1) Every member shall be provided by the Secretary with a pass in the form given in Appendix 'A' which shall subject to availability of accommodation entitle him to travel free of charge by any passenger transport service vehicle owned, controlled or managed by the Government of Sikkim at any time and on any route in Sikkim on which such vehicle operates.

(2) A member shall on demand by the conductor or any other officer duty authorised in that behalf, produce the pass for inspection.

11. Period of validity of the pass:— The pass granted under rule 10 shall be valid during the period the holder continues to be a member of the Sikkim Legislative Assembly and the holder shall return the pass to the Secretary forthwith, on ceasing to be a member of the Assembly.

12. Report of loss of pass etc.:— When a pass issued to a member is lost or misplaced he shall immediately report the fact of such loss to the Secretary. On receipt of such report, a fresh pass under Rule 10 may be issued by the Secretary. If the original pass is subsequently found it shall be surrendered to the Secretary.

13. Report of loss of coupons:— In the event of loss or misplacement of coupons issued to a member under rule 5, the member concerned shall immediately report the fact to the Secretary. Except when the validity of lost/misplaced coupons is already over, the Secretary shall intimate the fact of such loss or misplacement of coupons to the Railway Administration to prevent such coupons being misused and for other necessary actions.

14. Provision for payment of the amount due on account of the journeys by road :- The Secretary shall arrange to make payment from the grant of the Legislative Assembly of such annual amount as may be determined by Government to reimburse the cost of providing the members with the facility mentioned in Rule 10.

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

Serial No

APPENDIX "A"

(See Rule 10)

ROAD JOURNEY PASS

Sikkim Legislative Assembly Members

Road Journey Pass

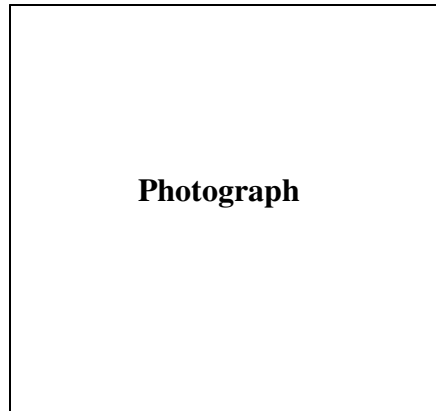
Not transferable

Name

M.L.A.

Constituency.....

Address :



Available for free travel on passenger transport service vehicles owned, controlled or managed by the Sikkim Government.

Date.....

Member's signature.

**Secretary,
Sikkim Legislative Assembly,**

SIKKIM

GOVERNMENT  GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No.77

GANGTOK, THURSDAY, JULY 7, 1977.

LAND REVENUE DEPARTMENT
GOVERNMENT OF SIKKIM

Notification No. 813/L.R.

Dated Gangtok, the 6th June, 1977.

In exercise of the powers conferred by Sub-Section (3) of Section I of the Sikkim Cultivators Protection (Temporary Provisions) Act, 1975 (Sikkim Act No. I of 1975) the State Government hereby extends the period of duration of the said Act for a further period of ONE YEAR immediately with effect from the expiry of two years from the date of the commencement of the said Act

By Order

(R. B. MUKHIA)

Secretary,
Land Revenue Department,
Gangtok.

Government of Sikkim,

PRINTED AT THE SIKKIM GOVERNMENT PRESS

SIKKIM

GOVERNMENT



GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 78

Gangtok, Thursday, July 7, 1977

ELECTION DEPARTMENT (HOME)

NOTIFICATION NO-29/H.

Dated Gangtok the 4th July, 1977.

The Election Commission of India Notification No.479/77(6)/I dated 4th July, 1977 is republished for General information:—

ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN,
ASHOKA ROAD,
NEW DELHI- 110001.

Dated 4th July, 1977.

NOTIFICATION

No.479/77(6)1- In pursuance of rule 7 of the Presidential and Vice-Presidential Elections Rules, 1974, the Election Commission hereby -

- (a) fixes each of the places specified in column 1 of the Table below to be a place of polling at the Presidential election to be held in accordance with its notification No.479/77 dated 4 July, 1977; and
- (b) with respect to each such place of polling, specifies in the corresponding entry in column 2 of the said Table the group of electors who will be entitled to vote at that place.

TABLE

Place of Polling	Group of electors
1	2
(1) Room No. 62, First Floor , Parliament House, New Delhi.	Elected members of Parliament (excluding those who after intimation to the Election Commission intend to vote at any other place of polling) and any elected member of the Legislative Assembly of a State who on a special request made by him to the Election Commission to vote at the place of polling in New Delhi is permitted by the Election Commission to do so.

(2)

- | | | |
|------|--|---|
| (2) | Committee Room of the Andhra Pradesh Legislative Assembly Buildings, Hyderabad. | Elected members of the Andhra Pradesh Legislative Assembly and any elected Member of Parliament who after intimation to the Election Commission intends to vote at the place of polling in Hyderabad. |
| (3) | Room No.2 of the Assam Legislative Assembly Building, Dispur. | Elected members of the Assam Legislative Assembly and any elected member of Parliament who after intimation to the Election Commission intends to vote at the place of polling in Dispur. |
| (4) | “Reading Room” of the Library (Upper Floor) in the Bihar Vidhan Sabha Buildings, Patna. | Elected members of the Bihar Legislative Assembly and any elected member of Parliament who after intimation to the Election Commission intends to vote at the place of polling in Patna. |
| (5) | Library of the Gujurat Legislative Assembly, Gandhinagar. | Elected members of the Gujarat Legislative Assembly and any elected member of Parliament who after intimation to the Election Commission intends to vote at the place of polling in Gandhinagar. |
| (6) | Committee Room of the Haryana Vidhan Sabha Secretariat, Vidhan Bhavan, Chandigarh. | Elected members of the Haryana Legislative Assembly and any elected member of Parliament who after intimation to the Election Commission intends to vote at the place of polling in Chandigarh. |
| (7) | Main Committee Room of Himachal Pradesh Legislature Assembly Building, Council Chamber, Simla. | Elected members of the Himachal Pradesh Legislative Assembly and any elected member of Parliament who after intimation to the Election Commission intends to vote at the place of polling in Simla. |
| (8) | Assembly Lobby, Jammu and Kashmir Legislative Assembly Building, Srinagar. | Elected members of the Jammu and Kashmir Legislative Assembly and any elected member of Parliament who after intimation to the Election Commission intends to vote at the place of polling in Srinagar. |
| (9) | Committee Room (Room No. 118), Karnataka Legislature Secretariat, 1 st Floor, Vidhan Soudha, Bangalore. | Elected members of the Karnataka Legislative Assembly and any elected member of Parliament who after intimation to the Election Commission intends to vote at the place of polling in Bangalore. |
| (10) | Press Room at the Ground Floor of the Kerala Legislative Assembly Buildings, Trivandrum. | Elected members of the Kerala Legislative Assembly and any elected member of Parliament who after intimation to the Election Commission intends to vote at the place of polling in Trivandrum. |
| (11) | Committee Room No. 1 of the Madhya Pradesh Vidhan Sabha Bhavan, Bhopal. | Elected members of the Madhya Pradesh Legislative Assembly and any elected member of Parliament who after intimation to the Election Commission |
| | intends to vote at the place of polling in Bhopal | |
| (12) | Party Hall, 2 nd Floor Council Hall Fort, Bombay. | Elected members of the Maharashtra Legislative Assembly and any elected member of Parliament who after intimation to the Election Commission intends to vote at the place of polling in Bombay. |
| (13) | Committee Room of the Meghalaya Legislative Assembly, Imphal. | Elected members of the Manipur Legislative Assembly and any elected member of Parliament who a |
| | intimation to the Election Commission intends to | vote at the place of polling in Imphal. |
| (14) | Library Room of the Manipur Legislative Assembly, Shillong. | Elected members of the Meghalaya Legislative Assembly and any elected member of Parliament who after intimation to the Election Commission intends to vote at the place of polling in Shillong. |
| (15) | Committee Room in the Nagaland Legislative Assembly, Kohima. | Any elected member of Parliament who after intimation to the Election Commission intends to vote at the place of polling in Kohima. |

(3)

- | | |
|---|--|
| (16) Office Room of the Secretary, Orissa Legislative Assembly in the State Legislative Assembly Building at Bhubaneswar. | Elected members of the Orissa Legislative Assembly and any elected member of Parliament who after intimation to the Election Commission intends to vote at the place of polling in Bhubaneswar. |
| (17) Committee Room of the Punjab Vidhan Sabha Secretariat, Vidhan Bhavan, Chandigarh. | Elected members of the Punjab Legislative Assembly and any elected member of Parliament who after intimation to the Election Commission intends to vote at the place of polling in Chandigarh. |
| (18) Committee Room (No. 40) in the Rajasthan Legislature Assembly, Sawai Mansingh Town Hall, Jaipur. | Elected members of the Rajasthan Legislative Assembly and any elected member of Parliament who after intimation to the Election Commission intends to vote at the place of polling in Jaipur. |
| (19) Lounge of the Assembly Hall, Sikkim Legislature Assembly Building, Gangtok. | Elected members of the Sikkim Legislative Assembly and any elected member of Parliament who after intimation to the Election Commission intends to vote at the place of polling in Gangtok. |
| (20) Legislature Committee Room in Ground Floor of Secretariat Building, Fort St. George, Madras. | Elected members of the Tamil Nadu Legislative Assembly and any elected member of Parliament who after intimation to the Election Commission intends to vote at the place of polling in Madras. |
| (21) Library Room of Tripura Legislature Assembly, Agartala. | Elected members of the Tripura Legislative Assembly and any elected member of Parliament who after intimation to the Election Commission intends to vote at the place of polling in Agartala. |
| (22) Tilak Hall, Vidhan Bhawan, Lucknow. | Elected members of the Uttar Pradesh Legislative Assembly and any elected member of Parliament who after intimation to the Election Commission intends to vote at the place of polling in Lucknow. |
| (23) "Assembly Chamber" in the Assembly House, Calcutta. | Elected members of the West Bengal Legislative Assembly and any elected member of Parliament who after intimation to the Election Commission intends to vote at the place of polling in Calcutta. |

Sd/- A. N. SEN

Secretary.

By Order

D. K. MANAVALAN

**Chief Electoral Officer, Sikkim.
Election Department (Home).**

SIKKIM

GOVERNMENT



GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 79

Gangtok, Thursday, July 7, 1977

ELECTION DEPARTMENT (HOME)

NOTIFICATION NO30/H.

Dated Gangtok the 4th July, 1977.

The Election Commission of India Notification No.479/77(6)/II dated 4th June, 1977 is republished for General information:—

ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN,
ASHOKA ROAD,
NEW DELHI—110001.

Dated 4th July, 1977.

No.479/77(6)11.— In pursuance of clause (b) of rule 7 of the Presidential and Vice-Presidential Elections Rules, 1974, the Election Commission hereby specifies the hours from 10AM. to 5 P.M. both inclusive to be the hours during which the poll will be taken at each place of polling fixed by the Commission in its Notification No. 479/77(6) I, dated 4 th July 1977, for the Presidential Election.

Sd/- A. N. SEN

Secretary.

By Order

D. K. MANAVALAN

Chief Electoral Officer, Sikkim.
Election Department (Home)

SIKKIM

GOVERNMENT



GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 80

Gangtok, Thursday, July 7, 1977

ELECTION DEPARTMENT (HOME)

NOTIFICATION NO. 31/H.

Dated Gangtok, the 4th July, 1977.

The Election Commission of India Notification No. 479/77 (6)111 dated 4th July, 1977 is republished for General information :—

ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN,
ASHOKA ROAD,
NEW DELHI- 110001.

Dated 4th July, 1977.

NOTIFICATION

No.479/77(6)111.- Besides the Returning Officer for the Presidential Election, 1977, who shall conduct the poll to be taken at the said election on the 6th August, 1977, at the place of polling in the Parliament House in New Delhi, the Assistant Returning Officers who are hereby specified in Column 1 of the Table below by the Election Commission under sub-rule (1) of rule 9 of the Presidential and Vice-Presidential Election Rule, 1974, shall also conduct the poll at the said election on the said date and the place of polling at which each such Assistant Returning Officer shall conduct the poll is specified against him in Column 2 of the said Table :-

TABLE.

Assistant Returning Officer	Place of polling
1	2
(1) The Secretary, Andhra Pradesh Legislative Assembly, Hyderabad.	Committee Room of the Andhra Pradesh Legislative Assembly Buildings, Hyderabad.
(2) The Secretary, Assam Legislative Assembly, Dispur.	Room No.2 of the Assam Legislative Assembly Building, Dispur.
(3) The Secretary, Bihar Legislative Assembly, Patna.	“Reading Room” of the Library (Upper Floor) in the Bihar Vidhan Sabha Buildings, Patna.

- | | | |
|-----|---|--|
| (4) | The Secretary,
Gujarat Legislative Assembly,
Gandhinagar. | Library of the Gujurat Legislative Assembly,
Gandhinagar. |
| (5) | The Secretary, Haryana Legislative
Assembly, Chandigarh. | Committee Room of the Haryana Vidhan Sabha
Secretariat, Vidhan Bhavan, Chadigarh. |
| (6) | The Secretary, Himachal Pradesh
Legislative Assembly, Simla. | Main Committee Room if the Himachal Pradesh
Legislative Assembly Building, Council Chamber,
Simla. |
| (7) | The Secretary, Jammu and Kashmir
Legislative Assembly, Srinagar. | Assembly Lobby, Jammu and Kashmir Legislative
Assembly Building, Srinagar. |
| 8. | The Secretary,
Karnataka Legislative
Assembly, Bangalore. | Committee Room (Room No.118),
Karnataka Legislature
Secretariat, 1 st Floor,
Vidhana Soudha, Bangalore. |
| 9. | The Secretary,
Kerala Legislative Assembly,
Trivandrum. | Press Room at the Ground Floor of the Kerala
Legislative Assembly Building,
Trivandrum. |
| 10. | The Secretary, Madhya Pradesh
Legislative Assembly, Bhopal | Committee Room of the Madhya Pradesh
Vidhan Sabha Bhavan, Bhopal. |
| 11. | The Secretary, Maharashtra
Legislative Assembly, Bombay. | Party Hall, Second Floor,
Council Hall, Fort, Bombay. |
| 12. | The Secretary, Manipur Legislative
Assembly, Imphal. | Committee Room of the Manipur Legislative Assembly, Imphal. |
| 13. | The Secretary, Meghalaya
Legislative Assembly, Shillong. | Library Room of the Meghalaya Legislative Assem-
bly, Shillong. |
| 14. | The Secretary, Nagaland
Legislative Assembly, Kohima. | Committee Room in the Nagaland Legislative
Assembly, Kohima. |
| 15. | The Secretary, Orissa Legislative
Assembly, Bhubaneswar. | Office Room of the Secretary, Orissa Legislative
Assembly in the State Legislative Assembly Building
at Bhubaneswar. |
| 16. | The Secretary, Punjab Legislative
Assembly Chandigarh. | Committee Room of the Punjab Vidhan Sabha
Secretariat, Vidhan Bhavan, Chandigarh. |
| 17. | The Secretary, Rajasthan Legislative
Assembly, Jaipur. | Committee Room (No.40) in the Rajasthan Legisla-
tive Assembly, Sawai Mansingh Town Hall, Jaipur. |
| 18. | The Secretary,
Sikkim Legislative Assembly, Gangtok. | Lounge of the Assembly Hall, Sikkim
Assembly Building, Gangtok. |
| 19. | The Secretary,
Tamil Nadu Legislative Assembly, Madras, | Legislature Committee Room in the Ground Floor
of Secretariat Building, Fort St. George, Madras. |
| 20. | The Secretary,
Tripura Legislative Assembly, Agartala. | Library Room - of Tripura Legislative Assembly,
Agartala. |
| 21. | The Secretary,
Uttar Pradesh Legislative Assembly,
Lucknow. | Tilak Hall,
Vidhan Bhawan,
Lucknow. |
| 22. | The Secretary,
West Bengal Legislative Assembly,
Calcutta. | “Assembly Chambers” in the Assembly House,
Calcutta. |

By Order,

**D. K. MANAVALAN,
Chief Electoral Officer, Sikkim.
Election Department (Home).**

**Sd/- A. N. SEN
Secretary.**

SIKKIM
GOVERNMENT  GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

NO. 81

GANGTOK, THURSDAY, JULY 7, 1977.

GOVERNMENT OF SIKKIM

HOME DEPARTMENT

NOTIFICATION

Gangtok, the 7th July, 1977.

15 / Home.— In supersession of the Government of Sikkim Notification No. 55/Home, published in Extraordinary Gazette No. 79 dated 29.11.1976, it has been decided to re-allocate the entire subject relating to Fisheries under the sole charge of the Forest Department and to make the Fisheries Development Officer responsible for the "Fisheries Wing".

By Order of the Governor of Sikkim.

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

F. 8 (8)-Home/76.

SIKKIM

GOVERNMENT GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 82

GANGTOK, MONDAY, JULY 18, 1977.

HOME DEPARTMENT

NOTIFICATION

Gangtok, the 16th July, 1977.

No. 17/Home.— The Government of India, Ministry of Agriculture & Irrigation (Department of Agriculture) New Delhi, Notification No. F. 12018/12/76-LRD dated the 7th July, 1977 is republished for general information.

“S.O. In pursuance of the notification of the Government of India in the Ministry of Home Affairs No. F. 11013/9/77-SKM dated the 23rd April, 1977, the Central Government hereby appoints the 7th day of July, 1977, as the date on which the Land Acquisition Act, 1894 (1 of 1894), and the Land Acquisition (Companies) Rules, 1963 made under Section 55 of the said Act, shall come into force in the State of Sikkim.

Sd/- R. K. RATH

Joint Secretary to the
Government of India.

T. S. Gyaltsen,

Chief Secretary, Government

of Sikkim.

F. 7 (33)-Home/76.

SIKKIM
GOVERNMENT  GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 83

Gangtok, Monday, July 18, 1977

ESTABLISHMENT DEPARTMENT
Notification No, 127/Gen/Est.
Dated Gangtok, the 14th July, 1977.

The Governor of Sikkim is pleased to make the following rules to regulate fixation of pay and treatment of service in respect of persons initially appointed on contract and subsequently absorbed into regular service of the Sikkim Government:—

I — Absorption

A person initially employed on contract may at any time during the period of contract but before attaining the age of superannuation, opt for absorption in the regular service of the Sikkim Government which may accept the option from such date and subject to such conditions as may be specified in each case.

II — Fixation of pay

(i) The initial pay of such a Government servant shall, from the date of acceptance of the option, be fixed in the time scale applicable to the appointment in which he is absorbed, at the stage he would have reached on account of normal increment and pay revision benefits had the period of service on contract been rendered in that time scale.

Explanation :

Contract allowance, if any, drawn in contract service shall, not be taken into account for fixation of pay on absorption. Nor shall the 'pay drawn in contract service prior to the date of absorption be protected.

(ii) The period of service on contract following the date of last increment in the contract scale and up to the day preceding the date of absorption shall, if otherwise qualified, count for increment in the time scale of the regular appointment.

III—Treatment of previous service

On absorption in regular service, the period of service on contract immediately preceding the absorption, shall be treated as qualifying service for the purpose of retirement benefits admissible under Sikkim Government Rules.

IV —Date of effect

These rules shall be deemed to have come into force with effect from first day of April, 1976 and shall be applicable to persons in contract service on the date of issue of these rules. In the case of such persons who are desirous of absorbing in regular service, option shall be exercised within a period of three months from the date of issue of these rules. Option once exercised shall be final and furnished to the Head of Department concerned within the prescribed time limit.

V — Miscellaneous

These rules shall not apply to retired persons appointed in contract service and in receipt of pension from the Central or any other State Governments or any other organisation. Such retired persons shall continue to be governed by the existing orders.

Sd/- T. CHHOPHEL,
Secretary,
Establishment Department.

SIKKIM

GOVERNMENT



GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 84

GANGTOK, THURSDAY, JULY 21, 1977.

HOME DEPARTMENT

NOTIFICATION

Gangtok, the 16th July, 1977.

16/Home.— In accordance with the provisions of the Government of Sikkim (Allocation of Business) Rules, 1975, the Government have taken decision to place the Wood Working Centre under the direct charge of the Chief Conservator of Forests (Utilisation), to be run as one of the Divisions of the Forest Department.

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

T. S. Gyaltshen,

**Chief Secretary,
Government of Sikkim**

F. No. 8 (5)-Home/77.

SIKKIM

GOVERNMENT



GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 85

Gangtok, Friday, July 22, 1977

RAJ BHAVAN, GANGTOK

No. SKM/GOV/558/77

Dated Gangtok, the 22nd July, 1977.

The Governor of Sikkim, on the advice of the Chief Minister, has been pleased to appoint Shri Ram Chandra Poudyal to be a member of the Council of Ministers.

He has taken oaths of office and secrecy and entered upon the duties of his office with effect from the afternoon of the 21st day of July, 1977.

T. P. Sharma

Secretary to Governor of Sikkim.

SIKKIM
GOVERNMENT  GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 86

GANGTOK, THURSDAY, JULY 21, 1977.

RAJ BHAVAN, GANGTOK

No. SKM/GOV/551/77

Dated Gangtok, the 21st July, 1977.

I, B. B. Lai, Governor of Sikkim, hereby order that the portfolios of the members of the Council of Ministers shall be as follows with effect from today:—

- | | |
|--|---|
| 1. Kazi Lhendup Dorji Khangasarpa
Finance, Law and any other Department not | Home (Police & General Adm) Establishment,
allotted to any Minister. |
| 2. Shri B. P. Dahal | Education, Press, Information & Public Relations, Culture, Local Self Government, Legislative and Ecclesiastical. |
| 3. Shri K. B. Limboo | S.P.W.D., Labour, Mines & Geology. |
| 4. Shri B.P. Kharel | Medical & Health, Social Welfare, Scheduled Caste Welfare, Food & Civil Supplies & State owned Enterprises. |
| 5. Shri Rinzing Tongden Lepcha | Power, Small, Medium & Heavy Industries and Government Institute of Cottage Industries. |
| 6. Shri Dorjee Tsering | Rural Works, Panchayat, Excise, Sikkim Nationalised Transport & Motor Vehicle Department. |
| 7. Shri Nayen Tsering Lepcha | Agriculture, Animal Husbandry, Minor and Major Irrigation, Co-operation & S.F-DA. |
| 8. Shri R. C. Paudyal | Forest, Tourism, Land Revenue, Land Reforms Survey & Settlement and Planning and Development. |

B. B. LAL

Governor of Sikkim.

SIKKIM

GOVERNMENT GAZETTE



EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 87

GANGTOK, SATURDAY, JULY 23, 1977.

Government of Sikkim

Establishment Department

Notification

The question of improving the existing emoluments of the Government Employees has been engaging the attention of the Government for some time. After careful consideration the Governor of Sikkim has been pleased to order that in supersession of all orders on the subject the emoluments of the State Employees shall be increased in the following manner :—

I - The existing rates of pay of all non-gazetted employees in service on 31st March, 1977 shall be stepped up with effect from 1st April, 1977 in the present scales of pay by adding the number of increments shown below :

Class IV (a) and (b)	.....	Three increments
Class III (a) and (b)	.....	Two increments
Class II -NG (a) and (b)	.....	Two increments
Class II - NG (c)	.....	One increment.

Addition of increments as above shall not affect accrual of annual increments which shall fall due on the normal dates.

II - The present rates of Dearness Allowance for all Government Employees shall be revised as under with effect from 1st. April, 1977.

Pay range	Rate per month
	Rs.
Upto Rs.600/-	60/-
From Rs.601/- and above	70/-

III - The existing rates of House Rent Allowance for employees upto Class II (G) level shall be raised as shown below with effect from 1st April, 1977:

Category	Rate per month	
	Gangtok Rs.	— Outside Gangtok Rs.
Class IV	35/-	25/-
Class III	45/-	35/-
Class II(NG)	65/-	50/-
Class II (G)	110/-	75/-

The revised rates of House Rent Allowance for Gangtok shall be applicable to employees posted and residing within the limits of the Gangtok Municipal Corporation.

2. In the case of Government Employees appointed after 1st April, 1977 the enhanced rates of Dearness and House Rent Allowances shall be admissible from the dates of actual appointment.

By order,

T.S. GYALTSHEN,

Chief Secretary,
Government of Sikkim.
No. 130 (Gen) Est.

SIKKIM
GOVERNMENT  GAZETTE
EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 88

Gangtok, Saturday, July 23, 1977

GOVERNMENT OF SIKKIM

HOME DEPARTMENT

NOTIFICATION

Gangtok, the 23rd July, 1977.

No.18/Home.— The Government of India, Ministry of Law, Justice & Co. Affairs (Department of Justice) Notification No. 19/1/77-Jus dated the 15th July, 1977 is hereby republished for general information:—

"In exercise of the powers conferred by article 223 of the Constitution, the President is pleased to appoint Shri Justice Anandamoy Bhattacharjee, Judge of the High Court of Sikkim, to perform the duties of the Chief Justice of that High Court with effect from the 18th July, 1977, during the absence on leave of Shri Justice Man Mohan Singh Gujral

Sd/- R. VASUDEVAN

**Deputy Secretary to the
Government of India."**

T. S. Gyaltshen,

**Chief Secretary,
Government of Sikkim.**

F. No. 6 (22)-Home/75.

SIKKIM

GOVERNMENT



GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 89

GANGTOK, MONDAY, JULY 25, 1977.

SIKKIM LEGISLATIVE ASSEMBLY
SECRETARIAT GANGTOK

NOTIFICATION

Notification No. SLAS/77/106/248

Dated Gangtok, the 25th July, 1977.

The Hon'ble Speaker, Sikkim Legislative Assembly, has been pleased to accept
signation of Shri R. C. Poudyal, Deputy Speaker, Sikkim Legislative Assembly, with
from the afternoon of 21st July, 1977.

R. K. GUPTA,

Secretary,
Sikkim Legislative Assembly Secretariat.

PRINTED AT THE SIKKIM GOVERNMENT PRESS

SIKKIM

GOVERNMENT GAZETTE



EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 90

GANGTOK, MONDAY, AUGUST 1, 1977.

ESTABLISHMENT DEPARTMENT

No. 139/Gen/Est.

Dated Gangtok, the 1st August, 1977.

NOTIFICATION — The Governor of Sikkim has been pleased to order the following modifications in Establishment Department Notification No. 130(Gen)Est dated the 23rd July, 1977.

- (a) Para 1 (I) relating to stepping up of existing rates of pay of non-gazetted employees shall be deleted;
- (b) Para 1 (II) shall be renumbered as Para 1 (I) and the rates of Dearness Allowance admissible with effect from 1st April, 1977 shall be substituted as under:

Category	Rate per month
Class IV (a)	Rs. 70/-
Class IV (b)	Rs. 80/-
Class III (a)&(b)	Rs. 84/-
Class II (a) NG	Rs. 86/-
Class II (b)&(c) NG	Rs. 90/-

- (c) The following shall be inserted as Para 1 (II): Winter Allowance sanctioned in Finance Department Notification No. 9/Fin. dated the 12th October, 1976 shall, in future be admissible at the uniform rate of Rs. 30/- per month on the existing term and conditions:
- (d) Para 1 (III) regarding revision of rates of House Rent Allowance shall be omitted and in its place the following shall be substituted:

Terai Allowance at the rate of Rs. 30/- per month shall be allowed to all employees in receipt of monthly pay upto Rs. 1200/- and posted at places situated below 1000 meters. The allowance shall be admissible for four months from 1st May to 31st August every year.

- (e) A new para 1 (IV) shall be inserted as follows:
Children Educational Allowance shall be admissible to the State Government Employees with effect from 1st April, 1977 at the same rates and subject to similar terms and conditions as are prescribed for the Central Government employees. Rules incorporating the rates and the terms and conditions of eligibility for the drawal of this allowance will be framed on the basis of the Central Government Rules on , the subject.

2. Paragraph 2 of the Notification dated 23rd July, 1977 shall be read as under:

"2 In the case of Government Employees appointed after 1st April, 1977 Dearness Allowance and Children Education Allowance shall be admissible from the dates of actual appointment. Winter and Terai Allowances shall, however, be admissible from the commencement of the prescribed months or the date of appointment, whichever is later."

By Order

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

SIKKIM

GOVERNMENT



GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 91

GANGTOK, SATURDAY, AUGUST 6, 1977.

ELECTION DEPARTMENT (HOME)

NOTIFICATION NO. 32/H.

Dated Gangtok the 5th August, 1977.

The Ministry of Law, Justice and Company Affairs, Government of India Notification No. F. 13 (6)/77-Leg. II dated 21st July, 1977 is republished for information:—

**GOVERNMENT OF INDIA,
MINISTRY OF LAW, JUSTICE & COMPANY AFFAIRS,
(LEGISLATIVE DEPARTMENT)**

Dated 21st July, 1977.

NOTIFICATION

S.O.— In pursuance of the provisions of section 12 of the Presidential and Vice - Presidential Elections Act, 1952 (31 of 1952), the following declaration containing the name of the person elected to the office of President of India is published for general information :—

DECLARATION

"In pursuance of the provisions contained in clause (a) of section 8 of the Presidential and Vice - Presidential Elections Act, 1952 (31 of 1952), I, Avtar Singh Rikhy, the Returning Officer for the Presidential Election, hereby declare that Shri Neelam Sanjiva Reddy, Nagabihar, Lakshminagar, Anantapur (Andhra Pradesh), being the only candidate who has been validly nominated and who has not withdrawn his candidature in the manner and within the time specified for the purpose, has been duly elected to the office of President of India.

No. F. 13 (6)/77—Leg. II

Sd/- (AVTAR SINGH RIKHY)

**SECRETARY, LOK SABHA & RETURNING
OFFICER FOR THE PRESIDENTIAL ELECTION".**

By Order

**(T. S. GYALTSEN)
CHIEF SECRETARY OF SIKKIM.**

**Sd/- (K.K. SUNDARAM)
SECRETARY TO THE GOVERNMENT OF INDIA.**

SIKKIM
GOVERNMENT  GAZETTE
EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 92

Gangtok, Monday, August 8, 1977

GOVERNMENT OF SIKKIM

HOME DEPARTMENT

NOTIFICATION

No. 5(9)-Home/75

Dated Gangtok the 8th August, 1977.

Consequent upon the revocation of the emergency, orders issued under the Home Department Notification No. 62/H dated 4th July, 1975, regarding Constitution of a State Level Coordination Committee for a continual review of the developing situation during Emergency, stand cancelled.

**T. S. Gyaltshen,
Chief Secretary,
Government of Sikkim.**

SIKKIM

GOVERNMENT



GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 93

Gangtok, Wednesday, August 10, 1977

GOVERNMENT OF SIKKIM

HOME DEPARTMENT

NOTIFICATION

Dated Gangtok the 9th August, 1977.

No. 19/Home/77.— The Government of India, Ministry of Home Affairs Notification No.F. 11013/9/77-SKM dated the 16th July, 1977 is hereby republished for general information:—

“S.O. The following notification made by the Vice-President acting as President of India on the 16th July, 1977 is published for general information:—

In exercise of the powers conferred by Clause (n) of article 371 F of the Constitution, the Vice-President acting as President hereby extends to the State of Sikkim, with immediate effect, the Presidential and Vice-Presidential Elections Act, 1952 (31 of 1952), subject to the modification that any reference in the said Act to a law not in force, or to a functionary not in existence, in the State of Sikkim shall be construed as a reference to the corresponding law in force, or to the corresponding functionary in existence, in that State:

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

B. D. JATTI

**Vice-President
Acting as President of India
(F.11013/9/77-SKM)**

**Sd/- (M. L. KAMPANI)
Joint Secretary to the Govt. of India**

T. S. Gyaltsen,

**Chief Secretary,
Government of Sikkim.
F. No. 3(8) – Home/77.**

SIKKIM

GOVERNMENT



GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 94

Gangtok, Thursday, August 18, 1977

GOVERNMENT OF SIKKIM

HOME DEPARTMENT

NOTIFICATION

Dated Gangtok, the 17th August, 1977.

No. 8(10)/Home/77.— The Governor of Sikkim is pleased to make the following additions to the Schedules annexed to the Government of Sikkim (Allocation of Business) Rules, 1975:—

The First Schedule

Add the following after SI. No. 25:—
"26 State Enterprises Department"

The Second Schedule

Add the following after SI. No. 25:—
"26 State Enterprises Department:

1. State Trading Corporation of Sikkim.
2. Sikkim Mining Corporation.
3. Tea Board.
4. Singtam Fruit Preservation Factory."

T. S. Gyaltsen,

**Chief Secretary,
Government of Sikkim.
F. No. 8(10)-Home/77.**

SIKKIM

GOVERNMENT GAZETTE



EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 95

Gangtok, Friday, August 26, 1977

GOVERNMENT OF SIKKIM

HOME DEPARTMENT

NOTIFICATION

Dated Gangtok, the 26th August, 1977.

In exercise of the powers conferred by Section 35- of The Wild Life Protection Act, 1972 (No. 53 of 1972): the State Government, hereby, declares the following area as per boundaries detailed hereunder as "Khanchendzonga National Park" for and with a view which is of great importance from ecological, geomorphological and Biological significance. The area of National Park comprises about 850 Sq. kilometers.

BOUNDARIES :

On the East – proceeding from Zedang along the ridge passing through Lama-Angdong along the ridge of Lachen, Benshoi, Latong, Denga, Yungang Reserve Forests following the ridges upto Theng R. F.

On the West :- commencing from South Kabur Peak following the Nepal boundary passing through Kabur North Peak, Talung Peak, Mount Khangchendzonga, Nepal Peak and ending at Tent Peak.

On the South :- proceeding from Theng R. F. passing above Pakal R. F. following the ridge and crossing Ringi Chhu above Tholung Gompa, the following the ridge to a turning point to future South following the ridges between Umaram Chhu and its tributary Passamram Chhu passing through Tsingnok, Pakilho, Mounts Narsing Jho- Punu, Pandim, Geochala and ending up at Kabur Peak.

On the North :- commencing from Tent Peak, on the Nepal boundary, passing through Zemu glacier along the Zemu Chhu upto the confluence of Zemu Chhu and Lhonak Chhu at Zedang.

T. S. Gyaltshen,

**Chief Secretary,
Government of Sikkim.**

No. 43(9)-Home/77.

SIKKIM

GOVERNMENT GAZETTE



EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 96

Gangtok, Wednesday, August 31, 1977

GOVERNMENT OF SIKKIM

HOME DEPARTMENT

ORDER

Dated Gangtok, the 31st August, 1977.

No. 20/Home— The Government of India, Ministry of Petroleum, New Delhi Order G.S.R. 94 (E) dated the 28th February, 1977 is published for general information:—

S.R. 94 (E)— In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby directs that the Orders specified in the Schedule annexed hereto shall extend to and come into force in the State Sikkim with effect on and from the 1st March, 1977.

THE SCHEDULE

1. High Speed Diesel Oil (Restriction on Use) Order, 1974.
2. Kerosene (Restriction on Use) Order, 1966.
3. Liquefied Petroleum Gas (Restriction on Use) Order, 1974.
4. Petroleum Products (Collection of Information) Order, 1966.
5. Petroleum Products (Regulation of Supply to Retail Outlets) Order, 1974.
6. Petroleum Products (Supply and Distribution) Order, 1972.

(No. F. IS-11013/15/75-Mkt)
C. VENKATARAMANI

Joint Secretary.

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

(43(4)- Home/77)

SIKKIM
GOVERNMENT  GAZETTE
EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 97

Gangtok, Saturday, September 3, 1977

GOVERNMENT OF SIKKIM

HOME DEPARTMENT

NOTIFICATION

No. (41(2)-Home/76 Vol. II)

Dated Gangtok, the 2nd September, 1977.

Consequent on the acceptance of the resignation of the Hon'ble Minister Shri K. B. Limboo from the Post of Chairman, Sikkim Mining Corporation, the Governor is pleased to appoint Shri R. T. Lepcha, Hon'ble Minister of Industries as Chairman, Sikkim Mining Corporation, with immediate effect.

M.P. PRADHAN,
Chief Secretary,
Government of Sikkim.

SIKKIM
GOVERNMENT  **GAZETTE**
EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 98

Gangtok, Wednesday, September 7, 1977

ELECTION DEPARTMENT (HOME)

Notification N0.33/H.

Dated Gangtok, the 3rd. Sept. 1977.

The Election Commission of India Notification No. 82/SKM/77 dated 26 August, 1977

is republished for general information :—

ELECTION COMMISSION OF INDIA

'Nirvachan Sadan'
Ashoka Road,
New Delhi - 110001.

Dated 36 August, 1977.

NOTIFICATION.

No. 82/SKM/77 :— In pursuance of section 106 of the Representation of the People Act, 1951 (43 of 1951) the Election Commission hereby publishes die order, dated 2 July, 1977 of the High Court of Sikkim in Election Petition No. I of 1977.

IN THE HIGH COURT OF SIKKIM

Election Petition No. 1 of 1977,

Santosh Kumar Rai	.....	Petitioner.
Versus		
Sonam Wangdi and others	.....	Respondents.

ORDER

2.7.77. Present - Respondent No. 1, Shri Sonam Wangdi (the Returning Officer) in person alongwith his learned counsel Shri J. N.Roy.

Respondent No. 2, Shri D.k. Manavalan (the Divisional Commissioner) is represented by his counsel, the learned Advocate - General Shri S. R. Sarkar.

Respondent No. 3, Shri Chhatra Bahadur Chettri (the returned candidate) in person alongwith his learned counsel Shri N.B Kharga.

As has already been pointed but pointed out in the order dated 1st July, 1977, the petitioner failed to and did not appear yesterday, that is, 1st July, 1977, which was, the date fixed for hearing of the election petition and that no lawyer or any other person was present on his behalf nor any petition was submitted by him or on his behalf. Under the circumstances it was urged by the learned counsel for all the respondents that the petition was to be dismissed for non-prosecution. Under Section 87 of the Representation of the People Act, 1951, it is provided that "subject to the provisions of this Act and of any rules made thereunder, every petition was to be tried by the High Court, as nearly as may be, in accordance with the procedure applicable under the Code of Civil Procedure, 1908, to the trial of suits". The word "trial" has been given a narrow definition in the Explanation to sub-section (4) to Section 86 of the Representation of the People Act, 1951, providing that the trial of a petition shall be deemed to commence on the date fixed for the respondents to appear before the High Court and to answer or claims or claims made in the petition : but the said definition is, as been made expressly clear in the aforesaid Explanation, to be applied only for the purpose of section 86 and Section 97 of the Act. The word "trial", therefore, in Section 87 of the Representation of People Act, 1951, shall have its ordinary mean and in view of the several decisions of the Supreme Court on the point it can now be taken to be settled that the word "trial" in Section 87 of the Act is used as meaning the entries proceeding from the filing of the election petition until the conclusion of the proceedings. That being so, the provisions of the Code of Civil Procedure shall apply at every stage of the election proceeding commencing from the presentation of the election petition until the conclusion of the proceeding, unless there is any express provision in the Representation of People Act, 1951, or the rules made thereunder either, to the contrary or providing for a particular matter. In other words, unless there is anything contrary in the Representation of People Act and the rules made thereunder or unless the particular matter falling for determination is covered by any express provision in the aforesaid Act or the rules made thereunder, the provisions of the Code of Civil Procedure shall apply.

2. In the Act or the rules made there under, there appears to be no provision providing for the procedure to be followed or the power to be exercised in a case where the election petitioner makes default and does not proceed with his petition, That being so, I feel that I should be inclined to hold that such a case is to be decided in accordance with the provisions of the Code of Civil Procedure.

3. It is no doubt true that there has been some divergence of judicial opinion on the question whether an election petition can be dismissed for non-prosecution under the provisions of order IX or Order XVII of the Code of Civil Procedure among different High Courts and it appears that even the same High Court has spoken in different voices on different occasions.

4. In *Dinanath Kaul Vs. Election Tribunal* (AIR 1960 Jammu & Kashmir 25), a Full Bench of the Jammu and Kashmir High Court was of the view that an election petition had to proceed to completion and that the petitioner could not refuse to prosecute it and further that an order of dismissal of such a petition on the ground of non-appearance is contrary to law. In *Sawalia Beharilal Verma Vs. Tribikkram Deonarayan Singh* (AIR 1969 Patna 378), a Division Bench of the Patna High Court expressly different from the aforesaid Full Bench decision and after examining all the relevant provisions of the Representation of People Act, 1951 and the rules made thereunder and several reported decisions of different High Courts on the point, it was held by the Division Bench, mainly relying on the decisions of Hidayatullah, C.J. (as his Lordship then was) in *Mannalal Vs. Nandram Das Dwaraka Das* (AIR 1958 Madhya Pradesh 260), that if the petitioner did not appear or take steps when the case was fixed for hearing the Court could dismiss the election petition under Order XVII or Order IX, as the case may be. In the said Madhya Pradesh case, Hidayatullah, C.J. (as his Lordship then, was) actually went a step further and held that such dismissal is justified even under the inherent powers which every Tribunal must be deemed to possess and his lordship further held that it is axiomatic that no Court or Tribunal can be expected or supposed to continue a proceeding before it has not appeared or has not cared to remain present.

5. This very question also came up for consideration before a Full Bench of the Punjab and Haryana High Court in *jugal Kishore Vs. Baldev Prasad* (AIR 1968 Punjab & Haryana 152) where Grover, J. (as his Lordship then was) expressly approved of the aforesaid Madhya Pradesh decision and held that even though the Madhya Pradesh decision was given under the relevant provisions of the Representation of People Act., 1951, as it stood before the amendment of 1966, yet the law on the point remained the same and that there being no distinct provision even after the amendment of 1956, in the Representation of People Act, 1951, on the rules made thereunder, laying down any particular or special procedure which is to be followed when the petitioner commits default either in appearance or in production of evidence or in prosecuting the petition, the provisions of the Code of Civil Procedure would be applicable in view of the provisions of Section 87 of the Representation of People Act. As to the observations of Hidayatullah, C.J. in the Madhya Pradesh case, Grover, J., pointed out further that while at the time when the Madhya Pradesh case was being decided, elected petition were to be decided by Tribunals and not by the High Courts, under the amended provisions of the Representation of People Act, 1951, such election petitions are to be tried by the High Court itself and as such, his Lordship held that even if it could be argued or assumed that Election Tribunal might not have possessed any such inherent power as they were held to possess by Hidayatullah, C.J., there can be no manner of doubt that the High Court, which is a Court of record and as such possesses all the inherent powers of a Court, can invoke such powers in trying election petition also.

6. It appears from the decisions of the Allahabad High Court in *Biswanath Prasad Vs. Malkhan rma* (AIR 1964 Allahabad 181), and *Brizmohan Lai Vs. Election Tribunal* (AIR 1965 Allahabad 450) that the Allahabad view was that the Election Tribunal had no power to dismiss the election petition for default of appearance of the petitioner and that the hearing of the petition, therefore, must proceed according to law and conclude on merits. These Allahabad cases along with several Supreme Court decisions and decisions of other High Courts were considered by a Full Bench of the Allahabad High Court in *Duryodhan Fs. Sitaram and others* (AIR 1970 Allahabad 1) and it was held by *Sitish Chandra and B.N. Lokur, JJ.*, that the aforesaid Allahabad decisions did not lay down the correct law and that the election tribunal, had full jurisdiction to dismiss the proceeding arising out of an election petition for default of appearance of the election petitioner. It may be noted that the said Allahabad Full Bench decision construed the provisions of the Representation of People Act, 19⁵¹, as it stood before the Amendment of 1966, but, in my view, the amendments of 1966 have not introduced any change on the point at issue as was pointed out by *Grover, J.*, in the Full Bench case of the Punjab & Haryana High Court noted hereinbefore.

7. It may be noted that in almost all these decisions referred to herein above, the decisions of the Supreme Court in *Jagannath Vs. Jayant Singh* (AIR 1954 Supreme Court 210), *Sangram Singh Vs. Election Tribunal* (AIR 1955 Supreme Court 425), *Malappa Basappa Vs. Vasavaraj Ayyappa* (AIR 1958 Supreme Court 698), *Kamraj Nadar Vs. Kunju Tevar* (AIR 1958 Supreme Court 637) were considered by the High Courts, but were construed differently by the different High Courts.

8. I have gone through the Supreme Court decisions noted hereinbefore and in my view none of the said decisions has actually decided the particular point for my consideration, though some of the observations in the aforesaid cases may be said to have thrown some light on the point at issue without, however, laying down any definite proposition on the point. But even then, I am inclined to hold, with respect, that those observations of the Supreme Court in the aforesaid cases, relied on by the other High Courts as stated hereinbefore, have been properly and rightly construed by the Division Bench of the Patna High Court in *Swalia Beharilal Verma Vs. Tribikram Deonarayan Singh* (AIR 1969 Patna 378) and by the Full Bench of the Punjab and Haryana High Court and the Allahabad High Court in the case noted hereinabove and in my view the position would be a baffling one if it were to be held that even if the election petitioner chose not to appear or to prosecute a petition or to lead any evidence, the trial of the petition was yet to be proceeded with. As has been pointed out in the Allahabad Full Bench case, if the election petition is not to be dismissed for default of the petitioner's appearance, but yet to be heard on merits in spite of the petitioner's non-appearance and as such leading no evidence whatsoever, the only evidence available for consideration would then be the evidence of the respondent and I have my doubts as to whether such a decision on such interested evidence on serious matters like corrupt practices or other alleged violations of law would at all be justified.

9. It should be noted that Chapter IV of the Representation of People Act, 1951, consisting of Sections 108 to 111, deals with withdrawal of election petitions. It has been urged by *Shri Roy*, the learned counsel for the respondent No.1, and by the learned Advocate-General, appearing for the respondent No. 2, that there is a good deal of difference between withdrawal of or withdrawing an election proceeding on the one hand and withdrawing from the election proceeding and not conducting the election petition. In my view, this contention has a good deal, of force and substance. It is no doubt true that the provisions contained in Sections 109 to 111 of the Representation of People Act have been made for the purpose of ensuring that if the petitioner chooses to withdraw his petition, any one else who may be interested from the constituency and who might himself have been a petitioner, may have an opportunity to apply to be substituted as petitioner so as to prosecute the petition. True, this purpose and object can immediately be defeated by the petitioner following the course of having his petition dismissed non-prosecution and by not filling an application for withdrawal. But as pointed out by (*Grover, J.* in the aforesaid Punjab & Haryana Full Bench case, "if the intention of the legislature was that owing to the peculiar nature of the election petitions, they should not be allowed to be disposed of or dismissed without prosecution to the end of the trial-that apparently was the reason for enactment of Sections 109 to 111 - it is difficult to understand why it has been left to die whim caprice and sweet-will of the petitioner to defeat that intention by following one course or the other". *Satish Chandra J.*, also in that Allahabad Full Bench case observed this to be undoubtedly a lacuna in the Act, because it makes provision when an election petitioner is allowed to withdraw the election petition, but makes no such provision if he just, refuses to prosecute, and thus withdraws himself from the proceeding. Be that as it may, I am of opinion that Sections 109 to 111 can only apply in the case of withdrawal of the election petition and not to a case of the election petitioner withdrawing himself from the trial and as such will not apply to a dismissal of application for default. As *Satish Chandra, J.*, further pointed out that it is for the legislature to fill in the lacuna by appropriate amendments and it is not for the Courts to legislate in the guise of interpretation. I respectfully agree with the view of *Grover, J.*, and *Satish Chandra, J.* I tried to ascertain as far as I could in my way whether the appropriate legislature has made any endeavour to remove this lacuna by appropriate measures even though such lacuna was pointed out as early as in 1968 ; but I have not been able to trace any step taken by the legislature in this regard. The learned counsel appearing for the respondents have also submitted that the provisions of the statute on the point remain as it reminded with all the lacunae as stated above.

