

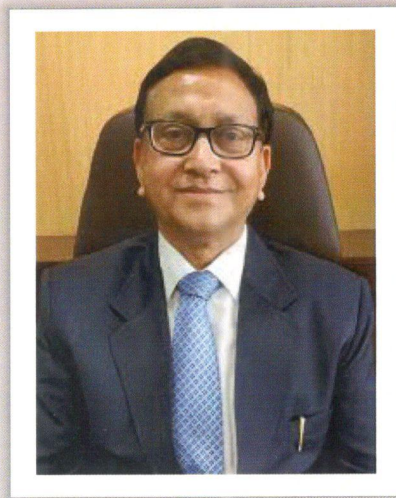


**SIKKIM STATE HUMAN RIGHTS COMMISSION
GANGTOK**

ANNUAL REPORT

UNDER SECTION 28(1) OF THE
PROTECTION OF HUMAN RIGHTS ACT, 1993
(CENTRAL ACT NO.10 OF 1994) FOR THE YEAR
2019-20
(01/04/2019 to 31/03/2020)

WEBSITE: sshrc.nic.in.



**Hon'ble Mr. Justice Vijai Kumar Bist
CHAIRPERSON
SIKKIM STATE HUMAN RIGHTS COMMISSION**



AWARENESS PROGRAMME ON "HUMAN RIGHTS"



**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 2019-20.

INDEX

Sl No.	Chapter	Particulars	Page No.
01.	Chapter-I	Introduction	1
02.	Chapter-II	Salient Features of the Protection of Human Rights Act, 1993	2-4
03.	Chapter-III	Procedure Section 17 Inquiry into Complaints	5
04.	Chapter-IV	Composition and Functions	6
05.	Chapter-V	Appointment Chairperson and Members of the Commission	7
06.	Chapter-VI	Officers and Staff of the Commission	8-9
		Office of the Commission	9
07.	Chapter-VII	Budget and Accounts	10
08.	Chapter-VIII	Awareness Programme Organised by SSHRC	11-12
		Internship/Training	---
09.	Chapter-IX	Complaints Received/Instituted/ Disposed-off	13-15
10.	Chapter-X	Important Legislations for Protection of Rights	16-18
		Classification of Categories of cases being dealt with by the Commission	---
11.	Annexure	---	19-29

CHAPTER - I

INTRODUCTION

This Annual report of the Sikkim State Human Rights Commission covers the period from 1st April, 2019 to 31st March, 2020. This is the 6th Annual Report of the Commission.

The annual report of the Commission, covering the period from the year 1st April, 2018 to 31st March, 2019 was submitted to the state Government by the Secretary of the Commission for placing the same before the House of State Legislature in accordance with the procedure laid down under Section 28 of The Protection of Human Rights Act, 1993, as amended by the Protection of Human Rights (Amendment) Act, 2006 vide letter No.1437/SSHRC/2019 dated 13/11/2019.

The annual report of the Commission provides a description about the overall activities undertaken in this year. It took cognizance on the complaints as well as Suo-Motu cognizance in other matters about occurrences hinting towards use of excessive force by police personnel in different areas of the State, Violation of human rights etc.

CHAPTER - II

SALIENT FEATURES OF THE PROTECTION OF HUMAN RIGHTS ACT, 1993

SECTION-12: FUNCTIONS AND POWERS OF THE COMMISSION

- 12. Functions of the Commission** - The Commission shall perform all or any of the following functions, namely:-
- (a) inquire, suo-motu or on a petition presented to it by a victim or any person on his behalf (or on a direction of order of nay courts), into complaint of-
 - (i) violation of human rights or abetment thereof; or
 - (ii) negligence in the prevention of such violation, by a public servant;
 - (b) intervene in any proceeding involving any allegation of violation of Human rights pending before a court with the approval of such court;
 - (c) visit, notwithstanding anything contained in any other law for the time being in force, any jail or other institution under the control of the State Government where persons are detained or lodged for purposes of treatment, reformation or protections, for the study of the living conditions of the inmates thereof and make recommendations thereon to the Government;
 - (d) review the safeguards provided by or under the Constitution or any law for the time being in force for the protection of human rights and recommend measures for their effective implementation;
 - (e) review the factor, including acts of terrorism, that inhibit the enjoyment of human rights and recommend appropriate remedial measure;
 - (f) study treaties and other international instruments on human rights and make recommendations for their effective implementation;
 - (g) undertake and promote research in the field of Human rights.
 - (h) spread Human Rights literacy among various section so f society and promote awareness of the safeguards available for the protection of these rights through publications, the media, seminars and other available means;
 - (i) encourage the efforts of non-governmental organizations and institutions working in the field of human rights;
 - (j) such other functions as it may consider necessary for the protection of such Human Rights.

