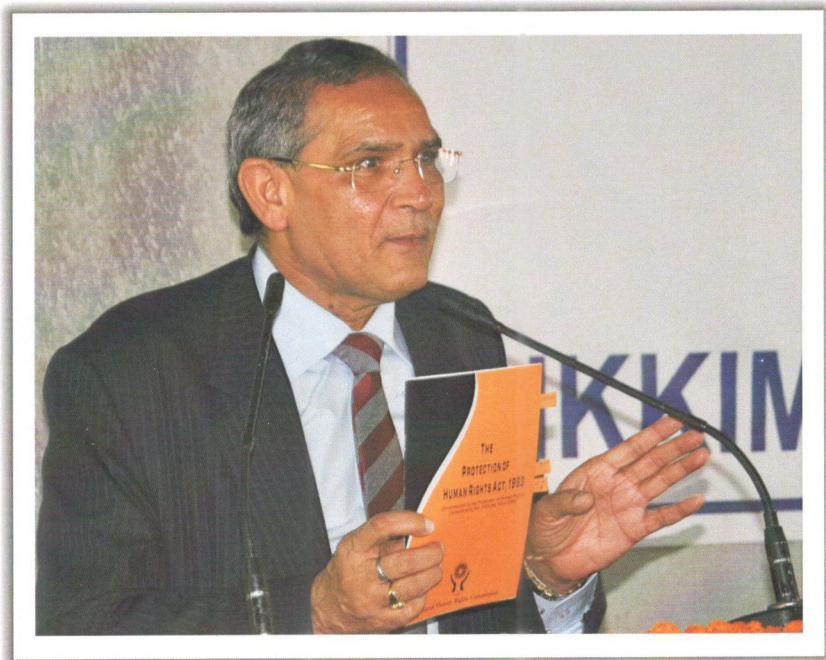




**SIKKIM STATE HUMAN RIGHTS COMMISSION  
GANGTOK**

**ANNUAL REPORT**

UNDER SECTION 28 (1) OF THE  
PROTECTION OF HUMAN RIGHTS ACT, 1993  
(CENTRAL ACT NO. 10 OF 1994)  
FOR THE YEAR 2018-19  
(01/04/2018 to 31/03/2019)





**Sikkim State Human Rights Commission  
Gangtok**

**ANNUAL REPORT**

**UNDER SECTION 28 (1) OF THE  
PROTECTION OF HUMAN RIGHTS ACT, 1993  
(CENTRAL ACT NO. 10 OF 1994)  
FOR THE YEAR 2018-19  
(01/04/2018 to 31/03/2019)**

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**SIKKIM STATE HUMAN RIGHTS COMMISSION**  
Block-'c', Vidhayak Aawas, VIP Colony, Gangtok

**ANNUAL REPORT UNDER SECTION 28(1) OF THE PROTECTION OF  
HUMAN RIGHTS ACT, 1993(CENTRAL ACT NO.10 OF 1994) FOR  
THE YEAR 2018-19.**

**INTRODUCTION**

The Sikkim Human Rights Commission was constituted by the State Government vide its Notification No.101/Home/2008 dated 18-10-2008. At present, Hon'ble Mr. Justice Narendra Kumar Jain, Former Chief Justice of High Court of Sikkim is holding the post of Hon'ble Chairperson, Sikkim Human Rights Commission.

**PERIOD OF ANNUAL REPORT**

The Commission has prepared this Annual Report for the period 01-04-2018 to 31-03-2019 for submitting to the State Government under Section 28(1) of the Protection of Human Rights Act, 1993 (Central Act. No.10 of 1994).

## **CONSTITUTION OF SIKKIM STATE HUMAN RIGHTS COMMISSION**

### **Chairperson and Members of the Commission**

Hon'ble Mr. Justice N.K. Jain (Former Chief Justice of High Court of Sikkim) has been appointed as Chairperson of Sikkim State Human Rights Commission. The posts of remaining two members of the SSHRC are still to be filled by the Concerned Authority.

### **OFFICERS AND STAFF OF THE COMMISSION**

#### **Secretary**

Mr. Jagat Bahadur Rai, LR-cum-Secretary, Law was given additional charge of the Secretary, Sikkim State Human Rights Commission and he remained in-charge w.e.f. 24-5-2017 to 13-06-2018. Thereafter, Ms. K. C. Burphungpa, Secretary, Law was given additional charge of Sikkim State Human Rights Commission who remained in-charge w.e.f. 04-08-2018 to 31-03-2019.

#### **P.P.S./Court Master/D.D.O. etc.**

Mr. R.S. Rawat, Protocol Officer-cum-PPS to Hon'ble Chairperson who was taken on deputation by the Commission from the High Court of Sikkim is continuing till the period of this annual report.

Mr. R.S. Rawat, PO-cum-PPS to Hon'ble Chairperson was given additional charge of Drawing and Disbursing Officer of the Commission vide office order No.63/Fin/Adm. dated 08-09-2015 and since then he is continuing his office as such.

#### **IGP/ADGP**

Vide Notification No.05/Home/2017 dated 10-02-2017 the services of ADGP, Law & Order has been placed at the disposal of the Commission, as and when required, in addition to his own duties w.e.f. 10-02-2017.

### **Deputy/Under Secretary**

Mr. Naresh Kumar Singh, Under Secretary who was transferred and posted to the Commission worked till 23-04-2018 thereafter, Mr. Daud Singh, Under Secretary has been posted to the Commission w.e.f. 07-06-2018 and he is continuing his office as such.

### **Junior Accountant/Stenographer**

Mr. Lakpa Lepcha, Junior Accountant was transferred/posted in the Commission and continued till 17-11-2018. Thereafter, Mr. Tenzing Rapden, Jr. Accountant was posted in place of Mr. Lakpa Lepcha w.e.f. 21-01-2019 and he is continuing his office as such.

Ms. Hemlata Sharma has been transferred and posted in the Commission as Accounts Clerk w.e.f. 21-05-2018 and is working as such.

Mrs. Lalita Karkidoli has been transferred and posted in the Commission as Stenographer, Grade-III who is continuing since 22-07-2017 and during the period she got promoted as Stenographer, Grade-II w.e.f. 21-01-2019.

### **Other Staff (LDC/Driver/Peon/Residential Orderly)**

The following employees were working/left/appointed in the Office of SHRC on Muster Roll basis (Daily wager).

1. Ms. Ohmu Hangma Subba, LDC.
2. Ms. Tika Maya Chhetri, LDC-cum-Typist.
3. Mr. C.B. Chettri, Driver.
4. Mr. Lako Tshering Lepcha, Driver.
5. Mr. Krishna Prasad Basnet, Driver.
6. Mr. Sanjay Subba, Peon.
7. Mrs. Kabita Rai, Peon.
8. Mr. Phurba Tshering Lepcha, Peon.
9. Mr. Kul Prasad Sharma, Residential Orderly.