10. I have already pointed out hereinbefore that I have not been able to lay hand on any reported decision of the Supreme Court directly on the point. But the learned Advocate-General, appearing for the respondent No.2 and also Shri Roy, the learned counsel appearing for respondent No. i, have drawn my attention to a book entitled "Supreme Court on Election Law" edited by B.A. Masodkar, Advocate and published by Lawyers' Home, Indore, which appears to be a summary of the Supreme Court decision on the election law and at page 21 c of that book there is a reference to a case of Dr. Sushila Balraj Vs. Ardhen-du Bhusan (Civil Appeal No.222 of 1964 decided on 18.3.1964) and it is noted therein that the decision is reported in 1965 Maharashtra Law journal, page 6c, but the said report is not available here and could not be made available to me by the learned counsel. In the summary of the said decision at page 219 of the book it appears that the Supreme Court has observed that "if, however, the election petitioner refused to give evidence and did not examine any witness, it cannot be said that it is not open to the Tribunal to dismiss the petition for non-prosecution. Such a power is implicit in the Tribunal. Even otherwise, on all the issues which were framed, the onus was on the election petitioner and in the absence of any evidence, the issues would have had to be answered against the election petitioner and that would have led to the same result".

11. In view of the observations quoted above I have felt that, though in my view the election petition is liable to be dismissed for non-prosecution, yet I should try to ascertain if any of the material issues framed in this case can be decided without any evidence from or on behalf the petitioner. As will appear from the election petition and the written statement of the respondents, the admitted case is that the petitioner did not make or subscribe any oath as required under Article 84 of the Constitution of India and his nomination paper was rejected by the respondent No. 1 on the ground of his failure to make and subscribe the required oath. It is no doubt true that the case of the petitioner in his petition is that he was not supplied with any prescribed form of oath and was misled by the respondent No.1 who allegedly acted in collusion with the respondent No.2 and allegedly acted in per his direction. As, however, the petitioner has not led any evidence whatsoever on this point, the aforesaid allegations cannot but be held to be unfounded and without basis. The question may, however, still remain that even if the respondent No. i acted most honestly and all allegations to the contrary made against him and/or the respondent No.2 are without basis, whether the respondent No.1, that is, the returning officer, was justified in law in rejecting the nomination paper on the ground of failure on the part of the petition to make or subscribe oath at any time before the scrutiny of the nomination papers. In other words, whether failure to make or subscribe oath as required by Article 84(a). of the Constitution of India is of such material importance as to justify rejection of the nomination paper and whether making or subscribing oath as required by the later part of Article 84(a) of the Constitution of India is also a part of the qualification for membership for Parliament. Whatever argument may be advanced on this aspect of this matter, I feel that the matter is to be held to have been settled by the decision of the Supreme Court in Pasupati Math Singh Vs. Harihar Prasad (AIR 1968 Supreme Court 1064) where construing the analogous provisions of Articles 173(a) of the Constitution of India, it was held by the Supreme Court that if the candidate has failed to make and subscribe the requisite oath before the date of scrutiny, he become disqualified to be chosen to fill the seat within the meaning of Section 36 of the Representation of People Act, and that the oath must be made and subscribed before the date of scrutiny so that the candidate can be said to possess the qualification as required by Article 173 (a) of the Constitution of India on the whole of the day on which the scrutiny of the nomination has to take place. The decision in Pasupati Nath's case again followed by the Supreme Court in Khaje Khanavar Kharidarkhan Hossain Khan Vs. Saiddavahalli Nijalingappa (AIR 1969 Supreme Court 1034). I must, therefore, hold that under the circumstances of case of respondent No.1 was right in rejecting the nomination paper of the petitioner.

12. I have discussed hereinbefore the relevant Sections of the Representation of People Act, 1951, and the various reported decisions thereon of different High Courts and the Supreme Court. The Representation of People Acts, of 1950 and 1951 appear to have been extended to and enforce in Sikkim by the Election Laws (Extension to Sikkim) Act, 1976 with certain changes introduced therein by the latter Act. Tasked the learned counsel that when under clause (n) of Article 371 F of the Constitution of India, "the President may, by public notification, extend with such restrictions or modification as he thinks fit to the State of Sikkim any enactment which is in force in a State in India at the date of the notification" and innumerable enactments have been extended to and enforced in Sikkim by Presidential. Notifications under the said clause (11), why these two enactments, being the Representation of People Acts of 1950 and 1951, were to be extended by a Parliamentary Legislation preceded by a Presidential Ordinance and not by a notification under Article 371 F (n)". The learned counsel frankly admitted that they were not in a position to state as to why this course of extension by Parliamentary Legislation was resorted to and the power of the President under Article 371F (n) was not invoked.

13 I, however, feel that the reasons for extending these two Representation of People Acts of 1950 and 1951 by Parliamentary Legislature and not by a notification under clause (n) of Article 371F. are to be found in clause (f) of the said Article which provides that "Parliament may, for the purpose of protecting the rights and interests, of the different sections of the population of Sikkim ,makes provision for the number of seats in the Legislative Assembly of the State of Sikkim which may be filled by candidates belonging to such section and for the delimitation of the assembly constituencies from which candidates belonging to such sections alone may stand for election to the Legislative Assembly of the State of Sikkim". Such provisions for reservation of seats appear to have been made by inserting a new sec-

tion 7A in the Representation of People Act, of 1950 and also by some other Sections inserted in the Representation of People Acts of 1950 and 1951 as extended to Sikkim. But as the provisions of clause (f) Article 371 F require such provisions to be made by Parliament, which would mean by law made by Parliament, obviously after the Article 371 F itself was enacted in 1975, this could not be done by merely extending the aforesaid Acts of 1950 and 1951, enacted long before the enactment of Article 371 F, by Presidential Notification under clause (n) of Article 371 F whether with or without such modifications. A fresh Parliamentary Act enacted in accordance with the provisions of clause (f) of Article 371 F was, therefore, necessary and that is why the provisions of the Representation of People Acts of 1950 and 1951 have been brought into operation in Sikkim by a Parliamentary Legislation being the Election Laws (Extension of Sikkim) Act, 1976, with such additional provisions as are envisaged in clause (f) of Article 371 F.

14. But apart from the fact that clause (f) of Article 3 71F would require a law by Parliament made obviously after the said Article was enacted in 1975, such material modifications as have been made by the Election Laws (Extension to Sikkim) Act, 1976 in the provisions of the Representation of People Acts of 1950 and 1951, could not be done if those Acts were extended by a Notification under clause (n) of Article 371 F, even though the said clause authorises the President to extend enactments to Sikkim "with such restrictions or modifications as he thinks fit," As pointed out by Bose, J. in the Delhi Laws Act case (AIR 1951 Supreme Court 332 at 439-40) and reiterated by his Lordship in delivering the judgement in Rajnarain Singh's case (AIR 1954 Supreme Court 569), the power "to restrict and modify" does not import the power to make essential changes, but is confined to alterations of a minor character such as are necessary to make an Act intended for and in force in one area applicable to another area or to delete portions which are meant solely for the area where it was already and originally in force or the like. The modifications made and required to be made in the Representation of People Acts of 1950 and 1951 in their application to Sikkim are surely not of minor character but are of major and material importance and that may be also another reason why a fresh parliamentary Act was felt to be necessary. But any way, this question is not of any material importance in this case and, therefore, need not be pursued any further.

15. The election petition stands dismissed with costs. The petitioner shall pay cost of Rupees two hundred and fifty only to each of the three contesting respondents.

Sd- A. M. Bhattacharjee,

J U D G E

Certified to be true copy.

Sd/- Registrar.

High Court .
25/7/77

Sd/- (V. Nagasubramanian)

Secretary to the election Commission of India.

By Order.

Chief Electoral Officer, Sikkim.

SIKKIM
GOVERNMENT  GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No.99

Gangtok, Friday, September 9, 1977.

**SIKKIM LEGISLATIVE ASSEMBLY
SECRETARIAT, GANGTOK**

Notification No- 489/18/SLAS/77.

Dated Gangtok, the 8th September, 1977.

The following order by the Governor of Sikkim dated the 8th September, 1977 is published for general information.

ORDER

"No. SKM/GOV/659/77.—

In exercise of the powers conferred on me by Article 174 (1) in Part VI of th. Constitution of India, I, B. B. Lal, Governor of Sikkim, hereby summon the Legislative Assembly of Sikkim to meet on Friday, the 23rd September, 1977 at 11.00 A.M. in the Assembly House in Gangtok.

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

**B. B. LAL,
Governor of Sikkim"**

By Order

**R. K. GUPTA,
Secretary,
Sikkim Legislative Assembly Secretariat.**

SIKKIM

GOVERNMENT



GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 100

Gangtok, Friday, September 16, 1977.

Bill No. 7 of 1977

THE SIKKIM OFFICIAL LANGUAGES BILL, 1977.

A

BILL

to provide for the adoption of the Nepali, the Bhutia and the Lepcha languages as the languages to be used for the official purposes of the State of Sikkim.

WHEREAS it is expedient to provide for the adoption of the Nepali, the Bhutia and the Lepcha languages as the languages to be used for the official purposes of the State of Sikkim;

It is hereby enacted in the Twenty-eighth year of the Republic of India by the Legislature of Sikkim, as follows:—

Short title and extent

1. (1) This Act may be called the Sikkim Official Languages Act 1977.

(2) It extends to the whole of Sikkim.

(3) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

Languages to be used for the official purposes of the State.

2. With effect from such date, as the State Government may, by notification in the Official Gazette, specify in this behalf, the Nepali, the Bhutia and the Lepcha languages shall be the languages to be used for all official purposes of the State of Sikkim; Provided that different dates may be specified for different official purposes.

Power to make rules.

3. (1) The State Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(2) All rules made under this Section shall be laid as soon as may be, after they are made, before the Legislative Assembly while it is in session and if before the expiry of the session in which they are so laid or the next session immediately following, the Legislative Assembly resolves to make any modification in the rules, or resolves that such rules or any portion thereof shall not have effect, the rules shall thereafter have effect only in such modified form or be of no effect, in whole or in part, as the case may, so however, that any such resolution shall be without prejudice to the validity of any thing previously done under such rules before such resolution.

(2)

STATEMENT OF OBJECTS AND REASONS.

Under Article 345 of the Constitution of India, the Legislature of a State may by law adopt any one or more of the languages in use in the State as the languages to be used for all or any of the purposes of that State. The State Government have decided, that the three languages being the Nepali, the Bhutia and the Lepcha, which are in use in the State of Sikkim should be adopted as the languages to be used for the official purposes of the State of Sikkim.

The Bill is framed accordingly.

B. P. DAHAL, J
Minister-in-Charge

Legislative Department.

SIKKIM

GOVERNMENT



GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 101

Gangtok, Friday, September 16, 1977.

BILL NO. 8 of 1977

SIKKIM INTERPRETATION AND GENERAL CLAUSES BILL, 1977

A

BILL

to provide for and to facilitate the interpretation and construction of Sikkim laws, to shorten the language used therein and to make certain other provisions relating to such laws.

WHEREAS it is expedient to provide for and to facilitate the interpretation and construction of Sikkim laws, to shorten the language used therein and to make certain other provisions relating to such laws:

Be it enacted by the Legislature of Sikkim in the Twenty-eighth year of the Republic of India as follows:—

CHAPTER I

Preliminary

Short title and commencement.

1. (1) This Act may be called the Sikkim Interpretation and General Clauses Act, 1977.
- (2) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

Application.

2. Unless otherwise expressly provided or unless the context otherwise requires, the provisions of this Act shall apply to—

(a) all Sikkim laws made before or after the commencement of this Act;

(b) all notifications, orders, schemes, rules, regulations, by-laws or any other instruments having the force of law and made under or in exercise of any power conferred by any Sikkim law.

CHAPTER II

Definitions

Definitions

3. In all Sikkim laws, unless there is anything repugnant in the subject or context or unless a contrary intention appears,—
- (1) "abet", with its grammatical variations and cognate expressions, has the same meaning as in the Indian Penal Code, 1860;
 - (2) "act", used with reference to an offence or a civil wrong, denote a series of acts, and words which refer to acts done extend also to illegal omissions ;
 - (3) "affidavit" means a statement in writing signed by the person making it and confirmed by oath ;
 - (4) "Central Act" shall mean an Act of Parliament and shall include—
 - (a) an Act of the Dominion Legislature or of the Indian Legislature passed before the commencement of the Constitution, and
 - (b) an Act made before such commencement by the Governor General-in-Council or the Governor General acting in a legislative capacity;
 - (5) "Central Government" in relation to anything done or to be done after the commencement of the Constitution (Thirty-sixth Amendment) Act, 1975, means the President and includes, in relation to functions entrusted under clause (1) of Article 258 of the Constitution to the Government of Sikkim, the Government of Sikkim acting within the scope of the authority given to it under that clause;
 - (6) "child", in the case of anyone whose personal law permits adoption, includes an adopted child;
 - (7) "collector" means the chief officer in charge of the revenue administration of a district;
 - (8) "commencement", used with reference to an enactment, means the day on which such enactment comes into force;
 - (9) "Constitution" means the Constitution of India;
 - (10) "daughter", in the case of anyone whose personal law permits adoption, includes an adopted daughter;
 - (11) "day" means the period of twenty-four hours beginning at midnight;
 - (12) "District Court" means the principal civil court of original jurisdiction constituted for the purpose but shall not include the High Court in the exercise of its ordinary or extraordinary original civil jurisdiction ;
 - (13) "District Judge" means the judge of District Court and includes an Additional District Judge;
 - (14) "document" includes any matter written, expressed, inscribed, or described upon any substance by means of letters, figures or marks or by more than one of those means which is intended to be used or which may be used for the purpose of recording that matter;
 - (15) "enactment" means any law and includes any provision contained in any law;
 - (16) "father", in the case of anyone whose personal law permits adoption, includes an adoptive father ;
 - (17) "financial year", means the year commencing on the first day of April and ending on the thirty-first day of March next following;
 - (18) "good faith"- a thing is deemed to be done in good faith where it is in fact done honestly, whether it is done negligently or not;
 - (19) "Government" or "the Government" includes the State Government as well as the Central Government;
 - (20) "government security" means securities of the Government of Sikkim or any other Government;
 - (21) "Governor" means, as respects the period after the commencement of the Constitution (Thirty-sixth Amendment) Act, 1975 , the Governor of Sikkim ;
 - (22) "growing crops" means crops of all sorts attached to the soil and leaves, flower and fruits upon and juice in, trees and shrubs

- (23) "High Court" means High Court of Sikkim.
- (24) "immovable property" includes land, benefits to arise out of land and things attached to the earth or permanently fastened to anything attached to earth but does not include standing timber, growing crops or grass;
- (25) "imprisonment" means imprisonment of either description as defined in the Indian Penal Code, 1860 ;
- (26) "Law" means any law, Act, Ordinance, Proclamation, regulation, rule, notification, order, by-law, scheme or other instrument having for the time being the force of law;
- (27) "Legislative Assembly" or "State Legislative Assembly" means the Legislative Assembly of the State of Sikkim;
- (28) "local authority" means a municipal corporation, a municipality, a municipal committee, a local or district board, a Zilla Parishad, a Panchayat Samitee, a Block Panchayat or any other authority legally entitled to or entrusted by the Government with the control or management of municipal or local fund;
- (29) "Magistrate" includes every person exercising all or any of the powers of a magistrate under the Code of Criminal Procedure for the time being in force;
- (30) "month" means a month reckoned according to the English calendar ;
- (31) "mother", in the case of anyone whose personal law permits adoption, includes an adoptive mother;
- (32) "movable property" means property of every description except immovable property;
- (33) "oath" includes affirmation and declaration in the case of persons by law allowed to affirm or declare instead of swearing;
- (34) "offence" means any act or omission made punishable by any law for the time being in force;
- (35) "Parliament" means the Parliament of India, ;
- (36) "person" includes any company or association or body of individuals, whether incorporated or not;
- (37) "prescribe" means prescribed by rules made under an enactment in which the expression occurs;
- (38) "President" means the President of India;
- (39) "public nuisance" has the same meaning as in the Indian Penal Code, 1860;
- (40) "registered", used with reference to a document, means registered in Sikkim or anywhere else in India under any law for the time being in force for the registration of documents;
- (41) "regulation" means regulation made in exercise of a power conferred by any enactment and includes a non-statutory or other independent regulation having for the time being the force of law;
- (42) "rule" means a rule made in exercise of a power conferred by any enactment and includes a non-statutory or other independent rule having for the time being the force of law;
- (43) "sign" with its grammatical variations and cognate expressions, used with reference to a person who is unable to write his name, includes "mark" with its grammatical variations and cognate expressions;
- (44) "Sikkim laws" mean and include:—
- (a) all laws in force in the territories comprised in the State of Sikkim or any part thereof immediately before the commencement of the Constitution (Thirty-sixth Amendment) Act, 1975 ;
- (b) all laws amending or repealing any such law referred to in sub-clause (a) ;
- (c) all orders made and passed under clause (1) of Article 371 F of the Constitution making adaptations or modifications of the laws referred to in sub-clause (a) whether by way of repeal or amendment ;

(d) all enactments in force in a State or some States in India with respect to matters in the State List or the Concurrent List of the Constitution not being Central Acts and extended to the State of Sikkim by notifications under clause (n) of Article 371 F of the Constitution ;

(e) all Ordinances promulgated by the Governor of Sikkim;

(f) all Acts passed by the Sikkim Legislative Assembly which have received the assent of the Governor or the President;

(g) all laws made by parliament or the President in respect of the State of Sikkim under or in exercise of the powers conferred by Article 356 and Article 357 of the Constitution;

(45) "son", in the case of any one whose personal law permits adoption, includes an adopted son;

(46) "State Government" or "the Government of Sikkim", in relation to anything done or to be done on and from the commencement of the Constitution (Thirty-sixth Amendment) Act, 1975, means the Governor;

(47) "swear" with its grammatical variations and cognate expressions includes affirming and declaring in the case of person by law allowed to affirm or declare instead of swearing;

(48) "will" and "council" have the meanings respectively assigned to them in the Indian Succession Act, 1925 ;

(49) "writing" includes printing, type-writing, lithography, photography and other modes of representing or reproducing, words in a visible form ;

(50) "year" means a year reckoned according to the English calendar.

CHAPTER III

General Rules of Construction.

Territorial extent of Sikkim laws.

4. Every Sikkim law, unless otherwise expressly provided, applies to the whole of Sikkim.

Coming into operation of Sikkim law.

5. (1) Where any Sikkim law made after the commencement of the Constitution (Thirty-sixth Amendment) Act, 1975, is not expressed to come into operation on a particular day, then it shall come into operation—

(a) if it is an Act of the Sikkim Legislature, on the day on which it received the assent of the Governor or the President, as the case may be, and

(b) if it is an Ordinance, on the day on which it is first published in the Official Gazette.

(2) Unless the contrary is expressed, a Sikkim law shall be construed as coming into operation immediately on the expiration of the day preceding its commencement.

Expiry of temporary laws.

6. Where any Sikkim law is expressed to expire, lapse or otherwise cease to have effect on a particular day, it shall, unless the contrary intention is expressed, be construed as ceasing to have effect immediately on the commencement of the following day.

Rights of the Government.

7. No Sikkim law shall in any manner whatsoever affect the rights of the Government unless it is expressly provided therein or unless it appears by necessary implication therefrom that the Government is bound thereby.

Effect of incorporation.

8. Where any Sikkim law constitutes a body corporate by any form of words, that body corporate shall have perpetual succession and a common seal and may enter into contracts by its corporate name and acquire, hold and dispose of property, whether movable or immovable and shall sue or be sued by or in its corporate name.

Offences by companies.

9. (1) Where an offence under any Sikkim law has been committed by a company, the company as well as every person in charge of and responsible to the company for the conduct of its business at the time of the commission of the offence shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

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

(2) Where any offence under any Sikkim law has been committed by a company, any director, manager, secretary or other officer of the company, not being a person in charge of and responsible to the company for the conduct of its business at the time of the commission of the offence, shall, if it is proved that the offence has been committed with his consent or connivance or that the commission of the offence is attributable to any neglect on his part, also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanations:— For the purpose of this section—

- (a) "Company" means any body corporate and includes a firm or other association of individuals; and
(b) "director" in relation to a firm, means a partner in the firm.

- Gender and number.** 10. In all Sikkim laws, unless a different intention appears -
(a) words importing the masculine gender shall be taken to include females; and
(b) words in the singular shall be taken to include the plural and vice - versa.
- Commencement and termination of time in Sikkim law.** 11. In any Sikkim law it shall be sufficient *
(a) to use the word "from" or the word "after" for the purpose of excluding the first in a series of days;
(b) to use the word "to" for the purpose of including the last in a series of days; and
(c) to use the word "on" or the word "with" for the purpose of including the day on which the period is expressed to begin or to end.
- Computation of time.** 12. Where by any Sikkim law, any act or proceeding is directed or allowed to be done or taken in any Court or office on a certain day or within a specified period then if the Court or office is closed on that day on the last day of the specified period, the act or proceeding shall be considered as done or taken in due time if it is done or taken on the next day afterwards on which the Court or office is open.
- Expression of time.** 13. Where in any Sikkim law any reference to a specified time of the day occurs, such time shall, unless it is otherwise specifically stated, be deemed to mean the Indian Standard Time.
- Day to be taken pro rata** 14. Where by any Sikkim law any duty of customs or excise, or in the nature thereof, is leviable on a given quantity, by weight, measure or value of any goods or merchandise, then a like duty is leviable according to the same rate on any greater or less quantity.
- Measurement of distance.** 15. In the measurement of any distance for the purpose of any Sikkim law, that distance shall, unless a different intention appears, be measured in a straight line on a horizontal plain.
- Penalties provided to be deemed maximum penalties.** 16. Wherever in any Sikkim law a punishment is provided for an offence, such punishment shall, unless a different intention appears, be deemed to be the maximum punishment for that offence.
- Derivation from forms.** 17. Save as otherwise expressly provided by any Sikkim law, wherever a form is prescribed by any Sikkim law, any deviation therefrom, not affecting the substance or calculated to mislead, shall not invalidate it.
- Acts done on holidays or outside office hours.** 18. Save as otherwise expressly provided by any Sikkim law, no act done by any authority, whether legislative, executive or judicial, shall be invalid by reason only of its having been done on a public holiday or before, beyond or after usual office hours.
- Provisions as to offences punishable under two or more Sikkim laws.** 19. Where an act or omission constitutes an offence under two or more Sikkim laws, the offender shall be liable to be prosecuted and punished under either or any of those laws but shall not be liable to be punished more than once for the same offence.

CHAPTER IV

Repeal and expiry of laws.

- Effect repeal.** 20. Where any Sikkim laws repeal any enactment, then , unless a different intention appears, the repeal shall not –

(a) revive anything not in force or existing at the time at which the repeal takes effect; or
(b) affect the previous operation of any enactment so repealed or anything duly done or suffered thereunder; or
(c) affect any right, privilege, obligation or liability acquired, accrued or incurred under any enactment so repealed; or
(d) affect any penalty, forfeiture or punishment incurred in respect of any offence committed against any enactment so repealed; or
(e) affect any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment may as aforesaid;
and any such investigation, legal proceeding or remedy may be instituted, continued or enforced and any such penalty, forfeiture or punishment, may be imposed as if the repealing law had not been passed.

Effect of expiration of Sikkim laws.

21. Where any Sikkim law ceases to have effect or ceased to operate on the expiration of a particular period or on the happening of a particular contingency, then, unless a different intention appears, such expiry or cessation shall not affect .
(a) the previous operation of, or anything duly done or suffered under such law; or
(b) any right, privilege, obligation or liability acquired, accrued or incurred under such law; or
(c) any penalty, forfeiture or punishment incurred in respect of any offence committed against such law; or
(d) any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid;
and any such investigation, legal proceeding or remedy may be instituted, continued or enforced and any such penalty, forfeiture or punishment may be imposed as if the law had not ceased to have effect or ceased to operate.

Repeal of law making textual amendment in other laws.

22. Where any Sikkim law repeals any enactment (not being an enactment which is to cease to have effect or to cease to operate on the expiry of a particular period or on the happening of a particular contingency) by which the text of any law has been amended by the express omission, insertion or substitution of any matter, then, unless a different intention appears, the repeal shall not affect the continuance of any such amendment made by the enactment so repealed and in operation at the time of such repeal.

Revival of repealed enactments.

23. In any Sikkim law made after the commencement of this Act, it shall be necessary for the purpose of reviving either wholly or partially any enactment wholly or partially repealed, expressly to state that purpose.

Construction of references to repealed enactment,

24. Where any Sikkim law repeals and re-enacts, with or without modification, any former enactment or any provision thereof, then references in any other enactment, or in any instrument, to the enactment or provision so repeal shall unless a different intention appears, be construed as references to the enactment or provision, as the case may be, so re-enacted.

**CHAPTER
Powers and functionaries.**

Exercise of Power and performance of duties.

25. Where by any Sikkim law any power is conferred or any duty is imposed, then, unless a different intention appears, that power may be exercised and that duty shall be performed from time to time as occasion requires.

Tower incidental for effective exercise of powers granted

26. Where by any Sikkim law a power is conferred on any person or functionary to do or enforce the doing of any act or thing, such power shall be deemed to include all such powers as may be necessary to enable such person or functionary to do or enforce the doing of such act or thing.

Exercise of power and performance of duty by temporary holder of office.

27. Where any Sikkim law confers a power or imposes a duty on the holder of any office as such, then the power may be exercised and the duty shall be performed by the holder for the time being of the office.

Power to appoint to include power to appoint ex-officio.

28. Where by any Sikkim law a power to appoint any person to fill any office or execute any function is conferred, then, unless it is otherwise expressly provided, any such appointment may be made by name or by virtue of office.

Power to appoint to include power to suspend, remove or dismiss.

29. Where by any Sikkim law a power to make any appointment is conferred, then, unless a different intention appears, the authority having for the time being the power to make the appointment shall also have power to suspend, remove or dismiss any person appointed, whether by itself or by any authority, in exercise of that power.

Substitution of functionaries.

30. In any Sikkim law, it shall be sufficient for the purpose of indicating the application of the law to every person or number of persons for the time being executing the functions of an office, to mention the official title of the officer, who is, at the time of the making of the law executing the functions or that of the officer by whom the functions are commonly executed.

Successors.

31. In any Sikkim law, it shall be sufficient for the purpose of indicating the relation of a law to the successors of any functionaries or the corporations having perpetual succession, to express its relation to the functionaries or corporations.

Official chiefs and subordinates.

32. In any Sikkim law, it shall be sufficient for the purpose of expressing that a law relating to the chief or superior of an office shall apply to the deputies or subordinates lawfully performing the duties of that office in the place of their superior, to specify the duties of the chief or superior.

CHAPTER VI Subordinate Legislation

Construction of rules, notifications, orders, etc. issued under Sikkim laws.

33. Where by any Sikkim law a power to issue or make any rule, notification, order, scheme, form or by-law is conferred, then, expressions used in the rule, notification, order, scheme, form or by-law shall, unless a different intention appears, have the same respective meaning as in the law conferring the power.

Power to make or issue rules, etc. includes power to add to amend, vary or rescind.

34. Where by any Sikkim law, a power to make or issue rules, notifications, orders, schemes, forms or by-laws is conferred, then, unless a different intention appears, that power includes a power exercisable in the like manner and subject to the like sanction and conditions, if any, to add to, amend, vary or rescind any rules, notifications, orders, schemes, forms or by-laws so made or issued.

Making of rules or by-laws or issuing of orders between passing and commencement of Sikkim laws.

35. Where by any Sikkim law which is not to come into operation immediately on the passing thereof a power is conferred to make rules, regulations or by-laws, or to issue orders with respect to the application of law, or with respect to the establishment of any Court or office or the appointment of a judge or officer thereunder, or with respect to the person by whom or the time when, or the place where, or the manner in which, or the fees for which, anything is to be done under such Sikkim law, then, that power may be exercised at any time after the passing of such law, but rules, regulations, by-laws or orders so made or issued shall not take effect till the commencement of such law.

Publication of rules, etc. in the Official Gazette to be deemed to be due publication.

36. Where in any Sikkim law or any rule, regulation or by-law made thereunder, it is directed that any rule, regulation, by-law, notification, order, scheme, form or other matter shall be notified or published, then, such notification or publication shall, unless such law, rule, regulation or by-law otherwise provides, be deemed to be duly made if it is published in the official Gazette.

Continuation of rules, orders, appointments, notifications, etc. under Sikkim law repealed and re-enacted.

37. Where any Sikkim law is repealed and re-enacted with or without modification, then, unless otherwise expressly provided, any appointment, rule, notification, order, scheme, form or by-law made or issued under the repealed enactment, shall so far as it is not inconsistent with the provisions re-enacted, continue in force and be deemed to have been made or issued under the provisions so re-enacted, unless and until it is superseded by any appointment, notification, order, scheme, form or by-law made or issued or anything done or action taken under the provisions so re-enacted.

Commencement of rules.

38. Every rule made under any Sikkim law shall be published in the Official Gazette and shall, in the absence of an express provision to the contrary either in the rule or in the law under which it is made, come into force on the day on which it is published in the Official Gazette.

Provisions applicable to making of rules, etc. after previous publication.

39. Where, by any Sikkim law, a power to make rules, regulation or by-laws is expressed to be given subject to the condition of the rules, regulation, by-laws, being made after previous publication, then, unless such law otherwise provides, the following provisions shall apply, namely :-

(1) the authority having power to make the rules, regulations or by-laws shall, before making them, publish a draft of the proposed rules, regulations or by-laws for the information of persons likely to be affected thereby ;

(2) the publication shall be made in such manner as that authority deems to be sufficient, or if the condition with respect to previous publication so requires, in such manner as the Government prescribes;

(3) there shall be published with the draft a notice specifying a date on or after which the draft will be taken into consideration;

(4) the authority having power to make the -rules, regulations or by-laws, and, where the rules, regulations or by-laws are to be made with the sanction, approval or concurrence of another authority, that authority also, shall consider any objection or suggestion which maybe received by the authority having power to make the rules, regulations, or by-laws from any person with respect to the draft before the date so specified.

(5) the publication in the Official Gazette of a. rule, regulation, by-law purporting to have been made in exercise of a power to make rules, regulations or by-laws after previous publication shall be conclusive proof that the rules, regulations or by-law have been duly made.

Laying o rules before Legislative Assembly.

40. (1) Where any Sikkim law provides that any regulations or rules made thereunder shall be laid before the Legislative Assembly, such regulations or rules shall be laid as soon as may be after they are made before the Legislative Assembly while it is in session, and if before the expiry of the session in which they are laid, or the next session immediately following, the Legislative Assembly resolves to make any modification in the regulations or the rules, or resolves that such regulations or rules shall not have effect, the regulations or the rules, as the case may be, shall thereafter have effect only in such modified form or of be of no effect, as the case may be, so, however, that any such resolution shall be without prejudice to the validity of anything previously done under such regulations or rules before such resolution.

(2) Where regulations or rules required by any Sikkim law to be laid before the Legislative Assembly, are not laid before the Legislative Assembly in accordance with the provisions of sub-section (1),they shall, on the expiry of two successive sessions immediately following the publication of such regulations or rules, as the case may, be, cease to have effect, without prejudice to the continued validity of anything previously done under such regulations or rules.

Recovery of fines.

41. The provisions of Sections 63 to 70 of the Indian Penal Code, 1860, and the provisions of the Code of Criminal Procedure for the time being in force, in relation to the issue and execution of warrants for the levy of fines shall apply to all fines imposed under any Sikkim law or any rule, regulation or by-law made under any Sikkim law, unless such law, rule, regulation or by-law contains an express provision to the contrary.

Meaning of service by post.

42. Where, any Sikkim law authorises or requires any document to be served by post, whether the expression "serve" or "give" or "send" or any other expression is used, then, unless a different intention appears, the service shall be deemed to be effected by properly addressing, pre-paying and posting by registered post, a letter containing the document, and, unless the contrary is proved, to have been effected at the time at which the letter would be delivered in the ordinary course of post.

Citation of law.

43. (1) Any Sikkim enactment may be cited by reference to the title or short-title, if any, conferred thereon or by reference to the number and year thereof,

(2) Any provision in any Sikkim enactment may be cited by reference to the section of the law in which the provision is contained.

STATEMENT OF OBJECTS AND REASONS

The Central General Clauses Act, 1897, has been extended to and enforced in Sikkim. The main purpose of the said Act is to shorten the language of statutory enactments and to provide for uniform principles of interpretations of statutes and the provisions and expressions contained therein.

The provisions of the General Clauses Act, 1897, however, do not apply to the State laws and, therefore, there are different General Clauses Acts in force in different states for the State laws of those States. It has therefore, been felt that in Sikkim also there should be such an enactment which would apply to the Sikkim State laws. This Bill has been drafted accordingly incorporating the principles of the Central General Clauses Act, 1897, and other similar Acts of other States with such changes as have felt to be necessary in the context of the State of Sikkim.

The Bill has been framed accordingly.

B. P. DAHAL,
MINISTER-IN-CHARGE,

Legislative Department.

SIKKIM

GOVERNMENT



GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 102

Gangtok, Saturday, September 17, 1977.

Bill No, 9 of 1977

THE SIKKIM APPROPRIATION BILL OF 1977

A

BILL

to authorise payment and appropriation of certain further sum from and out of the Consolidated Fund of the State of Sikkim for the services of the Financial year, 1977—78.

BE it enacted by the Legislature of the State of Sikkim in the Twenty-eighth year of the Republic of India as follows :—

Short title

1. This Act may be called the Sikkim Appropriation Act, 1977*

Issue of Rs. 1,99,01,000 out of the Consolidated Fund of the State of Sikkim for the Financial year 1977-78.

2. From and out of the Consolidated Fund of the State of Sikkim there may be paid and applied sums not exceeding those specified in column 3 of the Schedule amounting to one crore ninety nine lakhs one thousand of Rupees towards defraying the several charge a which will come in course for payment during the financial year 1977-78 in respect of the services specified in column 2 of the Schedule.

Appropriation.

3. The sums authorised to be paid and applied from and out of the Consolidated Fund of the State of Sikkim by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.

(2)

SCHEDULE

(See section 2 & 3)

(In thousands of Rupees)

1	2	3			
		Sums not exceeding			
No. of Vote	Services & Purposes.	Voted by Legislative Assembly	Charged on the Consolidated Fund	Total	
4.	Animal Husbandry & Dairy Development	Capital	9000	-	9000
8.	Education	Revenue	29	-	29
11.	Excise (Abkari)	Revenue	35	-	35
16.	Forest, Fisheries & Soil Conservation	Capital	2600	-	2600
17.	Motor Vehicle	Revenue	40	-	40
20.	Administration of Justice	Revenue	-	37	37
22.	Land Revenue	Capital	179	-	179
24.	Medical, Public Health & Social Welfare	Revenue	4	-	4
25.	Panchayat & Rural Works	Revenue	6000	-	6000
28.	Public Works, Roads, Bridges and Water Supply	Revenue	826	-	826
30.	Trade, Industries & Labour	Revenue	151	-	151
		Capital	1000	-	1000
		Total :-	19864	37	19901

STATEMENT OF OBJECTS AND REASONS

This Bill is introduced in pursuance of Article 204(1) of the Constitution of India, read with Article 205 thereof to provide for the appropriation out of the Consolidated Fund of the State of Sikkim of the moneys required to meet the expenditure charged on the Consolidated Fund of the State of Sikkim and the Supplementary Grants made by the Legislative Assembly for expenditure of the Government of Sikkim for the financial year 1977-78.

(KAZI LHENDUP DORJEE KHANGSARPA)

Minister-in-Charge.

SIKKIM
GOVERNMENT  GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 103

Gangtok, Friday, September 23, 1977

**SIKKIM LEGISLATIVE ASSEMBLY
SECRETARIAT, GANGTOK**

Notification No. 102/SLAS/77.

Dated Gangtok, the 23rd September, 1977.

The following order of the Governor of Sikkim, dated 23rd September, 1977 is published for general information.

"No. SKM/GOV/702/77---- In exercise of the powers conferred by Article 174 (2) (a) of the Constitution, I, B. B. Lal, Governor of Sikkim, hereby prorogue the Legislative Assembly of Sikkim which had been summoned to meet today, 23rd of September, 1977 and had a sitting this morning.

B. B. LAL,

Governor of Sikkim"

R. K. GUPTA,

**Secretary,
Sikkim Legislative Assembly Secretariat.**

PRINTED AT THE SIKKIM GOVERNMENT PRESS

SIKKIM

GOVERNMENT



GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No 104

Gangtok, Saturday, September 24, 1977.

GOVERNMENT OF SIKKIM

HOME DEPARTMENT

NOTIFICATION

Dated Gangtok, the 23rd September, 1977.

The Govt. of India, Ministry of Agriculture & Irrigation (Deptt. of Agriculture), New Delhi, Notification No. 12018/12/76-LRD, dated 8.9.77 is republished for general information:

“S.O. In pursuance of the notification of the Government of India in the Ministry of Home Affairs No. F. 11013/9/77-SKM dated the 23rd April, 1977, the Central Government hereby appoint the 8th day of September, 1977, as the date on which the Land Acquisition Act, 1894 (1 of 1894), and the Land Acquisition (Companies) Rules, 1963, made under section 55 of the said Act, shall come into force in the State of Sikkim.

Sd/- R. K. RATH

Joint Secretary to the
Government of India.”

2. This supersedes the notification No. 17/Home. dated 16.7.77 published in the Sikkim Government Extraordinary Gazette No. 82, dated 18.7.77.

M. P. PRADHAN,
Chief Secretary,
Government of Sikkim.
F. 7 (33)- Home/76.

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SIKKIM
GOVERNMENT  GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 105

Gangtok, Saturday, September 24, 1977

SIKKIM LEGISLATIVE ASSEMBLY
SECRETARIAT, GANGTOK

Notification No. 627/123/SLAS/77.

Dated Gangtok, the 24th September, 1977.

Shri C. S. Roy, Hon'ble Speaker, Sikkim Legislative Assembly, has resigned the office of Speaker, Sikkim Legislative Assembly, with effect from the afternoon of 23rd September, 1977.

R. K. GUPTA,

Secretary,
Sikkim Legislative Assembly Secretariat.

SIKKIM
GOVERNMENT  GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No 106

Gangtok, Saturday, September 24, 1977

**SIKKIM LEGISLATIVE ASSEMBLY
SECRETARIAT, GANGTOK**

Notification No. 18/SLAS/77.

Dated Gangtok, the 24th September, 1977.

The following order by the Governor of Sikkim dated the 23rd September, 1977 is published for general information.

ORDER

No. SKM/GOV/704/77.— In exercise of the powers conferred on me by Article 174 (1) in Part VI of the Constitution of India, I, B. B. Lai, Governor of Sikkim, hereby summon the Legislative Assembly of Sikkim to meet on Monday the 10th of October, 1977 at 11. 00 A.M. in the Assembly House in Gangtok.

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

**B. B. LAL,
Governor of Sikkim"**

By Order

**R. K. GUPTA,
Secretary,
Sikkim Legislative Assembly Secretariat.**

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S I K K I M

G O V E R N M E N T  G A Z E T T E

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 107

Gangtok, Thursday, September 29, 1977.

OFFICE OF THE CHIEF SECRETARY

GOVERNMENT OF SIKKIM

Notification No. 1072/Home/77.

Dated Gangtok, the 29th September, 1977.

The Governor of Sikkim is pleased to constitute a singleman Pay Commission consisting of Shri Justice Man Mohan Singh Gujral, Chief Justice, High Court of Sikkim.

2. The terms of reference will be as follows:—
 - (a) what changes in the existing structures of pay scales and all allowances of all categories of State Government employees are desirable and feasible.
 - (b) the extent to which changes in existing grades in Sikkim Government Service are desirable for ensuring uniformity in scales of pay commensurate with duties and responsibilities expected from each grade.
 - (c) improving facilities like housing, medical treatment, leave travel concession and other fringe benefits.
3. The Commission will make its recommendations having due regard to the socio-economic conditions of the State, the resources of the State Government and demands thereon.
4. The Commission will devise its own procedures and may call for such information and documents or may take such evidence as it may consider necessary for any particular purpose. Departments of the State Government will furnish such information and documents and assistance as may be required for the Commission.
5. The Commission will sit ordinarily at Gangtok and will make its recommendations as soon as practicable.

M. P. PRADHAN.

Chief Secretary,
Government of Sikkim.

SIKKIM
GOVERNMENT  GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 108

Gangtok, Friday, September 30, 1977.

GOVERNMENT OF SIKKIM

HOME DEPARTMENT

Notification No. 1061/Home/77.

Dated Gangtok, the 29th September, 1977.

Shri R. K. Upreti, Deputy District Officer-cum-Planning Officer, East, is hereby vested with first Class Magisterial Powers during the absence on tour and leave of the District Collector, East, with effect from the 24th September, 1977.

By Order

M. P. PRADHAN,
Chief Secretary,
Government of Sikkim.

S I K K I M

G O V E R N M E N T  G A Z E T T E

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 109

Gangtok, Wednesday, October 5, 1977.

GOVERNMENT OF SIKKIM

HOME DEPARTMENT

NOTIFICATION

No. 1096/Home/77.

Dated Gangtok, the 1st October, 1977.

The Government of Sikkim has been pleased to constitute a Governing Body for the Government Degree College, Gangtok with immediate effect for smooth functioning of the College. The composition of the Governing Body will be as under:

- | | | |
|--|---|-----------------|
| 1. His Excellency Shri B. B. Lal, Governor of Sikkim | - | Patron |
| 2. Hon'ble Chief Minister | | - Chairman |
| 3. Hon'ble Minister for Education | | - Vice Chairman |
| 4. Hon'ble Justice Shri A. M. Bhattacharya | | - Vice Chairman |
| 5. Chief Secretary | | - Member |
| 6. Secretary, Finance | | - Member |
| 7. Development Commissioner | - | Member |
| 8. Director of Education | | - Member |
| 9. Two representatives of teachers | | - Member |

The Principal, Government Degree College shall be Ex-Officio Secretary of the Governing Body.

M. P. PRADHAN,
Chief Secretary,
Government of Sikkim.

S I K K I M



G O V E R N M E N T G A Z E T T E

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 110

Gangtok, Thursday, October 6, 1977.

GOVERNMENT OF SIKKIM

HOME DEPARTMENT

NOTIFICATION

No. 1 (45)/77/Acctts.

Dated Gangtok, the 27th September, 1977.

In exercise of the powers conferred by section 8 read with section 7 of the Sikkim Salaries and Allowances Act, 1977 (4 of 1977) the State Government hereby makes the following rules, namely:

THE SIKKIM MINISTERS, SPEAKER, DEPUTY SPEAKER AND MEMBERS (TRAVELLING ALLOWANCE) RULES, 1977

**Short title
and Commencement**

1. (1) These rules may be called the Sikkim Ministers, Speaker, Deputy Speaker and Members {Travelling Allowance} Rules, 1977.

(2) They shall be deemed to have come into force on and from the 28th day of March, 1977.

Definitions.

2. In these rule, unless the content otherwise requires:

(i) "Act" means the Sikkim Salaries and Allowances Act, 1977.

(ii) "On tour on public business" shall mean a journey on business connected with the official duties of the person concerned and in the case of the Chief Minister, the Ministers of State, the Deputy Ministers, the Speaker and the Deputy Speaker, it shall also include journey to attend public functions in which their participation is necessary or required In the public interest.

(iii) "Place of residence" in relation to a person shall mean the place in Sikkim where such person usually or ordinarily resides.

(iv) "Travelling Allowance" shall include all amount pay able under the provisions of Rules 3.

(v) Words and expressions used in the Act and not defined or otherwise defined in these rules shall have the same meaning as are assigned to them under the Act.

Travelling Allowance

3. For all journeys on tour on public business, the Chief Minister, the Ministers of State, the Deputy Ministers, the Speaker, the Deputy Speaker and the Members shall be entitled to be paid as travelling allowance the amount determined according to the following provisions:—

(A) Journeys by air

(i) The Chief Minister any Minister, any Minister of State, the Speaker and the Deputy Speaker shall be entitled to travel by air and to claim the actual fare paid.

(ii) The Deputy Ministers may, by an order of the State Government to that effect, be allowed to travel by air in special circumstances and in public interest and when so allowed, shall be entitled to claim the actual fare paid.

(iii) Members required to travel outside Sikkim in connection with any work in public interest, may be allowed to travel by air at the discretion of the Speaker and when so allowed, shall be entitled to claim the actual fare paid.

(B) Journeys by rail

(i) The Chief Minister shall be entitled to travel in first class and to requisition at Government expense four berths or a compartment of four berths for the purpose and shall also be entitled to reimbursement of the railway fares for two personal servants by the lowest class and charges for the personal luggage accompanying him on tour, whether the servants travel and the luggage is carried by the same or different trains.

(ii) Any Minister, Minister of State, Deputy Minister, the Speaker or the Deputy Speaker shall be entitled to travel in first class and to requisition at Government expense two berths or a compartment of two berths for the purpose and shall also be entitled to reimbursement of the railway fare by the lowest class for one personal servant and charges for personal luggage accompanying him on tour, whether the servant travels or the luggage is carried by the same or a different train.

(iii) The Chief Minister any Minister any Minister of State, the Speaker or the Deputy Speaker may travel on tour by air conditioned class by requisitioning two berths in an air conditioned coach.

(iv) Any Deputy Minister may travel on tour by air conditioned class by requisitioning a single berth in an air conditioned coach.

(v) Within the reserved accommodation specified in (i) to (iii) above, the aforesaid persons may take one relative without payment.

(vi) Members required to travel outside Sikkim in connection with any work in public interest shall be entitled to travel by first class.

(C) Journeys by road

(i) The Chief Minister, the Ministers, the Ministers of State, the Deputy Ministers, the Speaker, and the Deputy Speaker shall be entitled to travel by road free of cost by Government conveyance from any place to any other place.

(ii) Any such person mentioned in (i) above shall be entitled to free transport for himself, his family, personal servants and personal effects from the place of residence to Gangtok, on being appointed to any of the aforesaid offices and from Gangtok to the place of residence on relinquishing charge of such office.