SECTION-13 POWERS RELATING TO INQUIRIES

- (1) The Commission shall, while inquiring into complaints under this Act, have all the powers of a civil courts trying a suit under the code of Civil Procedure, 1908, and in particular in respect of the following matters, namely-
 - (a) Summoning and enforcing the attendance of witnesses and examining them on oath;
 - (b) Discovery and production of any document;
 - (c) Receiving evidence on affidavits;
 - (d) Requisitioning any public record or copy thereof from any court or office;
 - (e) Issuing Commissions for examination of witnesses or documents;
 - (f) Any other matter which may be prescribed.
- (2) The Commission shall have power to require any person, subject to any privilege which may be claimed by that person under any law for the time being in force, to furnish information on such points or matters as, in the opinion of the commission, may be useful for, or relevant to, the subject matter of the inquiry and any person so required shall be deemed to be legally bound to furnish such information within the meaning of section 176 and section 177 of the Indian Penal Code.
- (3) The Commission or any other officer, not below the rank of a gazette Officer, specially authorized in this behalf by the Commission may enter any building or place where the Commission has reason to believe that any document relating to the subject matter of the inquiry may be found, any may seize any such document or take extracts or copies there-from subject to the provisions of the section 100 of the Code of Criminal Procedure, 1973, in so far as it may be applicable.
- (4) The Commission shall be deemed to be a civil court and when any offence as is described in section 175, section 179, section 228 of the Indian Penal code is committed in the view or presence of the Commission, the Commission may, after recording the facts constituting the offence and the statement of the accused as provided for in the Code of Criminal Procedure, 1973, forward the case to a Magistrate having jurisdiction to try the same and the Magistrate to whom any such case is forwarded shall proceed to here the complaint against the accused as if the case has been forwarded to him under section 346 of the Code of Criminal Procedure, 1973.
- (5) Every proceeding before the Commission shall be deemed to be a judicial proceeding within the meaning of section 193 and 228, and for the purpose of section 196 of the Indian Penal Code, and the Commission shall be deemed to be a civil court for all the purpose of section 195 and chapter XXVI of the Code of Criminal Procedure, 1973.
- (6) Where the Commission considers it necessary or expedient so to do, it may, by order, transfer any complaint filed or pending before it to the State Commission of

the State from which the complaint arises, for disposal in accordance with the provisions of this Act.

Provided that no such complaint shall be transferred unless the same is one respecting which complaint arises, for disposal in accordance with the provisions of this Act.

- (7) Every complaint transferred under sub-section (6) shall be dealt with and disposed of by the State Commission as if it were a complaint initially filed before it.

SECTION 14 - INVESTIGATION

- (1) The Commission may, for the purpose of conducting any investigation pertaining to the inquiry, utilize the service of any officer or investigation agency of the Central government or any State Government with the concurrence of the Central Government or any state Government, as the case may be.
- (2) For the purpose of investigating into any matter pertaining to the inquiry, any officer or agency whose services are utilized under sub-section (1) may, subject to the direction and control of the Commission:-
- (a) Summon and enforce the attendance of any person and examine him;
 - (b) Require the discovery and production of any document, and
 - (c) Requisition any public record or copy thereof from any office.
- (3) The provisions of section 15 shall apply in relation to any statement made by a person before any officer or agency whose service are utilized under sub-section (1) as they apply in relation to any statement made by a person in the course of giving evidence before the Commission.
- (4) The officer or agency whose services are utilized under sub-section (1) shall investigate into any matter pertaining to the inquiry and submit a report thereon to the Commission within such period as may be specified by the Commission in this behalf.
- (5) The Commission shall satisfy itself about the correctness of the facts stated and the conclusion, if any, arrived at in the report submitted to it under sub-section (4) and for this purpose the Commission may make such inquiry (including the examination of the person or persons who conducted or assisted in the investigation) as it thinks fit.

CHAPTER-III

PROCEDURE

SECTION 17 INQUIRY INTO COMPLAINTS

The Commission while inquiring into the complaints of violations of human rights may -

- (i) Call for the information or report from the Central Government or any State Government or any other authority or organization subordinate thereto within such time as may be specified by it, Provided that
 - (a) If the information or report is not received within the time stipulated by the Commission, it may proceed to inquire into the complaint on its own,
 - (b) If, on receipt of information or report, the Commission is satisfied either that no further inquiry is required or that the required action has been initiated or taken by the concerned Government or authority, it may not proceed with the complaint and inform the complainant accordingly,
- (i) Without prejudice to anything contained in clause
- (ii) If it considers necessary, having regard to the nature of the complaint, initiate an inquiry.

