

# SIKKIM

# GOVERNMENT



# GAZETTE

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GOVERNMENT OF SIKKIM  
HOME DEPARTMENT  
GANGTOK

No. 34/ Home 95.

Dated: 24<sup>th</sup> May, 1995.

## NOTIFICATION

In exercise of the powers conferred by the proviso to article 309 of the Constitution of India and in consultation with the High Court of Sikkim, the Governor is pleased to make the following rules further to amend the Sikkim Judicial Services Rules, 1975 namely:-

1. (1) These rules may be called the Sikkim Judicial Service (Amendment) Rules, 1995.  
(2) They shall come into force on the date of their publication in the Official Gazettee.
2. In the Sikkim Judicial Service Rules, 1975 (hereinafter referred to as the said rules), after rule 2, the following rule shall be inserted, namely:-  
“2A. The service shall comprise of the posts specified in the Schedule appended to these rules.”
3. In rule 4 of the said rules,-
  - (a) for clause (a), the following clause shall be substituted, namely:-  
“(a) a person having practiced as an Advocate for not less than 3 years in India, and “;
  - (b) in clause (b), for the figure “32” the figure “35” shall be substituted;
  - (c) for the existing proviso the following proviso shall be substituted, namely:-  
“Provided that a Civil Judge-cum-Judicial Magistrate shall be eligible for promotion to the post of Chief Judicial Magistrate after completion of 3 years service subject to availability of vacancy”;
4. For rule 11 of the said rules, the following rule shall be substituted, namely:-  
“11. The scale of pay of the member of the service shall be as specified in column 3 of the said Schedule or as may be revised by the State Government from time to time”.

5. In the said rules, after rule 13, the following rule shall be inserted, namely:-

“13A. (1) Subject to the provisions of sub-rule (2) and (3) a member of the service shall retire from service in the afternoon of the last day of the month in which he attains the age of 60 years.

(2) Subject to the provisions in sub-rule (3), the High Court shall assess and evaluate the record of a member of the service for his continued utility well within time before he attains the age of 58 years by following the procedure for compulsory retirement under the service rule applicable to him and give him the benefit of the extended superannuation age from 58 to 60 years only if he is found fit and eligible to continue in service. In case he is not found fit and eligible, he should be compulsorily retired on his attaining the age of 58 years.

(3) An existing member of the service may exercise his option in writing before he attains the age of 57 years to retire at the age of 58 years.”

6. After rule 15, the following Schedule shall be inserted, namely :-

**THE SCHEDULE**  
**DETAILS OF POSTS IN THE SIKKIM JUDICIAL SERVICE**

Name of post	No. of posts	Scale of pay
1.	2.	3
1. Chief Judicial Magistrate	2 (two)	Rs. 3450-125-4700
2. Civil Judge-cum-Judicial Magistrate	4(four)	I. Initial appointment-(Junior scale) Rs. 1820-60-2600/75-3200  II. If found suitable by the High Court on Completion of satisfactory service of five years and has passed the department examination, if any, prescribed by the high court -(Sr. Scale)Rs. 2525-75-3200/100-4000  III. If found suitable by the High Court on completion of satisfactory service of 10 years (Selection Grade )Rs. 3450-125-4700

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