

QUARTERLY NEWSLETTER

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MEETING WITH THE HON'BLE EXECUTIVE CHAIRPERSONS AND MEMBER SECRETARIES OF STATE LEGAL SERVICES AUTHORITIES

Hon'ble Mrs. Justice Meenakshi Madan Rai, Judge, High Court of Sikkim & Executive Chairperson, Sikkim SLSA along with Mr. Sonam Palden Bhutia, Member Secretary, Sikkim SLSA attended the Meeting with the Hon'ble Executive Chairpersons and Member Secretaries of all the State Legal Services Authorities on 23rd January, 2022 which was organized by National Legal Services Authority through video conferencing. The meeting was chaired by Hon'ble Mr. Justice U.U. Lalit, Judge, Supreme Court of India & Hon'ble Executive Chairman, NALSA.

The agenda items discussed during the virtual meeting are as follows:

- 1. Preparation for next Lok Adalat in current scenario.**
- 2. Accounts related issues such as collection scrutiny & verification of bills and claims upto 31st December, 2021.**
- 3. Statistical data information and annual report.**
- 4. Strengthening Jail Legal Aid clinics and Prisoners focused services in current wave of pandemic.**
- 5. Continued operation of Helpline Numbers and digital platforms during current wave of pandemic.**
- 6. Any other issue, permitted by Hon'ble Executive Chairman, NALSA.**

REPUBLIC DAY CELEBRATION

Sikkim State Legal Services Authority celebrated Republic Day in its office premises at Development Area, Gangtok on 26th January, 2022. The National Flag was unfurled by Hon'ble Mrs. Justice Meenakshi Madan Rai, Judge, High Court of Sikkim and Executive Chairperson, Sikkim SLSA followed by National Anthem.

The programme was attended by Judicial Officers, Ex-Officio Members of Sikkim SLSA, Other Members, Panel Advocates, Officers and staff of Sikkim SLSA.

SENSITIZATION PROGRAMME ON HIV/AIDS

Under the directions of Hon'ble Mrs. Justice Meenakshi Madan Rai, Judge, High Court of Sikkim & Executive Chairperson, Sikkim SLSA, a Sensitization Programme on HIV/AIDS under the Mission Mode Campaign for HIV/AIDS for Protection of Legal Rights of HIV/AIDS infected persons and their families, NALSA (Victims of Trafficking and Commercial Sexual Exploitation) Scheme, 2015, NALSA (Protection and Enforcement of Tribal Rights), Scheme, 2015 and NALSA (Legal Services to the Victims of Drug Abuse and the Eradication of the Drug Menace) Scheme, 2015 for the Officers/Officials from the Police Department, Health & Family Welfare Department, Sikkim State AIDS Control Society and Counselors of Rehabilitation Centres in Sikkim was organized by Sikkim State Legal Services Authority on 18th February, 2022 via video conferencing.

Ms. Namrata Sharma, Assistant Director (Mainstreaming), Sikkim State AIDS Control Society and Mrs. Meena Bhattarai, Assistant Director, ICTC were the Resource Persons.

55 nos. of stakeholders had participated during the said programme.

CONSULTATION MEETING WITH HON'BLE EXECUTIVE CHAIRPERSONS AND MEMBER SECRETARIES OF STATE LEGAL SERVICES AUTHORITIES

Hon'ble Mrs. Justice Meenakshi Madan Rai, Judge, High Court of Sikkim & Executive Chairperson, Sikkim SLSA along with Mr. Sonam Palden Bhutia, Member Secretary, Sikkim SLSA attended the Consultation Meeting with the Hon'ble Executive Chairpersons and Member Secretaries of all the State Legal Services Authorities on 2nd March, 2022 which was organized by National Legal Services Authority through video conferencing. The meeting was chaired by Hon'ble Mr. Justice U.U. Lalit, Judge, Supreme Court of India & Executive Chairman, NALSA through video-conferencing.

The agenda items that were discussed during the virtual meeting are as follows:

- 1. Latest financial position of SLSAs including funds requirement for the current financial year:**
 - **Data to be submitted latest by 11:00 a.m. on 02.03.2022**
- 2. Upcoming National Lok Adalat with the following details to be submitted to NALSA latest by 11:00 a.m. on 02.03.2022.**
 - **Total number of identified cases by all courts/tribunals in the State;**
 - **Number of pre-litigation cases registered;**
 - **Number of preparatory meetings organized at State level;**
 - **Bottlenecks, if any faced by SLSAs.**
- 3. Any other item with the permission of the chair.**

OBSERVANCE OF INTERNATIONAL WOMEN'S DAY

In accordance with the calendar of activities, the District Legal Services Authorities and Taluk Legal Services Committees under the aegis of Sikkim SLSA observed International Women's Day on 8th March, 2022 and the week thereafter, as Legal Services Week.