CHAPTER - IV

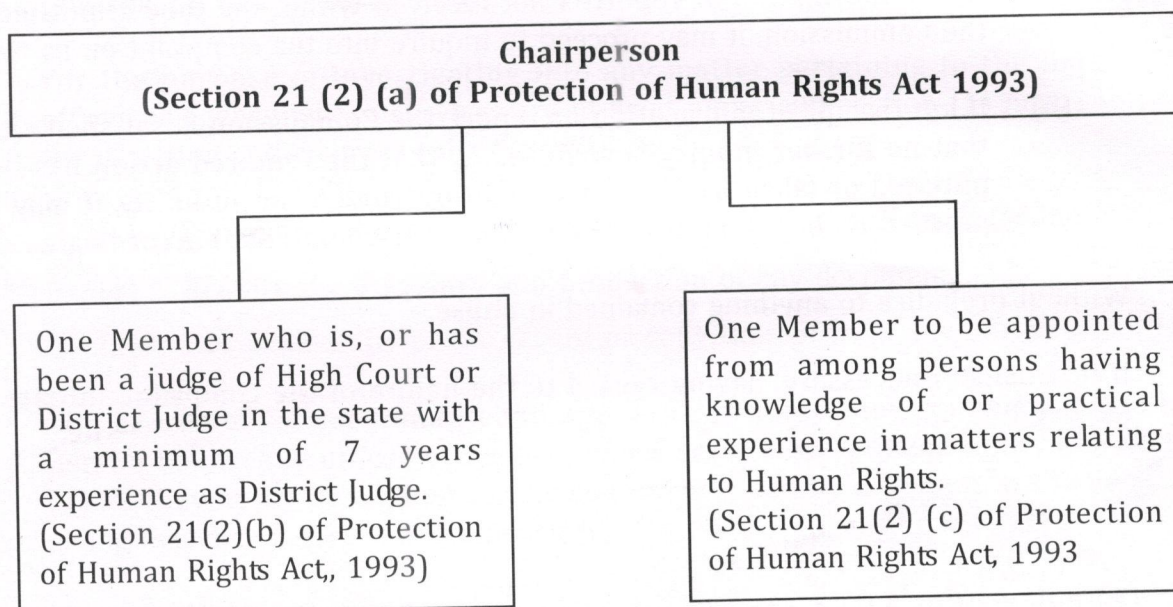
COMPOSITION AND FUNCTIONS

Chapter V of the Protection of Human Rights Act, 1993 (as amended by Act NO.43 of 2006) deals with constitution of States Human Rights Commission.

COMPOSITION

The Commission comprises a Chairperson, Two Members. The Protection of Human Rights Act, 1993 lays down qualifications for appointment of the Chairperson and Members of the Commission.

COMPOSITION OF SIKKIM STATE HUMAN RIGHTS COMMISSION

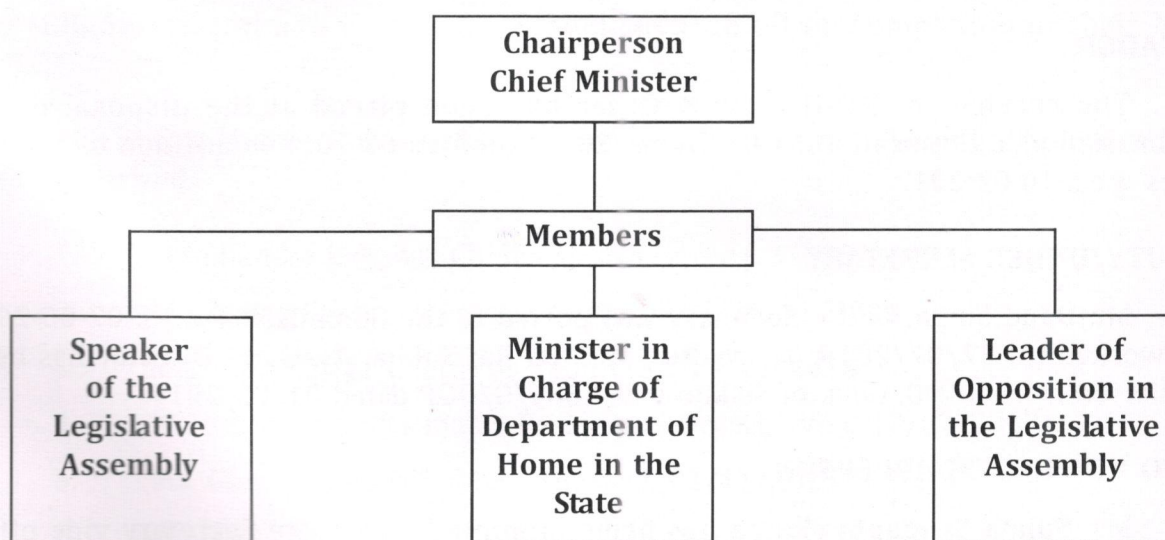


CHAPTER - V

APPOINTMENT

The Parliament in its wisdom looking into the sensitivity and piousness of human rights was conscious to lay down strict norms for the appointment of Chairperson and the Members of the Commission. The statutory requirements relating to the qualifications of the Chairperson and Members of the Commission, as well as their selection by a high-level and politically balanced committee ensures a high degree of independence and credibility to the functions of the State Commission.

Selection Committee for Appointment of Chairperson and Members 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) was appointed as Chairperson of Sikkim State Human Rights Commission vide Notification No.88/Home/2014 dated 14/10/2014 for a period of five years, who completed his tenure on 7th October, 2019. At present Hon'ble Mr. Vijai Kumar Bist (Former Chief Justice of High Court of Sikkim) has been appointed as Chairperson of Sikkim State Human Rights Commission on 5th November, 2019 vide warrant dated 31st October, 2019 Notification No.86/Home/2019 dated 04/11/2019 & No.87/Home/2019 dated 04/11/2019 (**Annexure-I,II & III**) and One post of Member is filled up by Shri M.G. Kiran, IAS (Retd.) vide Warrant No.SKM/GOV/251/2019 dated 10th June, 2019 and Notification No.50/Home/2019 dated 10/06/2019 and No.60/Home/2019 dated 24/07/2019 (**Annexure- IV ,V & VI**).

CHAPTER - VI

OFFICERS AND STAFF OF THE COMMISSION

SECRETARY

Shri Jagat Bahadur Rai, SSJS, Secretary, Legal, Legislative and Parliamentary Affairs has been given additional charge of Sikkim State Human Rights Commission vide Notification No.1599/G/DOP dated 20/05/2019.