10. Mr. Indra Kumar Chettri, Residential Orderly.
11. Ms. Mona Gautam, Residential Orderly.
12. Mrs. Man Kumari Rai, Residential Orderly.

Out of the above Muster Roll employees, the services of the following employees have been regularized:-

1. Mr. Chandra Bahadur Chettri as Driver w.e.f. 12-07-2018.
2. Mr. Sanjay Subba as Process Server w.e.f. 16-11-2018.
3. Mr. Indra Kumar Chettri as Peon w.e.f. 13-11-2018.
4. Mr. Kul Prasad Sharma as Residential Orderly w.e.f. 12-07-2018.

The statement showing the details of the Hon'ble Chairperson and other Officers is enclosed herewith and marked as **Annexure-I**. Another statement showing the details of staff of the Commission is enclosed herewith and marked as **Annexure II**.

### **OFFICE BUILDING OF THE COMMISSION**

The Office of the Sikkim Human Rights Commission is situated in Block 'C', Vidhayak Aawas, VIP Colony, Near Circuit House, Gangtok.

### **BUDGET AND ACCOUNTS**

The State Government had allotted the budget of Rs. 1,42,31,000/- to the Commission in Demand No. 27 alongwith Department of Legal, Legislative & Parliamentary Affairs, Government of Sikkim for the financial year 2018-2019 in the following heads:-

• Salaries -	76,57,000/-
• Travel Expenses-	4,00,000/-
• Office Expenses-	61,74,000/-
<u>Total -</u>	<u>1,42,31,000/-</u>

Out of above allotted budget some small re-appropriation of the amount in the Budget heads were made, which has been shown in the enclosed statement.



The Commission is maintaining proper accounts and record. A monthly expenditure report is being sent by Commission regularly before 7th of each succeeding month to the State Government. A copy of Annual Statement of accounts is enclosed herewith and marked as **Annexure-III**.

Quarterly reconciliation is also being made by the Commission with the office of Accountant General, Gangtok. A copy of Certificate dated 13th May, 2019 issued by the office of Sr. Deputy Accountant General (A&E) Sikkim is enclosed herewith and marked as **Annexure IV**.

It is relevant to mention that instead of paying grants to the Commission as required under Section 33 of the Protection of Human Rights Act, 1993 (For short "Act"), the State Government is allotting a budget as referred above.

It is also relevant to mention that the Accounts of the Commission has not been audited by the Comptroller and Auditor General as required under Section 35 (2) of the Act, despite telephonic request of the Commission, therefore, Audit report could not be forwarded to the State Government, as required under Section 35 (4) of the Act.

#### **AWARENESS PROGRAMME ORGANISED BY SSHRC**

Section 12 (h) read with Section 29 of the "Protection of Human Rights Act, 1993" provides that, "the commission shall spread human rights literacy among various sections of society and promote awareness of the safeguards available for the protection of these rights through publications, the media, seminars and other available means."

In compliance of above provision of Law, the Sikkim State Human Rights Commission could organize only one Awareness

Programme in coordination with District Legal Services Authority at Gyalshing, West Sikkim on "Women's Rights and Human Rights" and "Victim Compensation and Human Rights".

Apart from above, the message on Human Rights was also published on International Human Rights Day (10-12-2018) in all Daily Newspapers in all languages published from Sikkim. It was also published in Daily Newspaper "Dainik Jagran" (Total 14 daily Newspapers).

### **INTERNSHIP/TRAINING**

During the period of this Annual Report, on the request of the Principal/Registrar of different Law colleges/Institutions, 86 students have undergone internship/training in the Sikkim Human Rights Commission.

### **WEBSITE**

The Commission has launched its own Website, wherein all relevant details/information is loaded from time to time. Web address is [sshrc.nic.in](http://sshrc.nic.in)

### **COMPLAINT RECEIVED/INSTITUTED/DISPOSED OFF**

During the period of Annual Report 2018-19, two pending cases as on 01-04-2018 have been disposed of. However, the Commission received eleven complaints during this period, and all the eleven complaints have been disposed of. Thus, 2+11= total 13 complaints have been disposed of during this period. No complaint remained pending as on 31-03-2019. The details of complaints pending as on 01-04-2018, new complaints received and complaints disposed of during the period of report are as under:-

**Complaint No. 04/ 2017 Kishan Kr. Bhujel Vs. Pr. Secy, Home Department & Ors.**

The Complaint was received from Mr. Kishan Kumar Bhujel on 6th April, 2017 regarding non-issuance of OBC Certificate to his daughter Kritika Bhujel. The report was sought from the concerned parties. The matter was then referred to the Scrutiny Committee constituted vide Notification No.26/SJE&WD dated 7th February, 2014 to examine the issue. The Additional Secretary, Social Justice Empowerment & Welfare Department informed the Commission vide letter No.GOS/262/SJEWD/WD/2017 dated 5th July, 2017 that the Scrutiny Committee has submitted its final report for consideration of the Government. The file was returned by the Hon'ble Chief Minister to the office of Chief Secretary to relook into the matter. It being a policy matter, the Advocate General sent his opinion regarding the issue to the State Government. On 8th June, 2018, Miss Kritika Bhujel daughter of Complainant was issued an OBC Certificate. The grievance in the present complaint has since been redressed, the complaint was disposed of on 12th June, 2018.

**Complaint Case No. 11/2017 Saraswati Pradhan Vs. SJE&WD, Govt. of Sikkim.**

This Complaint was filed by Ms. Saraswati Pradhan, Rongli, East Sikkim against Social Justice Empowerment & Welfare Department, Govt. of Sikkim on 20th September, 2017 for non-payment of Old Age Pension in respect of the Complainant. A report sought was received from the Social Justice Empowerment & Welfare Department, Govt. of Sikkim, wherein it was stated that the Department has asked the Complainant to submit B.P.L Certificate for consideration of her request for the Old Age Pension. However, the Complainant did not submit the required documents as such the matter was kept in abeyance for want of the relevant documents. On the date of hearing on 8th March, 2018 the Learned Counsel for the Complainant submitted that she did not receive the report of the

Department. As such, the Commission directed the SJE&WD to supply the reports to the Learned Counsel. The Social Justice Empowerment & Welfare Department, Govt. of Sikkim again submitted a detailed report on 21st March, 2018. After going through the report, the Commission felt it necessary that letter of the Department dated 2nd February, 2018 referred in it, is necessary for deciding the case, therefore, the Department was directed to place it on record. Shri K.B. Pradhan, Additional Secretary of the Department submitted that the letter would be filed immediately with an advance copy to the Learned Counsel. The Learned Counsel filed a rejoinder to the report filed by the Department which was in turn forwarded to the Department.