The programmes commemorating the day were organized in the following places:-

CONDUCTED BY	DATE	VENUE
DLSA & TLSC East at Gangtok	11.03.2022	ADR Centre, District Courts Complex, Sichey
DLSA & TLSC North at Mangan	08.03.2022	Village Administrative Centre, Ringhim
DLSA & TLSC South at Namchi	08.03.2022 to 12.03.2022 14.03.2022	District Courts Complex, Namchi Sorok Syampani
DLSA & TLSC West at Gyalshing	08.03.2022 11.03.2022	District Courts Complex, Kyongsa Community Hall, Gyalshing
TLSC West at Soreng	08.03.2022	Court Premises of Civil Judge-cum- Judicial Magistrate, Soreng

Further, as a publicity drive, Sikkim SLSA had published messages in the local newspapers/dailies as well as broadcasted awareness of Rights of Women in All India Radio and also disseminated awareness on Rights of Women through local cable network.

MEETING OF THE HIGH POWERED COMMITTEE

A meeting of the High Powered Committee under the chairmanship of Hon'ble Justice Meenakshi Madan Rai, Judge, High Court of Sikkim and

Executive Chairperson, Sikkim SLSA/Chairman, High Powered Committee was held via Video-Conferencing on 21st March, 2022.

The meeting was attended by:

1. Mr. Ravindra Telang,
Principal Secretary (IAS),
Government of Sikkim/
Member, High Powered Committee.
2. Mr. Sharab Tonyot,
Deputy Inspector General of Police (Prison)/
Member, High Powered Committee.
3. Mr. Bijoy Subba,
Assistant Superintendent of Police,
District Prison, Boomtar, South Sikkim/
Member, High Powered Committee.
4. Mr. S.P. Bhutia,
Member Secretary, Sikkim SLSA.
5. Mr. Yadav Krishna Sharma,
Joint Director (Confidential),
Home Department/
Member, High Powered Committee.
6. Mr. Renu Raj Chettri,
Additional Superintendent of Police (Prison),
State Central Prison, Rongyek, East Sikkim.
7. Mr. Prakash Pradhan,
Assistant Superintendent of Police (Prison),
State Central Prison, Rongyek, East Sikkim.

The following agenda items were discussed during the said meeting:

Agenda Item No. 1: Confirmation of the Minutes of the Meeting of the High Powered Committee held via Video Conference on 24th November, 2021.

Agenda Item No. 2: Decongestion of Jails.

- (a) **To consider Convicts who have undergone their sentence or are entitled to remission/suspension/commutation of sentence under Sections 432 and 432A of the Code of Criminal Procedure, 1973 (for short, "Cr.P.C.") and Furlough in terms of the Sikkim Prison Manual;**

- (b) To consider UTPs released on Bail by the Court, but unable to furnish sureties;
- (c) To consider release of UTPs booked under compoundable offences;
- (d) To consider release of UTPs covered under Sections 436 and 436A of the Cr.P.C.;
- (e) To consider release of UTPs who may be covered under Section 3 of the Probation of Offenders Act, 1958, namely accused of offence under Sections 379, 380, 381, 404, 420 of the Indian Penal Code or alleged to be an offence not more than 2 years imprisonment;
- (f) To consider UTPs eligible to be released on bail under Section 167 of the Cr.P.C. and under Section 167(2)(a)(i) and (ii) of the Cr.P.C. read with Section 36A of the Narcotic Drugs and Psychotropic Substances Act, 1985 (where persons accused of Section 19 of Section 24 or Section 27A or for offences involving commercial quantity) where investigation is not completed in 60/90/180 days;
- (g) To consider release of UTPs who are imprisoned for offences which carry a maximum punishment of 2 years;
- (h) To consider release of vulnerable UTPs who are sick or infirm and require specialized medical treatment;
- (i) To consider release of UTPs who are women;
- (j) To consider the release of UTPs who are first time offenders between the ages 19 and 21 and in custody for offences punishable with less than 7 years of imprisonment and have suffered at least 1/4th of the maximum sentence prescribed;
- (k) To consider release of UTPs who are of unsound mind;
- (l) To consider UTPs eligible for release under Section 437(6) of the Cr.P.C., wherein in a case triable by a Magistrate, the trial of a person accused of any non-bailable offence has not been concluded within a period of 60 days from the first date fixed for taking evidence in the case;
- (m) To consider release of UTPs detained under Sections 107, 108, 109, 151 of the Cr.P.C.