(iii) Members shall be entitled to travel by Government conveyance free of cost or by a free pass for travel by any public transport services of the Government while proceeding to Bagdogra airport or Siliguri or Jalpaiguri railway stations, as the case may be, from any place in Sikkim, to board an air service or a train for the journey mentioned in sub-rules (A) (iii) and (B) (vi) of this rule.

(iv) If in any of the cases mentioned in (i) and (ii) above, any of the persons mentioned therein uses his own conveyance or performs the journey by hiring a conveyance, an amount at the rate of one rupee per kilometres shall be allowed for such journey.

(D) (i) While on tour on public business in any place outside Sikkim, the Chief Minister, the Ministers, the Ministers of State, the Deputy Ministers, the Speaker or the Deputy Speaker shall be entitled to reimbursement of actual expenses incurred by them for stay in any Central or another State Government guest house, inspection bungalow or in any Government or private hotel, otherwise than as a State Guest.

Provided that the Government may, by an order, fix any monetary or other limit for the reimbursement of such expenses.

(ii) Except where actual expenses are claimed under sub-rule (D) (i), the Chief Minister, the Ministers, the Ministers of State, the Deputy Ministers, the Speaker, the Deputy Speaker and Members shall be paid for the period of tour an amount for each calendar day or part thereof, at the following rates:

	Chief Minister	Ministers & Speaker	Ministers of State & Dy Speaker	Deputy Ministers	Members
	Rs.	Rs.	Rs.	Rs.	Rs.
In New Delhi, Delhi, Bombay, Calcutta and Madras	90	80	70	60	55
In other places Outside Sikkim	75	60	55	50	50
In any place in Sikkim	75	60	55	50	Nil

Routes 4. All journeys mentioned in rule 3 shall be performed by the shortest practicable route and when any question arises whether any route is the shortest practicable route, the decision of the Government in the case of the Chief Minister, Ministers, Ministers of State and Deputy Ministers and of the Speaker in the case of himself, Deputy Speaker and Members shall be final. If the journeys are actually performed by a route which is not the shortest practicable route, the claim for travelling allowance under these rules shall be restricted to the shortest practicable route.

Provided that the State Government or the Speaker, as the case may be, by order permit the journeys to be performed by any route or routes, where the State Government or the Speaker, as the case may be, is satisfied that it was necessary to do so in public interest and the travelling allowance may thereupon be calculated, claimed and paid on the basis of the route or routes actually taken.

Stay in rest houses etc. 5. The Chief Minister, the Ministers, the Ministers of State, the Deputy Ministers, the Speaker and the Deputy Speaker shall while on tour on public business in any place be entitled to stay free of all charges in respect of their stay in any of the Government rest houses and inspection bungalows.

Journeys outside India 6. The travelling allowance admissible to any person to whom these rules apply, when touring on public business outside India, shall be regulated by specific orders of the Government issued in each case.

Advances. 7. The State Government in the case of the Chief Minister, the Ministers, the Ministers of State, the Deputy Ministers and the Speaker in the case of himself the Deputy Speaker and Members may permit the estimated travelling allowance admissible under these rules for any journeys outside Sikkim and outside India, being drawn in advance of the journey, subject to the advance being adjusted in the final claim preferred after completion of the journey.

Provided that if the advance, or any part of it, had not been utilised for any reason, or the detailed claim in adjustment of the advance is not furnished within a period of six months from the date of completion of the journey, the entire advance or part of it, as the case may be, shall be refunded to the State Government forthwith or may, at the discretion of the State Government be recovered from any other payments due to the person concerned.

*Counter
signatures of bills etc.*

8. Bills for claims under these rules shall be signed and counter-signed by the person concerned, except in the case of Members, whose bills shall be counter-signed by the Speaker, or *if* the Speaker so directs by a general or special order, by the Deputy Speaker.

Claim when due.

9. Claims under these rules shall become due immediately on completion of the journeys to which they relate and shall be preferred within six months of their becoming due and any claim not so preferred shall not be paid save with the sanction of the State Government.

Residuary matters.

10. Any other matter not specifically covered by or under these rules shall be regulated by the rules applicable to the officers of the State Government of the highest grade.

M. P. PRADHAN,
Chief Secretary,
Government of Sikkim.

SIKKIM

GOVERNMENT



GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 111

Gangtok, Thursday, October 6, 1977.

GOVERNMENT OF SIKKIM

HOME DEPARTMENT

NOTIFICATION

No. 1 (46)/77/Acctts.

Dated Gangtok, the 27th September, 1977.

In exercise of the powers conferred by sections 6 and 8 of the Sikkim Salaries and Allowances Act, 1977 (4 of 1977) the State Government hereby makes the following rules, namely:

THE SIKKIM MINISTERS, SPEAKER, DEPUTY SPEAKER AND MEMBERS OF THE LEGISLATIVE ASSEMBLY (MEDICAL ATTENDANCE) RULES, 1977

Short title and commencement

1. (1) These rules may be called the Sikkim Ministers, Speaker, Deputy Speaker and Members of the Legislative Assembly (Medical Attendance) Rules, 1977.
- (2) They shall be deemed to have come into force on and from 28th day of March, 1977, the date of commencement of the Sikkim Salaries and Allowances Act, 1977.

Definitions

2. In these rules, unless the context otherwise requires:—
 - (1) "Act" means the Sikkim Salaries and Allowances Act, 1977 (4 of 1977)
 - (2) Words used in these rules and defined in the Act shall have the same meaning as assigned to them in the Act.

Medical Attendance

3. (1) The Chief Minister, any Minister, any Minister of State, Speaker, Deputy Speaker and Members of their family shall be entitled to free medical attendance and treatment and all other medical facilities on the same terms and conditions as are applicable from time to time to an officer of the State Government holding the rank of a Secretary to the Government under the Sikkim Government Service (Medical Facilities) Rules published vide Notification No. 236/GEN/EST dated 13 October, 1976 subject to the provisions of sub-rule (3).

(2)

(2) Any Deputy Minister, Member of the Legislative Assembly and Members of their family shall be entitled to free medical attendance and treatment and all other Medical facilities on the same terms and conditions as are applicable from time to time to a Gazetted Officer of the; State Government under the Sikkim Government Service (Medical Facilities) Rules published vide Notification No. 236/GEN/EST dated 13 October, 1976, subject to the provisions of sub-rule (3) .

(3) For treatment outside Sikkim, daily allowance admissible under the Sikkim Government Service (Medical Facilities) Rules shall be calculated at the rates prescribed in the Sikkim Ministers, Speaker, Deputy Speaker and Members (Travelling Allowance) Rules, 1977 as amended from time to time.

Relaxation

4. Where the Government is satisfied that it is necessary to relax any of the provisions of the Sikkim Government Service (Medical Facilities) Rules in any case, it may, by order in writing, do so to the extent and subject to such conditions as are deemed necessary for dealing with such a case.

**M. P. PRADHAN,
Chief Secretary,
Government of Sikkim.**

SIKKIM
GOVERNMENT  GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 112

Gangtok, Saturday, October 8, 1977

**SIKKIM LEGISLATIVE ASSEMBLY
SECRETARIAT, GANGTOK**

Notification No- 39/SLAS/77/676

Dated Gangtok, the 8th October, 1977.

The following order by the Governor of Sikkim dated 7th October, 1977 is published for general information.

ORDER

"No. SKM/GOV/730/77— In accordance with Rule 10 of the Rules of Procedure and Conduct of Business in the Sikkim Legislative Assembly, as amended by Notification No. 18/Home/76 dated 7th April, 1976, published in the Extraordinary issue of the Sikkim Government Gazette dated April 27, 1976, I, B. B. Lai, Governor of Sikkim, hereby fix the 11th of October, 1977 as the date for the holding of the election of the Speaker of the Sikkim Legislative Assembly and direct that the Secretary of the Sikkim Legislative Assembly shall send to every Member a notice of this date

B. B. LAL,

Governor of Sikkim"

By Order

R. K. GUPTA,

**Secretary,
Sikkim Legislative Assembly Secretariat.**

SIKKIM
GOVERNMENT  GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No 113

Gangtok, Saturday, October 8, 1977.

**SIKKIM LEGISLATIVE ASSEMBLY SECRETARIAT
GANGTOK**

Notification No.39/SLAS/77/677

Dated Gangtok, the 8th October, 1977.

The following order by the Governor of Sikkim dated 8th October, 1977 is published for general information.

ORDER

"No. SKM/GOV/732/77— Whereas the offices of Speaker and Deputy Speaker of the Legislative Assembly of Sikkim are vacant, in exercise of the powers conferred on me by Clause (1) of Article 180 of the Constitution, I, B. B. Lai, Governor of Sikkim, hereby appoint Shri Kalzang Gyatso, a Member of the Legislative Assembly of Sikkim, to perform the duties of the Speaker till the election of the Speaker by the said Legislative Assembly on 11th October, 1977.

**B. B. LAL,
Governor of Sikkim"**

By Order

**R. K. GUPTA,
Secretary,
Sikkim Legislative Assembly Secretariat.**

SIKKIM
GOVERNMENT  GAZETTE
EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 114

Gangtok, Monday, October 10, 1977.

**SIKKIM LEGISLATIVE ASSEMBLY SECRETARIAT
GANGTOK**

Notification No.39/SLAS/77/681

Dated Gangtok, the 10th October, 1977.

The following order by the Governor of Sikkim dated 9th October, 1977 is published for general information.

ORDER

"No. SKM/GOV/734/77.— In accordance with Rule 10 of the Rules of Procedure and Conduct of Business in the Sikkim Legislative Assembly, as amended by Notification No. 18/Home/76 dated 7th April, 1976 published in the Extraordinary issue of the Sikkim Government Gazette dated April 27, 1976, and in supersession of my Order bearing No. SKM/GOV/687/77 dated 17th September, 1977, B. B. Lai, Governor of Sikkim, hereby fix the 12th of October, 1977 as the date for the holding of the election of the Deputy Speaker of the Sikkim Legislative Assembly and direct that the Secretary of the Sikkim Legislative Assembly shall send to every Member a notice of this date.

**B. B. LAL,
Governor of Sikkim"**

By Order

**R. K. GUPTA,
Secretary,
Sikkim Legislative Assembly Secretariat.**

SIKKIM

GOVERNMENT  GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No 115

Gangtok, Thursday, October 13, 1977

**SIKKIM LEGISLATIVE ASSEMBLY
SECRETARIAT, GANGTOK**

Notification No. 39/SLAS/77/703

Dated Gangtok, the 13th October, 1977.

Having been appointed by the Governor of Sikkim to perform the duties of Speaker, Sikkim Legislative Assembly, vide order No. SKM/GOV/732/77 dated 8th October, 1977 Shri Kalzang Gyatso, M.L.A. entered upon his duties on the forenoon of 8th October, 1977.

R. K. GUPTA,

**Secretary,
Sikkim Legislative Assembly Secretariat.**

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SIKKIM

GOVERNMENT



GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 116

Gangtok, Thursday, October 13, 1977.

SIKKIM LEGISLATIVE ASSEMBLY SECRETARIAT
GANGTOK

Notification No.39/SLAS/77/705

Dated Gangtok, the 13th October, 1977.

Consequent upon his election as Deputy Speaker, Sikkim Legislative Assembly, Shri Kalzang Gyatso assumed the office of Deputy Speaker in the forenoon of 12th October, 1977.

R. K. GUPTA,

Secretary,
Sikkim Legislative Assembly Secretariat.

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SIKKIM
GOVERNMENT  GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 117

Gangtok, Thursday, October 13, 1977.

SIKKIM LEGISLATIVE ASSEMBLY SECRETARIAT
GANGTOK

Notification No.39/SLAS/77/707

Dated Gangtok, the 13th October, 1977.

Consequent upon the election of Shri B. B. Gurung, M.L.A. as Speaker of Sikkim Legislative Assembly, Shri Kalzang Gyatso ceased to perform duties of the Speaker, Sikkim Legislative Assembly on the forenoon of 11th October, 1977.

Shri B. B. Gurung, M.L.A., assumed the office of the Speaker, Sikkim Legislative Assembly on the forenoon of 11th October, 1977.

R. K. GUPTA,
Secretary,
Sikkim Legislative Assembly Secretariat.

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SIKKIM

GOVERNMENT



GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 118

Gangtok, Saturday, October 15, 1977

HOME DEPARTMENT

NOTIFICATION

Dated Gangtok, the 14th October, 1977.

No.20/Home. The Government of India, Ministry of Civil Supplies and Cooperation Order No. S.O. 702(E) dated 30.9.77 is republished for general information :

S.O. 702(E).— Whereas the Central Government is of opinion that it is necessary and expedient so to do for securing equitable distribution and availability at fair prices, of mustard oil;

Now, therefore, in exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following orders namely :

1. Short title, *extent* and commencement. (1) This Order may be called the Mustard Oil (Price Control) Order, 1977.

(2) It extends to the whole of India.

(3) It shall come into force at once.

2. Definition.— In this Order, "dealer" means a person engaged in the business of the purchase, sale or storage for sale of mustard oil.

3. Price at which a dealer may sell.— No dealer shall, either by himself or by any person on his behalf, sell or offer to sell any mustard oil at a retail price exceeding Rs 10/— per kilogram, exclusive of the cost of container but inclusive of taxes.

Sd/- T. BALAKRISHNAN
Joint Secretary to the Govt. of India
(File No. 26(16)/77-ECR)

M. P. PRADHAN,
Chief Secretary,
Government of Sikkim.
F, No. 38 (46)-Home/77.

PRINTED AT THE SIKKIM GOVERNMENT PRESS

SIKKIM

GOVERNMENT



GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 119

Gangtok, Saturday, October 15, 1977.

HOME DEPARTMENT

NOTIFICATION

Dated Gangtok, the 14th October, 1977.

No.21/Home. The Government of India, Ministry of Civil Supplies and Cooperation Order No. S.O. 702(E) dated 30.9.1977 is republished for general information :

S. O.701(E).— **WHEREAS THE** Central Government is of opinion that it is necessary and expedient so to do for maintaining supplies, and for securing equitable distribution and availability at fair prices, of pulses, and edible oils;

NOW, THEREFORE in exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955(10 of 1955), the Central Government hereby makes the following Order, namely :

1. Short title, extent and commencement— (1) This order may be called the pulses and Edible Oils (Storage Control) Order, 1977.
 - (2) It extends to the whole of India.
 - (3) Clauses 3 and 5 of this Order shall come into force on the 10th day of October, 1977 and the remaining provisions of this order shall come into force at once.
2. **Definitions.**— In this Order, unless the context otherwise requires;
 - (a) "dealer" means a person engaged in the business of the purchase, sale or storage for sale, of any pulses or edible oil;
 - (b) "producer" means a person carrying on the business of milling any of the pulses or expelling or extracting any edible oil;
 - (c) "pulses" means urd, moong, arhar, massoor, lobia rajmaha or any other dal whether whole or split with or without husk;
 - (d) "retailer" means a dealer in pulses or in edible oils who is not a wholesaler;
 - (e) "State Order" means any Order issued by any State Government or a Union Territory Administration under the provisions of the Essential Commodities Act, 1955 (10 of 1955) and for the time being in force;
 - (f) "Wholesaler" means a dealer in pulses or in edible oils who sells these commodities to other dealers or to bulk consumers.
3. **Licensing of dealers-** Notwithstanding anything contained in any State Order, after the expiration of a period of fifteen days from the coming into force of this clauses, no person shall carry on business as a dealer in pulses or in edible oils except under and in accordance with the terms and conditions of a licence granted under a State Order if the stocks of pulses or edible oils in his possession exceed the quantities specified below;

Stock limit

- (i) Pulses 5 quintals for all pulses taken together.
(ii) Edible Oil including vanaspati. 5 quintals for all edible oils including vanaspati taken together,

4. Restrictions on possession of pulses and edible oil.— No dealer shall, after a period of fifteen days from the coming into force of this clause, either by himself or by any person on his behalf store or have in his possession at any time any pulses or edible oils in excess of the quantities specified below:

Stock limits in quintals in the case of.

	Wholesaler	Retailer
(i) Pulses	500 (for all pulses taken together)	25 (for all pulses taken together)
(ii) Edible Oils including vanaspati	150 (for vanaspati only) 200 (for all edible oils, excluding vanaspati taken together)	5 (for vanaspati only) 5 (for all edible oils, excluding (vanaspati, taken together)

5. Returns.— Every dealer referred to in clause 3, and every producer who holds stocks of pulses or edible oils in excess of the limits specified for a wholesaler in clause 4, shall furnish a fortnightly return to such authority and in such manner as may be specified by the State Government in this behalf by Notification in the Official Gazette in respect of the stocks of pulses and edible oils including vanaspati held by him.

6. State Orders not to apply.— The provisions of any State Order relating to the storage of any pulses or edible oils shall not apply in respect of any matter for which provisions has been specifically made in this order.

7. Order not to apply in certain cases.— Nothing in this Order shall apply;

(i) to a corporation or company owned or controlled by the Central Government or a State Government, or

(ii) to any Central level or State level co-operative society, engaged in the production, procurement, sales, purchase or distribution of pulses or edible oils.

Sd/- T. BALAKRISHAN
Joint Secretary to the Government of India
(File No. 26(16/77-ECR))

MP. PRADHAN,
Chief Secretary,
Government of Sikkim.
F. No. 38 (46)-Home/77.

SIKKIM

GOVERNMENT GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No 120

Gangtok, Monday, October 17, 1977

SIKKIM LEGISLATIVE ASSEMBLY

SECRETARIAT, GANGTOK

Notification No. 62/SLAS/77/757

Dated Gangtok, the 17th October, 1977.

In accordance with the directions of the Hon'ble Speaker, under Rule 92 S of the Rules of Procedure and Conduct of Business in the Sikkim Legislative Assembly, the following three Members of Sikkim Legislative Assembly were elected on 12th October, 1977 by the Sikkim Legislative Assembly to constitute the Committee on Public Accounts :—

- | | |
|-----------------------------|----------|
| 1. Shri K.C. Pradhan | Chairman |
| 2. Shri Tasha Tengey Lepcha | Member. |
| 3. Shri Kehar Singh Karki | Member. |

2. The term of the present Committee shall be up to 31st March, 1978.

3. The Committee on Public Accounts will function in accordance with Rules 92 R and 92 T of the Rules of Procedure and Conduct of Business in the Sikkim Legislative Assembly.

R. K. GUPTA,

**Secretary,
Sikkim Legislative Assembly Secretariat**

SIKKIM
GOVERNMENT  GAZETTE
EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 121

Gangtok, Monday, October 17, 1977

LEGISLATIVE DEPARTMENT

NOTIFICATION

No. 5/LL/77

Dated Gangtok, the 25th October, 1977

The following Act of the Sikkim legislative Assembly having received the assent of the Governor on the 17th day of October, 1977 is hereby published for general information.

SIKKIM ACT NO, 5 OF 1977

THE SIKKIM OFFICIAL LANGUAGES ACT, 1977

AN

ACT

to provide for the adoption of the Nepali, the Bhutia and the Lepcha languages as the languages to be used for the official purposes of the State of Sikkim.

WHEREAS it is expedient to provide for the adoption of the Nepali, the Bhutia and the Lepcha languages as the languages to be used for the official purposes of the State of Sikkim;

It is hereby enacted in the Twenty-eighth year of the Republic of India by the Legislature of Sikkim, as follows:—

Short title and extent.

1.(1) This Act may be called the Sikkim Official Languages Act 1977.

(2) It extends to the whole of Sikkim.

(3) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

Languages to be used for the official purposes of the State.

2. With effect from such date, as the State Government may, by notification in the Official Gazette, specify in this behalf, the Nepali, the Bhutia and the Lepcha languages shall be the languages to be used for all official purposes of the State of Sikkim Provided that different dates may be specified for different official purposes.

(2)

Power to make rules.

3. (1) The State Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.
- (2) All rules made under this Section shall be laid as soon as may be, after they are made, before the Legislative Assembly while it is in session and if before the expiry of the session in which they are so laid or the next session immediately following the Legislative Assembly, resolves to make any modification in the rules, or resolves that such rules or any portion thereof shall not have effect, the rules shall thereafter have effect only in such modified form or be of no effect, in whole or in part, as the case may, so however, that any such resolution shall be without-prejudice to the validity of any thing previously done under such rules before such resolution.

By Order of the Governor,

B. R. PRADHAN,

**Secretary to the Government
of Sikkim.**

F. 16(35)LL/77.

SIKKIM

GOVERNMENT GAZETTE
EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 122

Gangtok, Thursday, October 27, 1977.

LEGISLATIVE DEPARTMENT

NOTIFICATION

No. 6/LL/77

Dated Gangtok, the 25th October, 1977.

The following Act of the Sikkim Legislative Assembly having received the assent of the Governor on the 17th day of October, 1977 is hereby published for general information.

SIKKIM ACT NO. 6 OF 1977

SIKKIM INTERPRETATION AND GENERAL CLAUSES ACT, 1977

AN

ACT

to provide for and to facilitate the interpretation and construction of Sikkim laws, to shorten the language used therein and to make certain other provisions relating to such laws.

WHEREAS it is expedient to provide for and to facilitate the interpretation and construction of Sikkim laws, to, shorten the language used therein and to make certain other provisions relating to such laws:

Be it enacted by the Legislature of Sikkim in the Twenty-eighth year of the Republic of India as follows:—

CHAPTER I

Preliminary

Short title and commencement.

1. (1) This Act may be called the Sikkim Interpretation and General Clauses Act, 1977.
(2) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

Application.

2. Unless otherwise expressly provided or unless the context otherwise requires, the provisions of this Act shall apply to—
(a) all Sikkim laws made before or after the commencement of this Act;
Act ;
(b) all notifications, orders, schemes, rules, regulations, by-laws or any other instruments having the force of law and made under or in exercise of any power conferred by any Sikkim law.

CHAPTER II

Definitions

Definition .

3. In all Sikkim laws, unless there is anything repugnant in the subject or context or unless a contrary intention appears,—
- (1) "abet", with its grammatical variations and cognate expression, has the same meaning as in the Indian Penal Code, 1860;
 - (2) "act" used with reference to an offence or a civil wrong, denotation a series of acts, and words which refer to acts done extend also to illegal omissions;
 - (3) "affidavit" means a statement in writing signed by the person making it and confirmed by oath;
 - (4) "Central Act" shall mean an Act of Parliament and shall include -
 - (a) an Act of the Dominion Legislature or of the Indian Legislature passed before the commencement of the Constitution, and.
 - (b) an Act made before such commencement by the Governor General-in-Council or the Governor General acting in a legislative capacity;
 - (5) "Central Government" in relation to anything done or to be done after the commencement of the Constitution (Thirty-sixth Amendment) Act, 1975, means the President and includes, in relation to functions entrusted under clause (1) of Article 258 of the Constitution to the Government of Sikkim, the Government of Sikkim acting within the scope of the authority given to it under that clause;
 - (6) "child", in the case of anyone whose personal law permits adoption, includes an adopted child;
 - (7) "collector" means the chief officer in charge of the revenue administration of a district;
 - (8) "commencement", used with reference to an enactment, means the day on which such enactment comes into force;
 - (9) "Constitution" means the Constitution of India;
 - (10) "daughter", in the case of anyone whose personal law permits adoption, includes an adopted daughter;
 - (11) "day" means the period of twenty-four-hours beginning at midnight;
 - (12) "District Court" means the principal civil court of original jurisdiction constituted for the purpose but shall not include the High Court in the exercise of its ordinary or extraordinary original civil jurisdiction;
 - (13) "District Judge" means the judge of District Court and includes an Additional District Judge;
 - (14) "document" includes any matter written, expressed, inscribed, or described upon any substance by means of letters, figures or marks or by more than one of those means which is intended to be used or which may be used for the purpose of recording that matter;
 - (15) "enactment" means any law and includes any provision contained in any law;
 - (16) "father", in the case of anyone whose personal law permits adoption, includes an adoptive father ;
 - (17) "financial year" means the year commencing on the first day of April and ending on the thirty-first day of March next following;
 - (18) "good faith"- a thing is deemed to be done in good faith where it is in fact done honestly, whether it is done negligently or not;
 - (19) "Government" or "the Government" includes the State Government as well as the Central Government;
 - (20) "government security" means securities of the Government of Sikkim or any other Government;
 - (21) "Governor" means, as respects the period after the commencement of the Constitution (Thirty-sixth Amendment) Act. 1975, the Governor of Sikkim ;
 - (22) "growing crops" means crops of all sorts attached to the soil and leaves, flowers and fruits upon and juice in, trees and shrubs ;

(23) "High Court" means the High Court of Sikkim.

(24) "immovable property" includes land, benefits to arise out of land and things attached to the earth or permanently fastened to anything attached to earth but does not include standing timber, growing crops or grass;

(25) "imprisonment" means imprisonment of either description as defined in the Indian Penal Code, 1860;

(26) "Law" means any law, Act, Ordinance, Proclamation, regulation, rule, notification, order, by-law, scheme or other instrument having for the time being the force of law;

(27) "Legislative Assembly" or "State Legislative Assembly" means the Legislative Assembly of the State of Sikkim;

(28) "local authority" means a municipal corporation, a municipality, a municipal committee, a local or district board, a Zilla Parishad, a Panchayat Samitee, a Block Panchayat or any other authority legally entitled to or entrusted by the Government with the control or management of municipal or local fund;

(29) "Magistrate" includes every person exercising all or any of the powers of a magistrate under the Code of Criminal Procedure for the time being in force;

(30) "month" means a month reckoned according to the English calendar ;

(31) "mother", in the case of anyone whose personal law permits adoption, includes an adoptive mother;

property;

(32) "movable property" means property of every description except immovable

(33) "oath" includes affirmation and declaration in the case of persons by law allowed to affirm or declare instead of swearing;

(34) "offence" means any act or omission made punishable by any law for the time being in force ;

(35) "Parliament" means the Parliament of India;

(36) "person" includes any company or association or body of individuals, whether incorporated or not;

(37) "prescribe" means prescribed by rules made under an enactment in which the expression occurs;

(38) "President" means the President of India;

(39) "public nuisance" has the same meaning as in the Indian Penal Code, 1860

(40) "registered", used with reference to a document, means registered in Sikkim or anywhere else in India under any law for the time being in force for the registration of documents;

(41) "regulation" means regulation made in exercise of a power conferred by any enactment and includes a non-statutory or other independent regulation having for the time being the force of law;

(42) "rule" means a rule made in exercise of a power conferred by any enactment and includes a non-statutory or other independent rule having for the time being the force of law;

(43) "sign" with its grammatical variations and cognate expressions, used with reference to a person who is unable to write his name, includes "mark" with its grammatical variation and cognate expressions;

(44) "Sikkim laws" mean and include:—

(a) all laws in force in the territories comprised in the State of Sikkim or any part thereof immediately before the commencement of the Constitution (Thirty-sixth Amendment) Act, 1975 ;

(b) all laws amending or repealing any such law referred to in sub-clause (a) ;

(c) all orders made and passed under clause (1) of Article 371 F of the Constitution making adaptations or modifications of the laws referred to in sub-clause (a) whether by way of repeal or amendment ;

(d) all enactments in force in a State or some States in India with respect to matters in the State List or the Concurrent List of the Constitution not being Central Acts and extended to the State of Sikkim by notifications under clause (n) of Article 371 F of the Constitution ;

(e) all Ordinances promulgated by the Governor of Sikkim ;

(f) all Acts passed by the Sikkim Legislative Assembly which have received the assent of the Governor or the President ;

(g) all laws made by parliament or the President in respect of the State of Sikkim under or in exercise of the powers Conferred by Article 356 and Article 357 of the Constitution ;

(45) "son", in the case of any one whose personal law permits adoption, includes an adopted son;

(46) "State Government or "the Government of Sikkim", in relation to anything done or to be done on and from the commencement of the Constitution (Thirty-sixth Amendment) Act, 1975, means the Governor;

(47) "swear" with its grammatical variations and cognate expressions includes affirming and declaring in the case of person by law allowed to affirm or declare instead of swearing;

(48) "will" and "codicil" have the meanings respectively assigned to them in the Indian Succession Act, 1925;

(49) "writing" includes printing, type-writing, lithography, photography and other modes of representing or reproducing words in a visible form;

(50) "year" means a year reckoned according to the English calendar.

CHAPTER III

General Rules of Construction.

- Territorial extent of Sikkim laws.** 4. Every Sikkim law, unless otherwise expressly provided, applies to the whole of Sikkim.
- Coming into operation of Sikkim law.** 5. (1) Where any Sikkim law made after the commencement of the Constitution (Thirty-sixth Amendment) Act, 1975, is not expressed to come into operation on a particular day, then it shall come into operation—
- (a) if it is an Act of the Sikkim Legislature, on the day on which it received the assent of the Governor or the President, as the case may be, and
- (b) if it is an Ordinance, on the day on which it is first published in the Official Gazette.
- (2) Unless the contrary is expressed, a Sikkim law/shall be construed as coming into operation immediately on the expiration of the day preceding its commencement.
- Expiry of temporary laws.** 6. Where any Sikkim law is expressed to expire, lapse or otherwise cease to have effect on a particular day, it shall, unless the contrary intention is expressed, be construed as ceasing to have effect immediately on the commencement of the following day.
- Rights of the Government.** 7. No Sikkim law shall in any manner whatsoever affect the rights of the Government unless it is expressly provided therein or unless it appears by necessary implication therefrom that the Government is bound thereby.
- Effect of incorporation.** 8. Where any Sikkim law constitutes a body corporate by any form of words, that body corporate shall have perpetual succession and a common seal and may enter into contracts by its corporate name and acquire, hold and dispose of property, whether movable or immovable and shall sue or be sued by or in its corporate name.
- Offences by companies.** 9. (1) Where an offence under any Sikkim law has been committed by a company, the company as well as every person in charge of and responsible to the company for the conduct of its business at the time of the commission of the offence shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:
- Provided that nothing contained in this sub-section shall render any such person liable to any punishment if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.**

(2) Where any offence under any Sikkim law has been committed by a company, any director, manager, secretary or other officer of the company, not being a person in charge of and responsible to the company for the conduct of its business at the time of the commission of the offence, shall, if it is proved that the offence has been committed with his consent or connivance or that the commission of the offence is attributable to any neglect on his part, also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanations:— For the purpose of this section —

- (a) "Company" means any body corporate and includes a firm or other association of individuals; and
- (b) "director" in relation to a firm, means a partner in the firm.

- Gender and number.** 10. In all Sikkim laws, unless a different intention appears -
(a) words importing the masculine gender shall be taken to include females; and
(b) words in the singular shall be taken to include the plural and vice - versa.
- Commencement and termination of time in Sikkim law.** 11. In any Sikkim law it shall be sufficient-
(a) to use the word "from" or the word "after" for the purpose of excluding the first in a series of days;
(b) to use the word "to" for the purpose of including the last in a series of days; and
(c) to use the word "on" or the word "with" for the purpose of including the day on which the period is expressed to begin or to end.
- Computation of time.** 12. Where by any Sikkim law, any act or proceeding is directed or allowed to be done or taken in any Court or office on a certain day or within a specified period then if the Court or office is closed on that day on the last day of the specified period, the act or proceeding shall be considered as done or taken in due time if it is done or taken on the next day afterwards on which the Court or office is open.
- Expression of time.** 13. Where in any Sikkim law any reference to a specified time of the day occurs, such time shall, unless it is otherwise specifically stated, be deemed to mean the Indian Standard Time.
- Day to be taken pro rata.** 14. Where by any Sikkim law any duty of customs or excise, or in the nature thereof, is leviable on a given quantity, by weight, measure or value of any goods or merchandise, then a like duty is leviable according to the same rate on any greater or less quantity.
- Measurement of distance.** 15. In the measurement of any distance for the purpose of any Sikkim law, that distance shall, unless a different intention appears, be measured in a straight line on a horizontal plain.
- Penalties provided to be deemed maximum penalties.** 16. Wherever in any Sikkim law a punishment is provided for an offence, such punishment shall, unless a different intention appears, be deemed to be the maximum punishment for that offence.
- Deviation from forms.** 17. Save as otherwise expressly provided by any Sikkim law, wherever a form is prescribed by any Sikkim law, any deviation therefrom, not affecting the substance or calculated to mislead, shall not invalidate it.
- Act done on holidays or outside office hours.** 18. Save as otherwise expressly provided by any Sikkim law, no act done by any authority, whether legislative, executive or judicial, shall be invalid by reason only of its having been done on a public holiday or before, beyond or after usual office hours.
- Provisions as to offences punishable under two or more Sikkim laws.** 19. Where an act or omission constitutes an offence under two or more Sikkim laws, the offender shall be liable to be prosecuted and punished under either or any of those laws but shall not be liable to be punished more than once for the same offence.

CHAPTER IV

Repeal and expiry of laws.

- Effect of repeal.** 20. Where any Sikkim law repeals any enactment, then, unless a different intention appears, the repeal shall not –

(a) revive anything not in force or existing at the time at which the repeal takes effect; or
(b) affect the previous operation of any enactment so repealed or anything duly done or suffered thereunder ; or
(c) affect any right, privilege, obligation or liability acquired, accrued or incurred under any enactment so repealed; or
(d) affect any penalty, forfeiture or punishment incurred in respect of any offence committed against any enactment so repealed; or
(e) affect any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, penalty, liability, forfeiture or punishment as aforesaid;
and any such investigation, legal proceeding or remedy may be instituted, continued or enforced and any such penalty, forfeiture or punishment may be imposed as if the repealing law had not been passed.

Effect of expiration of Sikkim laws.

21. Where any Sikkim law ceases to have effect or ceased to operate on the expiration of a particular period or on the happening of a particular contingency, then, unless a different intention appears, such expiry or cessation shall not affect -

(a) the previous operation of, or anything duly done or suffered under such law; or
(b) any right, privilege, obligation or liability acquired, accrued or incurred under law; or
(c) any penalty, forfeiture or punishment incurred in respect of any offence committed against such law ; or
(d) any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid;

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced and any such penalty, forfeiture or punishment may be imposed as if the law had not ceased to have effect or ceased to operate.

Repeal op law making textual amendment

22. Where any Sikkim law repeals any enactment (not being an enactment which is to cease to have effect or to cease to operate on the expiry of a particular period or on the happening of a particular contingency) by which the text of any law has been amended: by the express omission, insertion or substitution of any matter, then, unless a different intention appears, the repeal shall not affect the continuance of any such amendment made by the enactment so repealed and in operation at the time of such repeal.

Revival of repealed enactment.

23. In any Sikkim law made after the commencement of this Act, it shall be necessary for the purpose of reviving either wholly or partially any enactment wholly or partially repealed, expressly to state that purpose.

Construction of references to repealed

24. Where any Sikkim law repeals and re-enacts, with or without modification, any former enactment or any provision thereof, then references in any enactment other enactment, or any instrument, to the enactment or provision so repealed shall, unless a different intention appears, be construed as references to the enactment or provision, as the case may be, so re-enacted.

CHAPTER V

Powers and functionaries.

Exercise of Power and performance of duties.

25. Where by any Sikkim law any power is conferred or any duty is imposed, then, unless a different intention appears, that power may be exercised and that duty shall be performed from time to time as occasion requires.

Power incidental for effective exercise of powers granted.

26. Where by any Sikkim law a power is conferred on any person or functionary to do or enforce the doing of any act or thing, such power shall be deemed to include all such powers as may be necessary to enable such person or functionary to do or enforce the doing of such act or thing.

Exercise of power and performance of duty by temporary holder of office.

27. Where any Sikkim law confers a power or imposes a duty on the holder of any office as such, then the power may be exercised, and the duty be performed by the holder for the time being of the office.

Power to appoint to include power to appoint ex-officio. Power to appoint to include power to suspend, remove or dismiss.

28. Where by any Sikkim law a power to appoint any person to fill any office or execute any function is conferred, then, unless it is otherwise expressly provided, any such appointment may be made by name or by virtue of office.

29. Where by any Sikkim law a power to make any appointment is conferred, then, unless a different intention appears, the authority having for the time being the power to make the appointment shall also have, power to suspend, remove or dismiss any person appointed, whether by itself or by any authority, in exercise of that power.

Substitution of functionaries.

30. In any Sikkim law, it shall be sufficient for the purpose of indicating the application of the law to every person or number of persons for the time being executing the functions of an office, to mention the official title of the officer, who is, at the time of the making of the law executing the functions or that of the officer by whom the functions are commonly executed.

Successors.

31. In any Sikkim law, it shall be sufficient for the purpose of indicating the relation of a law to the successors of any functionaries or the corporations having perpetual succession, to express its relation to the functionaries or corporations.

Official chiefs and subordinates.

32. In any Sikkim law, it shall be sufficient for the purpose of expressing that a law relating to the chief or superior of an office, shall apply to the deputies or subordinates lawfully performing the duties of that office in the place of their superior, to specify the duties of the chief or superior.

CHAPTER VI

Subordinate Legislation

Construction of rules, notifications, orders, etc. issued under Sikkim laws.

33. Where by any Sikkim law a power to issue or make any rule, notification, order, scheme, form or by-law is conferred, then, expressions used in the rule, notification, order, scheme, form or by-law shall, unless a different intention appears, have the same respective meaning as in the law conferring the power.

Power to make or issue rules, etc. includes power to add to amend, vary or rescind.

34. Where by any Sikkim law, a power to make or issue rules, notifications, orders, schemes, forms or by-laws, is conferred, then, unless a different intention appears, that power includes a power exercisable in the like manner and subject to the like sanction and conditions, if any, to add to, amend, vary or rescind any rules, notifications, orders, schemes, forms or by-laws so made or issued.

Making of rules or by-laws or issuing of orders between passing and commencement of Sikkim laws.

35. Where by any Sikkim law which is not to come into operation immediately on the passing thereof a power is conferred to make rules, regulations or by-laws, or to issue orders with respect to the application of law, or with respect to the establishment of any Court or office or the appointment of a judge or officer thereunder, or with respect to the person by whom or the time when, or the place where, or the manner in which, or the fees for which, anything is to be done under such Sikkim law, then, that power may be exercised at any time after the passing of such law, but rules, regulations, by-laws or orders so made or issued shall not take effect till the commencement of such law.

Publication of rules, etc. in the Official Gazette to be deemed to be due publication.

36. Where in any Sikkim law or any rule, regulation or by-law made thereunder, it is directed that any rule, regulation, by-law, notification, order, scheme, form or other matter shall be notified or published, then, such notification or publication shall, unless such law, rule, regulation or by-law otherwise provides, be deemed to be duly made if it is published in the official Gazette.

Continuation of rules, orders, appointments, notifications, etc. under Sikkim law repealed and re-enacted.

37. Where any Sikkim law is repealed and re-enacted with or without modification, then, unless otherwise expressly provided, any appointment, rule, notification, order, scheme, form or by-law made or issued under the repealed enactment, shall so far as it is not inconsistent with the provisions re-enacted, continue in force and be deemed to have been made or issued under the provisions so re-enacted, unless and until it is superseded by any appointment, notification, order, scheme, form or by-law made or issued or anything done or action taken under the provisions so re-enacted.

Commencement of rules.

38. Every rule made under any Sikkim law shall be published in the Official Gazette and shall, in the absence of an express provision to the contrary either in the rule or in the law under which it is made, come into force on the day on which it is published in the Official Gazette.

Provisions applicable to making of rules, etc. after previous publication.

39. Where, by any Sikkim law, a power to make rules, regulations or by-laws is expressed to be given subject to the condition of the rules, regulations, by-laws, being made after previous publication, then, unless such law otherwise provides, the following provisions shall apply, namely :-

(1) the authority having power to make the rules, regulations by-laws shall, before making them, publish a draft of the proposed rules, regulations or by-laws for the information of persons likely to be affected thereby;

(2) the publication shall be made in such manner as that authority deems to be sufficient, or if the condition with respect to previous publication so requires, in such manner as the Government prescribes;

(3) there shall be published with the draft a notice specifying a date on or after which the draft will be taken into consideration;

(4) the authority having power to make the rules, regulations or by-laws, and, where the rules, regulations or by-laws are to be made with the sanction approval or concurrence of another authority, that authority also, shall consider any objection or suggestion which maybe received by the authority having power to make the rules, regulations, or by-laws from any person with respect to the draft before the date so specified.

(5) the publication in the Official Gazette of a rule, regulation, by-law purporting to have been made in exercise of a power to make rules, regulations or by-laws after previous publication shall be conclusive proof that the rules, regulations or by-law have been duly made.

Laying of rules before Legislative Assembly.

40. (1) Where any Sikkim law provides that any regulations or rules made thereunder shall be laid before the Legislative Assembly, such regulations or rules shall be laid as soon as may be after they are made before the Legislative Assembly while it is in session, and if before the expiry of the session in which they are laid, or the next session immediately following, the Legislative Assembly resolves to make any modification in the regulations or the rules, or resolves that such regulations or rules shall not have effect, the regulations or the rules, as the case may be shall thereafter have effect only in such modified form or of be of no effect, as the case may be, so, however, that any such resolution shall be without prejudice to the validity of anything previously done under such regulations or rules before such resolution.

(2) Where regulations or rules required by any Sikkim law to be laid before the Legislative Assembly, are not laid before the-Legislative Assembly in accordance with the provisions of sub-section (i),they shall, on the expiry of two successive sessions immediately following the publication of such regulations or rules, as the case may, be, cease to have effect, without prejudice to the continued validity of anything previously done under such regulations or rules.

Recovery of fines.

40. The provisions of Sections 63 to 70 of the Indian Penal Code, 1860, and the provisions of the Code of Criminal Procedure for the time being in force, in relation to the issue and execution of warrants for the levy of fines shall apply to all fines imposed under any Sikkim law or any rule, regulation or by-law made under any Sikkim law, unless such law, rule, regulation or by - law –contains an express provision to the contrary.

Meaning of service by post.

42. Where, any Sikkim law authorises or requires any document to be served by post, whether the expression "serve" or "give" or "send" or any of other expression is used, then, unless a different intention appears, the service shall be deemed to be effected by properly addressing, pre-paying and posting by registered post, a letter containing the document, and, unless the contrary is proved, to have been effected at the time at which the letter would be delivered in the ordinary course of post.

Citation of law.

43. (1) Any Sikkim enactment may be cited by reference to the title or short-title, if any, conferred thereon or by reference to the number and year thereof.

(2) Any provision in any Sikkim enactment may be cited by reference to the section of the law in which the provision is contained.

**By Order of the Governor,
B. R. PRADHAN,
Secretary to the Government
of Sikkim.
F. 16 (15) LL/77.**

SIKKIM
GOVERNMENT  GAZETTE
EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 123

Gangtok, Thursday, October 27, 1977.

LEGISLATIVE DEPARTMENT

NOTIFICATION

No. 7/LL/77

Dated Gangtok, the 25th October, 1977.

The following Act of the Sikkim Legislative Assembly having received the assent of the Governor on the 17th day of October, 1977 is hereby published for general information.

SIKKIM ACT NO. 7 OF 1977

THE SIKKIM APPROPRIATION ACT, 1977

AN

ACT

to authorise payment and appropriation of certain further sum from and out of the Consolidated Fund of the State of Sikkim for the services of the Financial year, 1977—78.

BE it enacted by the Legislature of the State of Sikkim in the Twenty-eighth year of the Republic of India as follows :—

Short title

1. This Act may be called the Sikkim Appropriation Act, 1977.

Issue of Rs. 1,99,01,000 out of the Consolidated Fund of the State of Sikkim for the Financial year 1977-78.

2. From and out of the Consolidated Fund of the State of Sikkim there may be paid and applied sums not exceeding those specified in column 3 of the Schedule amounting to one crore ninety-nine lakhs one thousand of Rupees towards defraying the several charges which will come in course for payment during the financial year 1977-78 in respect of the services specified in column 2 of the Schedule.

Appropriation.

3. The sums authorised to be paid and applied from and out of the Consolidated Fund of the State of Sikkim by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.

(2)

SCHEDULE
(See section 2 & 3)

(In thousands of Rupees)

1	2	3			
		Sums not exceeding			
No. of Vote	Services & Purposes.	Voted by Legislative Assembly	Charged on the Consolidated Fund	Total	
4.	Animal Husbandry & Dairy Development	Capital	9000	-	9000
8.	Education	Revenue	29	-	29
11.	Excise (Abkari)	Revenue	35	-	35
16.	Forest, Fisheries & Soil Conservation	Capital	2600	-	2600
17.	Motor Vehicle	Revenue	40	-	40
20.	Administration of Justice	Revenue	-	37	37
22.	Land Revenue	Capital	179	-	179
24.	Medical, Public Health & Social Welfare	Revenue	4	-	4
25.	Panchayat & Rural Works	Revenue	6000	-	6000
28.	Public Works, Roads, Bridges and Water Supply	Revenue	826	-	826
30.	Trade, Industries & Labour	Revenue	151	-	151
		Capital	1000	-	1000
		Total :-	19864	37	19901

By Order of the Governor,

B. R. PRADHAN,

**Secretary to the Government
of Sikkim.**

F. 16 (3) LL/77.

SIKKIM

GOVERNMENT GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 124

Gangtok, Friday, October 28, 1977

ELECTION DEPARTMENT (HOME)

NOTIFICATION NO.34/H.

DATED GANGTOK THE 26TH OCTOBER, 1977.

Election Commission of India Notification No. 56/77 XV dated 13th October, 1977 are republished in the State Government Gazette for general information :—

ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN,
ASHOKA ROAD,
NEW DELHI.

NOTIFICATION.

S.O. In pursuance of clause (d) of sub-paragraph (1) and sub-paragraph (2) of paragraph 17 of the Election Symbols (Reservation and Allotment) Order, 1968, the Election Commission hereby makes the following amendment in its notification No. 56/77-II, dated 9 February 1977 published as S.O. 152 (E) in the Gazette of India, Extraordinary, Part II, Section 3 (ii), dated 9 February 1977 as amended from time to time, namely—

In TABLE 3 of the said notification:—

against item No. 14. Nagaland, for the *existing* ENTRIES "(7) Mug, and (8) Tiger "the entries" (7) Mug, (8) Tiger, and (9) Naga" shall be substituted.

(No. 56/77 - XV)

By Order,

Sd/- V. NAGASUBRAMANIAN
SECRETARY

By Order,

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

SIKKIM
GOVERNMENT  GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 126

Gangtok, Saturday, October 29, 1977.

**OFFICE OF THE SECRETARY
ESTABLISHMENT DEPARTMENT
GOVERNMENT OF SIKKIM
Notification No. 234 (Gen)/Est.**

Dated Gangtok, the 15th October, 1977.

To improve the service conditions of the Drivers and Conductors for performing strenuous duties in all difficult, unfavourable road and weather conditions and appreciating the prevailing peculiarities of S.N.T's varied operations, the Government have been pleased to approve the following terms and conditions, in supersession of Notification No. 84/Est. dated 26.9.1974.