After considering all the facts, it was clear that the Complainant is eligible for grant of the Old Age Pension and she has wrongly been denied the benefit of Old Age Pension. Therefore, the Commission vide its order dated 13-06-2018 directed/recommended to the State Government to grant Old Age Pension under Old Age Pension Scheme to the Complainant forthwith. The Complaint was filed in the Commission on 20th September, 2017 therefore, Old Age Pension may be granted to the applicant w.e.f. 1st September, 2017. Hence, the Case was disposed of on 13th June, 2018. The compliance Report has been received.

**Complaint Case No. 02/2018 B.B. Pradhan Vs. Officer-In-charge, ARRI, Gangtok and Ors.**

Shri B.B. Pradhan has filed a complaint on 21st May, 2018 (registered on 21-5-2018) against the Officer-In-Charge, ARRI, Gangtok and the Director General of CCRAS, New Delhi stating his two grievances that his pay has not been revised as per recommendation of 7th Central Pay Commission and the other is that the payment of his T.A. bill of his service time of Rs. 10,720/- is still pending since long. A report was called from both the Opposite

Parties. After going through the report of opposite parties, the case was disposed of as there was no merit in any of the submissions of the applicant. The case is disposed of/closed on 23rd August, 2018

**Complaint Case No. 03/2018 Suo Motu Vs. Sr. S.P. Central Prison.**

This Complaint has been registered on 5th June, 2018 on the basis of letter received on 13th September, 2017 from National Human Rights Commission, New Delhi in respect of the alleged custodial death of prisoner, Pem Tshering Lepcha on 26th August, 2017. A report was sought from the Sr. S.P., State Central Prison, Rongyek, East Sikkim. A copy of judicial enquiry report conducted under 176 (1) Cr. PC by Judicial Magistrate was also called from the District & Session Judge, East Sikkim. Since the cognizance in the present matter was taken by the National Human Rights Commission much prior to the cognizance taken by SHRC hence the case was closed on 22nd August, 2018 in view of first proviso to sub-Section (5) of Sec. 21 of the Protection of Human Rights Act, 1993.

**Complaint Case No. 04/2018 Suraksha Subba Vs. S.P. and SHO, PS Ranipool, East Sikkim.**

Ms. Suraksha Subba of Chisopani, Jorethang, South Sikkim has filed a complaint before Commission on 5th July, 2018 (registered on 06-07-2018) stating that she was harassed by the police. A report was called from the Superintendent of Police, East District, Gangtok and SHO, Ranipool Police Station. Before the receipt of the report, the applicant on 20th July, 2018 emailed to the Commission requesting to allow her to withdraw her complaint against Police Department. The Complainant has informed the Court Master (Judicial) of the Commission on telephone that she may be allowed to withdraw the complaint as the matter has been resolved. Hence, the Commission allowed the request of the complainant and the case was closed on 22nd August, 2018.

**Complaint Case No. 05/2018 Man B. Subba & Dhan R. Subba Vs. S.P. Namchi and SHO, Temi Police Station, East Sikkim.**

A complaint case was received from Mr. Man Bahadur Subba and Mr. Dhan Raj Subba of Adarsh Gaon, South Sikkim wherein it was alleged that the Police personnel of police outpost of Adarsh Gaon came in plain clothes to the poultry farm of the above named owner and beaten up and threatened the two employees of the poultry farm, but the SHO In-charge is not taking any action in the matter.

In this regard the Opposite Party (SHO, Temi Police Station) submitted that they have not received any complaint in the matter. SHO assured that she will register the case, in case a written complaint is made by the Complainant against those persons who allegedly gave beating to Sanjay Limboo and Dal Bahadur Limboo employees of the Complainant and will take action as per law. Hence in view of statement of SHO In-charge, the complaint was closed/disposed of on 23rd August, 2018.

**Complaint Case No. 06/2018 Robin Rai Vs. SICPA India Pvt. Ltd. Namthang, Road South Sikkim.**

The Complaint was filed by Mr. Robin Rai, President, International Human Rights Council, Sikkim State Board, on 14-11-2018 along with the application of victim, Mr. Indra Bahadur Rai, regarding the non-compliance of the direction passed by the Sikkim Human Rights Commission in complaint No.6/2017.

The Commission after hearing both the Parties, considered that the Company had paid the medical expenses as well as wages for the months of June and July, 2017 to victim. The fact was admitted by the brother of victim, Mr. Santosh Rai, who was present before the Commission on the date of passing of order ie. 21-08-2017 in complaint No.6/2017. The proceedings of the Commission cannot be challenged by injured Indra Bahadur Rai or his brother Santosh

Rai or his mother, Ms. Ratna Maya Rai. There is no provision of filing of Review Petition to review the earlier order dated 21-08-2017 passed by this Commission in complaint No.6/2017. The Commission has already observed in its earlier order dated 21-08-2017 that victim should approach the appropriate forum in the matter in accordance with law. Hence, the case was disposed of on 28th December, 2018.

**Complaint Case No. 07/2018 Dinesh Prasad Vs. DGP, Sikkim Police & S.P. East, Sikkim.**

A complaint was received through email on 17th December, 2018 (registered on 26th December, 2018) from Dinesh Prasad of Pakyong, East Sikkim, against Pakyong Police personnel about non-registration of F.I.R. The Commission sought report from D.G.P. Sikkim and S.P. East District. On the date fixed in the case, the Learned Counsel for the Complainant admitted that First Information Report of Complainant has already been registered in the present matter. The Commission, therefore, directed that the Complainant should file all his evidences including a copy of the original CD (containing video recording) to the Investigating Officer. The SDPO, Pakyong submitted that he will direct the Investigating Officer to accept the CD and to complete the investigation at the earliest. In view of above, the case was closed on 22nd March, 2019.

**Complaint Case No. 01/2019 Mayank Gupta Vs. Ronzing Gyatso Bhutia H.R. Thompson Digital, Daragoan, Gangtok.**

The complaint was filed by Mr. Mayank Gupta, Gangtok, East Sikkim before the Commission on 7th January, 2019 complaining about mistreatment with the employees by the H.R. of the Thompson Digital at Daragoan, Gangtok. The Commission had forwarded the Complaint to the S.P., East for doing needful in the matter in accordance with law and closed the case on 8th January, 2019.

**Complaint Case No. 02/2019 Suo Motu Vs. DGP, Sikkim & SP, South District, Gangtok.**

'Suo-motu' cognizance was taken by the Commission on the basis of news item published in daily newspaper "Sikkim Express" dated 19-01-2019 about Police atrocity during Jorethang Maghey Mela. The complaint was registered and report/comments were called from the Director General of Police and the Superintendent of Police, South District, Namchi. The case was fixed for 18th March, 2019. The reports were received from the opposite parties. The reports were sent to the Complainant for comments, but no comments were received from the Complainant. After considering reports and all the facts and circumstances of the case, the Commission did not find any violation of human rights in the case, hence the case was closed on 18th March, 2019.