PPS./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 has demitted the office of SSHRC on 30th November, 2019.

IGP/ADGP

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

DEPUTY/UNDER SECRETARY

Mr. Daud Singh, Under Secretary was posted to the Commission w.e.f. 07-06-2018 and worked till 27/07/2019. Thereafter, Mr. Aita Raj Subba, Assistant Director has been transferred from HRDD, Govt. of Sikkim vide 1685/G/DOP dated 01/08/2019.

PS TO HON'BLE CHAIRPERSON

Ms. Sujata Sengupta Manna has been appointed as Private Secretary vide office order No.1555(ii)/SSHRC/2020 dated 3rd February, 2020. as Private Secretary w.e.f. 01/02/2020 is attached to the Hon'ble Chairperson.

Junior Accountant/Stenographer

Mr. Tenzing Rapden, Jr. Accountant was posted w.e.f. 21-01-2019 and who is continuing his office as such.

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

Mrs. Lalita Karkidoli Stenographer, Grade-II who is continuing since 22-07-2017 and till the period of this annual report.

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

The following employees were working on Muster Roll basis.

1. Mrs. Ohmu Hangma Subba, LDC.
2. Mrs. 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. Karna Bahadur Chettri, Driver.
7. Mr. Sanjay Subba, Peon.
8. Mrs. Kabita Rai, Peon.
9. Mr. Phurba Tshering Lepcha, Peon.
10. Mr. Kul Prasad Sharma, Residential Orderly.
11. Mr. Indra Kumar Chettri, Residential Orderly.
12. Mrs. Mona Gautam, Residential Orderly-cum-Cook.

The M.R. Services of two employees were dispensed off on completion of their M. R. Period.

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.
5. Ms. Ohmu Hangma Subba, LDC w.e.f. 01/11/2019.
6. Ms. Tika Maya Chhetri, LDC-cum-Typist w.e.f. 01/11/2019.
7. Mr. Lako Tshering Lepcha, Driver w.e.f. 01/11/2019.
8. Mrs. Kabita Rai, Peon w.e.f. 01/11/2019.
9. Ms. Mona Gautam, Residential Orderly-cum-Cook w.e.f. 01/11/2019

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

OFFICE OF THE COMMISSION

The Office of the Sikkim Human Rights Commission is situated in Manan Bhawan, Development Area, Gangtok.

CHAPTER - VII

BUDGET AND ACCOUNTS

The State Government had allotted the budget of Rs.1,64,16000/- to the Commission in Demand No. 27 alongwith Department of Legal, Legislative & Parliamentary Affairs, Government of Sikkim for the financial year 2019-2020 in the following head:-

2070-00.001-63-44-31-Grants in Aid Rs. 1,64,16000/-

Out of above allotted budget an amount of Rs.55,00,000/- was demanded as supplementary budget, which has been shown in the enclosed statement.

The Commission is maintaining proper accounts and record. A monthly expenditure report is being submitted by the 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-IX**.

Quarterly reconciliation is also being made by the Commission with the office of Accountant General, Gangtok. A copy of Certificate No. VLC-II/Reconciliation/2019-20/130 dated 08/02/2021 issued by the office of Sr. Deputy Accountant General (A&E) Sikkim is enclosed herewith and marked as **Annexure X**.

CHAPTER - VIII

AWARENESS PROGRAMMES/INTERNSHIP

Section 12 (h) read with Section 29 of the "Protection of Human Rights Act, 1993" provides that, "the commission has been spreading 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 on Human Rights on 6th August, 2019 at Raapjyar Cauveri hall of Sikkim Central University, Opposite SRM University, Tadong, Gangtok.

The Commission has also organized Human Rights Day on 10-12-2019 by taking pledge in the Commission's Office itself.

INTERNSHIP/TRAINING

Sub Section (g) and (h) of Section 12 of Protection of Human Rights Act, 1993, give emphasis to promote research in the field of human rights and to 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. The State Human Rights Commission in order to achieve the above object is imparting internship training to the law students as well as the students of social sciences of various universities, and institutions.

In this process the eligible candidates apply to this Commission through their institutions with their resumes and other relevant documents. After scrutiny of the applications, a proposal is placed before the Hon'ble Chairperson for approval of the candidate found suitable for the internship with the Commission. After finalization of the names the candidates are informed and an opportunity is given to them to work with the Commission as an intern for a specified period for which their institutions permit them. In the allocated period each of the candidates is allotted a topic to prepare a project thereon and submit it to the Commission for their evaluation. In the process of internship, the intern has to attend the court proceedings and prepare synopsis of the cases listed for hearing before the Commission. The emphasis is given to go through the Constitution of India and its relevant chapters including the fundamental rights of the citizens, as contained in the Constitution and specifically deals with the human rights of a citizen of India. They are also advised to go through the relevant case laws and the leading cases as are being pronounced time to time by various Hon'ble High Courts and the Hon'ble Apex Court. They are also instructed by the Commission to see the Hon'ble Chairperson, Hon'ble Member and the Secretary of the Commission and seek redressal of their doubts.

In the manner the Commission is engaged to develop research work and further to groom the Law Students and the students of Social Science, who are interested to work towards the protection of human rights.