1. Appointment of Drivers on NO WORK NO PAY basis hitherto in existence in the Department; is abolished.
2. Promotion of fifteen extremely meritorious Driver to Class II (a) Grade and scale of Rs. 270-445 from amongst senior drivers.
3. Total number of drivers increased to 190 against the existing strength of 156. Out of 190 posts, 100 shall be permanent and 90 shall be temporary.
4. There will be three grades of drivers in S.N.T and the 190 posts shall be categorised in the Following manner:-

(i)	Grade III (a)	90 posts temporary
(ii)	Grade II-CL.III (b)	85 " permanent
(iii)	Grade I-CL: II (a)	15 " permanent

5. (a) A driver shall be inducted into S.N.T Drivers service first in the Grade II Class III (a) against the existing vacancies. He shall be a driver on probation for the first two years.
(b) During the two years of probationary period such driver shall be entitled to all the benefits of House Rent Allowance, Earned Leave, Casual Leave, Increment, gratuity etc., but the General Manager may at any/time terminate his services, if in his opinion the conduct or performance of the driver is such that his retention in service would be against the interest of the department.
6. After the expiry of two years, the driver on probation would be inducted into regular temporary cadre of Grade If-Class III (a).

(b) Those drivers completing 7 years of unbroken service and after completing 15 years (inclusive of the probationary period the grade III period and the grade II period), shall be eligible for promotion to the next permanent cadre of grade II & I class II (a) subject to seniority, medical fitness and availability of vacancies.
7. The order authorizing the General Manager, S.N.T. to retire a driver from service after attaining 50 years of age vide Notification No. 84/Est. dated 26th September, 1974 is also revoked.

8. It has been decided that except for high altitude areas where certain vehicles are supposed to make compulsory night halt no allowance for night halt should be given to bus and truck drivers as this would mean discouraging them from performing higher Kilometrage. In view of this, it has been decided that there should be higher kilometrage allowance and rationalise it in a manner so that higher benefits would automatically follow performance of higher kilometrage. In doing so the bus kilometrage should be given an edge over the truck kilometrage because the bus runnings are subjected to fixed distances. Keeping this in view the following fixed allowances are approved .

a) Truck Kilometrage Allowance:

75 to 120 kms	Rs. 5. 00
121 to 170 kms	Rs. 7. 00
171 to 200 kms	Rs. 8. 00
201 and above	Rs. 10.00

b) Bus Kilometrage Allowance

51 to 80 kms	Rs. 6. 00
81 to 120 kms	Rs. 7. 00
121 to 170 "	Rs. 8. 00
171 to 200 "	Rs. 9. 00
201 and above	Rs. 10.00

- (c) (i) All staff jeep drivers are entitled to the same rate of daily traveling allowance as admissible to the drivers of other government departments,
(ii) Any jeep, if it is running on commercial linces shall carry the jeep kilometrage equivalent to the bus kilometrage allowance.

9. For night halts in higher altitudes measuring 8000 feet and above, Drivers of both truck and bus shall draw Rs. 5/- for each night over and above the kilometrage allowance.

10. A post of Bus Conductor in the grade of Class IV (b) and scale of Rs. 200-310 is also created. Selection for promotion of a Bus Conductor for promotion to this grade and scale shall be determined taking into account the length of service and merit.

By Order.

C. D. Rai ,

**Secretary,
Establishment Department;**

SIKKIM

GOVERNMENT GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 127

Gangtok, Tuesday, November 1, 1977.

OFFICE OF THE CHIEF SECRETARY GOVERNMENT OF SIKKIM

NOTIFICATION No. 1344/Home/77.

Dated Gangtok, the 1st November, 1977.

The Government of Sikkim has been pleased to order the following additions in Notification No. 1072/Home/77. dated the 29th September, 1977 relating to the constitution of the Pay Commission :—

(i) In paragraph 2, a sub-para (d) shall be inserted as under:

"(d) the date from which changes/improvements recommended by the Commission should become effective"

and

(ii) The full-stop at the end of paragraph 5 shall be converted into a comma and the expression "but not later than six months from the date of constitution" shall be added.

M. P. PRADHAN,

**Chief Secretary,
Government of Sikkim.**

SIKKIM
GOVERNMENT  GAZETTE
EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 128

Gangtok, Wednesday, November 2, 1977.

**SIKKIM LEGISLATIVE ASSEMBLY SECRETARIAT
GANGTOK.**

NOTIFICATION NO. 102/SLAS/77/834.

Dated Gangtok, the 2nd November, 1977.

The following order of the Governor of Sikkim dated 1st November, 1977
published for general information.

"No. SKM/GOV/780/77—In exercise of the powers conferred by Article 174(2)

(a) of the Constitution, I, B. B. Lal, Governor of Sikkim, hereby prorogue the Legislative
Assembly of Sikkim which was summoned to meet on the 10th of October, 1977.

B. B. LAL
Governor of Sikkim.

R.K. GUPTA
Secretary
Sikkim Legislative Assembly.

SIKKIM

GOVERNMENT



GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 129

Gangtok, Thursday, November 3, 1977

ORDINANCE NO. 1 OF 1977

THE SIKKIM LEGISLATIVE ASSEMBLY MEMBERS REMOVAL OF DISQUALIFICATIONS ORDINANCE, 1977

WHEREAS it is necessary and expedient to declare" that certain offices are not to disqualify the holders thereof for being chosen as, or for being, members of the Legislative Assembly of the State of Sikkim;

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

NOW, THEREFORE, I, B. B. Lai, Governor of Sikkim, in exercise of the powers conferred by Article 213 of the Constitution of India hereby make and promulgate the following Ordinance, namely :—

Short title

1. This Ordinance may be called the Sikkim Legislative Assembly Members Removal of Disqualifications Ordinance, 1977.

Definitions

2. In this Ordinance, unless the context otherwise requires :—
 - (a) "Compensatory allowance" means any sum of money payable to the holder of an office by way of daily allowance, conveyance allowance, house rent allowance or travelling allowance for the purpose of enabling him to recoup any expenditure incurred by him in performing the functions of that office.
 - (b) "Legislative Assembly" means the Legislative Assembly of the State of Sikkim.
 - (c) "Non-statutory body" means any body of persons other than a statutory body.
 - (d) "State Government" means the Government of the State of Sikkim.
 - (e) "Statutory body" means any Corporation, Committee, Commission, Council Board or other body of persons whether incorporated or not, established by or under any law for the time being in force;

Certain offices not to disqualify.

3. It is declared that none of the following offices under the Government of India or the State Government, shall disqualify or be deemed ever to have disqualified the holder thereof for being chosen as, or for being, a member of the Legislative Assembly namely-

- (a) the office of the Minister of State or the Deputy Minister, either for the Union or for the State of Sikkim;
- (b) the office of a member of any force raised or maintained under the National Cadet Corps Act, 1948, the Territorial Army Act 1948, or the Reserve and Auxiliary Air Forces Act, 1952;
- (c) any office in the Home Guards constituted by or under any law for the time being in force under the authority of the State Government;
- (d) the office of the Chairman or a member of the syndicate; Senate, Executive Council or Court of a University of any other body connected with a University or of the managing committee, by whatever name called, of any educational institution receiving aid out of State funds;
- (e) the office of the Chairman or a member of the Committee of management of a Co-operative Society nominated or appointed by the State Government under any law relating to Co-operative Societies for the time being in force in the State of Sikkim;
- (f) the office of the Chairman or a member of the Planning Commission or Committee or Board or similar other authorities appointed by the State Government;
- (g) the office of the Chairman or a member of the Labour Commission appointed by the State Government;
- (h) the office of the Chairman or a member of the Pay Commission appointed by the State Government;
- (i) the office of the Chairman or a member of the Board of Directors of the State Trading Corporation;
- (j) the office of the Chairman or a member of the Board of Directors of the State Bank of Sikkim;
- (k) the office of the Chairman or a member of the State Electricity Advisory Board or the State Electricity Board appointed by the State Government;
- (l) the office of the Chairman or a member of the Sikkim Khadi and Village Industries Board appointed by the State Government;
- (m) the office of the Chairman or a member of the Board of the Sikkim Nationalised Transport appointed by the State Government;
- (n) the office of the Chairman or a member of the Board of Directors of the Sikkim Mining Corporation appointed by the State Government;
- (o) the office of the Chairman or a member of the Scheduled Caste Welfare Board appointed by the State Government;
- (p) the office of Block Mandal appointed by the State Government,
- (q) the office of Chairman, Deputy Chairman, or a member or Secretary of any Committee, Commission, Corporation or similar other authorities constituted by the Government of India or the State Government or any other authority in respect of any public matter, if the holder of such office is not entitled to any remuneration other than compensatory allowance or any residential accommodation or any arrangement for conveyance to facilitate the performance of the functions of such office.

Explanation

For the purpose of this Ordinance, the office of Chairman, Deputy Chairman or Secretary shall include every office of that description, by whatever name called.

B. B. Lal
Governor of Sikkim.

S I K K I M



G O V E R N M E N T G A Z E T T E

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 130

Gangtok, Thursday, November 3, 1977

ORDINANCE NO. 2 OF 1977

**THE SIKKIM ESSENTIAL SERVICES MAINTENANCE
ORDINANCE, 1977**

WHEREAS it is necessary and expedient to make provisions for the maintenance of certain essential services and the normal life of the community:

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

NOW, THEREFORE, I, B. B. Lai, Governor of Sikkim, in exercise of the powers conferred by Article 213 of the Constitution of India, hereby make and promulgate the following Ordinance, namely:—

Short title

1. This Ordinance may be called the Sikkim Essential Services Maintenance Ordinance 1977.

Definitions

2. In this Ordinance, unless the context otherwise requires,

(I) "Essential service" means —

(a) any service connected with the supply of water :

(b) any service connected with any department of the State Government or any local authority relating to procurement, storage, distribution and supply of food and other essential commodities:

(c) any service connected with the supply of electricity:

(d) any service connected with medical aid, treatment or administration of hospitals, dispensaries and other similar establishments or institutions:

(e) any service connected with any department of the State Government or any local authority or other organization or institution relating to fire-service extinguishment or control of fire, or conservancy or drainage or sanitation:

(f) any transport service for the carriage of passenger or goods:

(g) any service connected with the loading, unloading or storage of goods:

(h) any other service which the State Government, being of opinion that strikes therein would prejudicially affect the maintenance of any public utility service, the public safety or the maintenance of supplies and services necessary for the life of the community or would result in the infliction of grave hardship on the community, may, by notification in the Official Gazette, declare to be an essential service for the purpose of this Ordinance;

(2) "Strike" means the cessation of work by persons employed in any essential service acting in combination or a concerted refusal or a refusal under a common understanding of any number of persons who are or have been so employed to continue to work or to accept employment, and includes.

(a) refusal to work over time where such work is necessary for the maintenance of any essential service:

(b) any other conduct which is likely to result in, or results in, cessation or substantial retardation of work in any essential service.

Power to prohibit strikes in essential services.

3. (1) If the State Government is satisfied that in the public interest it is necessary or expedient so to do, it may, by general or special Order, prohibit strikes in any essential service specified in the Order.

(2) An Order under sub-clause (1) shall be published in the Official Gazette or in such manner as the State Government considers best calculated to bring it to the notice of the persons to be affected by the Order and shall remain in force for a period of six months only from the date of the Order unless any shorter period is specified therein.

(3) Upon the issue of an Order under sub-clause (1).

(a) no person employed in any essential service to which the Order relates shall go or remain on strike;

(b) any strike declared or commenced, whether before or after the issue of the Order, by persons employed in any such service shall be illegal.

Punishment.

4. Any person,—

(a) who commences a strike which is illegal under this Ordinance or goes or remains on, or otherwise takes part in, any such strike, or

(b) who instigates, or incites other persons to take part in, or otherwise acts in furtherance of a strike which is illegal under this ordinance, or

(c) who knowingly expends or supplies any money in furtherance or support of a strike which is illegal under this Ordinance, or

(d) who, by the use of force or show of force or otherwise, prevents any other person employed in any essential service, specified in the Order issued under sub-clause (1) of clause 3, from performing his duties under such employment, shall be punishable with imprisonment for a term which may extend to one year, or with fine which may extend to one thousand rupees, or with both.

Offence to be cognizable and non-bailable.

5. Any offence under this Ordinance shall be cognizable and non-bailable.

Ordinance to override other laws.

6. The provisions of this Ordinance and of any Order issued thereunder shall have effect notwithstanding anything inconsistent therewith in any other law for the time being to force.

B. B. Lal
Governor of Sikkim

SIKKIM
GOVERNMENT  GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No.131

Gangtok, Saturday, November 5, 1977.

**ELECTION DEPARTMENT (HOME)
NOTIFICATION NO.36/H.**

Dated Gangtok, the 1st November, 1977,

The Election Commission of India- Notification No. 56/77-XVII dated 24th October, 1977 are republished in the State Government Gazette for General information:—

ELECTION COMMISSION OF INDIA

**NIRVACHAN SADAN,
ASHOKA ROAD,
NEW DELHI.**

NOTIFICATION

S.O. Whereas the Hon'ble Supreme Court by its judgement dated 12 September 1977 in the Civil Appeal No. 945 of 1977 filed by All Party Hill Leader's Conference, Shillong, reversed the Election Commission's decision dated 1 February 1977 that All Party Hill Leader's Conference ceased to exist as a political party consequent on its merger with the Indian National Congress and that the symbol 'Flower' reserved for it should be deleted from the list of symbols in the Commission's notification;

And whereas the said Court ordered that "the APHLC, as a recognised State political party in Meghalaya, stays and is entitled to continue with their reserved symbol flower"....;

And whereas the Election Commission in pursuance of the abovesaid decision of the Supreme Court has decided to restore the status of All Party Hill Leader's Conference as a recognised State party in the State of Meghalaya and also to reserve the symbol 'Flower' to it;

Now, therefore, in exercise of the powers conferred by clause(b) of sub-paragraph (1) and sub-paragraph (2) of paragraph 17 of the Election Symbol (Reservation and Allotment) Order, 1968, the Election Commission hereby makes the following amendment in its notification No. 56/77-11, dated 9 February 1977 published as S.O. 152(E) in the Gazette of India, Extra-ordinary, Part II, section 3 (ii) dated 9 February 1977 and as amended from time to time, namely—

in TABLE 2 of the said notification ;—

After the State Manipur, the following shall be added —

“Meghalaya..... All Party Hill Leader's Conference..... Flower”.

(No. 56/77-XVII)

By Order,

Sd/- V. NAGASUBRAMANIAN
Secretary
Election Commission of India

By Order,

D. K. MANAVALAN,
Chief Electoral Officer, Sikkim.
Election Department (Home).

SIKKIM

GOVERNMENT



GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 132

Gangtok, Monday, December 19, 1977

GOVERNMENT OF SIKKIM SURVEY AND SETTLEMENT DEPARTMENT, GANGTOK

Notification No. 11/D.S. & S.

Dated Gangtok, the 7th December, 1977.

The State Government have decided that for the purpose of the current settlement operation in Sikkim, Land Revenue will be calculated and settled at per-hectare rate as per the table given below:—

Type of Land Class	Circle 'A'			Circle 'B'		Circle 'C'			Circle 'C' Special			
	I	II	III	II	III	I	II	III	I	II	III	
Wet Land	per hectare RS.9/90P	Rs. 8/- Rs.6/20P	Rs.9/30P	Rs.6/80P	Rs.4/90P	Rs.7/70P	Rs.5/60P	Rs.3/70P	Rs.5/70P	Rs.4/20P	Rs.2/60P	
Dry Land	Rs.3/90P	Rs.3/20P	Rs.2/60P	Rs.3/60P	Rs.2 80P	Rs.2/30P	Rs.3/-	Rs.2/50P	Rs.2/-	Rs.2/50P	Rs.1/90P	Rs.1/60P
Banzo	Of ail circles at the rate of Rs: 1/40 False per hectare.											

(S. S. Pangtey) IAS.
Secretary,
Survey and Settlement Department.
Government of Sikkim, Gangtok.

S I K K I M



G O V E R N M E N T G A Z E T T E

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 133

Gangtok, Tuesday , December, 20 , 1977

THE SIKKIM COAL CONTROL ORDER, 1977

Whereas the State Government is satisfied that it is necessary for securing the equitable distribution and availability at fair prices of coal in Sikkim.

Now, therefore, *in supersession of all previous Orders on the subject* and in exercise of the power conferred by Section 3 of the Essential commodities Act, 1955, (Act No. 10 of 1955), read with the Government of India, Ministry of Agriculture & Irrigation (Department of Food) Order No. G.S.R. 475 (E) dated 24th July, 1976 and with the prior concurrence of the Government of India, the Government of Sikkim hereby makes the following order, namely:—

Short title, extent & commencement

1. (1) This Order may be called the Sikkim Coal Control Order, 1977.
(2) It shall extend to the whole of Sikkim.
(3) It shall come into force at once.

Definations.

In this Order unless there is anything repugnant in the subject or context—

- (a) "Coal" includes Soft Coke, hard coke and steam coke but does not include cinder and ashes.
(b) "Form" means a form set forth in the Schedule to this order.
(c) The State Coal Controller means the Secretary, Food & Civil Supplies, Government of Sikkim, Gangtok and includes joint Secretary-cum-Joint Commissioner.
(d) The "Licensing Authority" means the District Magistrate & Collector or any other Officer authorised by him to perform his functions under this Order and includes the Town Rationing Officer of the District.
(e) "Licensee" means a person holding a license under the provisions of this order in form "B" of Schedule I.
(f) "State Government" means the Government of Sikkim.

Power to direct Sale.

3. (1) No person shall stock, sell; store for sale or shall otherwise dispose of coal in this State except under a license issued under or in accordance with the provisions of this Order.
(2) Nothing contained in sub-clause (1) shall, in so far as it relates to taking out a license for stocking or storing coal for their own consumption, apply to the stocks held by persons or undertakings obtaining coal on permits of the District Magistrate or the State Coal Controller for their own consumption.

(3) Notwithstanding anything contained in sub-clause (1), the State Government may, by Notification in the Official Gazette, exempt from the provisions or the sub-clause to any person or class of persons subject to such conditions as may be specified in the Notification.

From of licenses & licensing fee

- (4) (1) Every application for license under this Order shall be made in the form given in Form "A" of Schedule I to this Order.
- (2) A license granted under this Order shall be in Form "B" of Schedule I to this Order and the holder of a license granted under this Order shall comply with the directions that may be issued to him from time to time in regard to the purchase, sale, storage or distribution of coal.
- (3) Every license issued or renewed under this Order shall be valid until the 31st day of December of the year for which it is issued or renewed..
- (4) The following fees specified below shall be chargeable in respect of a license under this Order.
- (a) (i) Issue of new license Rs.10/-
(ii) Annual renewal of license 5/-
(iii) Issue of a duplicate license 5/-
- (b) The fee for the issue of a license shall be paid before the license is issued and the fee for renewal of a license or for issue of a duplicate license shall be paid along with the application for the renewal or issue as the case may be.

Power to refuse, suspend, cancel, revoke licenses etc.

5. The Licensing Authority may, if it is satisfied that it is expedient, having regard to the supplies of coal and the interest of the general public or industry, for reasons to be recorded in writing, refuse to grant a license..
- (2) The Licensing Authority may, for reasons to be recorded in writing, suspend, cancel or revoke any license or modify the terms thereof or refuse to renew a license if it is satisfied that the licensee has contravened any provision of this Order or the conditions of the license or any direction or order issued thereunder.

Appeals.

6. Any person aggrieved by the Order passed under clause (r) may, within thirty days of the date of the said order, appeal to the State Coal Controller, whose orders on such appeal shall, except as provided in clause 7, be final.

Power of review.

7. The State Government may, within thirty days from the date of an order made under clause 6 call for the records of any case for review and pass such orders in writing as may, in the circumstances, appear to it to be necessary for the ends of justice.

Restrictions on movement of coal.

8. No person shall carry or cause to be carried or offer for carriage by road or river any coal other than Soft Coke or non-coking grade II/III coal, from any district in Sikkim to any place outside the limits of that district without the permission in writing of the licensing authority.

Restrictions on taking delivery of coal.

9. All licensees and other persons dealing in or obtaining or holding stocks of coal except soft coke and non-coking grade II/III coal, shall submit the railway receipts of arrivals thereof either to the Licensing Authority or in his absence to any other officer authorised by him in this behalf for counter-signature before actually taking delivery of the commodity from the Railway:

Power to direct sale & disposal.

10. The State Coal Controller may, by a written order require any person holding stocks of coal to sell the whole or any part of the stock to such person or class of persons and on such terms and prices as may be determined in accordance with the provisions of clause II.

Power to fix prices.

11. No licensee and no person acting on his behalf shall sell, agree to sell or offer for sale, coal at a price exceeding the price to be declared by a Licensing Authority in accordance with the formula given in Schedule II to this order.

Power to require maintenance of accounts, furnish Informations etc.

12. The State Coal Controller of the Licensing Authority may-
- (1) direct any licensee to maintain such record and furnish such informations as may be required.
- (2) direct any person holding stock of coal to furnish such informations as may be required.

(3)

**Power to inspect, 13.
enter, search, seize
etc.**

- (1) The State, Coal Controller or the Licensing Authority or any person authorised by them in this behalf may—
 - (a) Inspect or cause to be inspected any books or documents belonging to, or under the control of, any licensee or any person holding stocks of coal, and to seize them if he has reason to believe that a contravention of this order has been or is being or is about to be committed.
 - (b) enter or search any premises where any transaction in connection with coal in contravention of the provisions of this Order has been or is being or is about to be carried out.
 - (c) seize or authorize the seizure of any coal in respect of which he has reason to believe that a contravention of this Order has been or is being or is about to be committed.
- (2) The provisions relating to search and seizure under the law relating to criminal procedure in force in Sikkim shall apply to searches and seizures under this, clause.

Penalties.

14. If any person contravenes any of the provisions of this Order, or the conditions of licence granted thereunder he shall be punishable under Section 7 of the the Essential Commodities Act, 1955.

M. P. PRADHAN,

**Chief Secretary,
Government of Sikkim.**

SCHEDULE-I

FORM "A"

THE SIKKIM COAL CONTROL ORDER, 1977.

See Clause 4 (1)

Form of application for license as a stockist of Soft - coke/hard - coke/steam coal for domestic consumption or for renewal of license.

1. Name and father's name of the applicant.
2. If the application is made on behalf of a firm or an incorporated company or firm, state trading name ;
3. Names and addresses of all partners as the case may be;
4. Exact location of business premises; :
5. (i) How long the applicant has been trading in coal;
(ii) The quantity of coal handled in the last three years;
(iii) Other details, if any.
6. Whether the applicant has been duly appointed as a coal stockist by the State Coal Controller, if so, state the number and date of the order of the Coal Controller;
7. Number and date of the existing license if the application is for renewal;

I/We have carefully read the provisions of the Sikkim Coal Control Order, 1977, and understand that license issued to me/us will be subject to the provisions of the Order and that any breach of conditions of such license will amount to a breach of the Order.

2. I/We declare that to the best of my/our information and belief, the above information is correct and complete,

Signature of the applicant (s)

District.....

Date.....

(5)

SCHEDULE I

FORM "B"

THE SIKKIM COAL CONTROL ORDER, 1977

See clause 4 (2)

Licence for a stockist of soft-coke /hard-coke/steam coal for domestic consumption under the Sikkim Coal Control Order, 1977.

1. Register No..... Licence No.....
2. Name of the Licensee.....
3. If the licensee is a firm or an incorporated company names and addresses of all partners or director as the case may be:
4. Exact location of the premises of business:
5. This license is valid in district/town.....upto.....
6. The license is granted subject to the conditions noted below.

Date.....

Signature of the Licensing Authority

District.....

Renewal Endorsement

Date of renewal	Date of expiry	Signature of Licensing Authority.	Remarks
-----------------	----------------	-----------------------------------	---------

Condition of Licence

1. The licensee shall display in a prominent place of his business premises a list showing the control price of each variety of coal as fixed by the Licensing Authority and he shall not sell or offer for sale coal over and above this price.
2. The licensee shall not carry on business or store coal except in the premises specified in his license provided that the premises may be changed or additional premises used with the permission of the Licensing Authority.
3. The Licensee shall maintain a Stock and Sales Register or such other registers and submit such returns as may be required by the Licensing Authority of the State Coal Controller.
4. The licensee shall not refuse to sell or withhold from sale any coal in his possession in such quantities, at such times, to such persons and in such manner as the Licensing Authority may by written order direct.
5. The licensee shall render all reasonable facilities to persons authorised by the Licensing Authority for inspection of his premises, stocks and accounts.
6. The licensee shall furnish correctly such information as may from time to time be demanded for him and shall carry out such instructions as may from time to time be given to him under this Order by the Licensing Authority or by an officer authorised by the Licensing Authority in this behalf.
7. Any contravention of the conditions by the license or by his agent or his servant will render the licence liable to cancellation without prejudice to any other action that may be taken against him.

SCHEDULE II

THE SIKKIM COAL CONTROL ORDER, 1977.

See clause II.

Formula for declaration of prices of soft coke at Gangtok.

1. Cost of Soft Coke at Colliery, Calcutta per ton
2. Central Sales Tax on the cost price:
3. Railway freight from Colliery to NJP per ton
4. Carriage including unloading and loading at NJP or Siliguri.
5. Cost of empty bags per tonne:
6. Labour charges for bagging and sewing:
7. Transport charges from Siliguri to Gangtok.
8. Toll Tax.
9. Godown Rent.
10. Shortage per tonne:
11. Wholesale commission and supervision charges.
12. Total cost per tonne:
13. Cost per Quintal.
14. Cost per 75 kgs.
15. Retailsale commission for 75 kgs. including unloading charges etc.
16. Retailsale rate for 75 kgs.

SIKKIM
GOVERNMENT  GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 134

Gangtok, Wednesday, December 21, 1977

**OFFICE OF THE SECRETARY
ESTABLISHMENT DEPARTMENT
GOVERNMENT OF SIKKIM**

Notification No. 296/Gen /Est.

Dated Gangtok, the 3rd December, 1977.

In continuation of this Department Notification No. 234/Gen/Est. of 15.10.77, the following allowances have also been sanctioned by the Govt. of Sikkim.

1. The enroute stranded drivers will be eligible for an allowance of Rs. 7/- per night for stay-with the vehicle during road breaches due to inclement weather and mechanical failure beyond a drivers control.

2. Weekly holidays has been sanctioned for the drivers and conductors which should start be granted after the appointment of 16% additional drivers. With the arrangement of this weekly holiday the existing seasonal allowance of Rs. 30/- per month for contineous steering duly covering 26 days or more becomes inadmissible.

3. In addition to above, the following incentive schemes are introduced for effecting effecient performance by the drivers :

(a) ENGINE REWARD	i.	New Engine reward				
		65000-65999	Kms	- Rs. 75/-		
		66000-70000	Kms	- Rs. 100/-		
		70001-75000	Kms	- Rs. 150/-		
		75001-80000	Kms	- Rs. 250/-		
(b)TYRE REWARD : (per tyre)	ii.	Reconditioned Engine reward				
		40000-40999	Kms	- Rs. 75/-		
		41000-45000	Kms	- Rs. 100/-		
		45000-50000	Kms	- Rs. 150/-		
		50001-60000	Kms	- Rs. 250/-		
		20000-23000	Kms	- Rs. 30/-		
		23001-26000	Kms	- Rs. 45/-		
		26001-30000	Kms	- Rs. 60/-		
		(c) NO ACCIDENT BONUS		(per year on wheels)		Rs. 50/-
				(d) NO BREAKDOWN REWARD (per year on wheels)		Rs. 50/-

4. The fixed overtime allowance at the following rates are sanctioned for (i) Station master (ii) Senior traffic assistant and (iii) Junior traffic assistant/ booking clerks:—

(a) Rs. 45/- - per month for those stationed at Gangtok, Rangpo, Siliguri and Jorethang.

(b) Rs. 30/- per month for those Stations. Supervisory staff are not entitled to this

allowance. All the above orders come into effect from 26th August, 1977.

C. D. Rai
Secretary,
Established Department.

SIKKIM

GOVERNMENT GAZETTE



EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 135

Gangtok, Thursday, December, 22, -1977

GOVERNMENT OF SIKKIM,

HOME DEPARTMENT

Notification.

No. 7 (46) - Home/76

Dated Gangtok, the 6th December, 1977

In exercise of the powers conferred by sub-section (1) of Section 4 of the Registration of Births and Deaths Acts, 1969 (18 of 1969), the State Government hereby appoints the Director of Census, Sikkim, to be Chief Registrar for the State.

In exercise of the powers conferred by sub-section (2) of Section 4 of the Registration of Births and Deaths Act, 1969 (18 of 1969), the State Government hereby, appoints the Statistical Officer, Department of Co-Operation, to be the Assistant Registrar for the States.

In exercise of the powers conferred by sub-section (1) of Section 6 of the Registration of Births and Deaths Act, 1969 (18 of 1969), the State Government hereby appoints District Collectors to be the District Registrars and the Deputy District Officers to be Additional District Registrars for their respective districts.

In exercise of the powers conferred by sub-section (i) of Section 7 of the Registration of Births and Deaths Acts, 1969 (18 of 1969), the State Government hereby appoints the Executive Officer, Gangtok Municipal Corporation, to be the Registrar for the Municipal area of Gangtok and the block Mondals to be the Registrars for their respective blocks.

M.P. PRADHAN

**CHIEF SECRETARY
GOVERNMENT OF SIKKIM.**

SIKKIM

GOVERNMENT



GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 136

Gangtok, Thursday, December, 22, 1977

NOTIFICATION

Dated Gangtok the November ' 77.

The Sikkim Edible Oils and Pulses Dealers Licensing Order 1977.

Whereas the State Government is of the opinion that it is necessary and expedient so to do, for maintaining the supplies of Edible Oils and Pulses and for securing their equitable distribution and availability at fair prices -

Now, therefore, in exercise of the powers conferred by Section 3 of the Essential Commodities Act, 19CC (10 of 1955) read with the order of Government of India in the Ministry of Agriculture and Irrigation (Department of Food) G.S.R. 47c (E) dated the 24th July, 1976 and with the prior concurrence of the Central Government, the Government of Sikkim hereby makes the following order:

Short title, extent and commencement - (1) This order may be called the Sikkim Edible Oils and Pulses Dealers Licensing Order, 1977.

(2). It extends to the whole of Sikkim.

(3). It shall come into Force at once.

2. Definitions:— In this order unless the context otherwise require -

(a) "dealer" means a person engaged in the business of purchase, sale or storage for sale of any pulses or edible oils or both whether by wholesale or by retail.

(b) "wholesaler" means a dealer who sells Edible Oils or Pulses or both to a retailer or to bulk consumers.

(c) "Retailer" means a dealer in Pulses or Edible Oils or both who is not a wholesaler.

(d) "Producer" means a person carrying on the business of milling any of the pulses or expelling or extracting any edible oils or both.

(e) "Pulses" means Urd, Arhar, Moong, Lobia, Masoor, Rajmahas or any other dal whether whole or split with or without husk.

(f) Edible Oils include all variety of Edible Oils and Vanaspati.

(g) "Form" means a Form set Forth in the Schedule to this order.

(h) "Licensing Authority" means the District Magistrate within the jurisdiction of their respective districts and includes any other Officer authorised by him in this behalf.

3. Licensing of dealers—(i) No person shall on or after the expiry of three weeks from the commencement of this order carry on business as a dealer except under and in accordance with the terms and conditions of a license issued under this order.

(2) A separate license shall be necessary For each place of business.

(3) Notwithstanding any thing contained in sub-clause (i), any person who carries on business as a dealer immediately before the commencement of this order and applies for a license in accordance with clause 4 within a period of fifteen days from the commencement of this order may continue to earn' on the said business until a license is granted or refused to him.

(4) Notwithstanding anything contained in sub-clause (1), any person who carries on business as a dealer and who is not engaged in the business of purchase or sale or storage for sale of edible oils and pulses in a quantity exceeding 5 quintals of all varieties of pulses or all varieties of edible oils at a time shall not be required to take a license under this order.

4. Issue of license—(i) Every application for a license or renewal thereof shall be made to the licensing authority in Form A of the Schedule to this order.
(2) Every application for renewal of license shall be so made as to reach the licensing authority not less than fifteen days before the expiry of the period of license.

Provided that the licensing authority may for sufficient reasons to be recorded condone any delay till the 31st day of March on condition of payment of a penalty of Rs.5/-.

- (3) Every license issued or renewed under this order shall be in Form B (in the case of a wholesale dealer) and in Form C (in the case of a retail dealer) of the Schedule to this order.

5. Period of license and fees chargeable—(1) A license issued under this order shall be valid until the 31st March.

Provided that where an application for renewal of license made before the 31st day of March has not been disposed of until the 31st day of March, the license shall continue to be valid as if renewed until its renewal is refused.

- (1) The fee specified below shall be chargeable in respect of each license:

	Rs.	Ps.
For issue of license in Form 'B'	10.	00
For issue of license in Form 'C'	5.	00
For renewal of license in Form 'B'	5.	00
For renewal of license in Form 'C'	2.	00
For issue of duplicate license in Form 'B'		5. 00
For issue of duplicate license in Form 'C'		2. 00

6. Suspension or cancellation of license—(1) If the licensing authority is satisfied that a licensee or his agent or any person acting on his behalf has contravened any of the provisions of this order or of the Sikkim Essential Commodities (Price Display and Control of Supply and Distribution) Order, 1977 in so far as it relates to Edible Oils and Pulses specified in the Schedule attached thereto or any of the terms and conditions of the license, he may, without prejudice to any other action that may be taken against the licensee or other person as aforesaid, cancel or suspend the license.

Provided that no order shall be made under this clause unless the licensee has been afforded as reasonable opportunity of giving an explanation in respect of the proposed suspension or cancellation.

- (2) Every order suspending or cancelling a license shall be communicated to the licensee in writing.

7. Power to refuse license—The licensing authority may, after giving the dealer an opportunity of stating his case in writing and for reasons to be recorded, refuse to grant or renew a license.

8. Appeal—(1) Any person aggrieved by any order of the licensing authority refusing to grant or renew or suspending or cancelling a license under the provisions of this order may appeal to the Secretary, Food & Civil Supplies, within thirty days of the date of the receipt by him of such order who may pass such order in the circumstances appear to him to be proper within a period of sixty days as far as practicable.

- (2) No order shall be made under this clause unless the aggrieved person has been given reasonable opportunity of stating his case.

- (3) Pending the disposal of any appeal the Secretary, Food & Civil Supplies, may direct that the order refusing to renew a license or the order cancelling or suspending a license shall not take effect until the appeal is disposed of.

9. Distribution—(1) The licensee shall comply with any direction that may be given to him by the licensing authority in regard to purchase, sale and storage for sale of Edible Oils and Pulses.

- (2) The licensee shall not sell Edible Oils and Pulses at rates higher than those fixed from time to time.

- (a) by the producer thereof : or
(b) by the Central Government or the State Government in exercise of a power conferred by any law or
(c) by the dealers after adding transportation, reasonable incidental charges and profit over the purchase price.

10. Powers of entry, search and seizure—(1) The licensing authority or any other officer authorised by the licensing authority in this behalf, may with such assistance, if any, as he thinks fit-

- (a) require the owner, occupier or any other person in charge of any premises, vehicle or vessel in which he has reason to believe that any contravention of this order has been, is being, or is about to be committed, to produce any books, accounts or other records showing transactions relating to such contravention.

(3)

- (b) enter, inspect, or break open and search any premises vehicle or vessel in which he has reason to believe that any contravention of the provisions of this order has been, is being or is about to be committed ;
 - (c) take, or cause to be taken, extracts from or copies of any document showing transactions relating to such contravention which are produced before him;
 - (d) search, seize and remove stocks of any pulses or edible oils in respect of which he has reason to believe that a contravention of the provisions of this order has been, is being or is about to be committed, and thereafter take or authorise the taking of all measures necessary for securing the production of stocks so seized in court and for their safe custody pending such production.
- (2) The provisions of sections 102 and 103 of the Code of Criminal Procedure, 1898 (Act No. 5 of 1898), relating to search and seizure shall, so far as may be, apply to searches and seizures under this clause.

M. P. PRADHAN,

**Chief Secretary,
Government of Sikkim.**

(4)

SCHEDULE

FORM 'A'

See clause 4(1)

The Sikkim Edible Oils and Pulses Dealers Licensing Order, '77.

Application for grant/renewal of license for wholesaler/retailer.....

1. Applicant's name.....
2. Applicant's residence.....
3. If the application is made on behalf of a firm, or an incorporated company or firm, state trading name.....
4. Names and addresses of all partners, as the case may be.....
5. Situation of applicant's.....
 - (1) Place of business.....
 - (2) (In case of wholesaler only), place of storage with particulars as to number of house, mo-halla, town or village, police station and district.....

I/We have carefully read the provisions of the Sikkim Edible Oils and Pulses Dealers Licensing Order, 1977, and understand that the license issued to me/us will be subject to the provisions of the order and that breach of the conditions of such license will amount to breach of the order.

2. I/We declare that to the best of my/our information and belief, the above information is correct and complete.
 - (a) I have/have not previously applied for such license in this district for Vanaspati.
 - (b) I applied for such license in this district for.....on.....and was/was not granted a license on.....
 - (c) I hereby apply for renewal of license no.....dated..... issued to me on.....

Date.....

Signature of the applicant

District.....

Strike off the clauses not applicable.

N.B. The expiring license shall be enclosed with application for renewal.

FORM 'B'

(See Clause 4(3))

The Sikkim Edible Oils and Pulses Dealers Licensing Order, 1977.

License for sale of Edible Oils and Pulses (for a wholesaler)

License No.....

1. Subject to the provisions of the Sikkim Edible Oils and Pulses Dealers Licensing Order, 1977 and to the terms and conditions of this license.....is/are hereby authorised to sell Edible Oils and Pulses in wholesale.
2. (a) The licensee shall carry on the aforesaid business at the following place, namely.....
 - (i) Mohallas or town.....
 - (ii) House no.....
 (b) Edible Oils and Pulses which the aforesaid business is to be carried on shall not be stored at any place other than any of the godowns mentioned below and the following particulars in respect of each godown shall be given:
 - (i) Mohallas or town.....
 - (ii) House No.....
 - (iii) Date upto which license is valid.....
 - (iv) This license is valid in District/Town.....
 - (v) The license is granted subject to the conditions given below:—

Signature of the Licensing Authority

District.....

Date of renewal	Date of expiry	Signature of the Licensing Authority	Remarks
1.	2.	3.	4.

Conditions of license

1. The licensee shall display his license prominently at his place of business.
2. The licensee shall maintain a stock register of daily accounts in the English or Nepali language in the following form:

Date	Opening Stock	Quantity received	Total of 1 & 2.	Quantities delivered to licensees holding License in Form 'C'	Total Quantity issued.	BAL-ANCE
				to build consumers	Non-licensees i.e. against special permit.	
3.	The licensee shall complete his accounts for each day on the day to which they relate, unless prevented by reasonable cause, the burden of proving which shall be upon him					
4.	The licensee shall not -					
	(i) enter into any transaction involving purchase, sale or storage of sale of Vanaspati in a speculative manner pre-judicial to the maintenance and easy availability of supplies of Edible Oils and Pulses in the market;					
	(ii) withhold from sale, supplies of Vanaspati ordinarily meant for sale; or					
5.	The licensee, shall except when specially exempted by the State Government or by the licensing authority in this behalf issue to every customer a correct receipt or invoice as the case may be, giving along with him own name, address and license number, the name, address and license No. (if any) of the customer, the date of transaction, the quantity sold, the rate and the total amount charged and shall keep a duplicate of the same to be available for inspection on demand by the licensing authority or any officer authorized by him in this behalf.					
6.	The licensee shall furnish correctly such information relating to the business as may be demanded from him and shall carry out such instructions as may from time to time be given by licensing authority or any other officer authorized by him in this behalf.					
7.	The licensee shall give all facilities at all reasonable times to the licensing authority or any officer authorized by him or the State Government for the inspection of his stocks and accounts at any shop, godown or other place used by him for the storage, sale or purchase of any variety of Vanaspati.					

(6)

FORM 'C'

See clause 4(3)

License to act as retail dealer in Edible Oils and Pulses,

1. Register No. License No,
2. Name of licensee
3. Residence
4. Place of business.
5. This license is valid in.....
district/town/village upto.....
6. The license is granted subject to the conditions given below:

Signature of the Licensing Authority

District.....

RENEWAL ENDORSEMENT

Date of renewal	Date of expiry	Signature of licensing authority	Remarks
1	2	3	4

Conditions of License

1. The licensee shall display his license prominently at his place of business.
2. The licensee shall not.....
 - (i) enter into any transaction involving purchase, sale or storage for sale of Vanaspati in speculative manner prejudicial to the maintenance and easy availability of supplies of Edible Oils and Pulses in the market;
 - (ii) Withhold from sale, supplies of Edible Oils and Pulses ordinarily meant for sale; or
 - (iii) Store Edible Oils and Pulses at a place other than the place of business mentioned in the license.
3. (1) The licensee shall maintain a register of daily accounts in the English or Nepali language of each variety of Edible Oils and Pulses showing correctly-
 - (a) the opening stock of each day ;
 - (b) the quantities received on each day, showing the place from where and the source from which received ;
 - (c) the quantities delivered or otherwise removed on each day; and
 - (d) the closing stock on each day.(2) The licensee shall complete his accounts for each day on the day to which they relate, unless prevented by reasonable cause, the burden of proving which shall lie upon him.
4. The licensee shall furnish correctly such information relating to the business as may be; demanded from him and shall carry out such instructions as may from time to time be given by the licensing authority or any other officer authorised by him in this behalf.
5. The license shall give all facilities at all reasonable times to the licensing authority or any officer authorised by him, or the State Government for the inspection of his stocks and accounts at any shop, godown or other place used by him for the storage, sale or purchase of any variety of Edible Oils and Pulses.

SIKKIM
GOVERNMENT  GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No.137

Gangtok, Monday, December 26,1977

HOME DEPARTMENT (ELECTION).

Notification No.37/H.

Dated the 19th December, 1977.

Election Commission of India's Notification No. 56/77-XVIII dated the 30 November, 1977 as published in an, Extraordinary issue of the gazette of India, Part II, Section 3 (ii) dated 30 November, 19677 are republished for general information.

**ELECTION COMMISSION OF INDIA
NIRVACHAN SADAN, ASHOKA ROAD**

NEW DELHI.

NOTIFICATION

Dated the 30th November, 1977

S.O.—Whereas the Election Commission of India has decided to register the organisation with the name and style "Tripura State "Congress for Democracy" as a political party under the provisions of paragraph 3 of the Election Symbols (Reservation and Allotment) Order, 1968;

Now, therefore, in pursuance of clause (c) of sub-paragraph (1) and sub-paragraph (2) of any paragraph 17 of the said Symbols Order, the Commission hereby makes the following amendment to its notification No.56/77-1 dated 22 January, 1977 published as S.O. 37(E) in the Gazette of India, Extraordinary, Part II, section 3 (ii) dated 22 January, 1977 and as amended from time to time, namely-

In the Table appended to the said notification, the following entry shall be made after S.NO.40 :-
"41. Tripura State Congress for Democracy.....Tripura"

(No.56/77-XVIII)

BY ORDER :-

Sd/-I.K.K. MENON.

Shri D.K. Manavalan,

SECRETARY.

Chief Electoral Officer & Divisional Commissioner

of Sikkim, Gangtok.

TED AT THE SIKKIM GOVERNMENT PRESS

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SIKKIM
GOVERNMENT  GAZETTE
EXTRAORDINARY
PUBLISHED BY AUTHORITY

No.138

Gangtok, Monday, December 26, 1977

HOME DEPARTMENT (ELECTION)

Notification N0/38/H.

Dated the 19th December, 1977.

Election Commission of India's Notification No.56/77-XX dated the 6 December, 1977 as published in an Extraordinary issue of the gazette of India, Part II, Section 3 (ii), dated 6 December, 1977 are republished for general information.

**ELECTION COMMISSION OF INDIA
NIRVACHAN SADAN, ASHOKA ROAD**

NEW DELHI.

NOTIFICATION

Dated the 6 December, 1977.

S.O. In pursuance of clause (d) of sub-paragraph (1) and sub-paragraph (2) of paragraph 17 of the Election Symbols (Reservation and Allotment) Order, 1968, the Election Commission of India hereby makes the following amendment in its notification N0.C6/77-II, dated 9 February, 1977 published as S.O. 152 (E) in the Gazette of India, Extraordinary, part II, section 3 (ii) dated 9 February 1977 and as amended from time to time, namely-

in TABLE 3 of the said notification :-
against item No.20. Tripura, for & the existing entries "(10) two leaves and (11) Two cultivators returning after cutting crop", the entries "(10) Two leaves, (11) Two cultivators returning after cutting crop, and (12) Spade and Stoker" shall be substituted.

(No.56/77 - XX)
Sd/ V. NAGASUBRAMANIAM
SECRETARY,

By ORDER

Shri D.K. Manavalan,
Chief Electoral Officer,
& Divisional Commissioner of Sikkim,
Gangtok..

SIKKIM

GOVERNMENT



GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 139

Gangtok, Monday, December 26, 1977

HOME DEPARTMENT (ELECTION)

Notification N0.39/H.

Dated the 19 December, 1977.

Election Commission of India's Notification No.^6/77-XIX dated the 30 November, 1977 published in an Extraordinary issue of the gazette of India, Part II, Section 3 (ii) dated 30 November, 1977 are republished for general information.

ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD

NEW DELHI.

NOTIFICATION

Dated the 30 November, 1977.

S.O.- In pursuance of clause (d) of sub-paragraph (1) and sub-paragraph (2) of paragraph 17 of the Election Symbols (Reservation and Allotment) Order, 1968, the Election Commission of India hereby makes the following amendment in its notification No.56/77-II, dated 9 February, 1977 published as S.O. 152 (E) in the Gazette of India, Extraordinary, Part II, section 3 (ii) dated 9 February, 1977 and as amended from time to time, namely :-

in TABLE 3 of the said notification :-

against item No.20. Tripura, for the **existing entries** "(9) Swastik within a circle, and (10) Two leaves" the entries "(9) Swastik within a circle, (10) Two leaves and (11) Two cultivators returning after cutting crop" **shall** be substituted.

(No.56/77-XIX)

BY ORDER :-

Shri D.K. Manavalan,

Chief Electoral Officer,

& Divisional Commissioners of Sikkim, Gangtok.

Sd/- I.K.K. MENON.
SECRETARY.

SIKKIM
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PART II

Notifications regarding appointments, postings, transfers leave etc.

HIGH COURT OF SIKKIM

Notification No.46/HCS.

Dated Gangtok, the 19th January, 1977.

Shri Gurubachan Singh Sandhu, Reader who has been relieved from Punjab and Haryana High Court on 11.1.77 afternoon to join as Reader in his court, is granted earned leave from 12.1.77 to 21.1.77, subject to admissibility, on account of having met with an accident at Chandigarh.