**Complaint Case No. 03/2019 Nawin Kiran Pradhan Vs. Pr. Secretary, HRDD & Director, Tashi Namgyal Academy, Gangtok.**

A complaint was filed by Mr. Nawin Kiran Pradhan on 8th February, 2019 (registered on 13-02-2019) against the Director cum Principal, Tashi Namgyal Academy, Gangtok regarding safeguard of career of his 14 (fourteen) year's old son. The report was called from Pr. Secretary, HRDD, Govt. of Sikkim and Director of the concerned School within two weeks. During pendency of the complaint, the Complainant filed M.A. No. 5 of 2019, dated 14th February, 2019 requesting to allow him to withdraw his complaint as Director is considering his case. The Commission after considering all the facts and circumstances of the case, allowed the application dated 14th February, 2019 and the complaint was closed on 19th March, 2019.



**Complaint Case No.04/2019 Binita Chettri & Ors. Vs Alembic Pharmaceutical, Samardung, and Labour Deptt. Govt. of Sikkim.**

The complaint has been filed by Ms. Binita Chettri and Ors. against Alembic Pharmaceutical Company Ltd. and Labour Department, Government of Sikkim on 4th March, 2019 (Registered on 05-03-2019). The Alembic Pharmaceutical Company Ltd. is a private limited Company. As per Section 12 and 17 of the Protection of Human Rights Act, 1993, the Commission has got jurisdiction to enquire into the complaint if the violation of human rights or abetment thereof, is by Public Servant, Central Government, State Government or any other authority or organization sub-ordinate there to. Since the complaint is against private company, therefore, the Commission has no jurisdiction and the same was accordingly closed on 18th March, 2019. However, a copy of the complaint was sent to labour Department, Govt. of Sikkim, for necessary action as per law.

**Complaint Case No. 05/2019 Lha Tshering, President, DSA Vs. . DGP, Sikkim Police & SP, South District, Gangtok.**

Mr. Lha Tshering Sherpa, President, Denzong Sherpa Association, Gangtok has filed a complaint on 22nd January, 2019 (registered on 18-03-2019) regarding Police atrocity at Jorethang Maghey Mela. The present compliant was connected with complaint Case No. 2/19 hence it was decided/closed by common order dated 18th March, 2019 alongwith Complaint Case No.2/2019.

A consolidated statement, in brief, showing the details of the pending complaints as on 01-04-2018, new complaints received,

instituted and disposed of during the period of this report is annexed herewith and marked as Annexure V. No complaint remained pending as on 31-03-2019.

**MISC. APPLICATIONS RECEIVED/INSTITUTED/DISPOSED OFF.**

Apart from above complaints, the Commission received 4 Misc. Applications during this period, which were registered and disposed of in this year itself.

**CHAIRPERSON**

**DESCRIPTION OF HON'BLE CHAIRPERSON AND OFFICERS  
WORKED IN THE COMMISSION DURING THE PERIOD FROM  
01-04-2018 TO 31-03-2019**

<b>Sl. No.</b>	<b>Name of Officers</b>	<b>Designation</b>	<b>Residential Address</b>
1.	Hon'ble Mr. Justice Narendra Kumar Jain	Chairperson	Bungalow No. 4, VIP Colony, Gangtok.
2.	Mrs. K.C. Barphungpa (SSJS)	Secretary	Kazi Road, Gangtok, East Sikkim.
3.	Mr. R.S. Rawat	PPS to Hon'ble Chairperson-cum-Protocol Officer-cum-DDO-cum-Court Master (Judicial)	"Sahil Niwas" Chota Singtam, East Sikkim.
4.	Mr. Daud Singh (From 07-06-2018 continuing till period of this annual report)	Under Secretary	PNG Road, Gangtok, East Sikkim.

**STATEMENT/DETAILS OF STAFF WORKED DURING THE PERIOD**  
**FROM**  
**01-04-2018 TO 31-03-2019.**

<u>Sl. No.</u>	<u>Name</u>	<u>Designation</u>	<u>Remarks</u>
1.	Mr. Tenzing Rapden	Jr. Accountant	Regular Employee
2.	Ms. Lalita Karkidoli	Stenographer, Grade-II	Regular Employee
3.	Ms. Hemlata Sharma	Accounts Clerk	Regular Employee
4.	Ms. Ohmu Hangma Subba	LDC	M.R. Employee
5.	Ms. Tika Maya Chhetri	LDC-cum-Typist	M.R. Employee
6.	Mr. Chandra Bdr. Chettri	Driver	Regular Employee
7.	Mr. Lako Tshering Lepcha	Driver	M.R. Employee
8.	Mr. Krishna Prasad Basnet	Driver	M.R. Employee
9.	Mr. Sanjay Subba	Process Server	Regular Employee
10.	Ms. Kabita Rai	Peon	M.R. Employee
11.	Mr. Phurba Tshering Lepcha	Peon	M.R. Employee
12.	Mr. Kul Prasad Sharma	Residential Orderly	Regular Employee
13.	Mr. Indra Kumar Chettri	Peon	Regular Employee
14.	Ms. Mona Gautam	Residential Orderly	M.R. Employee
15.	Mrs. Man Kumari Rai	Residential Orderly	M.R. Employee

**Sikkim State Human Rights Commission**  
**Annual Statement of Accounts**  
**Statement showing Budget for the F.Y-2018-19**

Head/Sub - Head/Detailed Heads of Commission	Budget Provision	Expenditure	Re-appropriation	Balance	Surrender of Funds
2070-00.001-63-44-01 Salaries	76,57,000/- (+) 6,00,000/- = 82,57,000/-	78,81,132/-	Rs. 6,00,000/- is re-appropriated from O.E.	3,75,868/-	NIL
2070-00.001-63-44-13 Office Expense	61,74,000/- (-) 7,00,000/- = 54,74,000/-	34,50,153/-	Rs. 7,00,000/- is re-appropriated to Salaries & T.E	20,23,847/-	20,23,847/-
2070-00.001-63-44-11 Travel Expenses	4,00,000/- (+) 1,00,000/- = 5,00,000/-	4,18,171/-	Rs. 1,00,000/- is re-appropriated from O.E	81,829/-	NIL

**NOTE**

1. Proper accounts and other relevant records are maintained by the Commission.
2. Monthly expenditure report is being sent by the Commission to the Director ( Budget ), Finance, Revenue & Expenditure Department, Govt. of Sikkim, Gangtok by 7<sup>th</sup> day of each succeeding month positively.
3. Quarterly reconciliation of accounts is being made by the Commission with the Office of Accountant General, Deorali, Gangtok
4. A sum of Rs.20,23,847/- were surrendered under the head "Office Expenses". This amount was saved due to Austerity measures adopted by the SHRC.
5. The Balance amount shown under the Head of " Salaries" and "Travel Expenses" could not be surrendered as the same could not be utilized (out of re-appropriated amount).