The Commission feels proud to report that it has successfully imparted internship to 56 students of various prestigious intuitions across the country.

CHAPTER - IX

COMPLAINT RECEIVED/INSTITUTED/DISPOSED OFF

During the period of Annual Report 2019-20, the Commission received only seven complaints during this period, and out of which three complaints has been disposed of. Four complaints remained pending as on 31-03-2020. The details of complaints received and complaints disposed of during the period of report are as under:-

Complaint Case No.06/2019 Ganga Prasad Sharma Vs. & SP, South District, Namchi.

The case was received by the Commission on 29th April, 2019 which has been forwarded by the National Human Rights Commission, New Delhi (registered on 29-04-2019) regarding physical assaulting and threatened by Mr. D.K. Rai from Dalep, South Sikkim, who snatched the mobile phone and money of the Complainant. Regarding the same a report was sought from SP, South, wherein it was found that the same case has already proceeded in the Judicial Magistrate, Yangang, Sub-division Yangang, in G.R. Case No.7/2018. It is reported in the report that the case was registered in Temi Police Station vide case No.13/2018 dated 18/06/2018 and on completion of investigation, the charge sheet was submitted in the Court of Judicial Magistrate, Yangang, South Sikkim, and the said case has been disposed of by the said Court. After going through the report, it appears that the offences were compoundable and the parties have settled the matter amicably. Hence, the case was disposed off on 29/05/2019.

Complaint Case No.07/2019 Dr. Sonam Yangchen Bhutia, Assistant Professor, Department of Law Vs. Additional Secretary, SJE&WD.

The case was received on 27th August, 2019 and registered on 27/08/2019 from Dr. Sonam Yangchem Bhutia, Assistant Professor, Department of Law, Sikkim University regarding the inmates of Old Age Home, Jalipool for they were not receiving any old age or disability pension under the Central Government Scheme. The Commission in the matter had sought a report from Additional Secretary, Social Justice Empowerment and Welfare Department (W&CDD), Govt. of Sikkim. The case is pending in want of further action taken report on the matter.

Complaint Case No.08/2019 Bijay Kumar Agarwal Vs.SP, South Sikkim.

A complaint was received through email on 25th September, 2019 (registered on 28/09/2019) from Bijay Kumar Agarwal of Jorethang, South Sikkim against his wife Bhagyashree Agarwal. The Commission has forwarded the complaint to the S.P., South Sikkim for doing needful in the matter in accordance with law and the case was closed/ disposed of on 29th September, 2019.

Complaint Case No.09/2019 Saptar Ali Vs. SP. Gyalshing & CMO, Distt. Hospital Gyalshing, West Sikkim

A complaint case was received from Mr. Saptar Ali, Bramhatalpara, Distt. Jalpaiguri on 28th September, 2019 (Registered on 29/09/2019) regarding his son Md. Rahul, who was taken on work as labour, wherein on 6th June, 2019 he got a call that his son expired due to some unknown reason. The Commission sought report/comments from the S.P. West, Gyalshing and the C.M.O., Gyalshing Hospital, Gyalshing with a period of three weeks. On receipt of the report, it came to know that the deceased, Md. Rahul on 6th June, 2019 had slipped and fell down while returning from grocery shop which caused injury to him. On 7th June, 2019 morning of having severe side pain on his body, he was taken to Semik Primary Health Center (PHC) for treatment but the MO declared him as brought dead.

Since the matter has been thoroughly investigated by the Investigating Officer and it was found that there was no foul play for the death of Md. Rahul.

Consequently, with the aforesaid observation, the complaint was disposed of on 23rd October, 2019.

Complaint Case No.10 of 2019 Pratima Gupta Vs. S.P. East, Gangtok

Ms. Pratima Gupta, Gangtok has filed a complaint on 13th November, 2019 regarding Sadar Police Station for not registering her FIR against Pankaj Jha residence of Delhi working in BSNL company, Temi Tarku, South Sikkim.

A report was sought from S.P. East District and S.P., South District. A rejoinder to the report of S.P. East from the Complainant is awaited. The complaint remained pending till the end of March 2020.

Complaint Case No.11 of 2019 Bijay Kr. Agarwal Vs. S.P South, Sikkim

This complaint has been received through email of Sikkim State Human Rights Commission 3rd December, 2019 (registered on 10/12/2019) against Jorethang Police. The Commission on receipt of the complaint sought report from the Superintendent of Police, South District, Namchi. Considering the matter the Commission has order both the parties to be present in the next date i.e 4th February, 2020. On 4th February, 2020, the S.P. Namchi failed to present before the Hon'ble Commission, allegation made in the complaint against the Police Inspector are serious in nature. Considering this, the S.P., Namchi, South Sikkim is further directed to submit his report to the Commission on or before the next date. The complaint remain pending for the want of report till this annual report.

Complaint Case No.1 of 2020 M.K. Subba & others Vs. S.P., Central Jail, Rongyek.

Shri M.K Subba has filed a complaint on 28th February, 2020 against S.P. Central Jail, Rongyek regarding photography of the under trail accused person namely Barap Namgyal Bhutia been taken by police officers of the Central Jain, Rongyek and been leaked by the

police personals and circulated on social medial in order to mentally harass the family of the accused and subjected to mental torture by the police personnel of the jail authority. The matter has been registered on 2nd March, 2020 and the report was called from the S.P. Central Jail, Rongyek and is awaited till the period of this annual report.

