

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.

21.09.17 Present: Mr. Sudesh Joshi and Mr. Sujan Sunwar, Advocates
(Agnihotri, CJ) for the Petitioner.

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

Mr. J.B. Pradhan, Addl. Advocate General 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. D.K. Siwakoti, Advocate for Respondent No. 10.

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

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Pursuant to our observations made time and again, the State Government has decided to constitute a Commission headed by Hon'ble Mr. Justice Malay Sengupta, retired Judge of the High Court of Sikkim as Chairman to examine, *inter alia*, following issues:-

- (i) for verification of fake Sikkim Subject Certificate/Certificate of Identification; and
- (ii) for issuance of Certificate of Identification in the smart card format.

In deliberation, it has come to our notice that verification of all Sikkim Subject Certificate/Certificate of Identification holders and also of the residents of Sikkim, who are not entitled to Sikkim Subject Certificate are also

required to be undertaken. It is further submitted by the learned counsel appearing for the petitioner that Shri Tsegyal Tashi, Secretary, Land Revenue and Disaster Management Department, may be appointed as a Member by name not by office.

Respondent-State is directed to submit its response on or before 09.10.2017 for the purpose of amendment of the terms of reference.

Call on 11.10.2017.

Judge
21.09.2017

Chief Justice
21.09.2017

jk/avi **Index : Yes / No**
 Internet : Yes / No