R. L. GUPTA,
Registrar,
High Court of Sikkim .

HOME DEPARTMENT

Notification No.34/H/77.

Dated Gangtok, the 7 th January, 1977.

The Governor of Sikkim pleased to redesignate Commissioner of Sikkim Police as Inspector General of Police , Sikkim with effect from 7 th January, 1977.

Consequently, Shri P. R. Khurana, I.P.S, Commissioner of Sikkim Police who is holding substantive rank of Deputy Inspector General of Police is promoted as Inspector General of Police, Sikkim in the scale of Rs. 2500-125/2-2750.

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

ESTABLISHMENT DEPARTMENT

Office Order No. 655(G)/Est.

Dated Gangtok, the 10 th December, 1976. (b)

The terms of deputation to the Govt. of Sikkim of Dr. B.M. Dutta as Malaria Officer, NMEP for 2 years wit effect from 10.5.74 having expired on 9.5.76 is extended for one year with effect from 10.5.76

By Order

C. M. RASAILY,
Deputy Secretary,
Establishment Department.

Office Order No.658(G) /Est.

Dated Gangtok , the 14th December, 1976.

Consequent upon creation of a post of Chief Inspector for the Land Reform cell under Land Revenue Department under Notification No. 47(Gen)/Est. dated 27.4. 1976, Shri Amber Singh Khawas, a Junior Engineer working in the C.P.W.D. is appointed as such in the lowest gazetted

grade and scale of Rs. 510-960 with immediate effect. He will draw pay of Rs. 510/- plus Dearness Allowance of Rs. 40/- per month from the date he reports for duty.

By Order

C. M. RASILAY,
Deputy Secretary,
Establishment Department.

Office Order No.659(G)/ Est.

Dated Gangtok, the 14th December, 1976.

In pursuance of this Department Office Order No. 111/Est dated the 25.6.71, Dr. (Mrs) L. Dahdul, Deputy Director, In-Charge Family Planning, Maternity & Child Health, S.T.N.M. Hospital, having attained 19th year of service on 1.12.76 is allowed to draw the Non-Practicing Allowance @ Rs. 450/- p.m. with effect from the same date.

By Order

C. M. RASIALY,

Deputy Secretary,
Establishment Department,
Office Order No. 661(G) /Est.

Dated Gangtok, the 17 th December, 1976.

1. Office Order No. 285 (G)/ Est. dated the 29 th June, 1976 placing Shri M. K. Dewan is A.M.E. S.N.T. under suspension is hereby withdrawn. Consequently Shri Dewan is reinstated in the post with immediate effect. The suspension period is treated as under :-

(a) 120 days from 29.6.76 to-19.10.76 as leaves on full pay and allowances: 20.10.76 to the date of resumption of duty as L.W.P.

2. Shri M. K. Dewan, A.M.E. , S.N.T., Shri Sonam Lama , Superintendent, Central Store, S.N.T. shall not be allowed to draw three annual increment for a period of three years with future effect commencing from 29.6.1976, on account of their commissions and omissions in respect of T.M.B. Engine Block.

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

T. CHHOPHEL,
Secretary,
Establishment Department.

Office Order No.662(G)/Est.

Dated Gangtok , the 18th December, 1976

Consequent upon the creation of Sikkim Armed Police in the Police Department

vide Notification No. 305/Est. dated 1.12.76, Shri Kesang Lama A.C.P. (Radio) is appointed as Company Commander on his own pay & scale with effect from the date of his joining.

Shri Sonam Gyamtso Tashi, A.C.S.P. (Radio) will look after Wireless (Radio) exclusively under the Commissioner, Sikkim Police.

By Order

C.M. RASAILY,
Deputy Secretary,
Establishment Department.

Office Order No. 671 (G)/Est.
Dated Gangtok, the 31 st December, 1976.

In accordance with the Notification No. 240 (Gen)/Est. dated 19th October, 76, the basic pay of Shri N.N. Badola, Principal, Mangan, Higher Secondary School is fixed at Rs. 840/- p.m. in the revised scale of Rs. 750-30-900Eb-30-1050Eb-40-1250Eb-40 1450 with effect from 1 st October, 1976.

In addition he will draw Dearness Allowance of Rs. 50/- per month.

By Order

C. M. RASIALY,
Deputy Secretary,
Establishment Department.

Office Order No. 339(G)/Est.
Dated Gangtok, the 5 th January, 1977.

Dr. (Mrs) L. Dahdul Deputy Director, In-charge Family Planning, Maternity & Child Health STNM Hospital, Gangtok, is allowed to draw special pay of Rs. 80/- per month with effect from 1.5.76 for acquiring diploma in Maternity and Child Welfare.

By Order

T. CHHOPEHEL,
Secretary,
Establishment Department.

Office Order No.342(G)/Est.
Dated Gangtok, the 6 th January, 1977.

Consequent on creation of a post of Superintendent State Veterinary Hospital under Animal Husbandry Department vide Notification No. 199(Gen)/Est. dated 31.8.76, Capt. V.S. Thapar is appointed to that post with effect from the forenoon of 2.12.76.

By Order

T. CHHOPHEL,
Secretary,
Establishment Department.

Office Order No. 673 (G) /Est.
Dated Gangtok, the 6th January, 1977.

Consequently upon the creation of Sikkim Armed Police Battalion vide Notification No. 305/Est. dated 1.12.1976, Shri K. S. Lama, Deputy Commissioner of Police (Radio), is appointed as Officiating Commandant, Sikkim Armed Police Battalion & Training Centre with effect from 1.12.1976.

Shri Sonam Gyatso Tashi, Assistant Commissioner of Police (Radio), is promoted as Deputy Commissioner of Police (Radio) vice Shri K.S. Lama with effect from 1.12.1976.

This Order is issued in supersession of the Order No. 662(G)/Est. dated 18 th December, 1976.

By Order

T. CHHOPHEL,
Secretary,
Establishment Department.

Office Order No. 346(G)/Est.
Dated Gangtok, the 10 th January, 1977.

Consequent upon his selection for the Master of Business Administration Course in the Indian Institute of Management, Ahmedabad commencing from 28.6.76, Shri Prem Dass Rai is allowed to draw fixed allowance of Rs. 550/- by way of training allowance.

The Expenditure is debitable to "321-D-Village & Small Industries - 1. Director & Administration (1) Directorate of Industries (4) other charge".

By Order

T. CHHOPHEL,
Secretary,
Establishment Department.
Office Order No.675(G)/Est.
Dated Gangtok, the 10 th January, 1977.

Shri P. U. Bonde Joint Director, Subsidary Intelligence Bureau, Ministry of Home Affairs, is appointed as Deputy Commissioner of Police, Special Branch on deputation for one year, in the first instance, with effect from 23.11.76 (forenoon).

During the period of his deputation Shri P. U. Bonde will be governed by the terms & conditions laid down in the Ministry of Home Affairs, Govt. of India, letter No. 12011/7/75-SKM dated 16.1.1976.

By Order

T. CHHOPHEL,
Secretary,
Establishment Department.

Office Order No. 691 (G)/Est.
Dated Gangtok, the 12 th January, 1977.

Consequent upon creation of 4 post of Assistent Research Officers in the Animal Husbandry Department with the scale of Rs. 510-96 , vide Notification No. 309/Gen/Est dated 3.12.76 Dr. Ajit Kumar Sinha is appointed as such with effect from 30.12.76.

By Order
T. CHHOPHEL,
Secretary,
Establishment Department.
Office Order No. 695 (G)/Est.

Dated Gangtok, the 13 th January, 1977.

Consequent on creation of a post of EPIDOMOLOGIST in the Animal Husbandry Department vide Notification No. 278(Gen)/ Est. Dated 11.11.76, Shri R.D. Katiyar, a retired Deputy Director from U. P. is appointed as such with effect from forenoon of 28.12.76.

By Order
T. CHHOPHEL,
Secretary,
Establishment Department.

Office Order No. 696(G)/Est.
Dated Gangtok, the 13th January, 1977.

Consequent upon creation of 4 posts of Veterinary Officers in Animal Husbandry Department with the scale of Rs. 510-960, vide Notification No. 199(Gen)/Est. dated 31.8.75, Dr. K. C. Kakkar is appointed as such with effect from 30.12.76.

By Order
T. CHHOPHEL,
Secretary,
Establishment Department.

Office Order No.697(G)/Est.

Dated Gangtok the 13 th January, 1977.

The terms of deputation to the Govt. of Sikkim of Shri R. L. Kapoor, Accounts Officer, Finance Department, for 2 years with effect from 30.10.74, having expired on 29.10.76 is extended for one year with effect from 30.10.76 to 29.10.77.

By Order
C. M. RASAILY,
Deputy Secretary,
Establishment Department.

Notification No. 699(G)/Est
Dated Gangtok, the 13 th January, 1977.

Dr. K.B. Rai, Assistant Director (Extension & Training), Animal Husbandry Department, is allowed to draw the fixed House Rent Allowance of Rs. 97.50 per month with effect from 2.11. 76 lieu of free Govt. quarters.

By Order
C. M. RASAILY,
Deputy Secretary,
Establishment Department.

Office Order No. 703(G)/Est.
Dated Gangtok, the 17 th January, 1977.

Shri A. C. Dewan, Joint Editor, Sikkim Herald, Information and Public Relations Department, is allowed to draw fixed House Rent Allowance in lieu of free Governement Quanters as under :-

1. From 1.4.76 to 10.8.76 @ Rs. 52.50.
2. From 11.8.76 onwards @ Rs. 97.50.

By Order
C. M. RASAILY,
Deputy Secretary,
Establishment Department.

Office Order No. 710(Gen)/Est.
Dated Gangtok , the 17 th January, 1977.

Consequent on creation of a post of Junior Scientist- Poultry vide Notification No. 152(Gen.)/Est dated 20.7.76 in the Animal Husbandry Department in the scale of Rs. 630- 1200, Dr Jai Ram Prasad is appointed as such with effect from 4.1.77 forenoon.

By Order
T. CHHOPHEL,
Secretary,
Establishment Department.

Office Order No.711(G)/Est.
Dated Gangtok, the 17 th January, 1977.

Consequence upon creation of 4 posts of Veterinary Officers vide Notification No. 199/Gen/Est. dated 31.8.76, Dr. Madan Chandra Barooah is appointed as Veterinary Officer against one of the posts with effect from 3. 1. 77.

By Order
T. CHHOPHEL,
Secretary,
Establishment Department.

Office Order No.713(G)/Est.
Dated Gangtok, the 17 th January, 1977.

Consequent upon creation of 4 posts of Asstt. Research Officers in the scale of Rs. 510-96 of or Animal Husbandry Department vide Notification No. 309/Gen/Est. dated 3. 12. 76, Dr. Sashi Bhusan Sinha is appointed as such with effect from 30.12.76.

By Order

T. CHHOPHEL,
Secretary,
Establishment Department.

Office Order No. 714(G)/Est.

Dated Gangtok, the 18 th January, 1977.

Shri Prakash Chandra Mathur, Junior Accountant, in the Office of the Chief Controller of Accounts, Department of Supply, New Delhi, is appointed as Auditor in the Sikkim Nationalised Transport on deputation for a period of two years with effect from 25. 12. 76 under terms and conditions as stipulated in M. H. A. letter No. 120011/7/75-SKM, the dated 16th January, 1976.

By Order

T. CHHOPHEL,
Secretary,
Establishment Department.

Office Order No.715(G)/Est.
Dated Gangtok, the 19th January, 1977.

Shri Dup Tsering Lepcha, who passed the Bachelor of Engineering (Civil) Final Examination from the Univesity of Jodhpur, is appointed Assistant Engineer under Building Division of P.W.D. With effect from the date of his joining duty. He is temporarily posted to Planning cell in P.W.D.

He will draw pay of Rs. 510/-p.m. in the scale of Rs. 510-20-71Eb-25-1200 plus Dearness Allowance of Rs. 40/- per month.

By Order

T. CHHOPHEL,
Secretary,
Establishment Department.

Office Order No.716(G)/Est.

Dated Gangtok, the 19 th January, 1977.

The terms of deputation of Dr. R. C. Khara, Scientist (AN & P), I.C.A.R. as Director, Animal Husbandry which expires

on 7. 2. 77 is extended for period of one year with effect from 8. 2. 77.

By Order

T. CHHOPHEL,
Secretary,
Establishment Department.

Office Order No. 719(G)/Est.
Dated Gangtok, the 20 th January, 1977.

CORRIGENDUM TO OFFICE ORDER NO. 636(G)/EST. DATED 1. 12. 76.

Please read "Dr. (Mrs) P. Neopania of Namchi Hospital "instead of" Dr. K. Neopania occurring in the Second paragraph of the Office Order quoted above.

By Order

C. M. RASIALY,
Deputy Secretary,
Establishment Department.

Office Order No. 731(G)/Est.

Dated Gangtok, the 22nd January, 1977.
Shri D.N. Bajipai is appointed as Town Rationing Officer in the Food & Civil Supplies Department on deputation from Uttar Pradesh Government for a period of one year with effect from the forenoon of 4. 1. 77. Terms of deputation as stipulated in Notification No. 78(Gen) Est dated the 19th May, 1976 shall be applicable to him.

By Order

T. CHHOPHEL,
Secretary,
Establishment Department.

Notification No. 734(G)/Est.
Dated Gangtok, the 22 nd January, 1977.

Shri B.S. Sharma is allowed to draw Special Allowance of Rs. 100/- per month with effect from 11.5.76 as Budget Officer.

This cancels Notification No. 183(Gen) /Est. dt. 20 th August, 1976 and No. 440(G) /Est. dt. 2 nd September, 1976.

By Order

C. M. RASAILY,
Deputy Secretary,
Establishment Department.

Office Order No. 745(G)/Est.

Dated Gangtok, the 27 th January, 1977.

Shri B.D. Joshi, Regional Accounts Of ficer, Uttar Pradesh Road Transport Corporation is appointed as Chief Accounts Offi- cer, Sikkim Nationlised Transport on

deputation for a period of one year with effect from the forenoon of 25.12.76.

The terms of his deputation as stipulated in Notification No. 78(Gen)/Est. dated 19. 5. 1976 will be applicable to him.

By Order

T. CHHOPHEL,

Secretary,
Establishment Department.

Office Order No. 746(G)/Est.
Dated Gangtok, the 27 th January, 1977.

The Governor of Sikkim is pleased to promote Shri Dawa Tsering, Senior Accountant as Accounts Officer in the scale of Rs. 510-20-710Eb-25-960 w.e.f. 1.1.1977.

He will look after the accounts works relating to SITCO in addition to his own duties as Accounts Officer in the Governor's Secretariat.

T. CHHOPHEL,

Secretary,
Establishment Department.

Officer Order No.748(Gen)/Est.
Dated Gangtok, the 28 th January, 1977.

Dr. Nayer Tshering Lepcha, is appointed as State Eye Relief Officer on a basic pay of Rs. 870/- per month in the scale of Rs. 750-1450, plus Non-Practising Allowance of Rs.200/- per month with effect from 10. 1. 77.

By Order,

T. CHHOPHEL,
Secretary,

Establishment Department.

Office Order No. 749(G)/Est.
Dated Gangtok, the 29 th January, 1977.

Consequent upon creation of a post of Administrative Officer in the Forest Department vide Notification No. 247(G)Est. dated 25.10.76, Shri James Bejoy Kumar

Basnet, Office Superintendent is promoted to fill the post with effect from 27.1.77.

He will draw basic pay of Rs. 530/- p.m. plus other allowance admissible under rules.

The expenditure is debitable to 313G-Direction and Administration -C.1(1)(1)-Salaries-Non Plan.

By Order

C. M. RASIALY,

Deputy Secretary,
Establishment Department.

Office Order No. 750(G)/Est.
Date Gangtok, the 31 st January, 1977.

Dr. J.N. Sharma, Dental Surgeon, STNM Hospital, Gangtok, is granted further extension of 31 days earned leave w.e.f. 29.1.77. to 28.2.77.

(ii) Dr. (Mrs) P. Neopania, Dental Surgeon, is allowed to continue to works as per working arrangement made earlier.

By Order

C. M. RASIALY,
Deputy Secretary,
Establishment Department.

FINANCE DEPARTMENT

Office Order No. 172/Fin.
Dated Gangtok, the 31st January, 1977.

Dr. G. P. Sriwastwa, Secretary-cum Director of Health and Social Welfare Department, Government of Sikkim, is hereby delegated with financial powers to accord sanction upto Rs. 1,500/- (Rupees one thousand five hundred) only for recurring items and upto Rs. 7,000/- (Rupees seven thousand) only for non-recurring items in each case with immediate effect.

By Order

L. B. PRADHAN,
Deputy Secretary,
Finance Department.

SIKKIM
GOVERNMENT  GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

Vol.XXVII

Gangtok, February, 1977

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PART II

Notifications regarding appointments, postings, transfers leave etc.

RAJ BHAJAN, GANGTOK

No.SKM/GOV/127/77.

Dated Gangtok, the 19 th February, 1977.

The Hon'ble Shri Justice Man Mohan Singh Gujral, Chief Justice of the High Court of Sikkim, is allowed 13 days' leave on full allowances, from 28th February, 1977 to 12 th March, 1977, both days inclusive, with permission to prefix High Court vacations ending on 27 th February, 1977, in anticipation of a report about the admissibility to the leave, from the Accountant General, West Bengal, Calcutta.

(B. B. LAL)
Governor of Sikkim

IN THE COURT OF THE DISTRICT
AND SESSIONS JUDGE, SIKKIM
AT GANGTOK

No. 698/D&SJ.

Dated Gangtok, the 23 rd February, 1977.

OFFICE ORDER

In the exercise of the powers vested in me under Section 17 (4) Code of Criminal Procedure 1898 I order that all the urgent applications will be disposed of by Shri Sonam Wangdi, District Magistrate, East, during my unavoidable absence from Gangtok from 25.2.1977.

Sd/- R. L. GUPTA.

District and Sessions Judge.

(To be published in the Gazette of India
Part I Section 2)

No. 19/1/77-Jus
Government of India
Ministry of Law, Justice & Company Affairs
Department of Justice
(Nyaya Vibhag)

New Delhi dated the 28 th February, 1977.
NOTIFICATION

In exercise of the powers conferred by article 223 of the Constitution, the President is pleased to appoint Shri Justice Anandamony Bhattacharjee, a Judge of the Sikkim High Court to perform the duties of the Chief Justice of that High Court with effect from the 28 th February, 1977 during the absence on leave of Shri Justice Man Mohan Singh Gujral.

Sd/- R. Vasudevan,
Deputy Secretary to the
Govt. of India.

ESTABLISHMENT DEPARTMENT

Notification No.365(G)/Est.

Dated Gangtok, the 4 th February, 1977.

The Government of Sikkim have been pleased to grade the Station Masters of Sikkim Nationalised Transport as under:-

1. (a) Under graduate Station Masters will continue in the scale of Rs. 310-6-340Eb-7- 375Eb-8-495 ;
- (b) After a total service of 10 years as Station Master, the incumbent shall be allowed to attain the scale of Rs. 370-10-420Eb-12-480Eb-15-630.

2. Graduate holding the post of Station Master are allowed the scale of Rs. 370-10-420Eb-12-480Eb-15-630.

The above order takes effect from
1.2.1977.

T. CHHOPHEL,
Secretary,
Establishment Department.

Office Order No. 755(G)/Est.
Dated Gangtok, the 5 th February, 1977.

Shri S. B. Raziada, Fisheries Officer, Government of Himachal Pradesh is appointed as Fisheries Development Officer in the Forest Department on deputation for a period of 2 years with effect from 14.12.76, i.e. the date immediately after his release from the parent Government.

The terms of deputation as stipulated in the Notification No. 78(Gen)/Est. dated the 19 th May, 1976 will be applicable to Shri Raizada.

By Order

T. CHHOPHEL,
Secretary,
Establishment Department.
Office Order No. 763(Gen)/Est.
Dated Gangtok, the 5 th February, 1977.

In modification of the Order contained at para 2 of the Office Order No. 395/G/ Est. dated the 9 th August, 1976, Shri Madhusudan Singh is relieved from the post of joint Director of Education with effect from the afternoon of 31st January, 1977. He will continue as Principal T.N.A. on full-time basis with effect from 1 st February, 1977, on deputation for a period of 2 years from the Education Directorate.

By Order

T. CHHOPHEL,
Secretary
Establishment Department.

Office Order No. 764(G)/Est.

Dated Gangtok, the 7 th February, 1977.

The period of deputation of Shri P.R. Khurana, IPS borne on M.P. Cadre having expired on 9.12.1976, is further extended for one year with effect from 10.12.76 to 9.12.77(afternoon).

This issues with the concurrence of Ministry of Home Affairs conveyed vide letter No.1/103/76-Pers. IV. dated 14.1.1977.

By Order

T. CHHOPEL,

Secretary,
Establishment Department.

Office Order No.776(G)/Est.

Dated Gangtok, the 7 th February, 1977.

Shri M. C. Khati, Agriculture Extension Officer, Gyalshing, is allowed to draw annual increment of Rs. 20/- p.m. in the scale of Rs. 430-20-630Eb-25-880 thereby raising his pay from Rs. 470/- to 490/- p.m. w.e.f. 19.1.75.

His basic pay in the revised scale of Rs. 510-20-710Eb-25-960 is fixed at Rs. 570/- p.m. w.e.f. 1.12.75.

Further, in pursuance of Notification No. 86(Gen)/Est dated 24. 5. 76 he is also allowed to attain the Senior scale of Rs. 630-25-7800Eb-30-1200 and his pay is fixed at Rs. 630/- p.m. w.e.f. 19.1.76.

By Order

C. M. RASIALY,
Deputy Secretary,
Establishment Department.

Office Order No. 778(G)/Est.

Dated Gsngtok, the 7 th February, 1977.

Shri C. D. Lama, Assistant Manager, Wood Working Centre, Bordang is reverted and posted as Assistant Conservator of Forests (Cardamom) with effect from 10. 9. 76.

By Order

B.B. RAI,
Under Secretary,
Establishment Department.

Notification No. 366(G)/Est.

Dated Gangtok, the 8 th February, 1977.

The Government of Sikkim is pleased to sanction the creation of 2 (Two) posts of Chief Store Keeper in the scale of Rs. 310-495 in the Sikkim Nationalised Transport.

The expenditure is debitable to Major

Head '338' Bl. (1) (1) (1) (1) -Salaries-Management.

By Order

T. CHHOPHEL,

Secretary,
Establishment Department.

Office Order No. 779(G)/Est.

Dated Gangtok, the 8 th February, 1977.

Shri Dorjee Dahdul, Under Secretary, Finance Department, is allowed to draw Charge Allowance @20% i.e. Rs. 126/ with effect from 28.12.76 to 26.1.77 for his having been entrusted with the works of A. O. during absece of Shri D. Niodup, on leave.

By Order

C. M. RASIALY,

Deputy Secretary,
Establishment Department.

Office Order No. 788(G)/Est.

Dated Gangtok, the 9 th February, 1977.

In pursuance of the decision taken by the Governement, the existing Directorate of Horticulture is amalgamated with the Department of Agriculture with immediate effect. Henceforth Horticulture will be a separate wing within the Agriculture Department under overall administrative control of the Director of Agriculture.

Consequently, the contract service of Dr. K. C. Bhan as Director of Horticulture is terminated with immediate effect. In lieu of three months' notice for termination of his appointment, Dr. Bhan is allowed to draw three months' pay as per the terms of contract.

By Order

T. CHHOPHEL,
Secretary,

Establishment Department.

Office Order No. 789(G)/Est.

Dated Gangtok, the 10 th February, 1977.

Since Shri Samdup Norden reported to duty at the Governemnt Fruit Preservation Factory, Singtam with effect from 1.1.75 the portion of unavailed leave from 1.1.75 to 5.2.75 sanctioned vide Office Order No. 228/Est. dated 19.8.74 is hereby treated as cancelled.

By Order

T. CHHOPHEL,
Secretary,

Establishment Department.

Office Order No. 790(G)/Est.
Dated Gangtok, the 10 th February, 1977.

Shri Samdup Norden, Technical Research Assistant, Agriculture Department presently on deputation to the Government Fruit Preservation Factory, Singtam is allowed to draw annual increment of Rs.25/- p.m. thereby raising his basic pay from Rs. 575/- to Rs. 600/- per month in the scale of Rs. 550-25-700Eb-30-1120 with effect from 27.7.75 after adjusting Leave Without Pay for 26 days. He will also draw Dearness Allowance of Rs. 40/- per month.

Consequently upon general pay revision, his basic pay is fixed at Rs. 680/- p.m. in the scale of Rs. 630-25-780Eb-30-1200 with effect from 1.12.75. He will draw Dearness Allowance of Rs. 50/- per month from the same date.

He is also allowed to attain Administrative Scale of Rs. 750-30-1050Eb-40-1450, with effect from 1.4.76 and his basic pay as on that date is fixed at Rs. 750/- per month. He will earn the first increment in the scale with effect from 1.4.77.

By Order

T. CHHOPHEL,
Secretary,
Establishment Department.

Notification No.368(G)/Est.
Dated Gangtok, the 14 th February, 1977

The Government is pleased to sanction creation of the following temporary posts in the Local Self Govt. Department with immediate effect :-

- | | | |
|-----------------------------|---|--------------|
| 1. Senior Stenographer | 1 | Rs. 310-495. |
| 2. Upper Division Assistant | 1 | Rs. 270-445. |

The expenditure is debitable to Major Head "245-A1 (2)(2) Salaries".

By Order

T. CHHOPHEL,
Secretary,
Establishment Department.

Notification No. 370 Gen/Est.

Dated Gangtok, the 14 th February, 1977.

The post of a driver in the Scale of Rs. 210-4-230Eb-5-280Eb-5-355 is sanctioned for the Department of Tourism.

The expenditure is debitable to 333-Tourism-BL (1)(1) under the Plan.

By Order

T. CHHOPHEL,
Secretary,
Establishment Department.

Office Order No. 796(G)/Est.

Dated Gangtok, the 15 th February, 1977.

Shri T. C. Verma, Superintending Engineer (Mechanical) S.N.T. is granted further extension of 20 days' Earned Leave with effect from 30.1.77. to 18.2.77. on medical ground in continuation of 27 days' Earned Leave from 30.1.77. to 18.2.77 on medical Office Orders No. 686/G/Est. dated 12.1.77 and 760/G/Est dated 5/2/77.

During his absence on leave. Shri D.K. Gurung, Dr. General Manager (Mech.) will look after the works of Superintending Engineer (Mech) in addition to his own duties on Charge Allowance of Rs. 200/- p.m. which is the maximum amount admissible.

By Order

T. CHHOPHEL,
Secretary,
Establishment Department.

Notification No.382(G)/Est.

Dated Gangtok, the 22 nd February, 1977.

Consequent upon establishment of Farmers Training Central at Gayzing under the Centrally Sponsored Schemes vide Govt. of India, Ministry of Agriculture and Irrigation letter No. 36030/14/76- C.A.I. dated 31.12.76/11 th January 1977, the following posts are created in the Agriculture Department till the end of the Current Fifth Plan :-

District Headquarters.

Sl. No.	Name of post	No. of post	Scale of posts
1.	District Training Officer	1	Rs.630-1200
2.	Radio Contact Officer/Agriculture Information Officer	1	Rs. 510-960
3.	Farm Management Specialist	1	Rs. 510-960
4.	Upper Division Clerk	1	Rs. 270-445
5.	Peon	1	Rs.175-255

Peripatetic Team.

1.	Training Officer (Male)	1	Rs.370-630
2.	Training Officer (Female)	1	Rs.370-630
3.	Demonstrator (Male)	1	Rs.270-445
4.	Demonstrator (Female)	1	Rs.270-445

5. Driver 1 Rs.210-355
6. Chowkidar 1 Rs.175-225

By Order

T. CHHOPHEL,
Secretary,
Establishment Department.

Notification No. 386 (G)/Est.
Dated Gangtok, the 24 th February, 1977.

One additional post of Stenographer in the scale of Rs. 240-445 is created for the

Panchayat & Rural Works Department with immediate effect.

By Order

T. CHHOPHEL,
Secretary,
Establishment Department.

Office Order No.388(G)/Est.

Dated Gangtok, the 26 th February, 1977.

In partial modification of our office order No. 312 dated 4.12.1976, regarding the appointment of Shri Balbir Singh, Instructor (Fitter), the date of appointment may be read as 1.11.1976 (A.N.).

By Order

C. M. RASIALY,
Deputy Secretary,
Establishment Department.

FINANCE DEPARTMENT.

Office Order No. 187/Fin.

Date Gangtok, the 18 th February, 1977.

Mr. Narendra Jaswal, O.S.D., Home Department, Government of Sikkim, is declared as Drawing and Disbursing Officer and empowered to sign Pay, T.A., Contingent Bills and also cheques (Pay only) pertaining to his Department with immediate effect.

By Order

L. B. PRADHAN,
Deputy Secretary,
Finance Department.

OFFICE OF THE CHIEF ELECTORAL OFFICER, SIKKIM GANGTOK

Office Order No. 2049/CEO/6(6)75-76

Dated Gangtok, the 10 th February, 1977.

In pursuance of the provisions of Section 21 of the Representation of the People Act, 1951 (43 of 1951), I hereby appoint Shri Sonam, Wangdi, District Magistrate and Collector, East District, Gangtok, as the Returning Officer for the Parliamentary Constituency for Sikkim under Commission's Notification No. 434 SKM/77/(1) dated 29 th January, 1977.

Shri Sonam Wangdi, Returning Officer shall draw an honorarium of Rs. 200/- (Rupees two hundred) only per mensem for a period of two months, i.e. February and March, 1977.

By Order

D. C. LUCKSOM,
Chief Electoral Officer, Sikkim.

Office Order No. 6(6)/CEO/2050

Dated Gangtok, the 10 th February, 1977.

In exercise of powers conferred by subsection (1) of section 12 of the Representation of the People Act, 1951 (43 of 1951), I hereby appoint the following officers as Assistant Returning Officers to help the Returning Officer for the Parliamentary Constituency for Sikkim under Commission Notification No. 434/SKM/77 (2) dated 29 th January, 1977.

1. Shri John Phurba Tsering, District Magistrate and District Collector, North District, Mangan.
2. Shri P. S. Subba, District Magistrate and District Collector, South District, Namchi.
3. Shri Tashi Tobden, District Magistrate and District Collector, West District, Gyalsing.
4. Shri Tseten Dorji, Deputy District Officer-cum-Planning Officer, East District, Gangtok.

They shall draw an honorarium of Rs. 150/- (Rupees one hundred fifty) only per mensem as Assistant Returning Officers for a period of two months, i.e. February and March, 1977,

By Order

D. C. LUCKSOM,
Chief Electoral Officer, Sikkim.

PART VII

Advertisement and Notices , etc. by the Governement Department and the Public.

NOTICE

Due to increase in production charge and the cost of hand made paper, the subscription of Sikkim Government Gazette has been revised to Rs. 21/- per annual inclusive of postal charge with effect from the 1 st April , 1977.

By Order

**T. T. BHUTIA,
Manager,
Sikkim Govt. Press.**

SIKKIM
GOVERNMENT  GAZETTE
EXTRAORDINARY
PUBLISHED BY AUTHORITY

Vol. XXVII	Gangtok, April, 1977	No.4
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PART II

Notification regarding appointments, postings transfers leave etc..

RAJ BHAVAN, GANGTOK

No. SKM/GOV/SECT/3/76
Dated Gangtok, the 12 th April, 1977

“ OFFICE ORDER ”

In modification of this Office Order No. SKM/GOV/SECT/8/75 dated 10 th February, 1976, the Governor of Sikkim has been pleased to grant Shri K.S. Narayanaswamy, P. S. to Governor, a sum of Rs. 150/- (rupess One hundred and fifty) only per month as special allowance from 1.1.1976 instead of the Special Pay of Rs. 100/- sanctioned in the order cited above.

By Order
(T. P. Sharma)

Secretary to the Governor.

HIGH COURT OF SIKKIM

Notification No. 1/HCS/

Dated Gangtok, the 1 st April, 1977.

Hon'ble the Chief Justice has been pleased to sanction 50(fifty) day's Earned Leave w.e.f. 12.1.1977 to 2.3.1977, subject to title, to Shri Gurbachan Singh Sandhu, Reader. This is in supersession of this Court's Notification No. 47/HCS/ dated the 26 th March, 1977.

R. L. GUPTA,

Registrar,

High Court of Sikkim.

Notification No. 2/HCS.

Dated Gangtok, the 7 th April, 1977.

Hon'ble the Chief Justice has been pleased to create a temporary post of a Typist in the Office of the Civil Judge-Cum-Judicial Magistrate, Gayzing w.e.f. 15.10.76 in the pay scale of Rs.240-5-265Eb-6-325Eb-6-385, keeping the post of Stenograher in abeyance, till a regular Stenographer is appointed.

R. L. GUPTA,

Registrar,

High Court of Sikkim.

Notification No.3/HCS.

Dated Gangtok, the 7 th April, 1977.

Hon'ble the Chief Justice and Judge of the High Court have been pleased to declare the following holidays:-

New Year - I st January, 1977.

Magh Sanskrati - 14 th & 15 th January 1977.

Republi Day - 26 th January,1977.

Tibetan New Year's Day - 19 th February, 1977.

Doljatra (Holi) - 5 th March, 1977.

Local Holiday - 28 th March, 1977.

Chaitra Dasai (Rani Nawami) - 29 th March, 1977.

Martyr's Day - 4 th April, 1977.

Good Friday - 8 th April, 1977.

Saga Dawa - 1 st June, 1977.

Drukpa Tseshi - 20 th July, 1977.

Independence Day - 15 th August, 1977.

Local Holiday - 17 th October, 1977.

Puja Holiday - 18 th October, to

November, 1977.

Kagyat Dance - 9 th December, 1977.

Lossong - 11 th December, to

15 th December, 1977.

The court will remain close for winter vacation from 3.1.1977 to 26.2.1977 and 16-12-1977 31.12.77. The Office, however will remain open during winter vacation

Second Saturdays falling in the month of April, July, and December are declared holidays.

R. L. GUPTA,

Registrar,

High Court of Sikkim.

Notification No. 4/HCS.

Dated Gangtok, the 13 th April, 1977.

Hon'ble the Chief Justice has been pleased to grant earned leave subject title, with effect from 16 th May, 1977 18 th June, 1977 with permission to 14 th and 15 th May, 1977 to Shri R.L. Gupta District and Sessions Judge, Sikkim.

R. L. GUPTA,

Registrar,

High Court of Sikkim.

Notification No. 5/HCS.

Dated Gangtok, the 14 th April, 1977.

Hon'ble the Chief Justice has been pleased to create a post of Mali on a pay. of Rs. 175/- plus other admissible allowances in the scale of Rs. 175-255 with immediate effect.

R. L. GUPTA,

Registrar,

High Court of Sikkim.

Notification No. 6/HCS.

Dated Gangtok, the 16 th April, 1977.

Hon'ble the Chief Justice and Hon'ble Judge of this Court have been pleased to grant to Mr. R.L. GUPTA, District and Sessions Judge, the charge allowance @ 20% of the minimum of the grade of the post of the Registrar i.e. Rs. 1075-40-1315Eb-50-1815 under Rule 38(2) of the Sikkim Service Rules with effect from 3.11.1976 for performing to his normal duties.

R. L. GUPTA,

Registrar,
High Court of Sikkim.

Notification No. 7/HCS.

Dated Gangtok, the 29 th April, 1977.

Hon'ble the Chief Justice has been pleased to delegate the administrative and financial powers to Hon'ble Mr. Justice A. M. Bhattacharjee, during his absence.

R. L. GUPTA,

Registrar,
High Court of Sikkim.OFFICE OF THE DISTRICT
MAGISTRATE, GANGTOK

No. 85/DME.

Dated Gangtok, the 5 th April, 1977.

In partial modification of Order No. F. 16(14)/Home-76 dated Gangtok, the 12 th February, 1977, issued by the Home Department, Government of Sikkim, Shri Ashoka Kumar Tsong of Gangtok is permitted to leave Gangtok for Delhi and Calcutta for business in connection with the Madical Herbs Private Company in his capacity as Managing Director for a period of 15 days with effect from 6 th April, 1977 to 20 th April, 1977.

SONAM WANGDI,

District Magistrate, Gangtok.

No. 87/DME.

Dated Gangtok, the 5 th April, 1977.

In continuation of Order No. 7654-59/- dated 28 th March, 1977 permitting Shri N. B. Bhandari of Gangtok to leave Gangtok for New Delhi for a period of seven days with effect from 28 th March, 1977 till 3 rd April, 1977, the period is extended from 3 rd April, 1977 till 15 th April, 1977.

SONAM WANGDI,
District Magistrate, Gangtok

ESTABLISHMENT DEPARTMENT

Notification No. 1 (G)/Est.

Dated Gangtok, the 1 st April, 1977.

In view of the responsibilities and nature of duties involved, the posts of Scale In-charge of the Governemnt Institute of Cottage Industries is upgraded and placed in the scale of Rs. 270-445 with effect from 26.3.77.

By Order

T. CHHOPHEL,

Secretary,
Establishment Department.

Office Order No. 4 (G)/Est.

Dated Gangtok, the 2 nd April, 1977.

Consequeunt upon Shri D. C. Lucksum's proceeding on leave preparatory to retirement with effect from 2.4.77 the following interim working arrangements are made until further orders :

1. Shri D. K. Manavalan, Divisional Commissioner, will look after the Duties of the Chief Electoral Officer, Sikkim, in addition to his own duties.
2. Shri S. K. Sinha, Joint Secretary, Food & Civil Supplies Department, will look after the duties of the Secretary, Food & Civil Supplies, in addition to his own duties.

By Order

T. CHHOPHEL,
Secretary,
Establishment Department.

Notification No. 5 (G)/Est.

Dated Gangtok, the 6 th April, 1977.

In continuation of Office Notification No. 415/Gen/Est dated 26.3.77. the following additional posts are hereby sanctioned in the Department of Health & Social Welfare with immediate effect:-

Sl. No.	Name of posts	Scale of pay	No. of posts.
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A. III-Community Health Section.

1.	Lower Div Clerk	Rs. 240-385	1
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B. IV-District Hospitals.

1.	G.D.M.O	Rs. 510-960	1
2.	L.M.O.	-do-	1
3.	Dental Surgeon	-do-	2
4.	Asstt. Nursing Supdt.	Rs. 370-630	4

The expenditure for the post under A. is debitable to the head "280-A. 1(1) and that for the posts under B. to the respectives

District Hospitals Budget head "280-A. 1(2)(3), A.1(2)(4), A.1(2)(5) and A.1(2)(6)

By Order

T. CHHOPHEL,

Secretary,

Establishment Department.

Office Order No. 6(G)/Est.

Dated Gangtok, the 6 th April, 1977.

The Governor of Sikkim has been pleased to approve the adhoc promotion of Shri D. M. Pradhan, presently working as Office Superintendent, as Assistant Director (Food & Fodder) Animal Husbandry Department on a pay of Rs. 510/- p.m. in the scale of Rs. 510-20-710Eb-25-960 with effect from the date he takes over change of the post.

His appointment is made against the post created vide Notification No. 618/Est/ dated 8.12.75.

By Order

C. M. RASIALY,

Deputy Secretary,

Establishment Department.

Office Order No. 8 (G)/Est.

Dated Gangtok, the 7 th April, 1977.

Dr. B. M. Dutta, Malaria Unit Officer, Health & Social Welfare Department, will be relieved of his duties on completion of his present terms of deputation i.e. with effect from the afternoon of 9.5.77.

By Order

C. M. RASIALY,

Deputy Secretary,
Establishment Department.

Office Order No. 10 (G) /Est.

Dated Gangtok, the 12 th April, 1977.

The resignation tendered by Shri Ishwari Prasad Singh, Plant Protection Officer, Agriculture Department, is accepted with effect from 20.4.77.

By Order

C. M. RASIALY,

Deputy Secretary,
Establishment Department.

Office Order No. 11 (G)/Est.

Dated Gangtok, the 12 th April, 1977.

Shri H. N. De, Assistant Director (Grade 1) of the Ministry of Industry, Small Industries Service Institute, Patna, is hereby appointed as Officer-on-Special Duty, Industries Department, Govt. of Sikkim, on deputation for two-years with effect from

12.3.77. His deputation terms will be governed by the Ministry of Home Affairs letter No. 12011/7/75-SKM dated 16.1.76.

By Order

C. M. RASIALY,

Deputy Secretary,

Establishment Department.

Office Order No. 12(G)/Est.

Dated Gangtok, the 12 th April, 1977.

Consequent upon creation of a post of Administrative Officer in the Health and Social Welfare Department vide Notification No. 415 (Gen) / Est. dated 26.3.77. Shri Lha Tsering Namchyo, Personal Secretary to Hon'ble Minister for P.W.D. is transferred and promoted to fill the post with effect from the date he takes over.

He will draw Rs. 510/- per month in the scale of Rs. 510-20-710Eb-25-960 plus other allowances admissible under rules.

By Order

C. M. RASIALY,

Deputy Secretary,

Establishment Department.

Office Order No. 14 (G)/Est.

Dated Gangtok, the 12 th April, 1977.

Miss S. Basu, Superintendent, Government Institute of Cottage Industry, is redesignated as Joint Director, Government Institute of Cottage Industry, in the scale of Rs. 1050-40-1210Eb-50-1790 and her pay is fixed at Rs.1250/- p.m. in the scale with effect from 1.4.77.

The post of Superintendent will accordingly stand abolished from the same date but the existing working arrangement in the Institute will undergo no change.

By Order

C. M. RASIALY,

Deputy Secretary,

Establishment Department.

Office Order No. 15(G)/Est.

Dated Gangtok, the 12 th April, 1977.

In continuation of this Department Officer Order No. 110/Est. dated 15.2.1974, Contract Service of Shri M. S. Singh, Superintendent. Wood Working Centre, Bardong, which expired on the forenoon of 3.1.77, is hereby further extended for one year, w.e.f. 4.1.77 to 3.1.78.

By Order

C. M. RASIALY,

Deputy Secretary,

Establishment Department.

Office Order No. 17(G)/Est.
Dated Gangtok, the 12 th April, 1977.

The resignation from service tendered by Dr. Talib Hossain, Surgical Specialist, Namchi Hospital, is hereby accepted with effect from 31 st May, 1977 (AN).

By Order
C. M. RASIALY,

Deputy Secretary,
Establishment Department.

Office Order No. 18(G)/Est.
Dated Gangtok, the 13 th April, 1977.

Shri G.K. Pradhan, Accounts Officer, Land Revenue Department, is transferred to the Forest Department as Accounts Officer, Utilization Circle, on his own pay and scale with immediate effect.
2. Shri M.B. Ruchal, Office Superintendent, will look after the duties attached to the post of Accounts Officer in the Land Revenue Department on usual charge allowance of Rs. 102/-p.m. at 20% of the minimum pay of the post till it is filled up by selection of a suitable person.

By Order
C. M. RASIALY,

Deputy Secretary,
Establishment Department.

Office Order No. 19(G)/Est.

Dated Gangtok, the 13 th April, 1977.

Shri Norbu Dhadul Chingapa, Assistant Director of State Audit, is transferred and posted to the Finance Department as Under Secretary with immediate effect. By Order and in the name of the Governor of Sikkim.

T. CHHOPHEL,
Secretary,
Establishment Department.

Notification No. 9(G)/Est.

Dated Gangtok, the 13 th April, 1977.

The Governor of Sikkim has been pleased to appoint the following officers as Directors of the first Board of the Sikkim Industrial Development Investment Corporation Limited, with immediate effect :

1. Shri M. P. Pradhan, Secretary, Finance Department.
2. Shri R. Narayanan, Development Commissioner.
3. Shri C.D. Rai, Secretary, Power & Heavy Industries Department.
4. Shri K.C. Mathur Director of Small Industries.

5. Shri K.B. Chettri, Managing Director of State Bank of Sikkim.

The Governor has further been pleased to appoint Shri K.C. Mathur as the Managing Director of the Corporation, Shri Mathur will draw a monthly honorarium of Rs. 250/- from the Sikkim Industrial Development Investment Corporation. He will continue to be the Director of Industries and draw his own pay and allowances.

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

Notification No. 12(G)/Est/

Dated Gangtok, the 16 th April, 1977.

In continuation of the posts created in the Health and Social Welfare Department under I. C. D. scheme vide this Notification No. 156 (Gen) /Est dated 22.7.76, the following additional posts are sanctioned.

Assistant Nurse-cum Midwives.	-4
Scale of pay Rs. 270-455.	
Mukhy sevikas	
Scale of pay Rs. 270-455	-2

The expenditure is debitable to the head 288-E 1 (3) (1) I.C.D.S. Programme.

By Order
T. CHHOPHEL,

Secretary,
Establishment Department.

Notification No. 13 (G)/Est.

Dated Gangtok, the 16 th April, 1977.

Two posts of Tourist Guides in the scale of Rs. 240-5-265Eb-6-325Eb-6-385 are created in the Tourism Department with immediate effect.

By Order
T. CHHOPHEL,
Secretary,
Establishment Department.

Notification No. 14 (G)/Est.

Dated Gangtok, the 19 th April, 1977.

One additional post of Assistant Engineer, Civil, in the scale of Rs. 510-20-710 Eb-25-960 is created in the Department of Power with immediate effect.

The expenditure for the above post is debitable to "Major Head-334 C Power Project, C.S. Transmission & Distribution Schemes, C.3(5) Survey & Inspection, Demand No.9- Power".

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

C.M. RASIALY,
Deputy Secretary,
Establishment Department.

Office Order No. 23(G)/Est.

Dated Gangtok , the 16 th April , 1977.

Dr. B. S. Basnet , Joint Director of Agriculture, is placed in the scale of Rs. 1050-40 1290Eb- 50-1790 and his pay fixed at Rs. 1050/-p.m. with effect from 1.2.1977.

The special pay of Rs.200/- granted to him under O.O. No. 51(Gen)/Est dated 26.3. 1976 will cease from the above date.

By Order

C. M. RASAILY,

Deputy Secretary,
Establishment Department.

Office Order No.27 (G)/Est.

Dated , Gangtok the 18 th April, 1977.

The term of deputation of Shri B.S. Sharma , Budget Officer, is further extended for a period of one year with effect from 29.10 76 to 28.10.77.

By Order

C .M. RASIALY,
Deputy Secretart,
Establishment Department.

Office Order No. 28 (G)/Est.

Dated Gangtok, the 18 th April, 1977.

Shri P.S. Subba , District Magistrate-cum-Collector South District , is granted earned leave for 60 days' with effect from 20.4.77 to 18.6.77.

2. During his absence on leave , Shri Tsheering Wangchuk Barfungpa, Deputy District Officer – cum- Planning Officer will look after the duties of District Magistrate -Collector till a full time Officer is posted.

By Order

C .M RASIALY,
Deputy Secretary,
Establishment Department.