Prepared by.

Tenzing Rapden Bhutia  
Junior Accountant  
Sikkim State Human Rights Commission

R.S.Rawat  
Protocol Officer cum D&D.O  
Sikkim State Human Rights Commission




कार्यालय वरिष्ठ उप महालेखाकार (लेखा एवं हक), सिक्किम  
लेखापरीक्षा भवन, देवरालीए तादोङ्ग गान्तोक - 737 102  
**OFFICE OF THE SR. DEPUTY ACCOUNTANT GENERAL (A&E), SIKKIM**  
**Lekha Pariksha Bhawan, Deorali, Tadong, Gangtok - 737 102**

No : VLC-II/Reconciliatin/2018-19/269  
Date : 13.05.19

**TO WHOM IT MAY CONCERN**

This is to certify that officials of accounts section of the Sikkim State Human Rights Commission, Gangtok, East Sikkim have attended reconciliation of expenditure booked in this office for the period 1st, 2<sup>nd</sup> & 3rd quarter ending pertaining to financial year 2018-19. Observation if any, have been noted in the reconciliation register maintained in this office.

  
Asstt. Accounts Officer/VLC-II  


**STATEMENT OF COMPLAINT CASES PENDING, RECEIVED AND DISPOSAL BY**  
**SIKKIM HUMAN RIGHTS COMMISSION**  
**DURING THE PERIOD 01-04-2018 TO 31-03-2019**

**Annexure-IV**

Sl. No.	Complaint Case No.	Date of Institution	Name & address of the Complainant	Name & address of the Opposite Party	Nature/Subject objective	Date of disposal/ Pending
1.	04 of 2017	06/04/2017	Mr. Kishan Kumar Bhujel, Diesel Power House Area, Gangtok	Pr. Home Secretary, Govt. of Sikkim, Pr. Secretary, Social Justice Empowerment & Welfare Department, Govt. of Sikkim, District Magistrate, East District	Relates to issuance of OBC Certificate in respect of her daughter	12/06/2018
2.	11 of 2017	21/09/2017	Mrs. Saraswati Pradhan , Rongli, East Sikkim	Social Justice Empowerment & Welfare Department, Govt. of Sikkim.	Non-sanction of Old Age Pension	13/06/2018
3.	2 of 2018	25/05/2018	Mr. B.B. Pradhan, Retired Employee of RARI, Gangtok.	ARRI, Tadong, Gangtok, & Director General, ARRI, New Delhi.	Regarding Non-payment of T.A. Bill as well as other retirement benefits.	23/08/2018
4.	03 of 2018	05/06/2018	Suo-Motu (Late Pem Tshering Lepcha)	Sr. S.P. State Central Prison, Rongyek, East Sikkim	Regarding custodial death of Prisoner, Pem Tshering Lepcha	22/08/2018
5.	04 of 2018	06/07/2018	Suraksha Subba, Chisopani, Jorethang, South Sikkim.	S.P. East & SHO Ranipool	Harassment by Police	23/08/2018
6.	05 of 2018	03/08/2018	Man Bahadur Subba & Dhan Raj Subba, Namphing, South Sikkim	S.P., South Sikkim & SHO South Sikkim	Police Atrocities	23/08/2018

Sl. No.	Complaint Case No.	Date of Institution	Name & address of the Complainant	Name & address of the Opposite Party	Nature/Subject objective	Date of disposal/ Pending
7.	06 of 2018	19/11/2018	Mr. Robin Rai, President International Human Rights Council, Sikkim State Board.	SICPA India Pvt. Ltd Namthang Road, South Sikkim	Negligence by SICPA Company towards injured employee	28/12/2018
8.	07 of 2018	26/12/2018	Mr. Dinesh Prasad, Pakyong, East Sikkim	DGP, Sikkim Police & S.P. East	Against Pakyong Police personnel.	22/03/2019
9.	01 of 2019	07/01/2019	Mayank Gupta, Deorali School Road, Gangtok	Rinzing Gyatso Bhutia, HR, Thompson Digital, Amdogolai, Daragoan, Gangtok.	Mistreatment with the employees of Thompson Digital	08/01/2019
10.	02 of 2019	21/01/2019	Suo Motu	DGP, Sikkim Police & S.P. South Sikkim	Police atrocity allegation at Jorethang, Maghey Mela, South Sikkim	18/03/2019
11.	03 of 2019	13/02/2019	Nawin Kiran Pradhan, Maskey Bhawan, Sisa golai, Gangtok	Pr. Secretary, Human Resources Development Department & Director, TNA School	Violation of Right to Education.	19/03/2019
12.	04 of 2019	05/03/2019	Ms. Binita Chettri & Others (Casual Workers)	Alembic Pharmaceutical, Samardung, South Sikkim & Labour Department, Govt. of Sikkim, Gangtok.	Sudden termination of Casual Workers of Alembic Pharmaceutical	18/03/2019
13.	05 of 2019	18/03/2019	Mr. Lha Tshering Lepcha, President, Denzong Sherpa Association, Gangtok.	DGP, Sikkim Police & S.P. South District, Namchi	Police atrocity allegation at Jorethang, Maghey Mela, South Sikkim	18/03/2019









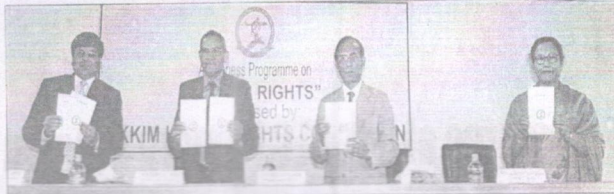


# SHRC organizes legal awareness programme on Human Rights

NAMCHI, April 10 (IPR):

The first ever legal awareness programme on 'Human Rights in Sikkim' organized by Sikkim Human Rights Commission (SHRC) was held at DAC conference hall here today. The programme was chaired by SHRC chairman Justice N.K. Jain as the chief guest and attended by former High Court of Sikkim judge Justice A.P. Subba, additional Chief Secretary S.C. Gupta, SHRC secretary Lachung Sherpa, District & Sessions judge Prajwal Khaliwada, District Collector Raj Kumar Yadav, superintendent of police Tashi Wangyal Shrestha, members of the Bar Association, NGOs, SHRC, and officials and employees of the district administration.

Addressing the gathering, the SHRC chairman explained Human Rights as the rights relating to life, liberty, equality and dignity of the individual guaranteed by the



Dignitaries releasing a book titled 'Human Rights'. Pic: IPR.

