

Sikkim Legislative Assembly

(SEVENTH SESSION 10th ASSEMBLY (BUDGET SESSION))

18th May 2023

[FINANCE DEPARTMENT - POWER DEPARTMENT - HOME DEPARTMENT - RURAL DEVELOPMENT DEPARTMENT and DEPARTMENT OF PERSONNEL].

Total Question - 4

Question No. 01 of Hon'ble Member, Shri Pawan Chamling.

*1 Mr. PAWAN CHAMLING (11-namchi Singhithang):

HOME DEPARTMENT :-

Will the Hon'ble Chief Minister also the Minister-in-Charge for Home Department, Government of Sikkim be pleased to state:

With respect to the judgment of the Hon'ble Supreme Court of India in Writ Petition No. 59/2013 & 1283/2021 delivered on 13^{th} January, 2023 and subsequent enactment of the Finance Act, 2023 and insertion of the addition clauses (iv) & (v) to Section 10 (26AAA) in the Income Tax Act, 1961.

(a) The counter affidavit submitted by the Government of Sikkim w.r.t. the two petitioners of the cases as mentioned above in the Hon'ble Supreme Court of India, please. Kindly furnish the true certified copies of any such counter affidavit.

(b) The Sikkim Legislative Assembly has passed the resolutions on 9th February, 2023 and 10th April, 2023, please kindly apprise the status of the two resolutions passed in the Assembly. Have they been submitted to the

Government of India? If so, please kindly furnish the details of the progress of these resolutions till date.

(c) I had demanded the Government of Sikkim to make public the entire set of document and case files. What is the status of the demands so far?Why is the Government of Sikkim sitting over such a very sensitive matter till date? When will the white paper be made public?

Question No. 05 of Hon'ble Member, Shri D.R.Thapa.

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*2 Mr. DILLI RAM THAPA (28-upper Burtuk):

HOME DEPARTMENT Will the Hon'ble Chief Minister also the Minister-in-Charge for Home Department, Government of Sikkim be pleased to state: What is the status report of the fact finding Committee constituted by the Government in connection with SPSC Examination held on January, 2023? How many students have given the said exam?

Question No. 02 of Hon'ble Member, Shri Pawan Chamling.

*3 Mr. PAWAN CHAMLING (11-namchi Singhithang):

HOME DEPARTMENT Will the Hon'ble Chief Minister also the Minister-in-Charge for Home Department, Government of Sikkim be pleased to state: Why the Sikkim Legislative Assembly is not adopting to pass the resolutions proposed by me on 9th February, 2023 in clause (i) to revisit/review the tenants of the term and conditions of Sikkim merger with India on 26th April, 1975 and before with reference to the Indo-Sikkim Treaty 1950; the 8th May Tripartite Agreement, 1973; the Government of Sikkim Act, 1974; the 35th Constitutional Amendment Act, 1975, the resolutions passed by the Sikkim Legislative Assembly on 10th April, 1975; and the Referendum conducted on 14th April, 1975; and post the judgement of the Hon'ble Supreme Court of India on 13th January, 2023 which has diluted and struck down the Sikkimese identity. The Sikkim Legislative Aseembly should immediately adopt this resolution to safeguard the distinct identity of Sikkim and Sikkimese urgently.

Question No. 02 of Hon'ble Member, Shri D. R. Thapa.

*4 Mr. DILLI RAM THAPA (28-upper Burtuk):

DEPARTMENT OF PERSONNEL Will the Hon'ble Chief Minister also the Minister-in-Charge for Department of Personnel, Government of Sikkim be pleased to state: Whether the Government has any provision to regularise Temporary/Adhoc/MR/Contract Employees? If so, what is the criteria to regularise them?

GANGTOK - 737101. Dated: 18th May 2023. LALIT KUMAR GURUNG , SECRETARY .