Office Order No. 30 (G) /Est.

Dated Gangtok , the 19 th April , 1977.

The resignation tendered by Dr. B.B. Binha , Veterinary Officer, (Polutry & piggery Section), Tadong Farm Animal Husbandry Department , is hereby accepted with effect form 10.4.77 (AN).

By Order

C M. RASIALY,
Deputy Secretary,
Establishment Department.

Office Order No. 55 (G) /Est.

Dated Gangtok, the 21 st April , 1977.

Sarvasi D. D. Sharma and S.T. Bhutia,

will draw monthly pay of Rs. 510/- in the scale of Rs. 510-20-710Eb-25-960 as Assistant Conservator of Forests on probation from the date they join the Burnihat Forest College for two year diploma course.

By Order and in the name of the Governor

T. CHHOPHEL,

Secretary,
Establishment Department.

Office Order No. 56 (G)/Est.

Dated Gangtok, the 21 st April, 1977.

ADDENDUM TO OFFICE ORDER NO. 22/GEN/EST. DATED 17.4. 1976.

Delete the item "Conveyance Allowance" occurring as item (vi) under Group B of the note in paragraph 3 of the Office Order quoted above and include the same as item (v) under group A.

Further , the following , in the said Office Order , may be read as paragraph 4(a) :-

The service in the Office of the former Political Officer in Sikkim, in conjunction with the service under Government of Sikkim , shall qualify for pension under the rules applicable to officers of the corresponding service under the Government of Sikkim.

By Order

T. CHHOPHEL,

Secretary,
Establishment Department .

Notification No. 26 (G)/Est.

Dated Gangtok , the 28 th April , 1977.

The following posts attached to the Advocate General of Sikkim are hereby created in the Home Department with immediate effect :-

Sl. No.	Name of posts	No. of posts	Scale of pay
1.	Stenographer	1	Rs.270-445
2.	Peon	1	Rs. 175-255

By Order

C. M. RASIALY,

Deputy Secretary,
Establishment Department.

Office Order No . 58(G)/Est.

Dated Gangtok , the 21 st April, 1977.

Miss Pema Lakhi Yethenps , presently working as Asstt. Education Officer in the Education Department , is temporarily promoted and transferred as Statical Officer, Forest Deptt. on a pay of Rs. 510/- p.m. in the scale of Rs. 510-20-710Eb-25-960plus

Dearness Allowance of Rs. 40/- per month from the date of her joining.

Her promotion is made against one of the posts sanctioned for Centrally Sponsored Scheme for integrated soil conservation for which expenditure will be met by the Central Government.

By Order and in the name of the Governor.

L. B. RAI
Under Secretary,
Establishment Department.

Office Order No. 71 (G)/Est.

Dated Gangtok, the 22 nd April, 1977.

Shri Tashi Densapa is appointed as Deputy Director (Gazettear), Cultural Affairs Department, on a pay of Rs.750/- p.m. in the scale of Rs.750- 1450 plus other allowances admissible under the rules w.e.f. 18.3.77.

His appointment is made against the post created vide this Department Notification No. 140/-Gen/Est. of 7.7.76.

By Order

L. B. RAI
Under Secretary,
Establishment Department.

Office Order No. 72 (G)/Est.

Dated Gangtok, the 22 nd April, 1977.

The resignation tendered by Dr. K. C. Karkher, Veterinary Officer, Mangan, Animal Husbandry Department, is accepted with effect from 25.4.1977.

By Order

L. B. RAI,
Under Secretary,
Establishment Department.

Office Order No. 76 (G)/Est.

Dated Gangtok, the 23 rd April, 1977.

Pursuant to this Department Office Order No. 8/G/Est. of 7.4.77, Dr. A. Pazo, Health Officer, Directorate of Health & Social Welfare, is allowed to look after the duties of Malaria Unit Officer in addition to his own on the usual charge allowance @ 20% of the minimum of the administrative scale viz @ Rs. 150/- p.m. with effect from 10.5.77 till the appointment of a new Malaria Unit officer.

By Order

L.B. RAI,
Under Secretary,
Establishment Department.

Office Order No. 77 (G)/Est.

Dated Gangtok, the 23 rd April, 1977

Shri Satish Kumar Rai, B.E (Civil), is appointed as Assistant Engineer, Power

Department, against the post created vide Notification No. 14(Gen)/-Est. of 19.4.77 from the date of his joining duty.

He will draw Rs. 510/- p.m. in the scale of Rs. 510-20-710Eb-25-960 plus Dearness Allowance of Rs. 40/- p.m.

By Order

L. B. RAI,
Under Secretary,
Establishment Department.

Office Order No. 78 (G)/Est.

Dated Gangtok, the 23 rd April, 1977.

Shri A.C. Pachury, Lecturer in Education, Regional College of Education, Ajmer, is hereby appointed as Joint Director of Education, Govt. of Sikkim, on deputation for two years will effect from 10. the terms and conditions as per this Department Notification No. 78/Gen/Est. dated the 19 th May, 1976.

BY ORDER AND IN THE NAME OF
THE GOVERNOR.

L. B. RAI,
Under Secretary,
Establishment Department.

Office Order No. 79 (G) /Est.

Dated Gangtok, the 23 rd April, 1977.

The 3 days' earned leave with effect from 16.12.76 to 18.12.76 availed of by Shri C.D. Rai, Secretary, power and Heavy Industries is hereby converted into and sanctioned as Earned leave, duly suffixing the Gazetted Holidays from 18.12.76 to 27. 12.76.

By Order

C. M. RASAILY,

Deputy Secretary,
Establishment Department.

Office Order No. 81 (G)/Est.

Dated Gangtok, the 23 rd April, 1977.

This Department Office Order No. 505/

G/Est. of 8.11.76 stopping one increment in respect of Shri Kunzang Namgyal, Superintendent, Sikkim Nationalised Transport, is hereby withdraw with retrospective effect.

By Order and in the name of the Governor.

T. CHHOPHEL,
Secretary,

Establishment Department.

Office Order No. 83 (G)/Est.

Dated Gangtok, the 23 rd April, 1977.
The following transfers and postings are hereby made with immediate effect.

(i) Shri R.S. Basnett, Project Officer, S.F. D. A., is transferred and posted as acting District Magistrate-cum-Collector (South-District) vice Shri P.S. Subba proceeded on two month's leave. Shri Basnett will take over charge of the post from Shri T.W. Barfungpa. This is in continuation of this Department Office Order 28/G/Est. of 18.4.77.

(II) Shri Migma Tshering, Deputy Development Commissioner, P & D Department, is transferred and posted as Project Officer, S.F.D.A., vice Shri R. S. Basnett.

(iii) The resultant vacant post of Deputy Development Commissioner is temporarily upgraded to that of Joint Development Commissioner in the scale of Rs.1050-1790 and Shri G.P. Pradhan, Supdt. Engineer, Power & Irrigation Department, is transferred to the P & D Department to fill up the post.

On transfer they will carry their own pay, scale and other allowances admissible under the rules.

2. The existing post of Assistant Commissioner (Plan) in the P & D Department is hereby abolished.

By Oder and in the name of the Governor

T. CHHOPHEL,
Secretary,
Establishment Department.

Office Order No. 86 (G)/Est.

Dated Gangtok, the 25 th April, 1977.

The 14 day's leave without pay from 6.12.74 to 19.12.74 sactioned to Mrs Jayashree Pradhan while undergoing the IA & AS probationer's Course vide this Office Order 479/Est. 4.3.75 is hereby converted into and treated as under :-

- (a) 10 days' w.e.f. 6.12.74 to 7.12.74 as Earned leave debitible to the leave due to her.
- (b) 4 days' w.e.f. 16.12.74 to 19.12.74 as Earned leave subject to adjustment from leave to be earned subsequently.

By Order.

L. B. RAI,
Under Secretary,
Establishment Department.

Office Order No. 89 (G)/Est.
Dated Gangtok, the 25 th April, 1977.

Agreeably with the Notification No. 86/Gen./Est. of 24.5.76, Miss T. Lepcha,

Matron, S.T.N.M. Hospital, Health & Social Welfare Deptt, having completed four years service in the Gazetted Grade allowed to attain the senior scale Rs. 630-25-780Eb-30-1200 with effect from 1.4.77 and her pay fixed at Rs. 630/- p.m. plus Dearness Allowance @ Rs. 50/- p.m. from the same date.

By Order

L.B. RAI,
Under Secretary,
Establishment Department.
Office Order No. 97 (G)/Est.
Dated Gangtok, the 27 th April, 1977.

For his having successfully completed M. S. (ENT) Dr. D. K. Subba, GDMO Health & Social Welfare Department, is allowed to draw the Special Pay of Rs. 120/- p.m. w.e.f. 23.12.76, i.e. the date of announcement of the result.

As per provision made in the Notification No. 212/Gen/Est. of 14.9.76, Dr. Subba is redesignated as Senior Specialist (ENT) and placed in the Administrative Grade and scale of Rs. 750-30-1050Eb-40-1450 with effect from 11.1.77 and his pay fixed at Rs. 750/- p.m. from the same date.

Consequent upon his placement in the Administrative Grade he is allowed the draw the H. R allowance @ Rs. 150/- p.m. with effect from the same date.

By Order

L. B. RAI,
Under Secretary,
Establishment Department.

Office Order No. 104(G)/Est.

Dated Gangtok, the 28 th April, 1977.

Consequent upon the transfer of Shri G. P. Pradhan, Superintending Engineer Power Department to hold the temporarily upgraded post of joint Development Commissioner in the Planning & Development Department, vide Office Order No. 83 (G)/Est. dated 23.4.1977, Shri L. P. Tewari, Executive Engineer, is promoted as Superintending Engineer, Power in the scale of Rs. 1050-40-1290Eb-50-1790 from the date he takes over charge of the post.

Further, Shri Duryodhan Pradhan, Assistant Engineer, is promoted as Executive Engineer, Power, in the Administrative Grade and Scale of Rs. 750-30-1050Eb-40-1450 vice Shri L. P. Tewari, from the dated of his assuming charge.

By Order and in the name of the Governor.

T. CHHOPHEL,
Secretary,
Establishment Department.

Office Order No. 105 (G)/Est.
Dated Gangtok, the 29 th April, 1977.

Shri Bishwanath Upadhyaya, Deputy Secretary, Revenue Department, Govt of Uttar Pradesh, on deputation to Govt. of Sikkim, is appointed as Deputy Secretary, Land Reform Cell in the Land Revenue Department with effect from 1 st April, 77 (FN) under term and conditions as per Notification No. 78/Gen/Est. dated 19 th May, 1976 till he retires from service.

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

T. CHHOPHEL,
Secretary,
Establishment Department.

Office Order No. 106 (G)/Est.

Dated, Gangtok the 29 th April, 1977

In supersession of this Department Office Order No. 90/G/Est dated the 25 th March, 1977, Lt. Col. (Dr) J.K. Talwar's period of deputation is further extended till he is relieved by a substitute on deputation.

By Order

T. CHHOPHEL,
Secretary,
Establishment Department.

Office Order No. 115 (G)/Est.

Dated Gangtok, the 30 th April, 1977.

Amendment to Officer Order No. 855/G Est. of 15.3.77. Please read the dated as 12.4.77. to 11.5.77 in place of 7.4.77 to 6.5.77. occurring in the third line of Office Order referred to above.

By Order

L. B. Rai,
Under Secretary,
Establishment Department.

FINANCE DEPARTMENT

Notification No./1 Fin.

The Governor of Sikkim has been pleased to sanction grant of winter allowance to the work – charged personnel in the categories of permanent and semi-permanent who are in the regular time scale of pay. The grant of this allowance will be governed by this Department's Notification No. 9/Fin. dated 11.10.76 and will be effective from the financial year 1976-77 as in the case of regular Government employees.

By Order

M. P. PRADHAN,
Secretary,
Finance Department.

Office Order No. 6/Fin.
Dated Gangtok, the 20 th April, 1977.

Mr. D. K. Manavalan, Divisional Commissioner, Government of Sikkim, is delegated with financial powers to accord sanction upto Rs. 1,500/- (Rupees one thousand five hundred) only for recurring items and upto Rs. 7,000/- (Rupees seven thousand) only or non-recurring items in each case with effect from 1.4.1977.

By Order

L. B. PRADHAN,
Deputy Secretary,
Finance Department.

Office Order No.9/Fin.

Dated Gangtok, the 29 th April, 1977.

Mr. S. K. Sinha, Secretary, Food and Civil supplies, Government of Sikkim, is hereby delegated with financial powers to accord sanction upto Rs. 1,500/- (Rupees one thousand five hundred) only for recurring items and upto Rs. 7,000/- (Rupees items in each case. He is further declared as Drawing and Disturbing Officer and authorised to sign Pay, T.A. and Contingent Bills and also Cheques (Pay only) pertaining to his Department with immediate effect.

By Order

L. B. PRADHAN,
Deputy Secretary,
Finance Department.

OFFICE OF THE SECRETARY FOOD
& CIVIL SUPPLIES
GANGTOK (SIKKIM)

Dated Gangtok, the 5 th April, 1977.

In pursuance of Office Order No. 4(G)/ Est. dated Gangtok, the 2 nd April, 1977, I have made over the charge of the Office of Secretary, Food & Civil Supplies Department to Shri S. K. Sinha, Joint Secretary, Food & Civil Supplies, Govt. of Sikkim, Gangtok on to-day the 2 nd April, 1977 (Forenoon).

D. C. LUCKSOM,
Secretary,
Food & Civil Supplies Deptt :
Government of Sikkim,
Gangtok.

In pursuance of Office Order No. 4 (G)/ Est. dated Gangtok, the 2 nd April, 1977.

I have taken over the charge as the Secretary of the Food & Civil Supplies Department, Govt. of Sikkim, Gangtok from Shri D. C. Lucksom today the 2nd April, 1977 (Forenoon).

S. K. SINHA,

Joint Secretary,
Food & Civil Supplies Deptt :
Government of Sikkim,
Gangtok.

OFFICE OF THE CHIEF CONSERVATOR OF FORESTS, GANGTOK, SIKKIM.

Office Order No. 10/F.,
Dated Gangtok, the 7th April, 1977.

Mr. Harka Bahadur Rai, Surveyor Forester is, with the concurrence the Establishment Department, hereby declared as "deserter" with effect from 24.1.77.

James B.K. Basnet,

Administrative Officer,
Government of Sikkim,
Gangtok.

DEPARTMENT OF HEALTH & SOCIAL WELFARE GANGTOK

DRAFT NOTIFICATION

In pursuance of the decision taken by the Govt. of Sikkim "The State Social Welfare Advisory Board" is hereby constituted as below :-

1. Kazini Elisa Maria of Chakung - Chairman,
2. Mr. R. Narayanan, Development
3. Mr. P. K. Pradhan, Secretary, Panchayat & Rural Works Deptt. - Treasurer,
4. Director of Health & Social Welfare - Member,
5. Director of Education - Member,
6. Director of Agriculture - Member,
7. Assistant Director, Social Welfare
8. Mr. Kalzang Gyatso Bhutia, MLA-Member,
9. Miss Damber

Kumari Pradhan - Representation of Voluntary Organisations.

0. Mrs. Nima Tenzing -North- -do-

1. Mrs. John Targain -South - -do-

2. Mrs. Thendup Tsering Bhutia, West, -do-

3. Mr. Chandra Prasad Sharma, Fast -do-

Dr. G. P. SRIVASTAVA,
Secretary,
Health & Social Welfare,
Government of Sikkim,
Gangtok.

SIKKIM NATIONALISED TRANSPORT

Notification No. 16/T.
Dated Gangtok, the 22nd April, 1977.

In order to provide efficient, adequate, economical and properly co-ordinated system of road transport services, the following routes and portions thereof on which the S N T has regularly been plying bus and truck services, are hereby nationalised for exclusive operation of buses and trucks Sikkim Nationalised Transport as indicated against each :

1. Mangan- Both for goods and passenger services.
2. Chungthang : Only for passenger services. Lachung-Chungthang-Lachen :
3. Singtam-Namchi Both for goods and via Sirwani : passenger services.
4. Reshi-Renock: Only for goods services.
5. Gyalsing-Pelling : Both for goods services.
6. Melli-Namchi : Only for goods services. via Kitam
7. Ranipool- Both for goods and passenger services. Rhenock :
8. Jorethang - Both for goods and Sombarai-Hillay passenger service.

With effect from the date of publication of this Notification, no private buses and trucks will be allowed to ply on these routes and portions thereof except with the specific permission of the Government.

By Order,

A. P. BARTH WAL,
General Manager,
S. N. T. Department.

PART VII

Advertisements and Notices, etc. by the Government Department and the Public.

NOTICE

Due to increase in production charge and the cost of hand made paper, the subscription of Sikkim Government Gazette has been revised to Rs. 21/- per-annual inclusive of postal charge with effect from the 1 st April, 1977.

By Order

T. T. BHUTIA,

Manager,
Sikkim Govt. Press.

SIKKIM
GOVERNMENT  GAZETTE
EXTRAORDINARY
PUBLISHED BY AUTHORITY

Vol.XXVII

Gangtok, June, 1977

No. 6

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PART II

Notifications regarding appointments, postings transfers leave etc.

HIGH COURT OF SIKKIM

Notification No. 16/HCS.

Dated Gangtok, the 22 nd June , 1977.

Hon'ble the Chief Justice has been pleased to make the following appointment :-

Name and designation	From	To
Shri Saman Prasad Subba Private Secretary.	Stenographic as per Temporary	Stenographic Permanent. (Substantive). with effect from 7.3.73.

His lordship has been pleased to grant to Shri Saman Prasad Subba annual increment of Rs. 20/- per month with effect from 21. 6. 77 in the scale of Rs. 510-20-710 Eb-25-960, thereby raising his pay from Rs. 510/- to Rs. 530/- per month and also to grant earned leave to him for 15 days with effect from 29.6.77 to 13.7.77 on full pay.

G. S. KALRA,

Registrar,
High Court of Sikkim.

Notification No. 17/HCS.

Dated Gangtok, the 22 nd June, 1977.

Hon'ble the Chief Justice has been pleased to sanction earned leave from 24.6.1977 to 30.6.77 to Shri Tripathi Singh , Secretary to Chief Justice.

His lordship has been pleased further to direct that Shri Singh on the expiry to leave will stand relieved of his duties with effect from 1.7.1977 (forenoon) and after availing of the joining time and journey days, he will report for duty in Delhi High Court , (parent department) on the forenoon of 10.7.1977.

G. S. KALRA,
Registrar,
High Court of Sikkim.

Notification No. 18/HCS.

Dated Gangtok , the 25 th June, 1977.

In supersession of Notification No.8/HCS/ dated 21 st May, 1977, the Hon'ble Chief Justice has been pleased to delegate the following powers on Shri G. S. Kalra Registrar of the High Court .

1. To be Head of Office.
2. To incur expenditure upto Rs. 500/- on any single item.

3. To be the appointing authority respect of the Class III and Class posts.
4. To sanction leave to all non gazette staff.
5. To sign pay bills, T. A. bills, Medical bills of the Officers and staff of the High Court and Subordinate Judicial Courts and to sign Cheques and be the drawing and disbursing Officer.

G. S. KALRA,
Registrar,
High Court of Sikkim.

Notification No. 19/ HCS.

Dated Gangtok, the 30 th June, 1977.

In partial modification of this Court Notification No. 14/HCS. dated the 26 th May , 1977 the Hon'ble the Chief Justice has been pleased to order that with effect from 10 th June, 1977 the post of Secretary to Chief Justice be placed in grade of Rs. 630-25-780Eb-30-1200 instead of the grade of Rs. 750-30-1050Eb-40-1450.

Gurdeep Singh Kalra,

Registrar,
High Court of Sikkim.

Notification No. 20/HCS.

Dated Gangtok , the 2 nd June, 1977.

Hon'ble the Chief Justice has been pleased to appoint Shri G. S. Sandhu, Reader be act as Secretary to Chief Justice with effect from 24 th June, 1977 in addition to his own duties till regular appointment of Secretary to Chief Justice is made. His lordship has further been pleased to granted to Shri G. S. Sandhu the charge allowance at twenty percent of the minimum of the grade of the post of Secretary to Chief Justice i.e., Rs. 750-1450 and with effect from 10.7.77 of the pay scale of Rs.630-1200

Gurdeep Singh Kalra,
Regitrar,
High Court of Sikkim.

HOME DEPARTMENT

F. 51(5) Home/77

Dated Gangtok , the 8 th June, 1977.

NOTIFICATION

The Government of Sikkim have decided to constitute a Committee consisting of the

following members to examine the possibility of creating a selection grade to provide opportunities of promotion to the teachers on seniority basis :

1. Finance Secretary -Chairman
2. Establishment Secretary -Member
3. Director of Education -Member

2. The Committee shall submit its report to the Chief Secretary within a month from the date of issue of this Notification.

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

ESTABLISHMENT DEPARTMENT

Notification No. 68(G)/Est.
Dated Gangtok, the 2 nd June, 1977.

The following posts in the Cooperative Department are sanctioned with immediate effect :-

1. Assistant Registrar
(Scale of pay Rs. 510-960) 5 Nos.
2. Auditor
(Scale of pay Rs. 310-495) 1 No.
The post will be filled up by a Graduate. After successful committee of prescribed training as Auditor, he will be placed in the next higher scale of Rs. 370-630.
3. Lower Division Clerk
(Scale of pay Rs. 240-385) 1 No.
it has also been decided that the 12 posts.
of Cooperative Inspector sanctioned earlier should be retained.
Promotion after a period of one year from the scale of Rs. 370-630 to the Gazetted scale shall be treated as fresh appointment.

The expenditure for the above posts shall be debited to the head '298' A-Cooperation -A-1-Direction & Administration A. 1. (1) office of the Registrar of Cooperative Societies A 1 (1) (1) Salaries.

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

T. CHHOPHEL,
Secretary,
Establishment Department.

Notification No. 76 (G)/Est.
Date Gangtok , the 10 th June , 1977.

A post of Driver in the scale of Rs. 210-4-230-Eb-5-280 Eb-5-355 in the Sikkim Legislative Assembly is hereby created with immediate effect.

The expenditure is debitable to Major Head "211-4-2 (1)-Salaries.

By Order and in the name of the Governor.

T. CHHOPHEL
Secretary,
Establishment Department.

Notification No. 77 (G)/Est.
Dated Gangtok , the 10 th June, 1977.

The following posts for Physical Education and Sports Wing in the Education Directorate are created with immediate effect ;-

- (1) Lower Division Clerks-cum-Typist
in the scale of Rs. 240-385 1 post
- (2) Chowkidar-cum-Poen
in the scale of Rs. 175-255 1 post

The expenditure is debitable to head A. 6. Sports and Youth Welfare, A. 6. (1) Physical Education A.6. (II) Salaries.

By Order and in the name of the Governor.

T. CHHOPHEL,
Secretary,
Establishment Department.

Notification No. 82 (G)/Est.
Dated Gangtok, the 14 th June , 1977.

The following additional posts are created for the State Guest House in the Forest Department with immediate effect :-

Name of post	No.	Scale of pay
Lower Division Clerk	1	Rs. 240-385
Head Cook	1	Rs. 210-355
Masalji	1	Rs. 175-255
Bearer	1	Rs. 175-255

The expenditure is debitable to the head "255-D-Other Administrative services-D 1-Guest House & Govt. Hostel etc. D.1 (1) State Guest House Gangtok D1(1) (1) Salaries.

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

C. M. RASIALY,
Deputy Secretary,
Establishment Department.

Notification No. 86(G)/Est.

Dated Gangtok, the 17 th June, 1977.

A post of Assistant Director (Tibetan) in the scale of Rs. 510-20-710Eb-25-960, Junior Gazetted Grade, is hereby created in the Department of Information and Public Relation with immediate effect.

The expenditure will be debitable to the

head "285-Information and Public Relation
D. 4 (1) (1) Salaries (PLAN).
By order and in the name of the Governor

T. CHHOPHEL,
Secretary,
Establishment Department.

Notification No. 87(G)/Est.
Dated Gangtok, the 17 th June ,1977.

The following additional posts in the
Panchayat and Rural Works Department
are created with immediate effect :-

SL. No.	Name of the post	Scale of pay	No. of posts created
1.	Assistant Engineer	Rs. 510-960	2
2.	Overseer	Rs. 310-496	7

The expenditure will be debitable to the
head "306-C Minor Irrigation (1) (1) -Salaries (Non-Plan)".

By Order and in the name of the Governor.

C. M. RASIALY,
Deputy Secretary,
Establishment Department.

Notification No. 89 (G)/Est.
Dated Gangtok, the 17 th June, 1977.

The following posts are created for the
Wild Life Wing in the Forest Department
with immediate effect :-

Sl. No.	Name of the post	Scale of pay	No. of posts created
1.	Sate Wild Life Officer	Rs. 860-30-1010 Eb-40-1450	1 (on contract)
	Field Director	Rs. 860-30-1010 Eb-40-1450	1 (on contract)
3.	Administrative Officer	Rs. 510-960	1
	Senior Accountant	Rs. 370-630	1
5.	Wild Life Warden	Rs. 310-495	2
	Asstt. Wild Life Warden	Rs. 270-445	7
	Senior Accounts Clerks	Rs. 270-445	1
	Stenographer	Rs. 270-445	1
9.	L.D.C./ Typist	Rs. 240-385	2
10.	Drivers	Rs. 210-335	3
11.	Wild Life Guard	Rs. 200-310	32

2. Poens Rs. 175-255 3
The expenditure will be debitable to head
"313-C-Forest-10-Preservation of Wild
Life".
By Order and in the name of the Governor

T. CHHOPHEL,
Secretary,
Establishment Department.

Notification No. 2(G)/Est.
Dated Gangtok , the 20 th June , 1977.

The Governor of Sikkim is pleased to
sanction the creation of the following posts
for raising the second company of Sikkim
Armed Police Battalion with immediate
effect :-

The Governor is further pleased to sanction special allowance to the personnel of Armed Police Battalion at the rates specified against each post in view of the arduous nature of duties that they would be performing involving greater degree of risk than the Civil Police.

Sl. No.	Particulars of the post	No. of posts	Scale of pay	Amount of Spl. allowance
1.	Company Commander (Deputy) Police.	1	510-20-710Eb-25-960	100/-p.m.
2.	Company Commander 2 I/C (Inspector)	1	370-10-420Eb-12-480 Eb-15-630	75/p.m.
3.	Platoon Commander (Sub-Inspector)	3	310-6-340Eb-7-375- 8-495.	50/p.m.
4.	Company Havildar Major (Head Constable)	1	210-4-230Eb-5-280 Eb-5-355	40/p.m.
5.	Company Quarter. Master Havildar (H/C)	1	210-4-230Eb-5-280 Eb-5-355	40/-p.m.
6.	Platoon 2 I/C (H/C)	3	-do-	-do-
7.	Section Commander (Naik)	9	20-0-3-230Eb-4-310	-do-
8.	Section Commander 2 I/C (L/NK)	9	-do-	-do-
9.	Other Ranks (Constable)	90	-do-	-do-
10.	Drivers (Constables)	11	-do-	-do-
11.	Followers Cooks - 3 Sweeper-2 Dhob -1 Barber -1 Cobler-1	8	175-2-195Eb-3-255	

(Note : Naiks and L/Naiks of the Armed Police will not be entitled to special allowance of Rs. 5/-p.m. as admissible to Naiks and L/Naiks of the Civil Police.

The expenditure on account of pay and allowances of these posts will be debited to

“255-A-Police A-5 Armed Police-“Salaries from the date of the operation of these posts.

T. CHHOPHEL,

Secretary,
Establishment Department.

Notification No. 93(G)/Est.
Dated Gangtok, the 20 th June, 1977.

The following posts are created for Ground Water Wing under Panchayat and Rural Works Department with immediate effect :-

Sl. No.	Name of the posts	Scale of pay	No. of post
1.	Overseer	Rs. 310-6-340-Eb-7-375-Eb-8-495	1
2.	Lower Division Clerk	Rs. 240-5-265-Eb-6-325Eb-6-385	1
3.	Field Supervisor	Rs. 200-3-230-Eb-4-310	2
4.	Peon	Rs. 175-2-195-Eb-255	1

The expenditure will be debitable to head “328-EI (2) (1)-Est. of Ground Water Wing (Plan)”.

By Order and in the name of the Governor.

T. CHHOPHEL,

Secretary,
Establishment Department.

Notification No. 96(G)/Est.

Dated Gangtok, the 24 th June , 1977.

The following additional posts in the Directorate of Industries are hereby created with immediate effect:-

Sl. No.	Name of the post	Scale of pay	No. of post created
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1.	Principal in lieu of O.S.D.	Rs. 750-1450	1
2.	Instructor	Rs. 310-495	4
3.	Lower Division Clerk	Rs. 240-385	1
4.	Jr. Store-keeper	Rs. 240-385	1
5.	Driver	Rs. 210-355	1
6.	Workshop Attendant	Rs. 210-355	5
7.	Peon	Rs. 175-255	1

9. Helper Rs. 175-255 1

The expenditure will be debitable to “287-B-2(1) (1) (1)-Salaries”.

(B) The Officer whose services have been obtained on deputation is redesignated as Principal, I.T. I., Rangpo.

(C) The post of Officer-in-Charge, I.T.I., is redesignated as Superintendent.

By Order and in the name of the Governor.

T. CHHOPHEL,

Secretary,
Establishment Department.
Notification No. 99(G)/Est.

Dated Gangtok, the 24 the June, 1977.

Twenty-four additional posts each of Village Level Workers and Fieldmen in the scale of Rs.240-385 and Rs. 175-255 respective are hereby created in the Agriculture Department.

By Order and in the name of the Governor.

T. CHHOPHEL,
Secretary,
Establishment Department.

Notification No. 100(G)/Est.

Dated Gangtok , the 24 th June, 1977.

The following new posts are hereby created in the Sikkim Public Works Department :-

Sl. No.	Name of the post	No. of posts	Scale of pay
1.	Assistant Engineer	2	Rs. 510-960
2.	Senior Accountant	1	Rs. 370-630
3.	Accountants	5	Rs. 310-495
4.	Overseers	8	Rs. 310-495
5.	Senior Accounts Clerk	1	Rs.270-445
6.	Lower Division Clerks	10	Rs. 240-385
7.	Peons	5	Rs. 175-255
8.	Tracers	7	Rs. 210-355

By Order and in the name of the Governor

T. CHHOPHEL,

Secretary,
Establishment Department

Notification No. 103 (G)/Est.

Dated Gangtok , the 24 th June , 1977.

In amplification on this Department No. tification No. 240/Gen/Est. of 19.10.76, the Governor of Sikkim is pleased to notify that teachers who have passed Matriculation School Fund examination and are

of the State shall be allowed two advance increment @ Rs. 5/- or 6/- whichever is less and appropriate to the scale .

By Order

T. CHHOPHEL,

Secretary,
Establishment Department.

Office Order No. 255 (G)/Est.

Dated Gangtok , the 21 st June , 1977.

The following transfer and promotions are made in the Animal Husbandry Department :-

1. Shri Sonam Paljor, Deputy Director, Production and Marketing , is transferred as General Manager , Live-stock Development Corporation.
2. Dr. P. P. Sharma ,Assistant Director, is promoted as Deputy Director , Production and Marketing , vice Shri Sonam Paljor.
3. Dr. M.M. Golay , Assisamt Director, is promoted as Deputy Director, Sheep & Pig.

By Order

T. CHHOPHEL,

Secretary,
Establishment Department.

Office Order No. 715 (G)/Est.

Dated Gangtok , the 19 th January, 1977.

Shri Dup Tsering Lepcha , who passed the Bachelor of Engineering (Civil) Final Examination from the University of Jodhpur is appointed Assistant Engineer under Building Division of P.W.D. with effect from the date of his joining duty. He is temporarily posted to Planing cell in P. W.D.

He will draw pay of Rs. 510/- p.m. in the scale of Rs. 510-20-710Eb-25-1200 plus Dearness Allowance of Rs. 40/- per month.

By Order

T. CHHOPHEL,

Secretary,
Establishment Department.

FINANCE DEPARTMENT

Office Order No. 34/Fin.

Dated Gangtok , the 2 nd June, 1977

Mr . D. B. Chhetri Secretary, Rajya Sainik Board, Gangtok , is hereby delegate with financial powers to accord sanction upto Rs. 150/- (Rupees one hundred fifty) only for recurring items and upto Rs. 500/- (Rupees five hundred) only for non-recur-

ing items in each case. He is further declared as Drawing and Disturbing Officer and authorised to sign Pay, T.A., Contingent Bills and Cheques (Pay only) pertaining to his Broad with immediate effect.

By Order

L. B. PRADHAN,

Deputy Secretary,
Finance Department.

Officer Order No. 40/Fin.

Dated Gangtok, the 9 th June , 1977.

Mr. Taming Tsewang Bhutia, Press Manager, Sikkim Government Press Government of Sikkim, is hereby delegated with financial powers to accord sanction upto Rs. 1,500/- (Rupees one thousand five hundred) only for recurring items and upto Rs. 7,000/- (Rupees seven thousand) only for non-recurring items in each case pertaining to his Department with immediate effect.

By Order.

L. B. PRADHAN,

Deputy Secretary,
Finance Department.

Office Order No. 44/Fin.

Dated Gangtok , the 14 th June , 1977.

Mr. R.B. Gazmere, Accounts Officer, S.P.W.D., is empowered to sign Cheques pertaining to Sikkim Public Works Department , Government of Sikkim, in absence of Mr. L. Lepcha, Superintending Engineer, and Mr. N. K. Sadhu, A.O., S.P.W.D. with immediate effect.

By Order

L. B. PRADHAN,

Deputy Secretary,
Finance Department.

Office Order No. 45/Fin.

Dated Gangtok , the 14 th June, 1977.

Mr. Ranjit Singh Basnett, Acting Collector ,South District , is declared as Drawing and Disbursing Officer and empowered to sign Pay Bills and Cheques (Pay only) of District Office, South with immediate effect.

By Order

L. B. PRADHAN,
Deputy Secretary,
Finance , Department.s

**Office Order No.47/Fin.
Dated Gangtok, the 17 th June, 1977.**

Mr. Paljor Dorjee Tashi, Deputy Director (Adm), Tourism, Government of Sikkim, is hereby declared as Drawing and Disbursing Officer and empowers to sign T.A., Pay, Contingent Bills and Cheques (Pay only) pertaining to his Department with immediate effect.

By Order

**L.B. PRADHAN,

Deputy Secretary,
Finance Department.**

Office Order No. 49/ Fin.

Dated Gangtok , the 18 th June , 1977.

Mr. L.P. Tewari, Superintendent Engineer ,Power Department , Government of Sikkim , is hereby declared as Drawing and Disbursing Officer and empowered to sign Pay, T.A., Contigent Bills and Cheques.

pertaining to his Department with immediate effect.

By Order

**L. B. PRADHAN,
Deputy Secretary,
Finance Department.**

**Office Order No. 51/Fin.
Dated Gangtok , the 20 th June, 1977.**

Mr. S.D. Rinchen, Deputy Secretary, Cultural Affairs, Government of Sikkim, is hereby declared as Drawing and Disbursing Officer and authorised to sign T.A., Pay, Contigent Bills and Cheques (Pay only) pertaining to his Department with immediate effect.

By Order

**L. B. PRADHAN,

Deputy Secretary,
Finance Department.**

PART III

Rules, Orders Press Notes etc.

ESTABLISHMENT DEPARTMENT

Notification No. 74 (G)/Est.

Dated Gangtok, the 8 th June, 1977.

In supersession of the previous rules on the subject, the House Rent allowance, the prescribed rates shall be admissible to all employees whether temporary or permanently from the date of their initial appointment.

This will come into force with effect from 1.6.1977.

Employees who have not completed one year of service on the eve of commencement of this rules, shall be entitled to House . Rent allowance from the first day of June nineteen hundred and seventy seven.

By Order and in the name of the Governor.

T. CHHOPHEL,

Secretary,
Establishment Department.

Office Order No. 228 (G)/Est.

Dated Gangtok , the 9 th June, 1977.

In continuation of this Department Office Order No.220/Gen/Est. of 21.9.76, the following amplification are hereby made regarding the functions to be carried out by each wing of the Government Cottage Industries Institute.

Production Wing :

This wing shall boardly comprise of 2 sections viz; (i) Production and Marketing and (ii) Field Level Organisation and shall be directly under the administrative control of the Additional Superintendent. The wing shall henceforth run on commercial line on the products of the following sub-units of the carpets of the Government Cottage Industries Institute.

(1) Carpet :

The carpets for sale shall be woven by engaging workers on daily wages basis and also with the help of the trainees of the final year of the Carpet Section on the Training side under the Master Carpet Weaver.

(2) Wood Carving :

Carved furniture for sale shall be manufactured by workers on daily wage basic under the supervision of the Carpentry Master .

The Addl. Superintendent shall be responsible for marketing of the finished goods including those manufactured by the sections of the Training wing . The costing of the product of the Training wing shall, however , be on the actual cost involved for the raw materials required and shall be handed over to the Production wing sale through the two emporia one in the Institution itself and the other in the bazar. The Production wing shall do the gradings of the products of the Training wing according to their quality and fix the price duly including the usual percentage of the profit for sale. The show rooms/emporia that are already in exisitence including those that shall be opened in future shall be under the charge of the Additional Superintendent . The Production wing shall also be responsible for implementation of the scheme – “Field Level Organisation” by regulation supply of raw materials, tools and equipment required by the craftsmen. The Production wing shall have its own arrangements for storing of the raw materials and also make purchase of the raw materials, tools and equipments required . The staff of the Production wing shall comprise of those sanctioned by the Govt. under Notification No. 149/Est. dated 17.7.1976.

Training Wing :

This wing shall be under the direct administrative control and supervision of the Joint Director and shall comprise of the following :-

1. Carpet :

This section shall undertake training of the trainees admitted from all over Sikkim under the two lady instructresses. The trainees of the final year or the third year shall, however, work along with those weavers engaged on daily wage basis on the Production side.

2. Paper Section:

This section shall continue training and manufacture of the hand-made paper in the Training side and under the supervision of the Special Officer (Hand Made Paper).

3. Traditional Arts Section :

This section shall continue training in traditional painting works of the trainees admitted from all over Sikkim under the Arts Master. Preference for admission for training shall be given to the candidates nominated by or belonging to the monasteries.

4. Multi-craft-section :

This section shall continue training of candidates in the tailoring, appliqué, knitting, leather, cane and embroidery works under the supervision of the respective Instructors/Instructressees thereof.

Research, Design and Product Development :

The newly established Research, Design and Product Development Section of the Training wing shall undertake sensitive and careful design survey of the traditional arts and crafts resources in the various monasteries, villages and in the market places. In the monasteries, the painted panels, furniture, architectural element, cloth hanging, metal utensils and instruments including 'Thankas' will be copied and photographed and whenever possible actual samples collected for records. Similarly, items of crafts such as blanket, carpet, jewellery, basketware, wood work etc; shall be located and collected.

6. Handloom :

This section shall continue training of the trainees drawn up from all over Sikkim in Lepcha weave.

7. Branch Institute at Lachung :

This Institute shall continue imparting training in tweed-cloth making, blanket and carpet weaving of the trainees admitted from Lachung under the supervision of the respective Instructors and Supervisors.

The budget allotment provided for each scheme coming within the preview of the two wings shall be operated by the officers controlling the Training and Production wings respectively. The accounts of the respective wings shall be maintained separately under the officers concerned.

Orders for the products including those in hand shall be executed by the Production wing.

Pending bills upto the 31st March shall be realized by the Training wing and thereafter by the Production wing.

By Order

T. CHHOPHEL,
Secretary,
Establishment Department.

PART VII

Advertisement and Notices, etc. by the Government Department and the Public.

NOTICE

Due to increase in production charge and the cost of hand made paper, the subscription of Sikkim Government Gazette has been revised to Rs. 21/-per annual inclusive of postal charge with effect from the 1 st April , 1977.

By Order

T. T. BHUTIA,

**Manager,
Sikkim Govt. Press.**

SIKKIM

GOVERNMENT



GAZETTE

EXTRAORDINARY
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PART II

Notifications regarding appointments , postings, transfers leave etc.

HIGH COURT OF SIKKIM

Notification No. 21/HCS.

Dated Gangtok, the 2 nd July, 1977.

The Hon'ble Chief Justice and Judge of this Court have been pleased to sanction earned leave to Shri R. L. Gupta, Distt. & Sessions Judge, Gangtok for the period from 29.6.77 to 8.7.77 subject to title.

Their lordship have been further pleased to confer powers on the Distt. Magistrate, Gangtok to dispose off urgent applications during the aforesaid period.

By Order

Gurdeep Singh Kalra,

Registrar,
High Court of Sikkim.

Notification No. 23/HCS.

Dated Gangtok, the 14 th July, 1977.

Hon'ble the Chief Justice and Hon'ble Judge of this Court have been pleased to grant to Mr. R. L. Gupta, District and Sessions Judge, Gangtok earned leave for the period from 18.7.77 to 7.8.77 subject to title.

Their Lordship have been pleased further to direct that Mr. Gupta on the expiry of leave will stand relieved of his duties with effect from 8.8.77 (FN) and after availing of the joining time and journey days he will for duty to the District and Sessions Judge Delhi (Parent Department) on 17.8.77 (F.N.).

G. S. KALRA,

Registrar.
High Court of Sikkim.

Notification No. 24/HCS.

Dated Gangtok , the 21 st July, 1977.

The Hon'ble the Chief Justice and the Judge have been pleased to order that special casual leave for 21 days shall be allowed to the District & Sessions Judge/ Additional District and Sessions Judge in Sikkim State every year during the period from 1st of January to 15 th of February.

By Order

Gurdeep Singh Kalra,

Registrar,
High Court of Sikkim.

HOME DEPARTMENT

Notification No. 634/Home/77.

Dated Gangtok, the 27 th July, 1977.

The State Government of Sikkim is pleased to confer with immediate effect the powers to First Class Magistrate upon the following officers until further orders :-

- (1) Shri Badri Nath Sharma, Executive Officer, Gangtok Municipal Corporation , Gangtok (East Sikkim).
- (2) Shri Ram Kumar Uperti , Deputy District Officer-cum-Planing Officer Gangtok (East Sikkim).
- (3) Shri Tsten Tashi, Deputy Secretary Ecclesiastical Department , Govt. Sikkim, Gangtok (East Sikkim).
- (4) Shri Lobzang Tseten Tonyot, Rehabilitation Officer, Govt. of Sikkim Home Department , Gangtok (East Sikkim) .
- (5) Shri Nari Tsering, Deputy Development Officer-cum- Planing Officer Mangan (North Sikkim).
- (6) Shri Tseten Dorji, Deputy Development Officer-cum-Planing Officer Gyalshing (West Sikkim).
- (7) Shri Tsering Wangchuk Barfungpa Deputy Development Officer-cum-Planning Officer, Namchi (South Sikkim).

They will exercise these Magistrate powers within the district in which the presently posted.

By Order

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

Notification No. 651/Home/77.

Dated Gangtok , the 30 th July, 1977

The State Government of Sikkim pleased to confer with immediate effect power of First Class Magistrate upon following officers :

1. Shri Passang Namgyal, Deputy Director, Survey & Settlement.
2. Shri B. K. Kharel, Under Secretary Law & Legislative.
3. Shri B. P. Pradhan, Under Secretary Law & Legislative.

They will exercise these Magistrate powers within the district in which they presently posted, until further orders .

By Order,

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

FINANCE DEPARTMENT

Office Order No. 66/Fin.
Dated Gangtok, the 7 th July , 1977.

Mr. Prakash Chandra Mathur , A.O.,
Animal Husbandry Department , Govern-
ment of Sikkim, is hereby declared as Dra-
wing and Dibursing Officer and empo-
wered to sign T. A., Pay , Contigent Bills and
Cheques (Pay only) pertaining to his De-
partment with immediate effect.

By Order

L. B. PRADHAN,
Deputy Secretary,
Finance Department.

Office Order No. 70/Fin.

Dated Gangtok, th 16 th July, 1977.

During the absence of Mr. J. P. Tse-
ring, District Collector, North , Mr. Tsering
Wangchuk Barfungpa , Deputy District
Officer-cum-Planning Officer, North, is here-
by declared as Drawing and Disbursing
Officer and empowered to sign , Pay, T.A.,
Contigent Bills and Cheques (Pay only)
pertaining to his Department with imme-
diate effect.

By Order

L. B. PRADHAN,
Deputy Secretary,
Finance Department.

Office Order No. 72/Fin.

Dated Gangtok , the 21 st July , 1977.

Mr. A. C. Panchaury, Joint Director of
Educatio, Government of Sikkim is, here-
by delegated with financial powers accord
sanction upto Rs. 1,500/- (Rupees one
thousand five hundred) only for recurring
items and Rs. 7,000/- (Rupees seven thou-

sand) only for non-recurring items in each
case pertaining to his Department with
immediate effect.

By Order

L. B. PRADHAN,
Deputy Secretary,
Finance Department.

Office Office No. 77/Fin.

Dated Gangtok, the 18 th July , 1977.

Mr. T. P. Gimirey , Senior Income and
Sales Tax Officer, is delegated with financial
powers to accord sanction upto Rs. 150/-
(Rupees one hundred fifty) only for recur-
ring items and Rs. 500/- (Rupees five hun-
dred) only for non-recurring items in each
case. Further , he is declared as Drawing
and Disbursing- Officer and empowered to
sign cheques (Pay only) pertaining to his
Department with immediate effect.

By Order

L.B PRADHAN.
Deputy Secretary,
Finance Department .

**PANCHAYAT & RURAL WORKS
DEPARTMENT**

Notification No. 55/P&RW.

Dated Gangtok , the 14 th July, 1977.

In accordance with Section 9 of the
Sikkim Panchayat Act, 1965, Shri Bal Krish-
na Pradhan has been elected as a member
of Karek- Kabrey Panchayat (Unii No. 2
of South District) in the vacancy caused by
the death of Shri Bhardhoj Rai.

P. K. PRADHAN,
Secretary,
Panchayat & Rural Works Deptt.

PART III**Rules, Orders Press Notes etc.****ESTABLISHMENT DEPARTMENT.****Notification No. 128 (G)/Est.****Dated Gangtok, the 15 th July , 1977.**

In continuation of this Department Notification No. 74/Gen/Est. of 8.6.77, Secretaries/Heads of Departments are hereby authorised to grant house rent allowance to all non-gazetted employees working under them if they are not in occupation of Government quarters or accommdation provided at Government expenses . In case of fresh appointees the grant of house rent allowance in lieu of free Govt. quarters should be incorporated in the appointment Office Order itself and no separate sanction will be necessary but Secretaries /Head of Department should satisfy themselves that no Government quarters is left vacant while paying the house rent allowance to the employees.

As regards payments of house rent allowance to either husband or wife when one of them is in occupation of Government quarters, occupation of a Government quarters of a lower class, etc., the existing syste, as per Notification No. 67/Est. of 22.8.74 will continue to hold good.