Constitution as embodied in the international covenants and enforceable by courts in India.

Justice Jain classified Human Rights into civil & political rights, economic, social and cultural rights when he underlined Article 2 to 21 of the Universal Declaration of Human Rights (1948) which includes freedom from slavery, freedom from torture, inhumane or degrading treatment of punishment, freedom from arbitrary arrest, detention, right to fair and public trial,

freedom of opinion & expression, right to own property and freedom of movement and residence. Further, he shed light on the historical development of Human Rights Act which came into being post Second World War after United Nations codified human rights on October 24, 1948.

Likewise, taking India's example he spoke on how fundamental rights have always been safeguarded by the Indian courts in terms of Universal Declaration of Human Rights.

Similarly, the additional

Chief Secretary spoke on the concept of Human Rights and its implementation in varied nations with respect to various social and civil cases.

Gupta discussed various Articles like Freedom of Speech & Expression (Article 19A), Right to Information Act (RTI), Armed Forces Special Powers Act (AFSPA) 1958 and many more. He also spoke about the emerging dimensions of Human Rights with today's changing world.

Justice A.P. Subba informed the gathering that the SHRC, established in the

State in October 2008, is an institution which promotes and protects human rights of the people of the State thus fostering an administration for good governance. He also informed that SHRC is an autonomous and independent body working for the betterment of human rights as per the charter of UN, our Constitution and the Act.

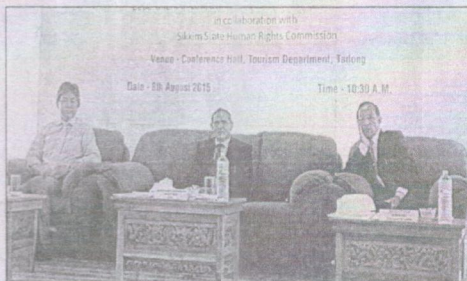
The awareness programme was also addressed by Judge Prajwal Khaliwada, DC Raj Kumar Yadav, SP Tashi Wangyal Bhutia and SHRC secretary Lachung Sherpa.

# SU awareness on Human Rights

NAMCHI, CHETTRI

GANGTOK, August 8: An awareness programme on human rights was organized today by Department of Law, School of Social Sciences, Sikkim University in collaboration with Sikkim State Human Rights Commission (SHRC) here at the conference hall of Tourism department.

SHRC chairperson and former Chief Justice Narendra Kumar Jain was present as the chief guest of the programme also attended by former Justice A.P. Subba, Sikkim University vice chancellor Prof. T.B. Subba, senior advocate



Prof. T.B. Subba, SHRC chairperson N.K. Jain and former Justice A.P. Subba at the awareness programme. SE Pic

Bhaskar Raj Pradhan, and teachers and students from the university and Government Law College, delivered the keynote

address.

During the programme, Prof. T.B. Subba shared his experience and views on the human rights. He also explained on how to deal with the situation if any person has been violated.

The vice chancellor added that the university may also inform to the commission if there is any negligence in the prevention of violation by a public servant.

Senior advocate Pradhan discussed on various Acts related to human rights and the rights relating to life, liberty, equality and dignity of the individual guaranteed by the constitution.

# Human Right Commission chairperson tours North Sikkim

## Awareness programme held on Human Rights

**DEEPAK SHARMA**

**ANGAN, May 23:** Sikkim Human Rights Commission chairperson N.K. Jain along with former High Court Judge A.P. Subba and IRC secretary Lakchung Sherpa visited North Sikkim May 22 and 23.

During his brief stay in Angan and Lachung, Jain held

an awareness meeting on Human Rights with the officials, police personnel, Panchayats, para legal volunteers, NGOs, Pipon and local gentry at DAC conference hall and at Dzumsa.

Referring to various proceedings and verdict of Supreme Court, he said human rights are the rights inherent to all human beings irrespective

of nationality, sex, race, religion and caste. If a person is denied human rights then the victim can approach for justice to the Commission office in Gangtok, he added.

Earlier, A.P. Subba, Lakchung Sherpa, Civil Judge cum Judicial Magistrate (Mangan and Chungthang) Benoy Sharma and Bebika Chettri, North district collector

T.G. Bhutia and Mang SDPO Palden Bhutia spoke length on the subject.

Discrimination in any form whether political, social, economic or culture is violation of human rights, they stressed and noted on the need to indoctrinate a sense of belonging, duties and responsibilities to fully enjoy their rights.

# Pakyong residents sensitized on human rights



Dignitaries releasing booklets on universal declaration of human rights during the function. SE Pic

### Our Correspondent

**PAKYONG, November 21:** An awareness programme on human rights was held at community hall, Pakyong today. Organised by Sikkim Human Rights Commission (SHRC), the programme had Transport minister D.T. Lepcha as the chief guest.

Dignitaries present on the occasion were SHRC chairperson former Chief Justice N.K. Jain, former High Court judge Justice A.P. Subba, Sub-divisional officials, heads of schools and college, panchayats, local NGO members and the local public were in attendance at the programme.

The SHRC chairperson mentioned that the motive of organizing such programme is to aware people about human rights so that they can seek

justice in instances of human right violation. He observed that all natural rights are human rights and urged all the people present to peruse books on human rights.

Booklets on universal declaration of human rights and declaration on the rights and responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms were also released by the chief guest during the day. The booklets will also be published in Nepali language to reach out the general public, it was informed.

Minister D.T. Lepcha thanked SHRC for organizing the program in the area to generate awareness. He said Sikkim is the first State in whole northeast to establish

human rights commission though there is no violation of human rights. He said Sikkim government has given equal opportunities for the overall development.

Justice (retired) Subba in his address also elaborated on human rights which a person has got since his birth. He informed about human rights commission and laws of different countries, India and Sikkim State. He said only declaration of human rights is not enough but the agencies should implement in the right way.

Prof. Dr. Nidhi Saxena of Sikkim University elaborated on fundamental rights of human and rights to privacy like computer, mobile, prayers time, banks accounts etc.

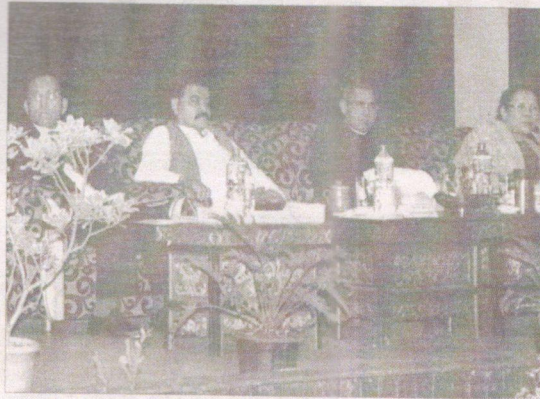
Pakyong SDM Hemant Rai and SDPO P. Dewan also addressed the function.