A **consolidated statement**, in brief, showing the details of the complaints received, instituted and disposed of during the period of this report is annexed herewith and marked as **Annexure -XI**.

CHAPTER - X

IMPORTANT LEGISLATIONS FOR PROTECTION OF RIGHTS

The Constitution of India guarantees every citizen to live with dignity. A person cannot lead a dignified life unless he is provided with certain rights and broadly speaking human rights. Thus human rights are the rights which are possessed by every human being, irrespective of his or her nationality, race, religion, sex etc simply because he or she is human being. The Legislature, in its wisdom, to protect these rights and to ensure that the citizen of India is provided with such atmosphere where he can lead his life with dignity, certain Acts have been passed. Some of them run as follows:-

1. National Rural Employment Guarantee Act, 2005
2. Food Security and Standard Act, 2011
3. Land Acquisition Act, 2013
4. Protection of Atrocities Act, 1989
5. Maintenance & Welfare of Senior Citizens Act, 2007
6. Prevention of Terrorism Act, 2002

RIGHT OF CHILDREN

1. Increasing incidents of missing children
2. Child labour Act, 1986
3. Child Marriage Act, 2006

RIGHTS OF WOMEN

1. Prevention of Sex Trafficking of Women
2. Rehabilitation of Distressed and deserted Women
3. Sexual Harassment of Women at Workplace Act, 2013
4. Protection of Women from Domestic Violence Act, 2005
5. Dowry Prohibition Act, 1961
6. Rights of Women in Ancestral Property
7. Illiteracy Problems amongst the women

CLASSIFICATION OF CATEGORIES OF CASES BEING DEALT WITH BY THE COMMISSION

1. Child Labour
2. Child Marriage
3. Child prostitution
4. Exploitation of Children
5. Immoral Trafficking of Children
6. Sexual Harassment

7. Death in Police Custody
8. Death in Judicial Custody
9. Disappearance/Missing
10. Custodial Death in Juvenile Home
11. Rehabilitation

HEALTH

1. Exploitation of Mentally Retarded Person(s)
2. Public Health Hazards
3. Malfunctioning of Medical Professionals
4. Irregularities in Govt. Hospitals/Primary Health Centers
5. Lack of Proper Medical Facilities in the State
6. Custodial Death (Mental Hospital)

JAILS

1. Custodial Death (Judicial)
2. Custodial Rape (Judicial)
3. Exploitation of Child Prisoners
4. Irregularities in Jail
5. Lack of Proper Food
6. Delay in Producing under tails in Courts
7. Sexual Harassment in Jails
8. Alleged custodial rape in Judicial Custody

LABOUR

1. Bonded Labour
2. Exploitation of Labour
3. Forced Labour
4. Hazardous Employments
5. Slavery

POLICE

1. Arbitrary use of power
2. Abduction/kidnapping
3. Abduction/Rape
4. Attempted Murder
5. Atrocities on SC/ST (by Police)

6. Custodial Death (by Police)
7. Custodial Rape (by Police)
8. Custodial Torture
9. Custodial Violence
10. Death in Police Firing
11. Death in Police Encounter
12. Death in Police Firing
13. Fake Encounters
14. Failure in taking Lawful action
15. False Implications
16. Illegal Arrest
17. Unlawful Detention
18. Indiscriminate Arrest
19. Police Motivated Incidents
20. Victimization
21. Police Inaction
22. Inaction by Local Administration
23. Murder

POLLUTION/ECOLOGY/ENVIRONMENT

1. Ecological Disturbances
2. Environmental Pollution
3. Misuse of Scientific and Technological Development
4. Pollution Effecting Surroundings

REHABILITATION

1. Compensation
2. Allotment of Land
3. Facilities.



सत्यमेव जयते

WARRANT OF APPOINTMENT

By virtue of the power vested in me by sub-section (1) of Section 22 of the Protection of Human Rights Act, 1993, (10 of 1994) I, Ganga Prasad, Governor of Sikkim do hereby appoint **Justice (Retd.) Vijay Kumar Bist** as the Chairperson, Sikkim State Human Rights Commission with effect from the date he assumes charge of his office.

Given at Raj Bhavan, Gangtok, East Sikkim this 31st day of October 2019, in the seventieth year of the Republic of India.

A handwritten signature in black ink, appearing to read 'Ganga Prasad', written in a cursive style.

GOVERNOR OF SIKKIM



**GOVERNMENT OF SIKKIM
HOME DEPARTMENT
GANGTOK**

No:86/Home/2019

Dated: 04/11/2019

NOTIFICATION

The Warrant signed by the Hon'ble Governor on 31st October, 2019 is hereby published for information of general public.

WARRANT

By virtue of the power vested in me by sub-section (1) of Section 22 of the Protection of Human Rights Act, 1993, (10 of 1994), I, Ganga Prasad, Governor of Sikkim do hereby appoint Justice (Retd.) Shri Vijay Kumar Bist as the Chairperson, Sikkim State Human Rights Commission with effect from the date he assumes charge of his office.

Given at Raj Bhavan, Gangtok, East Sikkim this 31st Day of October, 2019 in the seventieth year of the Republic of India.