Leave substitute are not entitled to house rent allowance.

By Order

**T. CHHOPHEL,
Secretary,
Establishment Department .**

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GOVERNMENT



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PART IX-(i) Nil

PART X-(ii) Nil

PART II

Notification regarding appointments, postings, transfers leave etc.

HIGH COURT OF SIKKIM

Notification No. 25/HCS.
Dated Gangtok, the 11 th August, 1977.

Hon'ble Chief Justice has been pleased to grant earned leave for 15 days for the period from 9.8.77 to 23.8.77 to Mr. S. P. Subba, Private Secretary.

Gurdeep Singh Kalra,

Registrar,
High Court of Sikkim.

Notification No. 28/HCS.

Dated Gangtok, the 26 th August, 1977.

Hon'ble Chief Justice and Hon'ble Judge of this Court have been pleased to sanction charge allowance of Rs. 240/-p.m. equivalent to 20% of the scale of Rs. 1200-2050 to Shri G. S. Kalra for acting as the District and Sessions Judge, Gangtok w.e.f. 18.7.77 in addition to his own duties.

G. S. KALRA,

Registrar,
High Court of Sikkim.

HOME DEPARTMENT

NOTIFICATION

No. 751/Home/77.

Dated the 5 th August, 1977.

The Governor of Sikkim is pleased to order the following posting/transfer of Secretaries/ Heads of Departments who shall take charge, with immediate effect, of the Departments noted against their names :-

	Name of Officers	Department
1.	Shri P. T. Wangdi	Secretary, Land Revenue & Land Reforms.
2.	Shri R. B. Mukhia	Secretary, Excise & Motor Vehicle Department.
3.	Shri Tashi Chhophel	Secretary, Press, Information & Public Relations and Managing Director, State Trading Corporation.
4.	Shri C. D. Rai	Secretary, Establishment and Director, State Audit.
5.	Shri K. Sherab	Secretary, Heavy Industries, Ecclesiastical, Mines, & Geology and Scheduled Caste Welfare.

6. Shir Jigme Dorji Secretary, Power Labour, Culture and Government Cottage Industries Institute.
7. Shri Karma Topden Director, Tourism.

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

NOTIFICATION

No. 2(3)/Home/77.
Dated Gangtok, the 9 th August, 1977.

In pursuance of the decision taken by the Government of Sikkim, a Scheduled Caste Welfare Board is constituted and Shri Kusu Das is hereby appointed and Chairman of the said Board with immediate effect and until further orders.

The Secretary in-charge of the Scheduled Caste Welfare will act as member Secretary of the Board.

T. S. GYALTSHEN,

Chief Secretary,
Government of Sikkim.

NOTIFICATION

No. 2(3)/Home/77.
Dated Gangtok, the 9 th August, 1977.

In pursuance of Section 9 of the Proclamation dated the 30 th March, 1972, the State Government hereby appoints Shri N. K. Subedi as the Chairman of the State Trading Corporation of Sikkim vice Shri Phigu Tsering Bhutia, with immediate effect and until further orders.

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

NOTIFICATION

No. 2 (3)/Home /77.

Dated Gangtok, the 9 th August, 1977.

In pursuance of Section 9 of the Proclamation dated the 24 th June, 1968, the State Government hereby nominates Shri Phigu Tsering Bhutia as Chairman of the State Bank of Sikkim vice Shri T. S. Gyaltsen with immediate effect, for a period of one year or until further orders, whichever is earlier.

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

NOTIFICATION

No. 2(3)/Home/77.

Dated Gangtok, the 9 th August, 1977.

In modification of Office Order No. 4/Est. dated the 6 th April, 1974, the State Government hereby appoints Shri Degay Bhutia as Chairman of the Sikkim Electricity Advisory Board with immediate effect and until further orders.

T. S. GYALTSHEN,

Chief Secretary,
Government of Sikkim.

NOTIFICATION

No. 2(3)/Home/ 77.

Dated Gangtok , the 9 th August, 1977.

In pursuance of Section 6 of the Proclamation dated the 30 th March , 1972, the State Government hereby nominate Shri N. K. Subedi as one of the Directors of the State Trading Corporation of Sikkim with immediate effect and until further orders.

T. S. GYALTSHEN,

Chief Secretary,
Government of Sikkim.

NOTIFICATION

No . 2(3)/ Home/77.

Dated Gangtok , the 9 th August, 1977.

In supersession of Notification No. F. 20(2)-76/KBD/642 dated the 14 th February, 1977, the State Government hereby appoints Shri Loden Tsering Lepcha as Chairman of the Sikkim Khadi & Village Industries Board vice Shri K. B. Limbu with immediate effect and until further orders.

T. S. GYALTSHEN,

Chief Secretary,
Government of Sikkim.

NOTIFICATION

No . 5/5/ Home/77.

Dated Gangtok, the 18 th August, 1977.

In pursuance of the decision taken by the Government of Sikkim, the First Class Magisterial Powers conferred upon the following officers- vide notifications No. 634/ Home/77 dated the 27 th July , 1977 and No. 651/Home/77 dated the 30 th July, 1977 are withdrawn with immediate effect :

1. Shri Badrinath Sharma, E.O. GMC
2. Shri Ram Kumar Upreti , D.D.O. (East)
3. Shri Tseten Tashi, Dy. Secy. (Eccl.)

4. Shri Lobzang Tseten Tonyot, R.O. SRRC

5. Shri Nari Tsering D. D. O. (South)

6. Shri Tseten Dorji, D. D. O. (West)

7. Shri Tsering Wangchuk Barfungpa, D.D.O. (North)

8. Shri Passang Namgyal, Dy. Secy. (S & S)

9. Shri B. K. Kharel, U.S. (Law & Legislative)

10. Shri B. P. Pradhan, U.S. (Law & Legislative).

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

ESTABLISHMENT DEPARTMENT

Office Order No. 398(G)/Est.

Dated Gangtok , the 19 th August, 1977.

Consequent on the redesignation of certain posts and creation of additional posts in the Department of Agriculture vide this Department's Notification No. 155/G/ Est. dated the 19 th August , 1977, the following adjustments, transfers postings are hereby ordered with immediate effect :-

1. Shri Singalall Lama, Sr. Plant Protection Officer is redesignated as Deputy Director (Plant Protection) with Headquarters at Gangtok.
2. Shri Palden Wangchuk, Sr. Horticulture Officer is redesignated as Deputy Director (Horticulture Fruits and Progeny Orchids) with Headquarters at Gangtok . He will be overall Incharge of the Horticulture Section.
3. Shri Pinsto Bhutia, Agronomist, is redesignated as Deputy Director, West Region with Headquarters at Gyalzing . In addition, he will be overall . Incharge of the "Farmers Training Centre" located at Gyalzing Regional Centre on a monthly allowance of Rs. 150/-
4. Shri G. K. Gurung ,Plant Breeder is transferred and posted to Mangan against the newly created post of Deputy Director, South Region with
5. Shri S.K. Basnet, Regional Project Officer, Nazitam Regional Centre is posted to Namchi to officiate as Deputy Director, South Region. monthly charge allowance of Rs. 150/-
6. Shri J. B. Tamang, Deputy Director (Headquarters) is entrusted to look after the works of Deputy Director, East Region, in addition to his own duties.

Further the following intra-departmental transfer are also made with immediate effect :-

- (a) Shri S.K. Gurung , presently serving as A.E.O., Namchi Regional Centre is transferred and posted as Regional Project Officer. Hilly Regional Centre.
- (b) Shri Karma Tsering Bhutia , Farm Manager, Gyalzing Regional Centre is transferred and posted as Assistant Regional Project Officer, Burmoik Regional Centre.
- (c) Shri C. B. Chettri, A.E.O., Burmoik Regional Centre is transferred and posted as Agriculture Inputs Officer, Gangtok.
- (d) Shri Janga Baset, Assistant Regional Project Officer, is posted as Assistant Regional Project Officer, Mangan Regional Centre with Headquarters at Mangan.
- (e) Shri Bishnu Singh , Assistant Regional Project Officer, Mangan Regional Centre transferred and posted as Assistant Regional Project Officer, Nazitam Regional Centre.

By Order

L. B. Rai,

Under Secretary,
Establishment Department.
Notification No. 156(G)/Est.

Dated Gangtok, the 20 th August, 1977.

The Government of Sikkim has been pleased to sanction the creation of a post of Receptionist in the Trousim Department in the scale of Rs. 370-10-420Eb-12-480Eb-15-630 with effect from 12.8.77.

C. D. RAI,

Secretary,
Establishment Department.

Notification No. 159(G)/Est.

Dated Gangtok, the 20 th August, 1977.

The following posts are hereby created in the office of the Hon'ble Minister for Forests, Land Revenue, Land Reforms, Survey, & Settlement, Tourism and Planning & Development with effect from 21.7.1977 :-

Sl. No.	Name of the post	No. of posts	Scale of pay
1.	Private Secretary	1	Rs. 270-445
2.	LDC-cum-Typist	1	Rs. 240-385
3.	Driver	1	Rs. 210-355
4.	Peon	1	Rs. 175-255

The expenditure will be debitable to Budhget-Head "252-B, 2(1) Salaries".

By Order

B. B. RAI.

Under Secretary,
Establishment Department .

Notification No. 162(G)/Est.
Dated Gangtok , the 22 nd August, 1977.

A post of Office Superintendent in the scale of Rs. 370-630 is hereby created in the Irrigation Department .

By Order

C. D. RAI,

Secretary,
Establishment Department.

Notification No. 168(G)/Est.
Dated Gangtok , the 25 th August, 1977.

The following posts are created in the Local Self Government Department with immediate effect :-

Sl. No.	Name of the post	No. of post created	Scale of the pay
1.	Accountant	1	Rs.310-6-Eb-7-375Eb-495.
2.	Daftry	1	Rs.200-3-2 Eb-4-310.

The expenditure will be debitable Budget Head "245-A. other Taxes & Duties on Commodities and Services, A 1 (2) other Taxes & Duties, A 1 (2) Salaries" under Demand No. 5.

By Order

C. M. RASIALY,

Deputy Secretary,
Establishment Department .

Notification No. 170(G)/Est.

Dated Gangtok , the 25 th August, 1977.

One post of full time Librarian in scale of Rs. 270-445 is created for the Bal Pustakalaya under the Education Department with immediate effect.

The expenditure will be debited Head "277 A-Education Plan-Director & Administration-Salaries."

By Order

C. M. RASIALY,
Deputy Secretary,
Establishment Department.

Notification No. 173(G)/Est.
Dated Gangtok, the 29 th August, 1977.

Consequent on the decision of the State Govt. for ungradation of a number of Junior High Schools, Middle Schools, Primary Schools and taking over of privately run Primary Schools as High Schools. Junior High Schools, Middle Schools and Government Primary Schools respectively as noted below, the Government has been pleased to sanction the creation of additional posts of teachers and peons as noted below with immediate effect:-

1. (a) Graduate Teachers for High Schools in the scales of Rs. 400-10-450Eb-15-600Eb-20-800Eb-25 925 for -

Soreng	1
Central Pendam	1
Chujachen	1
Rangpo	1
Chidam	2
Kaluk	2
West Point	2
Samdong	2
- (b) For Junior High School :-

Gyalshing	1
Assam-Lingay	1
Linkey	1
Dikling	1
Dikchu	1
Hee-Gyathang	1
Bikmat	1
Sumbuk	1
Khamdong	2
Rumtek	2
Melli Bazar	2
Lingmoo	2
Tashiding	2
Uttarey	2
Chungthang	2
2. (a) Higher Secondary/School Final Examination passed Teachers in the scale of Rs. 270-6-300Eb-8-380Eb-10-480Eb-15-555 and Rs. 240-5-265Eb-6-325Eb-6-385Eb-7-420 for-

Pangthang	2
Samik Marchak	2
Syapley-Sardarey	2
Kewzing-Dalep	2
Pachha-Saraswati	1
Lossing	1
Lower Tumin	1
Kambal	1
Premalkha	1
Latuk	1
Ten-Kochin	1
Sakyong -Chisopani	1
Dodchen	1
Parkha	1
Sumin	1

Pachey	1
Kadamtam	1
Kupup	1
Chuja-Martam	1
Chota-Samdong	1
Lower Kartok	1
Takuthang	1
Nambu	1
Zeel	1
Singchuthang	1
Ben -Peku	1
Kameray	1
Naming	1
Rabitar	1
Panyong Melli	1
Gom	1
Chemchey	1
Bull	1
Berfung	1
Dojak	1
Sim-Kharka	1
Pabong-Dareng	1
Baiol-Gaon	1
Sripatam	1
Bhalukhop	1
Pamphok	1
Rankey	1
Sada	1

27 additional teachers in the categories of Higher Secondary and School Final Examination passed for increased enrolment of students are also created.

35 additional posts of Language Teachers (Lepcha, Tibetan and Limboo) in the scale of Rs. 240-5-265Eb-6-325Eb-6-385Eb-7-420 are also created.

13 posts of Peons in the scale of Rs. 175-2-195Eb-3-255 are also created for the following Junior High Schools :-

Sumbuk	1
Bikmat	1
Linkey	1
Dikchu	1
Gor	1
Tingbong	1
Khamdong	1
Rumtek	1
Melli Bazar	1
Lingmoo	1
Tashiding	1
Uttarey	1
Chungthang	1

The expenditure for the above posts both in the Plan and Non-Plan shall be debited to the head "A 1 Primary Education" and "A 2 Secondary Education" under major head "277-A Education under Grant No.-8 of Education".

C. D. RAI,
Secretary,
Establishment Department.

Notification No. 174(G)/Est.
Dated Gangtok , the 30 th August, 1977.

An additional post of Accountant in the scale of Rs. 310-495 is created in the Agriculture Department with immediate effect, in place of existing post of the Senior Accounts Clerk .

By Order

C. M. RASIALY,

Deputy Secretary,
Establishment Department .

Notification No. 175(G)/Est.
Dated Gangtok, the 30 th August, 1977.

The Four posts each of Fieldman and Hatchman created in the Fishery Wing of the Forest Department under Notification No. 203/Gen/Est. dated 7 th September, 1976. are redesignated as "FISHEIRIES GAURDS" in the scale of Rs. 200-3-230Eb-4-310.

By Order

C. D. RAI,

Secretary,
Establishment Department.

Notification No. 176 (G)/Est.
Dated Gangtok, the 31 st August, 1977.

In continuation of Notification No.64/Gen/Est. dated 28 th May, 1977, the Government of Sikkim has been pleased to create a post of Senior Accountant in the scale of Rs. 370-650 in the Finance Department to deal with matters connected with the Finance Commission with immediate effect.

The expenditure is debitable to Major Head "252-Secretariat and General Services A (1) (1)"-Salaries.

C. M. RASIALY,

Secretary,
Establishment Department.

Notification No. 451(G)/Est
Dated Gangtok, the 31st August, 1977.

The Governor is pleased to sanction one month's privilege leave to Shir T.S Gyaltshen, Chief Secretary, on medical grounds with immediate effect, and to appoints Shri M.P. Pradhan, Finance Secretary as officiating Chief Secretary during his absence on leaves.

2. Shri M.P. Pradhan will be entitled to the charge allowance at 20% of the minimum pay of the post of Chief Secretary. He will, However, continue to hold charge of Finance (Normal)

3. The Development Commissioner will be in charge of Finance (Development) during this period.

C. D. RAI,
Secretary,
Establishment Department.

FINANCE DEPARTMENT

Office Order No.77/Fin.
Dated Gangtok , the 5 th August, 1977.

Mr. P. O. Pazo, Additional Chief Conservators of Forests Territorial Circle , and Mr. P. S. Moktan, Conservator of Forest Utilization, Soil Conservation and Working Plan Circle, Forests Department , Government of Sikkim, are delegated with Financial powers to accord sanction upto Rs. 1, 500/- (Rupees one thousand five hundred) only for recurring items and upto Rs. 7,000/- (Rupees seven thousand) only for non-recurring items in each case with immediate effect.

Further Mr. P. S. Moktan, Conservator of Forests Utilisation, Soil Conservation and Working Plan Circle, Forest Department, Government of Sikkim, is declared as Drawing and Disbursing Officer and empowered to sign Pay., T. A., Contingent Bills and Cheques pertaining to his Circle with immediate effect.

By Order

L. B. PRADHAN.

Deputy Secretary.
Finance Department.

Office Order No. 90/Fin.
Dated Gangtok, the 19 th August, 1977.

Mr. P. T. Wangdi , Secretary, Land Revenue Department , Government of Sikkim, is delegated with financial powers to accord sanction upto Rs. 1,500/- (Rupees

one thousand five hundred) only for recurring items and upto Rs. 7,000/- (Rupees seven thousand) only for non-recurring item in each case.

Further he is declared as Drawing and Disbursing Officer and empowered to sign Pay, T.A., Contingent Bills and Cheques with immediate effect.

By Order.

L. B. PRADHAN
Deputy Secretary,
Finance Department

Office Order No.93/Fin

Dated Gangtok, the 2nd August, 1977

Mr. P. O. Pazo, Additional Chief Conservator of Forests, presently holding charge of Territorial Circle and Mr. P.S. Moktan Conservator of Forests, presently holding of Sikkim, are delegated with financial powers to accord sanction upto Rs. 1,500/- (Rupees one thousand five hundred) only for recurring items and upto Rs. 7,000/- (Rupees seven thousand) only for non-recurring items in each case. Further they are declared as Drawing and Disbursing Officers and empowered to sign Pay, T.A. Contingent Bills and Cheques pertaining to their respective Circles with immediate effect.

By Order.

L. B. PRADHAN
Deputy Secretary,
Finance Department

**DIRECTORATED OF SURVEY
AND SETTLEMENT**

Notification No. 6/DS&S.

Date Gangtok, the 18th August, 1977

It is notified herewith that Survey of Gangtok Municipal area and other areas of East District will be carried out by the Department of Survey & Settlement, Government of Sikkim with effect from 15.9.77, under Record Writing and Attestation Rules of 1951.

(S.S. Pangtey) I.A.S.,

Secretary,
to the Government of Sikkim
Survey and Settlement Deptt.

SIKKIM

GOVERNMENT



GAZETTE

EXTRAORDINARY
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PART II

Notification regarding appointments, posting, transfer leave etc.

HIGH COURT OF SIKKIM

Notification No. 56/HCS.

Dated Gangtok, the 12th October, 1977

Hon'ble the Chief Justice is pleased to sanction increment to Shri G. S. Sandhu, Reader in the pay scales of Rs 900-50-1100 plus Rs 100/- as special pay, raising his pay from Rs. 900 to Rs. 950 p.m. with effect from 7.7.1977.

By Order

G. S. KALRA,
Registrar,
High Court of Sikkim.

COURT OF THE DISTRICT SESSIONS
JUDGE, SIKKIM AT GANGTOK

Office Order No. 1/D. & S. J.

Dated Gangtok, the 15th October, 1977.

In exercise of power vested in me U/S 17(4) Cr. P.C., 1898, I, G.S. Karla, District & Sessions Judge, Sikkim at Gangtok, do hereby order that Shri Sonam Wangdi, District Magistrate, East District, Gangtok Civil Judge-Cum-Judicial Magistrate, East Sikkim, Gangtok, will dispose of any urgent applications during my absence from Gangtok, with effect from 16.10.1977 to 23.10.1977.

G. S. KARLA,
District & Sessions Judge,
Sikkim at Gangtok.

HOME DEPARTMENT

NOTIFICATION No. 1130/Home/77.
Dated Gangtok, the 6th October, 1977.

In continuation of Notification No. 36/Home dated the 6th August, 1976, the Governor of Sikkim is hereby pleased to delegate the following powers to the Law Commission of Sikkim :-

1. The Law Commission of Sikkim shall recruit their own officers and staff against the post that have been already created or that may be created by the Government of Sikkim for the Law Commission.
2. The Secretary, Law Commission shall be the controlling authority over the member of officers and staff so recruited.

3. The Law Commission of Sikkim, may make its own rules regarding recruitment of the officers and staff and so far other rules are concerned they may follow the Sikkim Government Service Rules, 1974.
4. The Secretary, Law Commission shall act as Head of Department and exercise all administrative and financial powers as any other head of department of the Government of Sikkim in respect of the officers and staff of the Law Commission.
5. The Secretary, Law Commission of Sikkim shall act as the controlling officers in respect of T. A. Bills for all the officers and staff under his control and shall also be the drawing and disbursing officers.

M.P. Pradhan,
Chief Secretary to the
Government of Sikkim.

NOTIFICATION No. 1218/Home/77.
Dated Gangtok, the 17th October, 1977.

During the absence of Shri R.S. Basnet District Magistrate-cum-Collector (South) on Station leave for the Puja holidays, Shri Nari Tsering, Dy. Development Officer (South) is hereby vested with the First Class Magisterial Powers.

By Order,

M.P. PRADHAN

Chief Secretary,
Government of Sikkim.

NOTIFICATION
No. 1228/Home/77.

Dated Gangtok, the 17th October, 1977.

During the absence of Shri Sonam Wangdi, District Collector (E) Gangtok to attend the Regional Training course on the Roll of Judiciary in Social Defence at Bombay commencing from 14th to 26th November, 1977. Shri R.K. Upreti, Deputy District Officer-cum-Planning Officer (E), will look after the duties of the District Collector (E) and Superintendent Jail in addition to his own duties. He will exercise the First Class Magisterial Powers vested on him vide Home.

Peon Rs255 – 175 – One
The Expenditure is debitable to the Major Head “304C – other General Economic Service”.

By Order

C.D. RAI,
Secretary,

Establishment Department.

Notification No. 245(G)/Est.

Dated Gangtok, the 29th October, 1977.

The Government of Sikkim is pleased to authority the Superintending of case relating to gount of annual increments, House Rent Allowance and leave to all non-gatzetted employees with immediate effect.

By Order

C. M. RASAILY,
Deputy Secretary.

Establishment Department.

Notification No. 246(G) /Est

Dated Gangtok, the 29th October, 1977.

The Government of Sikkim has been pleased to sanction the creation of the following posts in the Directorat of Mines and Geology with immediate effect:-

	Name of Posts	No. of Posts	Scales of Pay
1.	Chemist (M.Sc. Chemistry or Geology)	1	Rs. 510-960
2.	Head Assisstant	1	Rs. 310-495

The expenditure is debisable to Major Head “28” Mines and Minerals E.1 (1) (1)(I) – Salaries.

C.M. RASAILY.
Deputy Secretary.

Establishment Department.

FINANCE DEPARTMENT

Office Order No. 116/Fin.

Dated Gangtok, the 3rd October, 1977.

Miss Suna Pradhan, Deputy Director Social Welfare Department, Government of Sikkim, is declared as Drawing and Pay, I. A. Contigent Bills and Cheques (Pay only) pertaining to her Department with immediate effect.

By Order.

L. B. PRADHEN,
Deputy Secretary,
Finance Department.

Office Order No. 118/Fin.

Dated Gangtok, the 10th October, 1977.

Superintending Engineer, Building and Superintending Engineer, Roads and Bridges, S. P. W. D., Gangtok, are delegated with financial powers ro accord sanction upto Rs. 1,500/- (Rupees one thousand five hundred) only for recurring items and upto Rs. 7,000/- (Rupees seven thousand) only for Non-recurring items in each case with immediate effect.

By Order

L. B. PRADHEN,

Deputy Secretary,
Finance Department.

Office Order No. 119/Fin.

Dated Gangtok, the 11th October, 1977.

Dr. G.P. Srivastava, Director of Health Service, Government of Sikkim, is declared as Drawing Officer and authorised to sign cheques pertaining to his Directorate with immediate effect.

By Order.

L. B. PRADHEN,

Deputy Secretary,
Finance Department.

Office Order No.2590/Fin

Dated Gangtok, the 17th October, 1977.

Mr. B. S. sharma, Officiating Secretary to the Pay Commission of Sikkim, is hereby declared as Drawing and Disbursing Officer and authorised to sign Pay, I. A., Contingent Bills and Cheques pertaining to the Pay Commission of Sikkim.

By Order.

L. B. PRADHEN,

Deputy Secretary,
Finance Department.

Office Order No.123/Fin.

Dated Gangtok, the 24 th October, 1977.

Mr. H. R. Pradhan, Deputy Director of Agriculture Census, Government of Sikkim is delegate with financial powers to accord sanction upto Rs. 150/- (Rupees one hundred fifty) only for recurring items and upto Rs. 500/- (Rupees five hundred) only for non-recurring items in each case.

He is further declared as Drawing and Disbursing Officer and empowered to sign Pay, T. A. Contingent Bills and Cheques pay only) pertaining to his office.

The above order will take effect from 25.10.1977.

By Order.

L. B. PRADHEN,
Deputy Secretary,
Finance Department.

PAY COMMISSION OF SIKKIM

Office Order no. 1/PC.

Dated New Delhi, the 23rd October, 1977

Consequent upon the creation of a post of Private Secretary to the Chairman.

Pay Commission of Sikkim, vide Notification No. 230/Gen/Est. dated 13.10.77. Shri Gautam Ray, Secretary to the Hon'ble Chief Justice, High Court of Sikkim is appointed as Private Secretary to the Chairman, Pay Commission of Sikkim, in addition to his duties as Secretary to the Hon'ble Chief Justice, with effect from 17.10.77 (Forenoon) until further orders. The terms and conditions of his appointment will be decided in due course.

Man Mohan Singh Gujral,
Chairman,
Pay Commission of Sikkim.

SIKKIM

GOVERNMENT



GAZETTE

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PART II

Notification regarding appointment, posting, transfer leave etc.

HIGH COURT OF SIKKIM

Notification No. 29/HCS.

Dated Gangtok, the 23rd November, 1977.

Hon'ble the Chief Justice has been pleased to appoint Shri Debasish Chandra Roy as Private Secretary to Hon'ble Judge of this Court in the pay scales of Rs. 510-20-710Eb-25-960 on a assumes duty in this Court from the date he assumes duty in this Court. He is also entitled to House Rent allowance and admissible Dearness Allowance.

By Order

G.S. SANDHU

Deputy Registrar,
High Court of Sikkim.

Notification No. 30/HCS.

Dated Gangtok, the 26th November, 1977.

Hon'ble the Chief Justice has been pleased to order that the powers delegated to Shri G.S. Kalra, Registrar of this Court vide notification No. 18/HCS dated 25th June, 1977 shall be exercised by Shri G.S. Sandhu, Deputy Registrar of this Court in the absence of Shri G.S. Kalra who is on leave.

G.S. SANDHU,

Deputy Registrar,
High Court of Sikkim.

Notification No. 31/HCS.

Dated Gangtok, the 29th November, 1977.

Hon'ble the Chief Justice and Judge of this Court have been pleased to declare that for the time being the High Court shall remain closed for winter vacation from 2.1.78 to 25.2.78.

The High Court Office will remain open during this period except on gazetted holidays.

The urgent work, that is, bail and stay matters etc. shall be laid before the Hon'ble Chief Justice when his Lordship is in station and in his Lordship's absence Hon'ble Justice Bhattacharjee J. will attend to such work.

By order of Hon'ble Chief Justice and Judge.

G.S. SANDHU,
Deputy Registrar,
High Court of Sikkim.

Notification No. 32/HCS.

Dated Gangtok, the 30th November, 1977.

Hon'ble the Chief Justice has been pleased to appoint Shri O. N. Sharma who is working as Stenographer to the Development Commissioner as temporary Private Secretary in the pay scale of Rs. 510-960 vice Shri S.P. Subha who will revert to the post of Office Superintendent in the pay scale of Rs. 370-630 with effect from the date Shri Sharma reports for duty in this Court.

G.S. SANDHU,

Deputy Registrar,
High Court of Sikkim.

COURT OF THE DISTRICT & SESSIONS
JUDGE, SIKKIM AT GANGTOK.

No. 383/D. & S.J.

Dated Gangtok, the 26th October, 1977.

OFFICE ORDER

In exercise of powers vested in me U.S. 17 (4) Cr.P.C., 1898, I, G.S. Kalra, District and Session Judge, Sikkim at Gangtok, do hereby order that Shri Sonam Wangdi, District Magistrate, East District, Gangtok, and, in his absence, Shri Chhewng Dorji, Civil Judge-Cum-Judicial Magistrate, East Sikkim, Gangtok, and the absence of both of them, Shri R.K. Upreti, D.D.O. East District will dispose of any urgent application during my absence from Gangtok, with effect from 27-11-1977 to 20-12-1977.

G.S. KALRA,

District & Sessions Judge,
Sikkim at Gangtok.

HOME DEPARTMENT

NOTIFICATION

No. 41(2)/ Home/76(Vol-II).

Dated Gangtok, the 9th November, 1977.

In supersession of the previous orders regarding constitution of the Board of the Sikkim Mining Corporation, the undermentioned officers are hereby nominated as Chairman/Directors on the Board of the Sikkim Mining Corporation on behalf of the Government of Sikkim:-

1. **Shri R. Narayanan,**
Development Commissioner. - Chairman

2. Shri K. Sherab,
Secretary, Heavy
Industries - Director
3. Shri Jigmi Dorji,
Secretary, Power - Director

By Order

R.K. GUPTA,
Additional Secretary,
Home Department.

NOTIFICATION

No. 6(11)/Home/77.

Dated Gangtok, the 14th November, 1977.

The State Government of Sikkim is pleased to confer with immediate effect the powers of first class Magistrate upon the following officers until further orders:-

1. Shri Ram Kumari Upreti, Deputy District Officer-cum-Planning Officer, Gangtok (East Sikkim).
2. Shri Tseten Tashi, Deputy Secretary, Ecclesiastical Department, Govt. of Sikkim, Gangtok. (East Sikkim).
3. Shri Nari Tshering, Deputy Development Officer-cum-Planning Officer South Sikkim.
4. Shri Tseten Dorji, Deputy Development Officer-cum-Planning Officer, West Sikkim.
5. Shri Tshering Wangchuk Barfungoa, Deputy Development Officer-cum-Planning Officer, North Sikkim.
6. Shri Passang Namgyal, Deputy Secretary, Survey and Settlement.
7. Shri B.K. Kharel, Under Secretary, (Law & Legislative).
8. Shri B. P. Pradhan Under Secretary, (Law & Legislative).
9. Shri P.S. Subba, Joint Secretary, Land Revenue.

They will exercise these Magisterial power within the district in which they are presently posted.

By Order

M.P. PRADHAN,
Chief Secretary,
Government of Sikkim

ESTABLISHMENT DEPARTMENT

Office Order No. 333(G)/Est.

Dated Gangtok, the 29th July, 1977.

Shri Harish Chandra Saxena, Deputy Director of Survey and Settlement Department, is relieved of his assignment on deputation with the Government of Sikkim with effect from 31.7.77. (AN).

Further, he is granted 21 days' Earned leave w.e.f. 1.8.77 to 21.8.77 and joining time w.e.f. 22.8.77 to 31.8.77 with instructions to report to his parent Department on the forenoon of 1.9.1977.

By Order

C.M. RASAILY,
Deputy Secretary,
Establishment Department.

Shri Bishwa Nath Upadhyaya is appointed as Joint Secretary, Land Reforms Cell under the Land Revenue Department, Govt. of Sikkim, on contract for a period of 2 years on a consolidated pay of Rs. 1950/- per month with effect from 1.7.1977 (FN).

By Order and in the name of the Governor.

C.M. RASAILY.

Deputy Secretary,
Establishment Department.

Office Order No. 342(G)/Est.

Dated Gangtok, the 4th August, 1977.

Shri Karunakaran is appointed as Principal; Industrial Training Institute, Rangpo under the Department of Industries; on contract for a period of one year initially on a monthly pay of Rs. 1600/- in the senior contract scale of Rs. 1150-50-1800 plus Dearness Allowance of Rs. 50.00 with effect from 1.7.1977(FN).

By Order and in the name of the Governor.

C.M. RASAILY,

Deputy Secretary,
Establishment Department.

Notification No. 346(G)/Est.

Dated Gangtok, the 10th August, 1977.

In pursuance of Government of Himachal Pradesh, Department of Personnel (A-I) Notification No. 3-18/69-DP-Apptt. Vol. II of 15.6.77, the Governor of Sikkim has been pleased to appoint Shri P.T. Wangdi, IAS, Director, Himachal Pradesh Institute of Public Administration, as O.S.D. in the Home Department, till the day preceding his posting as Secretary, Land Revenue and Land Reforms, vide Government of Sikkim, Home Department Notification No. 751/-Home/77 of 5.8.77. His services on deputation with the State Government will be reckoned with effect from 16.6.77.

By Order

T. CHHOPHEL,
Secretary,
Establishment Department.

Office Order No. 394 (G)/Est.
Dated Gangtok, the 18th August, 1977.

Shri Rakesh Khanna, B.E. (Civil), is temporarily appointed as Assistant Engineer in the Department of Panchayat & Rural Works against one of the two posts created vide this Department Notification No. 87/Gen/Est of 17.6.77. on a monthly pay of Rs. 510/- in the scale of Rs. 510-20-710Eb-25-960 plus Dearness Allowance of Rs. 40/- and House Rent Allowance at the admissible rate in lieu of free Govt. quarters with effect from 10.8.1977 (date of joining).

By Order

L.B. RAI,
Under Secretary,
Establishment Department

Office Order No. 395 (G)/Est.
Dated Gangtok, the 18th August, 1977.

Shri D.B. Rai, Overseer in the Rural Working & Panchayat Department is allowed to officiate as Assistant Engineer against one of the two posts created vide this Department Notification No. 87/Gen/Est of 17.6.77. on a charge allowance @ 20% of Rs. 510/- i.e. Rs. 103/- p.m. with immediate effect.

By Order

L.B. Rai
Under Secretary,
Establishment Department.

Office Order No. 396 (G)/Est.
Dated Gangtok, the 19th August, 1977.

Pursuant to the Department of Tourism Office Order No. 8/T/77-78 of 8.8.1977 regarding the establishment of a Tourist Office at Darjeeling, Shri B.S. Rai Assistant Director, Tourism Department is entrusted to establish and take charge of the office with immediate effect.

L.B. RAI,
Under Secretary,
Establishment Department.

Office Order No. 397 (G)/Est.

Dated Gangtok, the 19th August, 1977.

Mrs. R.D. Rechung, Curator, Cultural Department, is transferred to Govt. Cottage Industries Institute as Assistant Superintendent, Research, Design and Product Development under the Training Wing with immediate effect.

On transfer she will carry her own pay, scale and allowance.

By Order.

L.B. RAI,
Under Secretary,
Establishment Department.

Office Order No. 399 (G)/ Est.
Dated Gangtok, the 20th August, 1977.

Shri S.K. Mukhia, Sr. Inspector, Food & Civil Supplies Department, is promoted as Town Rationing Officer, Mangan, on a monthly pay of Rs. 510/- in the Jr. Gazetted scale of Rs. 510-20-710Eb-25-960 plus other admissible allowances with effect from 22.8.1977.

By Order.

L.B. RAI,
Under Secretary,
Establishment Department.

Office Order No. 453 (G)/Est.
Dated Gangtok, the 1st September, 1977.

Sarvashri P.B. Rai, and Wangyal Tsering Bhutia, Cooperative Inspectors in the Cooperative Department, are promoted as Assistant Registrars in the same Department on monthly pay of Rs. 510/- p.m. in the scale of Rs. 510-20-710Eb-25-960 plus other admissible allowances with immediate effect.

By Order.

C.M. RASAILY,
Deputy Secretary,
Establishment Department.

Office Order No. 481 (G)/Est.
Dated Gangtok, the 8th September, 1977.

Addendum to Office Order No. 453 (G)
/Est of 1.9.77.

Please read the following as para 2 in the body of Office Order referred to above
As Shri Wangyal Tsering Bhutia has not completed the qualifying period of service require for promotion to the gazetted post, his promotion is made on an acting capacity.

By Order.

C.M. RASAILY,
Deputy Secretary
Establishment Department

Nortification No. 485 (G)/Est.
Dated Gangtok, the 9th September, 1977.

The Governor is pleased to make the following amendment in this Department Notification No. 212/Gen/Est. of 14.9.76.

In sub-para (iii of para 4 of the above Notification the words post graduate degree diploma" shall be deleted and the following shall be inserted a sub-para (iv) and (v).

- (iv) Medical Officer with MBBS qualification with post graduate degree after a total service of 10 years.
- (v) Medical Office with MBBS qualification with post-graduate diploma after a total service of 12 years. This shall come into force with effect from 23.8.77.

G.D. RAI,
Secretary,
Establishment Department.

Office Order No. 491 (G)/Est.
Dated Gangtok, the 13th September, 1977.

Dr. (Mrs) Usha Khosla Lady Medical Officer, Singtam Hospital, is hereby redesignated as District Medical Officer in charge of the Hospital with effect from 28.6.77. and allowed to draw the Allowance of Rs. 50/- per month with effect from the above date.

By Order

C.M. RASAILY,
Secretary,
Establishment Department.

Office Order No. 492(G) Est.
Dated Gangtok, the 13th September, 1977.

Consequent upon the promotion of Shri S.Lama, as Joint General Manager vide Office Order No. 181/G/Est. dt. 24.5.77, Shri B.L. Lamichaney, Superintendent (Transport), is promoted as Deputy General Manager (Operation) in the scale of Rs. 750-30-1050 Eb-40-1450 with immediate effect.

Consequently, Shri Shital Prasad, Transport Officer, is promoted in an officiating capacity as Superintendent (Transport) vice Shri B.L. Lamichaney with effect from the date he takes over charge from Shri Lamichaney.

These promotions are subject to revision at any time if their work and conduct are found unsatisfactory.

By Order

C.M. RASAILY,
Deputy Secretary,
Establishment Department.

Office Order No. 493 (G)/Est.
Dated Gangtok, the 13th September, 1977.

Consequent upon the promotion of Seri Mingma Tshering, Project Officer, S.F.D.A. as Senior Representative, STCS, Calcutta vide Office Order No. 441/G/Est. dated 30.8.77. Shri H.P. Chettri, Deputy Project Officer is temporarily allowed to take over the charge of Project Officer, S.F.D.A.

By Order

C.M. RASAILY,
Deputy Secretary,
Establishment Department.

Office Order No. 494 (G)/Est.
Dated Gangtok, the 14th September, 1977.

Consequent upon the completion of the period of 6 months probation satisfactorily, Dr. P.C. Mishra, Veterinary Office (Poultry), Animal Husbandry Department, is allowed to continue in Service beyond 9.7.77.

This is in continuation of this Department Office Order No. 5. (G)/Est. of 14.3.77.

By Order.

C.M. RASAILY,
Deputy Secretary,
Establishment Department.

Office Order No. 497(G)/Est.
Dated Gangtok, the 14th September, 1977.

Shri Thondup Pintso Bhutia, Deputy Registrar, Co-operative Department, is placed in the Administrative Grade and Scale of Rs. 750-30-1050Eb-40-1450 with effect from 6.9.77.

He will draw a basic pay of Rs. 750/- p.m. in the above scale plus other allowances admissible under the rules.

By Order

C.M. RASAILY,
Deputy Secretary,
Establishment Department.

Office Order No. 498 (G)/Est.
Dated Gangtok, the 14th September, 1977.

Shri K.P.H. Pillai, K.B. Rai and M.N. Sharma, Acting Assistant Engineers in the Sikkim Public Works Department, are hereby promoted as Assistant Engineers in the scale of Rs. 510.20.710Eb-25-960 with draw a basic pay of Rs. 510/- p.m. in the above scale plus other allowances admissible under the rules.

The existing seniority interse of the above three Assistant Engineers will be the same as it existed in the lower grade in the following order.

- (1) Shri K.P.H. Pillai,
- (2) Shri K.B. Rai,
- (3) Shri M.N. Sharma,

By Order

C.M. RASAILY,
Deputy Secretary,
Establishment Department.

Office Order No. 505(G)/Est.
Dated Gangtok, the 15th September, 1977.

Shri B.S. Pradhan, Deputy Secretary, Motor Vehicle Department, is placed in the Administrative Grade and scale of Rs. 750-30-780-Eb-40-1450 with effect from 1.9.77.

By Order

C.M. RASAILY,
Deputy Secretary,
Establishment Department.

Office Order No. 508(G)/Est.
Dated Gangtok, the 15th September, 1977.

In accordance with Notification No. 485/G/Est. dt. 14.9.76 and Notification No. 212/Gen/Est. dt. 14.9.76, Dr. (Miss) Hendrimit Lepcha, Senior Specialist (Pathology), STNM Hospital, on completion of 12 years, service on 14.2.76 (AN), is allowed to attain the higher scale equivalent with that of Joint Director viz. Rs. 1050-40-1290Eb-50-1790 with effect from 23.8.77 i.e. date the Notification came into fixed at Rs. 1050/- p.m. from the above date.

2. Further, she is allowed to draw the Special pay of Rs. 80/- p.m. also with effect from 23.8.77.

By Order

C.M. RASAILY,
Deputy Secretary,
Establishment Department.

Office Order No. 509 (G)/Est.
Dated Gangtok, the 15th September, 1977.

In accordance with Notification No. 485/G/Est. of 9.9.77. and Notification No. 212/Gen/Est. dt. 14.9.75, Dr. (Miss) Shanti Devi Rai, Senior Specialist (Gynaecology and Obstretion), STNM Hospital, on completion of 12 years service on 11.5.76 (AN), is allowed to attain the higher scale equivalent with that of Joint Director viz. Rs. 1050-40-1290Eb-50-1790, with effect from 23.8.77.

i.e the date the Notification came into effect and her basic pay is fixed at Rs. 1050/- p.m. in the scale from the above date.

2. Further she is allowed to draw the Special Pay of Rs. 80/- p.m. also with effect from 23.8.77.

By Order

C.M. RASAILY,
Deputy Secretary,
Establishment Department.

Office Order No. 518(G)/Est.
Dated Gangtok, the 16th September, 1977.

Shri Budhi Man Tamang, Overseer, SPWD presently working in the Gangtok Municipal, Corporation, is promoted as Assistant Engineer, SPWD, in the scale of Rs. 510-20-710-Eb-25-960 with effect from 28.10.76 I.e, the date on which Shri J.P. Kutheri joined duty as Assistant Engineer, Gyalshing promotion.

By Order

C.M. RASAILY,
Deputy Secretary,
Establishment Department.

Office Order No. 520 (G)/Est.
Dated Gangtok, the 16th September, 1977

Shri Kumar Krityan and Singh, presently working as Horticulture Inspector, in the Department of Agriculture is appointed as Assistant Regional Project Officer, in the Department on a monthly basic pay of Rs. 510/- in the scale of Rs. 510-20-710Eb-25-960 plus other allowances admissible under the rules with immediate effect and posted to the Majhitar Regional Centre.

By Order

C.M. RASAILY,
Deputy Secretary,
Establishment Department.

Office Order No. 524 (G)/Est.
Dated Gangtok, the 19th September, 1977.

Shri S.M. Rai, Acting Divisional Forest Officer (West) in the Forest Department, is promoted as a regular Divisional Forest Officer in the scale of Rs. 750-30-1050Eb-40-1450 with effect from 15.9.77 i.e. after one year of his serving in the acting capacity and his pay fixed at Rs. 750/- p.m. in the scale.

The charge allowance being drawn by him will cease to be drawn from the above date.

By Order

C.M. RASAILY
Deputy Secretary
Establishment Department.

Office Order No. 529 (G)/Est.
Dated Gangtok, the 21st September 1977.

In continuation of Govt. of Sikkim, Home Department, Notification No. 13/H/75 of 18.4.75, Shri S.K. Sikdar, an officer of West Bengal Police, is deemed to have been on deputation with the Govt. of Sikkim with effect from 10.9.74.

Further, the period of deputation of Shri Sikdar, with the concurrence of Govt. of West Bengal, is extended for two years with effect from 1.5.77. to 30.4.79.

By Order

**C.M. RASAILY,
Deputy Secretary,
Establishment Department.**

Office Order No. 530 (G)/Est.
Dated Gangtok, the 21st September, 1977.

With the concurrence of the Govt. of West Bengal, Shri S.K. Sikdar, Deputy Commissioner of Police, Anti-Corruption Branch on deputation from West Bengal Police is granted the scale prescribed for Deputy Superintendent of Police West Bengal i.e. Rs. 450-30-690-36-1005-45-1050 with effect from 19.8.1975 (date of appointment as D.C.P., Anti-Corruption Branch)

Consequently, his pay and allowances in the above scale with effect from 19.8.75 are fixed as hereunder:-

19.8.75 Rs. 725.00 Pay
Rs. 34.00 Dearness Pay
Rs. 16.00 Dearness Allowance
Rs. 64.00 City Compensatory Allowance.
Rs. 150.00 Sikkim Compensatory Allowance.
Rs. 75.00 Special Pay
Rs. 150.00 Dearness Allowance.

Rs. 1,214.00

1.176 Rs. 725.00 Pay
Rs. 290.00 City Compensatory Allowance.
Rs. 100.00 Special pay
Rs. 34.00 Dearness pay
Rs. 16.00 Dearness Allowance.

Rs. 1,165.00

1.4.76 Rs. 725.00 Pay
Rs. 290.00 City Compensatory Allowance
Rs. 100.00 Special pay
Rs. 34.00 Dearness pay
Rs. 32.00 Dearness Allowance.

Rs. 1,181.00

19.8.76 Rs. 760.00 Pay
Rs. 304.00 City Compensatory Allowance.

Rs. 100.00 Special Pay
Rs. 34.00 Dearness pay
Rs. 34.00 Dearness Allowance.

Rs. 1,230.00

1.3.77 Rs. 760.00 Pay
Rs. 304.00 City Compensatory Allowance.
Rs. 100.00 Special Pay.
Rs. 34.00 Dearness pay
Rs. 56.00 Dearness Allowance.

Rs. 1,254.00

1.4.77 Rs. 760.00 Pay
Rs. 304.00 City Compensatory Allowance
Rs. 100.00 Special pay
Rs. 34.00 Dearness pay
Rs. 56.00 Dearness Allowance
Rs. 25.00 Ad-hoc- pay

Rs. 1,279.00

19.8.77 Rs. 795.00 Pay
Rs. 318.00 City Compensatory Allowance
Rs. 100.00 Special pay
Rs. 34.00 Dearness pay
Rs. 56.00 Dearness Allowance
Rs. 25.00 Ad-hoc- pay

Rs. 1,328.00

By Order

**C.M. RASAILY
Deputy Secretary
Establishment Department.**

Office Order No. 538(G)/Est
Dated Gangtok, the 21 th September, 1977
Pursuant to this Department Notification No. 899/G/Est. of 26.3.77 and instructions as contained in Govt. of India, Ministry of Home Affairs letters No. 1-11012/14/77 -IPS of 6.7.1977, the Governor is pleased to created an ex-cadre post in the Sikkim State Police Department and to appoint Shri Tashi Namgal against the post on his own pay, scale and allowance with effect from 16.5.1977.

