

WP (PIL) No. 06/2015
Biraj Adhikari vs. State of Sikkim & Ano.

BEFORE
MR. JUSTICE SATISH K. AGNIHOTRI, CJ &
MR. JUSTICE BHASKAR RAJ PRADHAN, J.

18. 01.08.17 Present: Mr. Sudesh Joshi, Advocate for the Petitioner.
(Agnihotri, CJ)

Mr. Jorgay Namka, Advocate as 'Amicus Curiae'.

Mr. Karma Thinlay, Sr. Government Advocate with Mr. S.K. Chettri with Ms. Pollin Rai, Asstt. Govt. Advocates for Respondents No. 1, 2 and 3.

Mr. Karma Thinlay, Central Govt. Advocate with Mr. Thinlay Dorjee Bhutia, Advocate for Respondent No. 10.

Mr. Rinzing Chewang Bhutia, Special Secretary, LR & DM Department, Govt. of Sikkim, in-person.

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On the last occasion, a suggestion was made to the State Government to come out with the scheme, which may facilitate enumeration of all the citizens of Sikkim. In response thereto, the State Government has come up with the following statements in the affidavit filed on behalf of respondent No. 3 on 29th July 2017:-

"10. It is further submitted that with a view to develop a fool proof system for issuance of Certificate of Identification (COI), the Land Revenue and Disaster Management Department, Government of Sikkim is working on a number of security measures, such as high security paper, a distinct hologram etc. In addition to this, as ordered by this Court vide order dated 14/07/2017, the Department is open to consider any suggestions put forth by or on behalf of the petitioners to further strengthen the process and procedures for issuance of Certificate of Identification (COI). "

On consideration, it is noticed that if the concerned Department is allowed to go ahead with the consideration of security measures, such as high security paper, a

distinct hologram, etc. at this stage, it may involve huge expenses and may not be beneficial to proposed scheme. Therefore, the proposed scheme for digitalized identification may not serve the purpose.

Thus, we are of the considered view that the steps initiated and contemplated in paragraph 10 of the affidavit dated 29th July, 2017 shall be shelved till the next date of hearing.

The State Government is granted further three weeks time to come up with the scheme for digitalization of identification of all the citizens of Sikkim.

In the meantime, learned counsel appearing for the petitioner as well as learned Amicus Curiae are at liberty to submit their suggestions, if so advised.

Call on 24.08.2017.

Judge
01.08.2017

Chief Justice
01.08.2017

jk/ds Index : ~~Yes~~ / No
 Internet : Yes / ~~No~~