## Human rights awareness programme at Geyzing

Staff Reporter

**GANGTOK, April 18:** An awareness programme on human rights was organised by Sikkim State Human Rights Commission (SHRC) at Geyzing community hall, West Sikkim on Saturday. The programme had State Rural Development minister S.B. Subedi as the chief guest.

SHRC chairperson and former Chief Justice N.K. Jain, former Justice A.P. Subba, District & Sessions judge, civil judge, district collector, subdivisional officials, zilla adhyakshya, upadhyakshya, panchayats and college students were in attendance at the programme. The SHRC chairperson mentioned that the motive of



rights so that they can see justice in instances of human rights violations. He observed that all natural rights are human rights and urged all people present to persevere for human rights. He also informed the SHRC is an autonomous and independent body working for the betterment of human rights per the charter of the Constitution and the Act. Minister Subedi thanked SHRC for organizing the awareness programme and for making public aware of their human rights. Justice Subba in his address elaborated on human rights.

The awareness programme was also addressed by SHRC secretary Lakshmi

SIKKIM EXPRESS, WEDNESDAY, 24 MAY 2017, GANGTOK

## Human rights awareness programme at Rangpo



**SANJAYAGARWAL**

**RANGPO, May 23:** Sikkim Human Rights Commission organized a day long awareness programme on human rights today at Rangpo.

The programme was attended by Rangpo SDPO, SDM, Nagar Panchayat president, councillors and executive officer, and general public.

The resource person, Dr. Nidhi Saxena, a professor at

Sikkim University, spoke on human rights and responsibilities.

Sikkim Human Rights Commission chairman Justice N.K. Jain was the keynote speaker.

## Human rights awareness programme at Kupup



The awareness programme at Kupup.

Staff Reporter

LANGTOK, May 9: An awareness programme on human rights and rights of labourers was organized by Ikkim State Human Rights Commission (SHRC) Sunday at Kupup, East Sikkim. The programme was headed by SHRC chairperson of former Chief Justice N.K. Sinha, Law secretary Lakchung Sherpa, joint Labour Commissioner K.R. Limboo, and SDM Kishore Pradhan and SHO Dorjee Bhutia.

The motive of organizing the programme was to aware people about human rights and rights of labourers so that they seek justice in instances of

human right violations, mentioned the SHRC chairperson. He observed that all natural rights are human rights.

K.R. Limboo, in his address, elaborated on the rights of labourers and made the public aware about various facilities like EPF, medical facilities and monthly pension under which they may be benefited.

Lakchung Sherpa elaborated on different schemes under which the labourers are benefited like MGNREGA, Indra Awasas Yojna, Amodaya, Right to Food, old age pension and ICDS. She also explained human rights and rights of labourers, and where and how their rights are protected.

## जेलबन्दीहरूलाई लिएर मानवाधिकारमाथि सचेतना



जेलबन्दीहरूको मानवाधिकारमाथि सचेतना बढाउनु सार्थक न्यायाधीश एनके सिन्हा।

गान्तोक, ९ अगस्त (आइपीआर): पूर्व तिब्बतको रोगक्षित राज्य केन्द्रिय कारागारमा भर्नाभार मानवाधिकारमाथि एउटा सचेतना कार्यक्रमको आयोजन गरिएको छ। सिक्किम राज्य मानवाधिकार आयोग (एसएसएचआरसी) -द्वारा आयोजित कार्यक्रममा एसएसएचआरसीका अध्यक्ष न्यायाधीश एनके जैन मुख्य अतिथिको रूपमा उपस्थित थिए। जेलबन्दीहरूलाई सम्बोधित गर्दै न्यायाधीश एनके जैनले जेलबन्दीहरूलाई

मानवाधिकार र यसका फाइदाहरूबारे अवगत गराए। मानवाधिकार कसरी अस्तित्वमा आउँछ र यसको महत्व के छ भन्ने कुरा पनि उनले प्रकाश पारे। उनले जेलबन्दीहरूलाई उपायक बन्न अनि सिर्जनात्मक कार्यमा लाग्न आह्वान जनाए। न्यायाधीश जैनले तिब्बत राज्य केन्द्रिय कारागारका जेलबन्दीहरूको बसोबासो तथा अन्य आधारभूत आवश्यकता पूरा गर्न अनि जेलबन्दीहरूको मानवाधिकार हनन नहोस् भन्ने कुरालाई विशेष

ध्यान दिनु जेल अधिकारीहरू सम्बोधित गर्दै एसएसएचआरसी सचिव श्रीमती लासुङ नेउनीहरूलाई मानवाधिकार र महत्वबारे जानकारी गराए। यसअघि, जेल र तिब्बतका जेलबन्दीहरूको सम्बोधनका लागि कार्यक्रम सुरु भएको थियो। जेलबन्दीहरूका लागि प्राथमिकताले उदाएका कुराहरूबारे उनले विस्तृत जानकारी दिएका थिए।

## Singtam residents sensitized on human rights

SE Report

LANGTOK, April 6: The Ikkim State Human Rights Commission (SSHRC) organized an awareness programme on human rights at Singtam community hall, East district on Wednesday. SSHRC chairman former Chief Justice N.K. Sinha, former judge Justice P. Subba, Sikkim Police DGP (law and order) Akshay Sachdeva and Singtam nagar panchayat president Sawan Kumar Pradhan were present on the occasion, a press release informs.

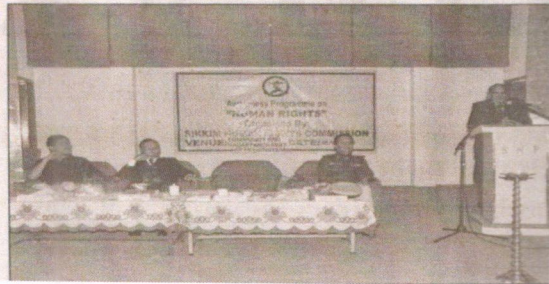
The SHRC chairperson

was organized to aware people about their human rights. He observed that all natural rights are human rights which a person has to get since his birth. He also delved on the provisions of National Food Security Act, 2013 and different welfare schemes of the Central and State governments.

Justice A.P. Subba in his address elaborated about how human rights came into existence.

ADGP Akshay Sachdeva elaborated on duties of the police in protecting human rights of common people.