**C.D. RAI,
Secretary,
Establishment Department.**

Office Order No. 551(G)/Est
Dated Gangtok, the 26 th September, 1977.
Shri Uma Nath Sharma, Office-On-Special Duty, Culture Department, is confirmed in the above post with effect from 1.9.1974.

By Order,

**C.M. RASAILY,
Deputy Secretary,
Establishment Department.**

Office Order No. 550. (G)/Est.
Dated Gangtok, the 26th September, 1977.

Shri S.K. Bose, a retired officer of the West Bengal General Service, is appointed as Administrative Officer (II) in the Forest Department on contract for one year initially on a monthly pay of Rs. 860/- in the Junior Contract scale of Rs. 860-30-1010 Eb-40-1450 plus other allowances admissible under the rules, with effect from the date of his joining.

By Order.

C.M. RASAILLY
Deputy Secretary,
Establishment Department.

Office Order No. 566 (G)/Est.
Dated Gangtok, the 30th September, 1977.

Consequent upon the release of Dr. C.R. Pradhan, Superintendent, STNM Hospital, from his duties with effect from 21.9.77 to attend the training on Personnel for Development Administration in Ahmedabad for the period from 21.9.77 to 5.11.77 vide Department of Health Services office order No. 819/M of 21.9.77, Dr. Sonam Dorjee, Sr. Radiologist of the Hospital, is allowed to officiate as Superintendent, STNM Hospital during the period.

By Order.

C.M. RASAILLY,
Deputy Secretary,
Establishment Department.

Office Order No. 568(G)/Est.
Dated Gangtok, the 30th September, 1977.

Cosequent upon the creation of two of principal officer in the Department and will vide this Department office order No. 196/Gen/Est. dated 16.9.77. Shri Mehesh Goel Kiran, M.B. A. is appointed against one of the two posts indicated above on a monthly pay of Rs.510/- in the Junior Gazette grade and scale of Rs. 510 -20-710-Eb-25-960 plus other allowance admissial under the rules from the date of the joining and is posted to Jorethang.

By Order.

C.M. RASAILLY,
Deputy Secretary,
Establishment Department.

Office Order no. 579(G)/Est.
Daded Gangtok, the 5th October, 1977

Amendment of Office Order No. 419/
G/Est. of 25.8.77.

Plesase read "750/-" in place of "Rs. 510/- occurring in the 4th line of the office order referred to above.

C.M. RASAILLY.
Deputy Secretary,
Establishment Department.

Office Order No. 580(G)/Est.
Dated Gangtok, the 6th October, 1977.

Shri C.L. Sharma, Acting Assistant Engineer, Power Department, is hereby promoted as Assistant Engineer in the Department in the Gazetted Grade Junior scale of Rs. 510-20-710Eb-25-960 with effect from 6.10.77 i.e. the date of Rs. 510/- p.m. in the scale plus other allowances admissible under the rules from the above date.

By Order.

C.M. RASAILLY,
Deputy Secretary,
Establishment Department.

Office Order No. 583(G)/Est.
Dated Gangtok, the 7th October, 1977.

In partial amendment of this Department office order No. 185/G/Est. dated 26.5.77. the services of Dr. T.R. Gyatso, District Medical Officer, Gyalshing in the Department Health Service, is treated as continuous with effect from 6.8.1969 and the intervening period of 2 years 5 months with effect from 1.1.75 to 31.5.77, i.e. the period from the day he discontinued his P. G. Course till the day previous to his posting as District Medical Officer on 1.6.77. sanctioned as extraordinary leave.

By Order and in the name of the Governor.

C.M. RASAILLY,
Deputy Secretary,
Establishment Department.

Office Order No. 587(G)/Est.
Dated Gangtok, the 24th October, 1977.

Consequent upon the prescription of the Gazetted Grade Senior Scale of Rs. 630-25-780Eb-30-1200 for the post of Secretary, Rajya Sainik Board, Sikkim, with effect from 1.4.76. which was agreed to by the Govt. of India vide Ministry of Defence's letter No. 27(230/SKM/ISSAB/1616/US/RES of 1.8.77, late D.B. Chettri is placed in the above scale and his basic pay fixed at Rs. 630/- p.m. from the above date. In addition he is entitled to the Dearness Allowance @ Rs. 50/- p.m. and House Rent Allowance of Rs. 97.50 paise p.m. also.

He is granted an annual increment of Rs. 25/- p.m in the scale of Rs. 630-25-780Eb-30-1200 thereby raising his pay from Rs. 630/- to Rs. 655/- p.m with effect from 1.4.1977.

3. Further, consequent upon the completion of one year's service in that grade as on 31.3.77, late D.B. Chhetri is deemed to have been continued in the post of Secretary, Rajya Sainik Board, Sikkim, with effect from 1.4.1977.

The expenditure involved will be shared between the Central and the State Govt. on 50:50 basis.

By Order

C.M. RASAILY,
Deputy Secretary,
Establishment Department.

Office Order No. 596(G)/Est.
Dated Gangtok, the 13th October, 1977.

Shri S. A. T. Simick, Audit Supdt. Audit Department is promoted as Audit Officer in the Department itself in the Junior Gazetted Grade & Scale of Rs. 510-20-710Eb-25-960 with effect from 13.10.77.

On promotion, he will draw basic pay of Rs. 510/- p.m in the above scale plus other allowance as admissible under the rules from the above date.

By Order.

C.M. RASAILY,
Deputy Secretary,
Establishment Department.

Office Order No. 600(G)/Est.
Dated Gangtok, the 14th October, 1977.

In continuation of this Department Office Order No. 711/G/Est. dated 17.1.77. the service of Dr. Madan Chanra Barooah, Veterinary Officer, Animal Husbandry Department, on contract is extended with effect from 3.7.77 to 15.9.77 on the existing terms and condition.

Further, he is deemed to have been released from his assignment in the Department of Animal Husbandry, Govt. of Sikkim with effect 15.9.77. (AN).

By Order

B.B. RAI
for Deputy Secretary,
Establishment Department.

Office Order No. 601(G)/Est.
Dated Gangtok, the 14th October, 1977.

In continuation of this Department Office Order No. 318/G/Est. dated 21.7.77.

the services of Shri M.K. Lama, A.C.F. (Utilization) are retained upto 31.12.77.

Further, he is designated as O.S.D. and attached in the office of Hon'ble Ministry Forests.

B.B. RAI,

Under Secretary,
Establishment Department.

Office Order No. 605(G)/Est.
Dated Gangtok, the 17th October, 1977.

One post of Assistant Director, State Audit is upgraded to that of Deputy Director of State Audit in the Administrative Grade and scale of Rs. 750-30-1050Eb-40-1450 with effect from 8.9.77.

Consequently, Shri D. K. Gajmer, Assistant Director State Audit is adjusted against the new post of Deputy Director from the above date. As he has not completed the minimum period of service required to be eligible for the Administrative Grade and Scale, he is granted charge allowance @ 20% of the minimum of the scale of Rs. 750-1450.

By Order

C.D. RAI,
Secretary,
Establishment Department.

Office Order No. 607(G)/Est.
Dated Gangtok, the 24th October, 1977.

Pursuant to this Department Notification No. 471/Est. dated 19.9.75. Shri Madhusudan Singh, Joint Director of Education Department, presently on deputation with the T. N. Academy, is granted the prescribed Joint Director's scale of Rs. 1050-40-1290Eb-50-1790 with effect from 9.3.76.

2. Further, Consequent upon his deputation as Principal, T. N. Academy, vide office order No. 763/G/Est. dated 5.2.77, he is allowed to draw the deputation allowance of Rs. 200/- p.m. with effect from 28.9.77. in accordance with the Notification No. 216/Gen/Est. dated 28.9.77. Accordingly, he will cease to draw the charge allowance from the above date and he will not be entitled to any other benefit in the post to which he is deputed to.

By Order

C.M. RASAILY,
Deputy Secretary,
Establishment Department.

Office Order No. 616(G)/Est.
Dated Gangtok, the 25th October, 1977.

Shri L. Tonyol, Rehabilitation Officer, Sikkim Relief & Rehabilitation Committee, is entrusted to look after the duties of Secretary, Rajya Sainik Board, in addition to his own, on a monthly honorarium of Rs. 125/- with effect from the date of his assuming charge of the Board.

By Order.

C. M. RASIALY,
Deputy Secretary,
Establishment Department.

Office Order No. 624(G)/Est.
Dated Gangtok, the 26th October, 1977.

Consequent upon the grant of terminal leave for 120 days to Shri J. N. Trikha, Accounts Officer, with effect from 1.11.77. vide Office Order No. 609/G/Est. of 25.10.77. Shri B. T. Tamang, Senior Accountant, Forest Department is allowed to work as Accounts Officer in an acting capacity on usual charge allowance @ 20% of the minimum of the scale of Rs. 510-20-710Eb-25-960 from the date he takes over charge.

By Order

C.M. RASAILY,
Deputy Secretary,
Establishment Department.

Office Order No. 625(G)/Est.
Dated Gangtok, the 26th October, 1977.

In pursuance of the Office Order No. Est-I/GO/EB/77-78/4365-72 dated nil of Accountant General, Himachal Pradesh & Chandigarh Shri N. Jaswal, Office on-Special Duty (Accounts) Home Department, on deputation, is allowed to cross the Efficiency Bar and to draw the annual increment of Rs. 40/- p.m. in the scale of Rs. 840-40-1000Eb-40-1200 thereby raising his pay from Rs. 1000/- to Rs. 1040/- p.m. with effect from 1.10.77.

By Order

C. M. RASAILY,
Deputy Secretary,
Establishment Department.

Office Order No. 626(G)/Est.
Dated Gangtok, the 26th October 1977.

The Governor is pleased to promote and appoint the following Inspectors of the police Department as members of the Sikkim State Police Service in the rank of Deputy Superintendents of Police in the ordinary scale of Rs. 510-25-760Eb-30-1210.

of the S.S.P.S. (Recruitment) Rules 1976, with effect from 6.10.77.

1. Shri Goley Tamang.
2. Shri Tempo Gyatso.

Office Order No. 627(G)/Est.
Dated Gangtok, the 26th October, 1977.

CORRIGENDUM TO OFFICE ORDER NO. 519/G/EST. DATED 16.9.77.

Please read "with effect from 6th August, 1977 i.e. the date he reported to the Secretary, Land Revenue Department in place of "from the date he takes over charge" occurring in the fifth line of the Office Order referred to above.

By Order.

C. D. RAI

Secretary,
Establishment Department.

Office Order No. 629(G)/Est.
Dated Gangtok, the 27th October, 1977.

Shri Dorjee Tshering, P. S. to the Hon'ble Minister for Forest, Land Revenue, Land Reforms, Survey and Settlement, Tourism, Planning & Development is promoted and appointed as Administrative Officer in the Wild Life Wing of the Forest Department against the post created under this Department Notification No. 89/Gen/, Est. dated 17.6.77, in the Gazetted Grade Junior Scale of Rs. 510-20-710Eb-25-960 from the date of his assuming charge of the post.

He will draw a basic pay of Rs. 510/- p.m. in the above scale, D. A. of Rs. 40/- p.m. and H.R.A. @ Rs. 97.50 paise in lieu of free Government accommodation.

By Order.

C.M. RASAILY,
Deputy Secretary,
Establishment Department.

Office Order No. 633(G)/Est.
Dated Gangtok, the 29th October, 1977.

The contract services of Shri M.S. Singh, Manager, Wood Working Centre Boarding, is terminated with immediate effect and he is allowed to draw three months salary in lieu of three months notice.

By Order.

C.D. RAI,
Secretary,
Establishment Department.

Office Order No. 634 (G)/Est.

Dated Gangtok, the 29th October, 1977.

In continuation of this Department O.O. No. 18/G/Est. dated 13.4.77, Shri M.B. Buchel. Office Superintendent, Land Revenue Department is promoted as Account Officer in the same Department the Gazetted Grade Junior Scales of Rs. 1510-20-710-Eb-25-960 with effect from 28.10.77.

He will draw Rs. 510/- p.m. as basic pay in the above scale and D.A. @ Rs. 40 p.m.

By Order.

**C.M. RASAILY,
Deputy Secretary,
Establishment Department.**

Office Order No. 64(G)/ Est.

Dated Gangtok, the 29th October, 1977

The following transfers and posting are made in the Police Department with immediated effect:

- (a) Shri R. K. Pradhan, SSPS, Deputy Commissioner of Police, Lines & Stores is posted to Headquarters as Deputy Commissioner of Police (HQ) & Crime Branch.
- (b) M. K. Chhetri, SSPS, on reversion from CRPF, is posted as Deputy Commissioner of Police Lines, Training & M. T. Section. In addition he will took after he Home Guards also.

By Order.

**C. M. RASAILY,
Deputy Secretary,
Establishment Department.**

Office Order No. 650(G)/Est.

Dated Gangtok, the 31st October, 1977.

The following transfere and appointments on contract are made in the Department of Health Service against the posts indicated of their joining duty.

1. Dr. Pradip Goswamy, General Deputy Medicial Officer, STNM Hospital Gangtok is transferred and posted as Medical Officer Public Health Centre Pakyong.
2. Dr. V.K. Singhal, MBBS, DCP appointed as General Duty Medical Officer STNM Hospital vice above.
3. Dr. A.K. Tiwari. MBBS, DCH appointed as paediatrician STNM Hospital , Gangtok.

4. Dr. B. P. Singh M.S. appointed as Medical Officer, District Hospital Gayzing.

By Order.

**C. M. RASAILY,
Deputy Secretary,
Establishment Department.**

Office Order No. 253/-(G)/Est.

Dated Gangtok, the 1st November, 1977
ADDENDUM TO OFFICE ORDER NO. 21/GEN/EST.DATED 17.4.1976.

Dalet the item Conveyance Allowance" occurring as item(vi) under group-B of the note in paragraph 3 of the office order quoted above and include the same as item (v) under group- A.

Further, the following, in the said office order, may be read as paragraph 4(a):-

The service in the office of the former Political Officer in Sikkim in Conjunction with the Service under Government of Sikkim, shall quality for pension of the corresponding service under the Government of Sikkim.

By Order,

**C. D. RAI.,
Secretary,**

Establishment Secretary,

Office Order No. 656(G)/ Est.

Dated Gangtok, the 4th November, 1977

Shri B.D.Joshi, Chief Account Officer, Sikkim Nationalised Transport, Govt. of Sikkim, on deputation, is relieved of his assignment with effect from the afternoon of 9.11.1977.

He is allowed joining time from 14.11.77 to 20.11.77 with permission to avail of Gazette holidays commencing from 10.11.77 to 13.11.77. He will report to his parent Department on 21.11.77(FN).

By Order.

**C. M. RASAILY,
Deputy Secretary,
Establishment Department.**

Office Order No. 658(G)/Est.

Dated Gangtok, the 4th November, 1977

Shri P.O. Pazo, SSFS, Chief Wild Life Warden, is granted the selection grade and scale of Rs. 1200-50-1600 of the SSFS (Recrutment) Rules, 1976, with effect from 14.7.77 i.e. the date of approval.

He will, however, continue to be designated as Chief Wild Life Warden.

By Order,

C.M. RASAILY
Deputy Secretary,

Establishment Department.

Office Order no. 660(G)/Est.

Dated Gangtok, the 4th November, 1977

Consequent upon the decision of the Govt. to rank on the date of entering service as 12.8.74, the date of accrual of annual increment in respect of Shri Sangay Dorjee Basi, Under Secretary (Accounts & Audit) Cooperative Department as indicated in Officer Order No. 439/G/Est. of 2.9.76 (first para) and 536/G/Est. of 15.10.76 are changed from 16.8.75 and 16.8.76 to 12.8.75 and 12.8.76 respectively.

2. Further, agreeably to this Department Notification No. 86/Gen/Est. dt. 24.5.76, he is allowed to attain the Gazette Grade Senior Scale of Rs. 630-25-780Eb-30-1200 with effect from 12.8.77 and his basic pay fixed at Rs. 630/-p.m. in the above scale from the same date.

By Order,

C. M. RASAILY,
Deputy Secretary,

Establishment Department.

Office Order no. 662(G)/Est.

Dated Gangtok, the 5th November, 1977

In continuation of this Department Office Order no. 594/G/Est. of 12.10.77 Shri K. P. Pillai, Acting Assistant Engineer, S.P.W.D., is promoted as full-fledged Assistant Engineer in the Gazette Grade Junior scale of Rs. 510-20-710Eb-25-960 with effect from 12.2.75.

He will draw Rs. 510/- p.m. in the above scale plus other allowances admissible under the plus.

Through Shri Pillai and Shri K.B. Rai have been promoted from the same day, the former will be senior to the latter in the matter of inter-se seniority.

By Order,

C.M. RASAILY,
Deputy Secretary,

Establishment Department.

Office Order no. 665(G)/Est.

Dated Gangtok, the 5th November, 1977.

Agreeably to this Department, Notification No. 86/Gen/Est. dated 24.5.76. Shri Tse Ten Dorjee, Deputy District Officer

cum-Planning Officer (West) Rural Works and Penchayat Department is allowed to attain Gazette Grade senior scale of Rs. 630-25-780Eb-30-1200 with effect from 12.8.77 and his basic in the above the same date.

This is in supersession of this Department Office Order No. 525(G)/Est.

By Order.

C. M. RASAILY,
Deputy Secretary,
Establishment Department

Office Order No. 666(G)/Est.

Dated Gangtok, the 5th November, 1977.

In continuation of this Department Office Order No. 507/Est. dated 1.10.75 the contract service of Shri Ashok Jawa. Manger Milk Processing Plant, Animal Husbandary Department is extended from further two year with effect from 11.9.77. to 10.9.79 on the existing terms and conditions.

By Order,

C. M. RASAILY,
Deputy Secretary,
Establishment Department.

Office Order No. 669(G)/Est.

Dated Gangtok, the 7th November, 1977

Consequent upon his option for absorption into regular service in accordance with the Notification No. 271/Gen/Est. dated 14.7.77. Dr. H.K. Mahapatra, Superintendent, Govt. Sheep Farm, Begha under Animal Husbandary Department initially appointed on contract for two years with effect from 15.9.75 vide Office Order No. 506/Est. dated 1.10.75, is absorbed into regular service of the Government of Sikkim with effect from 15.9.77 on the existing time scale of pay.

By Order,

C. M. RASAILY,
Deputy Secretary,
Establishment Department.

Office Order No. 671(G)/Est.

Dated Gangtok, the 7th November, 1977

Consequent upon his option for absorption the regular service in accordance with the Notification No. 127/Gen/Est. dt. 14.7.7, Dr. A.K. Singh, Veterinary Officer (Namchi), Animal Husbandry Department, initially appointed on contract for two years with effect from 11.9.75 vide.

Office Order No. 510/Est. dt. 1.10.75, is absorbed into the regular service in the existing scale with effect from 11.9.77.

By Order,
C.M. RASAILY,
Deputy Secretary,
Establishment Department.

Notification No. 260 (G)/Est.

Dated Gangtok, the 8th November, 1977

In pursuance of the cabinet meeting held on 2.11.77 the Government has decided to abolish the two posts of C.D.P.O. A post has been created under the Health Department with immediate effect.

By Order,
C.M. RASAILY,
Deputy Secretary,
Establishment Department.

Office Order no. 672(G)/Est.

Dated Gangtok, the 8th November, 1977

S/Shri K.K. Pradhan, B.A.L.L.B and K.T. Chankapa, B.A.L.L.B are appointed as Attestation Officer in the Survey and Settlement Department in the Gazette Grade Junior scale of Rs. 510-20-710Eb-25-960 with effect from the date of their assuming charges of the posts.

They will draw their basic pay @ Rs 510/-p.m. in the above scale, D.A. @ Rs. 40/-p.m. and House rent Allowance @ Rs. 97.50 p.m.

By Order,
C.M. RASAILY,
Deputy Secretary,
Establishment Department.

Office Order no. 675(G)/Est.

Dated Gangtok, the 8th November, 1977

Shri L.B.Dixit, presently employed as Assistant Engineer in the Gangtok Municipal Corporation, is appointed as Assistant Engineer in the Department of Irrigation in the Gazette Grade Junior scale of Rs. 510-20-710Eb-25-960 with effect from the date of his assuming charge of the post. (2) In view of his five years past experience he is granted 5 (Five) advance increments of Rs. 20/- each and he is promoted to above scale. In addition, he is entitled to other allowances admissible under the rules. (3) He is given the benefit of one year's seniority in the Sikkim Govt. Service and he is deemed to have been appointed in the

grade with effect from 15.7.76 the date on which he joined the Gangtok Municipal Corporation.

By Order,
C.M. RASAILY,
Deputy Secretary,
Establishment Department.

Office Order No. 678(G)/Est.

Dated Gangtok, the 9th November, 1977

A post of Additional Development Commissioner in the scales of Rs.1050-40-1290Eb-50-1790 is created in the Planning & Development Department and the existing post of Junior Development Commissioner abolished with immediate effect.

Accordingly, Shri G.P.Pradhan, Presently holding the post of Joint Development Commissioner is promoted against the new post of Additional Development Commissioner with effect from 8.11.77.

By Order,
C.M. RASAILY,
Deputy Secretary,
Establishment Department.

Office Order No. 685(G)/Est.

Dated Gangtok, the 14th November, 1977

Consequent upon his transfer and promotion vide NCERT No. F.13-10/77-E.I dated 27.10.77, Shri A.C. Pachaury, Lecturer in Education, Regional College of Education, Ajmer, who is holding the post of Joint Director of Education, Government of Sikkim, on deputation is relieved of his assignment with effect from 8.12.77 (A.N)

By Order,
C.M. RASAILY,
Deputy Secretary,
Establishment Department.

Office Order No. 688(G)/Est.

Dated Gangtok, the 15th November, 1977

Shri D.S.Gurung, Senior Malaria Inspector in the NMEP, Department of Health Services, is promoted as Assistant Malaria Unit Officer in the same Department in the Gazette Grade Junior scale of Rs. 510-20-710Eb-25-960 with effect from 11.11.77 i.e. the date following his lower grade.

He will draw a basic pay of Rs. 510/-p.m. in the above scale plus other allowance admissible under the rules from the aforementioned date.

By Order,
C.M. RASAILY,
Deputy Secretary,
Establishment Department.

Office Order No.698(G)/Est.

Dated Gangtok, the 16 th November, 1977

Consequent upon the creation of a post of Child Development Project Officer in the Department of Health Service in lieu of two posts of Assistant Child Development Project Officer vide Notification No-260/Gen/Est dt. 8.11.77, Miss Durga Gurlung, ACDFO is promoted and appointed against the new post in the Gazette Grade Junior scale of Rs. 510-20-710Eb-25-960 with effect from the date of her assuming charge of the post.

She will draw a basic pay of Rs. 510/- p.m. in the above scale plus other allowance admissible under the rules from the aforementioned date.

By Order,

**C.M. RASAILY,
Deputy Secretary,
Establishment Department.**

Notification No. 264(G)/Est.

Dated Gangtok, the 17th November, 1977

The State Government of Sikkim has been pleased to set up Central Health Scheme in the following Schools:-

T.N.H.S. School
Enchey Higher Secondary School
Namchi Higher Secondary School
Gayzing Higher Secondary School

It has further been pleased to sanction an allowance of Rs. 100/- per month for the Medical Officer who shall be in charge of the Health Schemes of the above Schools.

By Order,

**C.M. RASAILY,
Deputy Secretary,
Establishment Department.**

Notification No. 266(G)/Est.

Dated Gangtok, the 17th November, 1977

The Govt. of Sikkim has been pleased to sanction the creation of the following posts in the Land Revenue Department of the Land Reform Cells with immediate effect :-

Name of Posts

- | | | |
|----|----------------------|--------------|
| 1. | Revenue Officer | Rs.510-960 |
| 2. | Stenographer
(NG) | 1 Rs.270-255 |
| 3. | Peon(NG) | 2 Rs.175-255 |

The expenditure is debitable to Major Head 22 - (1) Strengthening of Administr-

ation of Land Reform A-2(1)-Pay & Salaries.

By Order,

**C.M. RASAILY,
Deputy Secretary,
Establishment Department.**

Notification No.267(G)/Est.

Dated Gangtok, the 17th November, 1977

The Govt. of Sikkim has been pleased to upgrade the existing post of Senior Marketing Officer of the Co-operation Department to the Administrative grade and scale of Rs. 750-1750 with immediate effect:-

**C.M. RASAILY,
Deputy Secretary,
Establishment Department.**

Notification No.271(G)/Est.

Dated Gangtok, the 18th November, 1977

The State Government of Sikkim have been pleased to sanction the creation of the following posts for the State Family Welfare Centres under the Health Department with immediate effect:-

Medical Officer		
Scale contract		Rs.860-30-1010Eb-40-1450.

Scale-Regular		Rs.510-20-710Eb-25-950
---------------	--	------------------------

Lady Health visitors	5	
Scale		Rs.370-10-20 Eb-12-480Eb-15-630.

Auxillary Nurse-cum-Midwives	5	
Scale		Rs.210-4-230Eb-5-28Eb-5-355

Voluntary Workers	5	
		They will draw an honorarium of Rs. 50/- per month.

The Expenditure is debitable to the Centrally Sponsored Scheme "Family Welfare."

By Order

**C.M. RASAILY
Deputy Secretary,
Establishment Department.**

Notification No. 276(G)/Est.

Dated Gangtok, the 19th November, 1977.

The Government of Sikkim has been pleased to Sanction the creation of the following post for the plant Protection organi-

sation under Agriculture Department with immediate effect.

SI. No.	Name of post.	No. of post.	Scale of pay.
1.	Plant Protection Officer	2.	Rs. 510-960.
2.	Drivers	2.	Rs. 210-355.
3.	Fitter	1.	Rs. 210-355.
4.	Clerk-Cum-Typist	1.	Rs. 240-385.

The expenditure for the above post is debitable to Major Head "305-B. Agri. B-4 Plant Protection-B4(1)-Salaries.

C.M. RASAILY,
Deputy Secretary,
Establishment Department.

Notification No. 277(G)/Est.

Dated Gangtok, the 19th November, 1977

The State Government of Sikkim has been pleased to sanction the creation of the following posts in the Health Department with immediate effect:-

		scale	
Medical Officer	5		Rs. 510-960
Pharmacist	5	"	Rs. 270-445
Lab. Technician	5	"	Rs. 270-455
Asst. Nurse-Mid-Wife	15	"	Rs. 210-355
Driver	3	"	Rs. 210-355
Peon/Chowkidar	5	"	Rs. 175-255
Ward Attendent	10	"	Rs. 175-255
Sweeper	10	"	Rs. 175-255

The expenditure debitable to the head 280-AI(2)(12)(1) Salaries.

C.M. RASAILY,
Deputy Secretary,
Establishment Department.

Notification No. 710(G)/Est.

Dated Gangtok, the 21st November, 1977

Shri T.S. Gyaltzen, Chief Secretary, Government of Sikkim, is granted further extension of Earned Leave for 44 days with effect from 18.10.77 to 30.11.77 in continuation of leave sanction vide this Department Notification No. 451/G/Est. dt. 31.8.77 & No. 632/G/Est dt. 28.10.77. on the existing working arrangement.

By Order and in the name of the Governor.

C.D. RAI,
Secretary,
Establishment Department.

Notification No. 280(G)/Est.

Dated Gangtok, the 22nd November, 1977

The Government of Sikkim has been pleased to abolish the existing post of Deputy Director, Survey & Settlement (Land Revenue Department Operation) and to upgrade the said post of that of Joint Director, Survey & Settlement, with effect from 1.8.1977.

The expenditure for the post is debitable to Major Head A2(2) Survey & Settlement, A2(2)(1)-Salaries.

C.M. RASAILY,
Deputy Secretary,
Establishment Department.

Notification No. 281(G)/Est.

Dated Gangtok, the 22nd November, 1977

The Government of Sikkim has been pleased to sanction the creation of the following posts for the Centrally Sponsored Department with immediate effect:-

SI. No.	Name of post	Name of post	Scale of pay
1.	Project Officer	1	Rs. 630-1200
2.	Soil Conservation Engineer (Specification & Design)	1	Rs. 510-960
3.	Soil Conservation Engineer (investigation, Hydrology and sedimentation)	1	Rs. 510-960
4.	Junior Agronomists	1	Rs. 510-960
5.	Soil Scientist	1	Rs. 510-960
6.	Assistant Statistician (Statistical Officer)	1	Rs. 510-960
7.	Draftsman	1	Rs. 310-495
8.	Tracer	2	Rs. 240-385

9. Technical Assistants plus ministerial Staff.

Technical Cell at Divisioned (Two Divisionas)

- | | | |
|---|----|-------------|
| 1. Divisional Soil Conservation Officer | 2 | Rs. 510-960 |
| 2. Soil Conservation Inspector | 8 | Rs. 370-630 |
| 3. Soil Conservation Asstt. | 16 | Rs. 270-445 |
| 4. Draftsman | 2 | Rs. 310-495 |
| 5. Tracer | 4 | Rs. 240-385 |

The expenditure the above post are debitible to Major Head "307"

A-Soil & Water Conservation

A-3 Forest Soil Conservation Schemes.

A-3(2) Soil Conservation in the catchment of River Tista (Centrally Sponsored Schemes).

C.D. RAI,
Secretary,
Establishment Department.

FINANCE DEPARTMENT

Office Order No. 125(G)/Est.

Dated Gangtok, the 2nd November, 1977
Mr. Ganesh Kumar Pradhan, Accounts Officer Utilisation Division of Forest Department Government of Sikkim is declared .

L.B. PRADHAN
Deputy Secretary,
Finance Department.

Office Order No. 126(G)/Est.

Dated Gangtok, the 2nd November, 1977
Mr. P.S. Subba Joint Secretary, Land Revenue Department, Government of Sikkim is delegated with financial powers to accord sanction upto Rs. 1,000/- (Rupees one thousand) only for recurring and for non-recurring items in such case. He is further declare as Drawing and Disburing Offiicer and empowered to sign Pay T.A. (N.G) & Continggent Bills and Cheques (Pay only) pertaining to Land Revenue Department including the Land Acquisition

and Record and Land reforms Cell with immediate effect.

By Order.

L. B. PRADHAN,
Deputy Secretary,
Finance Department.

Officer Order No. 127/Fin.

Dated Gangtok, the 22nd November, 1977
Mr. Gyurmey Goporma, Labour Welfare Officer, Labour Department, Government of Sikkim, is declared as Drawing and Disburing officer and empowered to sign Pay. T.A. & Continger to his Department with immediate effect.

By Order.

L. B. PRADHAN,
Deputy Secretary,
Finance Department.

Officer Order No. 128/Fin.

Dated Gangtok, the 4th November, 1977
Mr. James Bijoy Kumar Basnet, Administrative Officer, Forest Department, Governmant of Sikkim, is declared as Drawing and Disburing Officer and empowered to sign Pay T.A. & Congingent Bills and Cheques pertaining to his Department with immediate effect.

By Order.

L. B. PRADHAN,
Deputy Secretary,
Finance Department.

Officer Order No. 135/Fin.

Dated Gangtok, the 18th November, 1977
Mr. P.k. Basnet, Conservator of Forests, Soil Conservation Circle, Forests Department, Govt. of Sikkim, is delegated with financial powers to accord sanction upto Rs. 1,500/- (Rupees one thousand Five hundred) only for requirring items and upto Rs. 7,000 (Rupees seven thousand) only for non-recurring items in each case. Further, he is declare is drawing and disburing Officer and empowered to sign Pay, T.A. & Contingent bills and also cheques pertaining to his Circle with immediate effect.

By Order.

L. B. PRADHAN,
Deputy Secretary,
Finance Department.

Officer Order No. 140/Fin.
Dated Gangtok, the 22nd November, 1977

Mr. Pradip Chand Pradhan, Accounts Officer, food & Civil Supplies, Government of Sikkim, is declared as Drawing and Disbursing Officer and empowered to sign Pay, T. A. and Contingent Bills and also Cheques (Pay only) pertaining to his Department with immediate effect.

By Order.

L. B. PRADHAN,
Deputy Secretary,
Finance Department.

Officer Order No. 143/Fin.

Dated Gangtok, the 30th November, 1977.

Mr. P.O. Pazo, Shief Wild Life Warden, Government of Sikkim is delegated with financial powers to accord sanction up to Rs. 1, 500/- (Rupees one thousand five hundred) only for recurring items and upto Rs. 7, 000/- (Rupees seven thousand) only for non-recurring items in each case. Further, he is declared as Drawing and Disbursing Officer and empowered to sign Pay, T. A. and Contingent Bills and also Cheques pertaining to Wild Life & Fisheries with immediate effect.

By Order.

L. B. PRADHAN,
Deputy Secretary,
Finance Department.

Officer Order No. 144/Fin.

Dated Gangtok, the 30th November, 1977.

Mr. L. T. Tonyet, Secretary, Sikkim Rajya Sainik Board, Gangtok, is delegated with financial powers to accord sanction upto Rs. 500/- (Rupees five hundred) only for recurring items and upto Rs. 1,500/- (Rupees one thousand five hundred) only for non-recurring items in each case. Further, he is declared as Drawing and Disbursing, Officer and empowered to sign Pay,

T. A. and Contingent Bills and also Cheques (Pay only) pertaining to his Board with immediate effect.

The will cancel this Office Order No. 104/-Fin dated 7-9-1977.

By Order.

L. B. PRADHAN,
Deputy Secretary,
Finance Department.

No. CON/CAB/37/77
EXTRA FROM THE PROCEEDINGS
OF THE CABINET MEETING HELDON
8TH NOVEMBER, 1977.

4. FOREST DEPARTMENT:

The Cabinet decided to form a wild Life advisory Board for the State constituting of following members:-

- | | |
|--|------------------------------|
| (i) Minister in-charge
Forests | - Chairman |
| (ii) Shri R.B. Rai MLA | - Member |
| (iii) Shri Tasa Tangey
MLA | - Member |
| (iv) Shri N.B. Rai MLA | - Member |
| (v) Chief Conservation
of Forests | - Ex-Officio |
| (vi) Shri A. Bose, Asstt.
Director WLP East-
ern Region Calcutta | - Nominee of
the Director |
| (vii) Chief Wild Life
Warden | - Ex-Officio |
| (viii) Shri Sonam Namgyal
AIGP | - Member |
| (ix) Shri Sonam Wangdi,
Yoksam | - Member |
| (x) Shri J.P. Tshering,
D.C, North | - Member |
| (xi) Shri Jhonson Issac
TNA | - Member |

K. M. LAL.

Secretary to the Council of Ministers
17.11.77.

SIKKIM

GOVERNMENT



GAZETTE

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PART II**Notification regarding appointments, postings, transfers leave etc.****HIGH COURT OF SIKKIM**

Notification No. 33/HCS.

Dated Gangtok, the 2nd December, 1977.

In continuation of this Court's Notification No. 31/HCS dated 29th November, 1977, the Hon'ble Chief Justice and Judge have been pleased to notify that the High Court will remain open from 9th January, 1978 to 14th January, 1978.

By order of the Hon'ble Chief Justice and Judge.

G. S. SANDHU,

Deputy Registrar,
High Court of Sikkim.

HOME DEPARTMENT**NOTIFICATION**

No. 2(3)/Home/77. Dated 8th Dec, 1977.

The orders contained in this Department's notification No. 2(3)/Home/77 dated 9th August 1977, regarding the appointment of Shri Kusu Das as Chairman, Scheduled Caste Welfare Board, are hereby cancelled.

M. P. PRADHAN,

Chief Secretary,
Government of Sikkim.

Notification No. 43(12) Home/77

Director of Industries is hereby empowered to advance industrial loans not exceeding Rs. 5,000/- for development of small scale units, self employment ventures and various other prospective cottage and rural industries. However, industrial loans above Rs. 5,000/- and up-to Rs. 10,000/- will be sanctioned by the Loan Committee.

Loans above Rs. 10,00/- may be advanced by the Sikkim Industrial Development and Investment Corporation Limited as per rules and regulation for new industrial units.

Loans advanced by the Directorate of Industries for small units not exceeding Rs. 10,000/- will carry interest at the rate of 6 (six) per cent and shall be repayable in easy instalments within a period of five years. The loans advanced by Sikkim Industrial Development and Investment Corpo-

ration will bear interest at the rate of 9 (nine) per cent per annum and shall be advanced as per terms and conditions duly approved by its Board of Directors.

M. P. Pradhan,
Chief Secretary,
Government of Sikkim.

NOTIFICATION

No. 43(13)-Home/77

Dated Gangtok, the 8th December, 1977.

In conformity with the declared policy of the Government of India, the Government of Sikkim have decided to provide liberal incentives to new entrepreneurs for setting up small scale industries in the State of Sikkim. Accordingly Small Scale Units having fixed investment on machinery and equipment not exceeding Rs. 2.00 lakhs which have been set up or are likely to be set up after 1st April, 1976 will be eligible with immediate effect for the following incentives to be disturbed through the Sikkim Industrial Development & Investment Corporation Limited on behalf of the Government of Sikkim.

1. **TRANSPORT SUBSIDY:** The transport cost of raw materials, machinery and equipment from Siliguri New Jalpaiguri or transportation of finished products from the factory site. Siliguri/New Jalpaiguri by approved Agency may be subsidized to the tune of 50% of the actual cost of transportation. This facility will continue till such time the Central Scheme on the subject is made applicable to Sikkim.
2. **SUBSIDY ON INTEREST:** Subsidy on Interest actually paid by the small scale units to the extent of difference in the rate of interest charged by the Financial Institution like the State Bank of India, State Bank of Sikkim etc. over and above 9% actually payable by the units. The subsidy on interest would be paid only to the Financing Agency on receipt of necessary certificate regarding the interest paid by the industrial units.
3. **SUBSIDY ON POWER:** 50% of the actual charge on consumption of power by the small scale units will be subsidised on receipt of necessary certificate from the Department of Power.
4. **CONCESSION IN SALES TAX:** All small scale units will be exempt from

payment of sales tax for a period of three years from the date of their starting the production. Further, the small sale units who pay sales tax on purchase of machinery, equipment and raw materials whether purchased locally or imported from outside the State would be eligible for fifty per cent relief as out right grant for a period of three years from the date of their starting production.

MARKETTING ASSISTANCE: Price preference to the tune of 15% may be admissible on purchases made by various State Government Department, Public Sector Units under the Government of Sikkim and similar other Agencies. In addition, it is proposed to subsidise up-to 25% of the actual cost on publicity and advertisement for the products of small scale manufacturers. The amount would be available as grant towards publicity such as leaflets, cinema slides, etc. for a period of 3 years from the date of their starting production.

MACHINERY ON HIRE PURCHASE: Machinery and equipment on hire purchase may be made available to small scale units by the Sikkim Industrial Development & Investment Corporation. The cost of such equipment may be initially restricted upto Rs. 1 lakh. The scheme will be operated on the same line as in other States like Uttar Pradesh and West Bengal.

PRE-OPERATIVE EXPENSES: Pre-operative expenses like project report preparation training and consultancy etc. to the extent of 50% of the actual expenses may be given as grant.

M. P. PRADHAN,
Chief Secretary,
Government of Sikkim.

ESTABLISHMENT DEPARTMENT

Office Order No. 297 (G)/Est.
Dated Gangtok, the 22nd November, 1977.

Shri Dawa Prasad Pradhan, Office Superintendent, Health & Social Welfare Department, is promoted and posted to the Department of Animal Husbandry as Assistant Director, Administration. He will draw Rs. 510/- as basic pay in the scales of Rs. 510-20 710Eb-25-960 from the date he takes over his new assignment.

Consequently, Shri Buhim Kumar Pradhan, Supervisor in the General Excise

Department is promoted as Office Superintendent in the scale of Rs. 370-10-420Eb-15-480Eb-15-630 and posted to the Department of Health & Social Welfare vice Shri Daya Prasad Pradhan.

The above order shall take immediate effect.

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

B.B. RAI,
Under Secretary,
Establishment Department.

Notification No. 291(G)/Est.
Dated Gangtok, the 1st December, 1977.

The State Government of Sikkim has been pleased to sanction the creation of three posts of Post Graduate Teachers in the scale of Rs. 500-15-575Eb-20-775Eb-25-1025 for the Commerce, Science and Core Subjects respectively at the T.N.T. Higher Secondary School under the Directorate of Education with immediate effect.

The expenditure shall be debited to the head "277-A2(2)(1) Salaries-Plan.

C. D. RAI,
Secretary,
Establishment Department.

Notification No. 299(G)/Est.
Dated Gangtok, the 6th December, 1977.

**CORRIGENDUM TO NOTIFICATION
NO. 234/GEN/EST/ DATED 15.10.77.**

Please read the following as and where the same are mentioned in the Notification quoted above:-

1. "Grade III Class III (a)" instead of "Grade III (a)" appearing in a para 4(i) of the Notification under reference.
2. "Grade III Class III (a)" instead of "Grade II Class III(a)" appearing in the second line of para 5 (a) of the Notification under reference.
3. "Grade III Class III (a)" instead of "Grade II Class III (a)" appearing in the second line of para 6 (a) of the Notification under reference.
4. "Grade II Class III (b) and Grade I Class II (a) respectively" instead of "Grade II & I Class II (a)" appearing in the fifth line of para 6 (b) of the Notification under reference.
5. Para 7 to be modified to read : "It is confirmed that the power vested in the G.M. through Notification No. 84/Est. dated 26th Sept. " 74 is a Discretionary power.

Further add: " the order take effect from 26th August 1977" below para 10 of the above Notification.

C. D. RAI,
Secretary,
Establishment Department.

Notification No. 303 (Gen)/Est.
Dated Gangtok, the 16th December, 1977.

The Govt. has been pleased to grant the scale of Rs. 270-6-300Eb-6-330Eb-7-365 Eb-8-445 to the Mulkhya- sevikes of the ICM under the Health Department from the date of their appointment.

C. M. RASAILY,
Deputy Secretary,
Establishment Department.

Notification No. 304 (Gen) /Est.
Dated Gangtok, the 16th December, 1977.

The following posts are created in the Home Department with immediate effect:-

Name of post	No. of post	Scale of pay
1. Motor Cycle Driver	1	Rs. 210-355
2. Peon	1	Rs. 175-255

The expenditure is debitable to Major Head "252" D. 1(1)-Salaries.

By Order

C. M. RASAILY,
Deputy Secretary,
Establishment Department.

Notification No. 305(Gen)/Est.
Dated Gangtok, the 17th December, 1977

The Govt. of Sikkim has been pleased to sanction the creation of 5 (five) posts of drivens in the scale of Rs. 210/-23Eb-5-280Eb-5-355 in the Animal Husbandry Department with immediate effect as under-

2. Posts for the ICAR.
2. Posts for the Veterinary Hospitals and Mobile dispensary Unit and
1. Post for the Piggery Development (Plan).

The expenditure for the above posts shall be debitable to Major Head "310" A.R. A11(2) -ICAR-Salaries, AR(1) (1)- Direction & Administration -non plan-Salaries and "310" AHAS(1)(1)-Piggery Development.

G. M. RASAILY,
Deputy Secretary,
Establishment Department

Notification No. 310(G)/Est.
Dated Gangtok, the 22nd December, 1977.

The Govt. of Sikkim has been pleased to upgrade the existing post of Under Secretary, Chief Minister's Secretariat to that of Deputy Secretary the scale of Rs. 750-30-1050Eb-40-1450 withn immediate effect.

C.M. RASAILY,
Deputy Secretary,
Establishment Department.

Notification No. 311(Gen)/Est.
Dated Gangtok, the 22nd December, 1977.

The Govt. of Sikkim has been pleased to sanction the creation of a post of Office Superintendent in the Chief Minister's Secretariat under Home Deptt. in the scale of Rs. 370-10-420Eb-12-480Eb-15-630 with immediate effect.

The expenditure is debitable to Major Head "252" B(1) Chief Minister's Secretariat-B(1) - Salaries.

C. M. RASAILY,
Deputy Secretary,
Establishment Department.

Notification No. 312(G)/Est.
Dated Gangtok, the 22nd December, 1977.

3 (three) posts of additional Drivers in the scale of Rs. 210-4-230Eb-5-355 are hereby created the Panchayat & Rural Works Department for the new Vehicles being recei as grant from the UNICEP with immediate effect.

The expenditure is debitable to Major Head "306" C1(10)-Salaries.

By Order

C.M. RASAILY,
Deputy Secretary,
Establishment Department.

Office Order No. 313(Gen)/Est.
Dated Gangtok, the 23rd December, 1977.

Shri O.N. Sharma, Private Secretary to the Hon'ble Chief Justice is allowed to draw special Allowance of Rs. 100/- p.m with effect from 1.12.77. for his looking after the works of Senior Stenographer in the pay Commission of Sikkim.

C.M. RASAILY,
Deputy Secretary,
Establishment Department.

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Pertaining to Audit Department with immediate effect.

By Order

L. B. PRADHAN
Deputy Secretary,
Finance Department

Office Order No. 150/Fin.

Dated Gangtok, the 19th December, 1977.

During the Absence of Mr. S.S. Pangtey, Director of Survey and Settlement, of Sikkim. Mr. Pasang Namgyal, Joint Secretary Director of Survey & Settlement Department is delegated with financial powers to accord sanction upto Rs. 1,500/- (Rupees one thousand five hundred) only for recurring items and upto Rs. (7,000/- Rupees seven thousand) only for non-recurring items in each case pertaining to his Department with immediate effect.

By Order

L.B. PRADHAN,
Deputy Secretary,
Finance Department.

Office Order No. 152/Fin.

Dated Gangtok, the 27th December, 1977.

During the absence of the Secretary, Legislative Assembly, Government of Sikkim, is delegated with financial powers to accord sanction upto Rs. 150/- (Rupees one hundred fifty) only for recurring items and upto Rs. 500/- (Rupees five hundred) only for non-recurring items in case pertaining to his Department with immediate effect.

By Order

L. B. PRADHAN
Deputy Secretary,
Finance Department

Office Order No. 153/Fin.

Dated Gangtok, the 27th December, 1977.

Mr. K.L. Bamola, Deputy Director Education Department, Government of Sikkim, is delegated with financial powers to accord sanction upto Rs. 1,500/- (Rupees one thousand five hundred) only for recurring items and upto 7,000/- (Rupees seven thousand) only for non-recurring items in each case pertaining to his Department with immediate effect till such time the post of Director is not filled up.

By Order

L.B. PRADHAN
Deputy Secretary,
Finance Department.

Office Order No. 155/Fin.

Dated Gangtok, the 31st December, 1977.

Dr. L. Dahdul, Deputy Director, Health & Family Welfare Department, Government of Sikkim, is delegated with financial powers to accord sanction upto Rs. 1,500/- (Rupees one thousand five hundred) only for recurring items and upto Rs. 7,000/- (Rupees seven thousand) only for non-recurring items in each case. Further, she is declared as Drawing and Disbursing Officer and empowered to sign Pay, T.A. & Contingent Bills and also Cheques pertaining to her Department with immediate effect till the Joint Director rejoins his duty.

By Order.

L.B. PRADHAN
Deputy Secretary,
Finance Department.