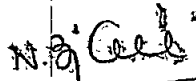


(13)

Serial No. of Order	Date of Order	Order with Signature	Office Note as to action (if any) taken on Order
10.	9.6.2003	<p>Present : Petitioner No.1, Mrs. C. C. Shangderpa, in person.</p> <p>Mr. S. P. Wangdi, Advocate General assisted by Mr. Karma Thinlay, Asstt. Govt. Advocate for the respondents.</p> <p>Mr. Jasbir Singh, Director, Vigilance in person.</p> <p>---</p> <p>The petitioner No.1, Mrs. C. C. Shangderpa is present. List it along with C.M.A.96/2002 on 30.6.2003 for necessary orders.</p> <p style="text-align: center;">  (N. S. Singh) Acting Chief Justice 9.6.2003 </p>	
at/ 11.	30.6.2003	<p>Present : None for the petitioner.</p> <p>Mr. N. B. Khatiwada, Addl. Advocate General assisted by Mr J. B. Pradhan, Govt. Advocate for the respondents.</p> <p style="text-align: center;">-----</p> <p><u>C.M.A.Nos.173, 176, 163, 181, 161, 179, 207 of 2002 and C.M.A. Nos. 15, 74 and 75 of 2003.</u></p> <p>These 10 miscellaneous applications are interrelated and, accordingly, these are taken up together for hearing.</p> <p>Heard Mr. N. B. Khatiwada, learned Additional Advocate General assisted by Mr. J. B. Pradhan, Government Advocate for the State – respondents.</p> <p>Upon hearing learned counsel for the parties and also on perusal of the available matters on record, it appears to me that all these miscellaneous applications can be disposed of finally and, accordingly, these are disposed of with the following common order :-</p> <p>“In terms of the related Court’s order and the report of the Director, Vigilance, the disciplinary authority considered the enquiry against the 7 non-gazetted officers of the Department of Forests, Environment and Wild Life. In this regard, certain</p>	

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Serial No. of Order	Date of Order	Order with Signature	Office Notes to action (if any) taken on Order
		<p>documents, namely, photocopy of note sheet containing the order passed by the disciplinary authority justifying the earlier order and copies of the related Office Orders dated 7.6.2003 pertaining to the imposition of penalty of censure against the said 7 non-gazetted officers are placed before this Court while filing the related report by the Joint Secretary of the Department of Forests, Environment and Wild Life, Government of Sikkim on behalf of the Principal Chief Conservator of Forests-cum-Secretary/Forests, Department of Forests, Environment and Wild Life, Government of Sikkim and those documents are appended to the said report and marked as Annexures-F1, F2, F3, F4, F5, F6, F7 and F8 respectively.</p> <p>I have perused the report dated 17.6.2003. The said report is also supported by an affidavit shown by the Joint Secretary of the Department and similarly in C.M.A.No.74 of 2003, the Department has highlighted the action taken by the authority as against 4 officers, namely, Shri T. P. Karki, Assistant Engineer, Government of Sikkim, Shri B. B. Lama, IFS. O.S.D., Forest and Wild Life Department, Shri J. B. Subba, Divisional Forest Officer, Department of Environment & Wild Life and Shri G. P. Tiwari, a retired officer of the Department of Environment & Wild Life by submitting a report in that regard under the seal and signature of the Ms. D. L. Lama, Additional Secretary, Department of Personnel, A.R.& Training, Government of Sikkim and the report was submitted and placed before this Court by the authority along with the related documents marked Annexures A1 to A5 showing the factum of the initiation of disciplinary proceeding as against Shri J. B. Subba, Shri G. P. Tiwari, Shri B. B. Lama and Shri T. P. Karki respectively. I have perused the two reports mentioned above submitted by the authority concerned.</p> <p>After proper application of my mind in this matter, I am of the view that the authority concerned have been discharging their lawful duties conferred upon them by law, rule and related</p>	

18.7.03
[Signature]

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Serial No. of Order	Date of Order	Order with Signature	Office Note as to action (if any) taken on Order
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office memorandums pertaining to the Departmental enquiry/proceedings in the matter, and in view of it, I am satisfied ^{by} the action taken by the authority concerned at this stage. This Court hope and trusted ^{that} certainly the matter shall be dealt with by the authority concerned in accordance with law and necessary action be taken in that regard from their end and in view of it, this Court no longer requires any further report from the authority concerned.

With the above observations, C.M.A.Nos.173,176,163, 181, 161, 179 and 207 of 2002 and C.M.A.Nos,15, 74 and 75 of 2003 are hereby disposed of.

N. Sufjani Singh

(N. Sufjani Singh)
Acting Chief Justice
30.06.2003

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