Rangpo SDM also briefed on human



## मानव अधिकारमाथि सचेतना कार्यक्रम

गान्तोक, २७ अगस्त: आसाम-लिङ्जेको पञ्चायत भवनमा २६ अगस्तको दिन मानव अधिकारमाथि एक सचेतना कार्यक्रम सम्पन्न भयो। यो कार्यक्रम सिक्किम मानव अधिकार आयोग (एसएसएचआरसी)-ले आयोजन गरेको थियो।

कार्यक्रममा आयोगका अध्यक्ष एनके जैन, उच्च अदालतका भूतपूर्व मुख्य न्यायाधीश बीबी राई, क्षेत्र

विधायक, सचिव, खाद्य तथा नागरिक आपूर्ति विभागका सह-निदेशक पीएन भोटिया आदि उपस्थित थिए। आयोगका अध्यक्षले यो कार्यक्रम आयोजन गर्नुको उद्देश्य मानिसहरूलाई उनीहरूको मानव अधिकारबारे सचेत गराउनु रहेको बताए। उनका अनुसार सबै प्राकृतिक अधिकार मानव अधिकार हुन्, जुन एक व्यक्तिलाई जन्मैदेखि प्राप्त हुनुपर्छ।

क्षेत्र विधायकले विभिन्न

परियोजनाबारे बताए, जसबाट सर्वसाधारणले लाभ उठाइरहेका छन्। ती परियोजनामध्ये एमजीनेगा, इन्दिरा आवास योजना, अन्नोदया, राईट टू फुड, वृद्ध भत्ता, आईसीडीएस आदि हुन्। सचिव लासुङ शेर्पाले आफ्नो सम्बोधनमा उपलब्ध विभिन्न सुविधाबारे जानकारी दिँदै आईसीडीएस कार्यकर्ताहरूको कार्य र जिम्मेवारीबारे पनि बताइन्। सह-निदेशकले राईट टू फुडबारे विस्तृतमा बताएका थिए।





## Human rights awareness programme at Geyzing

Staff Reporter

**GANGTOK, April 18:** An awareness programme on human rights was organised by Sikkim State Human Rights Commission (SHRC) at Geyzing community hall, West Sikkim on Saturday. The programme had State Rural Development minister S. B. Subedi as the chief guest.

SHRC chairperson and former Chief Justice N.K. Jain, District & Sessions judge, civil judge, district collector, sub-divisional officials, zilla adhyaksha, upadhyaksha, panehyats and college students were in attendance at the programme. The SHRC chairperson mentioned that the motive of organizing such programme is



Former Justice A.P. Subbia, minister S. B. Subedi and SHRC chairperson N.K. Jain

rights so that they can seek justice in instances of human right violations. He observed that all natural rights are human rights and urged all the people present to peruse books on human rights. He also informed the SHRC is an autonomous and independent body working for the betterment of human rights as per the charter of UN, Constitution and the Act on Minister Subedi thanked SHRC for organizing the awareness programme and for making public aware about their human rights.

Justice Subedi in his address elaborated on human rights. The awareness programme was also addressed by SHRC secretary Lakshmi Singh, SDPO Bishal Rai and

## Human rights and right to food awareness held at Nandok

BELLAGURUNG

**TOK, July 5:** An awareness programme on rights and right to food was organised by Sikkim Human Rights Commission (SHRC) at BAC, east district

SHRC chairperson Justice in highlighted the aims and objectives of the programme was aimed like people aware rights to food which is fundamental right of every

human rights are basic relating to life, liberty and dignity of the

individual, guaranteed by the Constitution of India or embodied in the international covenants and enforceable by courts in India. The government has taken an initiative to provide basic human rights like food and shelter to every citizen of the state," he expressed. He informed that such awareness programmes are being organized once in every two months and till date 15 awareness programmes have been conducted in different parts of the State.

Food and Civil Supplies joint director P.N. Bhatia detailed on Right to Food as a fundamental right with special



focus on ration cards. Ration cards in Public Distribution System (PDS) were introduced as the government wanted to provide equal quantities of food supplies to every citizen. Earlier, the PDS had many loopholes and resulted in duplicate ration

card holders. The government has recently introduced automatic migration and automatic machinery, to allow transparency in PDS. The ration cards are linked with Aadhar cards, which helps us track our customers and help us provide one beneficiary per

person," informed Bhatia. Further he informed that the department has decided to connect all 1,414 fair price shops with the department but due to poor internet connectivity, this remains as a huge challenge.

Resource person lawyer

Sonam Palden Bhatia gave detailed account on human rights and human right violation laws. He also brief on the benefits provided to the BPL categories or women empowerment in terms of reservations in all categories.

SHRC secretary Jagat Rai briefed on the theme and stated that humans should have dignity and should be able to adjust with others.

The awareness programme had the presence of SHRC deputy director T. Bhatta, DDO, BAC, staff zilla panchayat members and dignitaries.

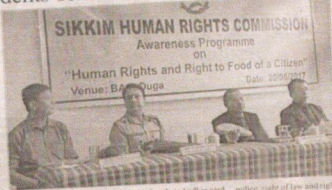
## Duga residents sensitised on human rights

Staff Reporter

**GANGTOK, June 26:** The Sikkim Human Rights Commission (SHRC) organized an awareness programme on human rights and right to food at every village in Duga MAC hill under West Panchayat constituency, east district today. The programme was attended by SHRC chairperson N.K. Jain, and had Sikkim police ADG Akshay Sachdeva, Food & Civil Supplies joint director P.N. Bhatia as the key resource persons, on the occasion.

Also in attendance was Duga BPO P.A. Khari, bankayon members, school heads from different schools, delegates and operators from different NGOs, clubs and associations, local and officials.

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Resource person P.N. Bhatia in his address, focused on the newly implemented National Food Security Act 2013. He mentioned that the date under this Act is published in the website of the department for submission. He added that the process of seeding of Aadhar card with the ration card has started and 50 percent work is completed, while remaining 48 percent work is pending due to delay on the part of consumers in

submitting their Aadhar card details. Bhatia informed that Sikkim and Tripura are the only States in the North East which are working rapidly in completing the policy of the Central government. Further, the department has decided to connect all 1,414 fair price shops with the department has poor internet connectivity and big challenge ADG Akshay Sachdeva spoke about right of private defense, responsibility of

police, right of law and right of equality of law. SHRC chairperson Justice N.K. Jain highlighted the aims and objectives of the SHRC. He mentioned that the programme has been organized to make people aware regarding Right to Food which is also a fundamental right of every citizen. He informed that SHRC was formed in 2008 and after awareness programme only from 714 the cases started to come.

## मानवाधिकार आयोग ने मनाया स्वतंत्रता दिवस



गंगटोक, 16 अगस्त (का.सं.)। गैंगटोक रिजल्ट विधिकम्प्य मानवाधिकार आयोग कायावलन में 71वां स्वतंत्रता दिवस मनाया गया। यहाँ पर आयोग के अध्यक्ष बरिदिस नरेन्द्र कुमार जैन ने तिर्था महारया। इस अवसर पर कायावलन के सभी कर्मचारी व अधिकारी उपस्थित थे।