Governor of Sikkim

-Sd/-

(S.C.GUPTA) IAS

**CHIEF SECRETARY AND HOME SECRETARY
GOVERNMENT OF SIKKIM**



GOVERNMENT OF SIKKIM
HOME DEPARTMENT
GANGTOK

No: 87/Home/2019

Dated: 04/11/2019

NOTIFICATION

In exercise of the powers conferred under sub-section (1) of section 22 of the Protection of Human Rights Act, 1993, State Government constituted a Committee for the purpose of recommending the names of the Chairperson and the members as provided under sub-section (2) of section 21 of the said Act.

On the recommendation of the Committee the State Government is hereby pleased to appoint Justice Shri Vijay Kumar Bist, Retired Chief Justice of the High Court of Sikkim as Chairperson of the Sikkim State Human Rights Commission from the date on which he enters upon his office.

He shall have the same status, salary, allowances, prerequisites and other terms and conditions of service as are available to the sitting Chief Justice of the Sikkim High Court, except that his salary shall be minus the pension already being drawn by him.

By order and in the name of the Governor.

-Sd/-

(S.C.Gupa, IAS)
Chief Secretary and Home Secretary
Government of Sikkim
File No. 147/SHRC/19

गंगा प्रसाद
GANGA PRASAD



राज्यपाल सिक्किम
GOVERNOR OF SIKKIM

राज भवन
गान्तोक-737103
(सिक्किम)
RAJ BHAVAN
GANGTOK-737103
(SIKKIM)

SKM/GOV/251/2019
10th June, 2019

WARRANT

By virtue of the power vested in me by sub-section (1) of Section 22 of the Protection of Human Rights Act, 1993, (10 of 1994), I, Ganga Prasad, Governor of Sikkim do hereby appoint Shri M.G. Kiran, IAS (Retd.) as the Member, Sikkim State Human Rights Commission with effect from the date he assumes charge of his office.

Given at Gangtok, East Sikkim this 10th Day of June, 2019 in the 69th Year of the Republic of India.

Ganga Prasad
10-6-2019
(Ganga Prasad)
Governor of Sikkim





GOVERNMENT OF SIKKIM
HOME DEPARTMENT
GANGTOK

No: 50/Home/2019

Dated: 10/06/2019

NOTIFICATION

The warrant signed by the Hon'ble Governor on 10th Junc, 2019 is hereby published for information of general public.

WARRANT

By virtue of the power vested in me by sub-section (1) of Section 22 of the Protection of Human Rights Act, 1993, (10 of 1994), I, Ganga Prasad, Governor of Sikkim do hereby appoint Shri M.G. Kiran, IAS (Retd.) as the Member, Sikkim State Human Rights Commission with effect from the date he assumes charge of his office.

Given at Gangtok, East Sikkim this 10th Day of June, 2019 in the 69th Year of the Republic of India.

Governor of Sikkim

-Sd/-
(A.K. Shrivastava, IAS)
Chief Secretary
Government of Sikkim
File No. 10/512/LD/2019



GOVERNMENT OF SIKKIM
HOME DEPARTMENT
GANGTOK



No: 60/Home/2019

Dated: 24/07/2019

NOTIFICATION

The Governor of Sikkim is hereby pleased to appoint Shri M G Kiran, IAS (Retd.) as Member, Sikkim State Human Rights Commission with effect from 10th June, 2019.

The terms and conditions of his appointment shall be as under :-

1. He shall hold office for a term of five years from 10th June, 2019, i.e. the day he entered upon his office or until he attains the age of seventy years, whichever is earlier.
2. He shall have the same status, salary, allowances, perquisites and other terms and conditions of services as are admissible to the State Chief Information Commissioner.
3. His salary shall be minus Pension, he is drawing.

By order and in the name of the Governor.



-Sd/-
(A.K. Shrivastava, IAS)
Chief Secretary
Government of Sikkim
File No. 10/512/LD/2019

**DESCRIPTION OF HON'BLE CHAIRPERSON AND OFFICERS
WORKED IN THE COMMISSION DURING THE PERIOD FROM
01-04-2019 TO 31-03-2020**

Sl No.	Name of Officers	Designation	Residential Address
01.	Hon'ble Mr. Justice Vijai Kumar Bist	Chairperson	-----
02.	Shri M.G. Kiran, I.A.S. (Retd.) Tadong, Gangtok	Member	Below Convey Ground,
03.	Shri Jagat B. Rai, SSJS	Secretary	Single unit Quarter, behind Sangram Hall, Development Area, Gangtok
04.	Shri Aita Raj Subba	Assistant Director	Deorali, Gangtok
05.	Ms. Sujata Sengupta Manna	PS to Hon'ble Chairperson	Development Area Gangtok

