

HIGH COURT OF SIKKIM

Record of Proceedings

WP (PIL) No. 03/2018

IN RE.- INSTALLATION OF CCTV CAMERAS IN
COURTS AND TRIBUNALS

Date: 28/06/2018

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MRS. JUSTICE MEENAKSHI MADAN RAI

For Petitioner (s) : Mr. N. Rai, Senior Advocate with Ms.
Tashi Doma Bhutia, Advocate as Amici
Curiae.

For Respondent (s) : Mr. Karma Thinlay, Sr. Govt. Advocate
with Mr. Thinlay Dorjee Bhutia, Govt.
Advocate, Mr. Santosh Kr. Chettri and
Mrs. Pollin Rai, Asstt. Govt. Advocates.

...

The Deputy Secretary in the Home Department, Government of Sikkim, in his affidavit dated 15.05.2018, in response to our direction dated 17.04.2018, submit that the Office of the Lokayukta, Sikkim, has informed that the primary requirement of investigation by Lokayukta involves maintenance of confidentiality in any inquiry or investigation. Thus, any proposal for installation of CCTV cameras in the Office of the Lokayukta Sikkim may not be conducive for the purpose, Lokayukta Office is established.

Issue Notice to the Secretary, Sikkim Lokayukta, Gangtok to file response.

It is further stated that the Sikkim Information Commission has also reservation in installation of CCTV cameras as CCTV cameras are installed only for the purpose of security. We are unable to understand the logic behind the submission.

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The State Information Commission is established on the promise of transparency in working. Thus, the hesitation of Sikkim Information Commission to install CCTV cameras needs response from the Office of the Sikkim Information Commission.

Issue Notice to the Sikkim Information Commission to file response.

It is next brought to our notice that Sikkim Commission for Backward Classes is also not keen to install CCTV cameras for want of sufficient cases. The justification offered by the Commission has no basis.

Issue Notice to the Secretary, Sikkim Commission for Backward Classes.

The Police Accountability Commission has no permanent office premises, thus, installation of CCTV cameras in its premises may not be feasible, is reported by the Commission.

In such a situation, we expect that the State Government will make a provision for permanent office where CCTV cameras may be installed.

To our surprise we notice that the District Magistrates, East District, Gangtok and West District, Gyalshing as well as South District, Namchi have not responded directly to the query. They have chosen their subordinate Officers, namely, Sub-Divisional Magistrates and Additional District Collector, respectively, to respond, as if adjudication is done not by the Magistrates themselves, but through the subordinates.

Accordingly, the District Collectors are directed to file response in person not through delegated authority.

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Issue notice to the Secretary, State Electricity Regulatory Commission also to file response regarding installation of CCTV cameras.

The State Government is directed to install CCTV cameras in all other Commissions/ adjudicating authorities wherever there is no objection from the Officers manning it within a period of 4 (four) weeks and submit a report.

Call on 31.07.2018.

Judge
28.06.2018

Chief Justice
28.06.2018

Index : ~~Yes~~ / No
Internet : Yes / ~~No~~

jk/ds