**STATEMENT/DETAILS OF STAFF WORKED DURING
THE PERIOD FROM
01-04-2019 TO 31-03-2020**

Sl No.	Name	Designation	Remarks
01.	Mr. Tenzing Rapden	Jr. Accountant	Regular from GOS
02.	Ms. Lalita Karkidoli	Stenographer, Grade-II	Regular from GOS
03.	Ms. Hemlata Sharma	Accounts Clerk	Regular from GOS
04.	Ms. Ohmu Hangma Subba	LDC	Regular
05.	Ms. Tika Maya Chhetri	LDC-cum-Typist	Regular
06.	Mr. Chandra Bdr. Chettri	Driver	Regular
07.	Mr. Lako Tshering Lepcha	Driver	Regular
08.	Mr. Sanjay Subba	Process Server	Regular
09.	Ms. Kabita Rai	Peon	Regular
10.	Mr. Kul Prasad Sharma	Residential Orderly	Regular
11.	Mr. Indra Kumar Chettri	Peon	Regular
12.	Ms. Mona Gautam	Residential Orderly-cum-Cook	Regular
13.	Mr. Krishna Prasad Basnet	Driver	On M.R.
14.	Mr. Karna Bdr. Chettri	Driver	On M.R.
15.	Mr. Phurba Tshering Lepcha	Peon	On M.R.

SIKKIM STATE HUMAN RIGHTS COMMISSION
ANNUAL STATEMENT OF ACCOUNTS
STATEMENT SHOWING BUDGET FOR THE F.Y-2019-2020

Head/Sub-Head/Detailed Heads of Commission	Budget Provision	Expenditure	Supplementary budget	Balance	Surrender of Funds
2070-00.001-63-44-31 Grants in Aid	1,64,16,000/- (+) 55,00,000/- = 2,19,16,000/-	2,19,08,000/-	Rs. 55,00,000/-	8,000/-	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 7th 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. The Balance amount shown above could not be surrendered as the same could not be utilized (out of supplementary amount).

Prepared by,

Sd/-
Hemlata Sharma
Accounts Clerk
Sikkim State Human Rights Commission

Sd/-
Aita Raj Subba
Assistant Director cum D&DO
Sikkim State Human Rights Commission

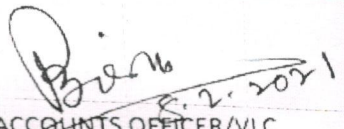


कार्यालय वरिष्ठ उप महालेखाकार (लेखा एवं हक), सिक्किम
 लेखापरीक्षा भवन, देवरालीए तादोङ गान्तोक - 737 102
 OFFICE OF THE SR. DEPUTY ACCOUNTANT GENERAL (A&E), SIKKIM
 Lekha Pariksha Bhawan, Deorali, Tadong, Gangtok - 737 102

NO: VLC-II/Reconciliation/2019-20/130
 Date: 08.02.2021

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 completed reconciliation of expenditure booked in this office for the period 1st 2nd 3rd & 4th quarter ending pertaining to financial year 2019-20. Observation if any, have been noted in the reconciliation register maintained in this office.


 SR. ACCOUNTS OFFICER/VLC
 8.2.2021

**STATEMENT OF COMPLAINT CASES PENDING, RECEIVED AND DISPOSAL BY
SIKKIM HUMAN RIGHTS COMMISSION
DURING THE PERIOD 01-04-2019 TO 31-03-2020**

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.	06 of 2019	29/04/2019	Mr. Ganga Prasad Sharma, Singtam, East Sikkim	Superintendent of Police, South District, Namchi	Assault, Miscreant on Ganga Prasad	Pending
2.	07 of 2019	27/08/2019	Dr. Sonam Yangchen Bhutia, Assistant Professor, Department of Law	Social Justice Empowerment & Welfare Department (W&CDD) Govt. of Sikkim.	Old age disability pension to the inmates of old age homes in Sikkim Pending	29/05/2019
3.	08 of 2019	28/09/2019	Mr. Bijay Kumar Agarwal, Jorethang, South Sikkim	Superintendent of Police, South Sikkim	Family matter	29/09/2019
4.	09 of 2019	28/09/2019	Mr. Saptar Ali s/o of Sabid Ali P.O. Kazipara Jalpaiguri	1. Superintendent of Police, West District, Gyalshing 2. CMO, District Hospital, Gyalshing, West	Foul play & conspiracy for the death of son of Complainant Md. Rahul	23/10/2019
5.	10 of 2019	14/11/2019	Ms. Pratima Gupta, Gangtok	1. Superintendent Police, South District, Namchi 2. Superintendent of of Police, East District, Gangtok 3. Pankaj Jha	Not registering FIR	Pending

SHRC observes Constitution Day

GANGTOK, November 26 (IPR): The Sikkim State Human Rights Commission (SHRC) observed the Constitution Day in the office of the commission here today.

SHRC chairman Justice Vijai Kumar Bist

administered the Constitution Day pledge to the members, officers and staff of the commission.

The SHRC chairman, in his brief address, elucidated the significance of the day and also read out the Preamble of the Constitution.

SIKKIM EXPRESS

OF THIS LAND, FOR ITS PEOPLE

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Sikkim SHRC marks World Human Rights Day

GANGTOK, December 10 (IPR): The Sikkim State Human Rights Commission (SSHRC) observed World Human Rights Day in the office of the commission here today.

SSHRC member M.G. Kiran administered the World Human Rights Day pledge to the officers and staff of the commission. The SSHRC member, in his brief address, elucidated the significance of the day and also read out the pledge of the Human Rights Day.

In pursuance to the provision of the Protection of



Human Rights Act, 1993, Sikkim State Human Rights Commission was also

constituted by the State government in October 2008 with its headquarter at

Gangtok. The office is located in Manan Kendra, Development Area.