Agenda Item No. 3: UTPs and Convicts with COVID-19 in the State Central Prison, Rongyek, East Sikkim and District Prison, Boomtar, Namchi, South Sikkim and availability of medical facilities and treatment.

- Agenda Item No. 4:** Continuation of sanitization and maintenance of hygiene and cleanliness in the State Central Prison, Rongyek, East Sikkim and District Prison, Boomtar, South Sikkim.
- Agenda Item No. 5:** Number of new UTPs since 24.11.2021 and the latest vaccination position of UTPs, Convicts, Officers and staff at the State Central Prison, Rongyek, East Sikkim and District Prison, Boomtar, South Sikkim.
- Agenda Item No. 6:** Present mode of production of UTPs before Courts and continuation of Video Conference for remand.
- Agenda Item No. 7:** Steps taken for progress of counseling of UTPs and Convicts by Psychologists and Psychiatrists at the State Central Prison, Rongyek, East Sikkim and District Prison, Boomtar, South Sikkim. (UTPs, Convicts under SADA and UTPs, convicts with mental illness, other UTPs and convicts in need of counseling).

SENSITIZATION PROGRAMME ON POSITIVE MENTAL HEALTH

The Sikkim State Legal Services Authority under the guidance of Hon'ble Justice Meenakshi Madan Rai, Judge, High Court of Sikkim & Executive Chairperson and under NALSA (Legal Services to the Mentally ILL and Mentally Disabled Persons) Scheme, 2015 organized a Sensitization Programme on Positive Mental Health for the Accredited Social Health Activist (ASHA) Workers of East and North Sikkim in collaboration with the Department of Psychiatry, New Multispecialty Hospital, Sochakgang on 22nd March, 2022 in the Auditorium of Sikkim Judicial Academy, Sokeythang, East Sikkim.

Dr. C.L. Pradhan, Psychiatrist and Ms. Sangela Dorjee, Clinical Psychologist, Department of Psychiatry, New Multispecialty Hospital, Sochakgang were the Resource Persons.

The topics that were delved by the Resource Persons were (i) Mental Health Issues and (ii) Stress Management.

110 nos. of ASHA workers had attended the said programme.

The welcome address was delivered by Mr. Sonam Palden Bhutia, Member Secretary, Sikkim SLISA while the vote of thanks was proposed by Mr. Praveen Pradhan, Under Secretary, Sikkim SLISA.

A MEETING TO WORK OUT THE MODALITIES FOR RE-COMMENCING THE AWARENESS PROGRAMMES

A meeting chaired by Mr. Sonam Palden Bhutia, Member Secretary, Sikkim SLISA in order to work out the modalities for re-commencing the awareness programmes in Senior Secondary and Higher Secondary Schools of Sikkim which was put on hold in view of closure of schools due to COVID-19 Pandemic was held via video-conferencing on 29th March, 2022.

The said meeting was attended by:

- 1) Mrs. Ganga D. Pradhan,
Secretary,
Women & Child Development Department,
Government of Sikkim.
- 2) Mrs. Hondala Gyaltsen,
Director, Education Department,
Government of Sikkim.
- 3) Mrs. Dhan Maya Subba,
Superintendent of Police,
Anti-Human Trafficking Unit,
Sikkim Police.
- 4) Mr. Jorgay Namka,
Panel Advocate, Sikkim SLISA.

The agenda items discussed are as under:

Agenda Item No. 1 : Working out the Modalities for Re-Commencing the Awareness Programme in Senior Secondary and Higher Secondary Schools in Sikkim under NALSA (Legal Services to Victims of Trafficking and Commercial Sexual Exploitation) Scheme, 2015 including Protection of Children from Sexual Offences (POCSO) Act, 2012, Sikkim Anti Drugs Act (SADA), 2006 and Welfare Schemes of Central/State Government in the 94 Government/Private Senior Secondary and Secondary Schools in Sikkim (East: 39, North: 06, South: 29 & West: 20) with the team comprising of Panel Lawyers, Officers from the Anti Human Trafficking Unit and Social Welfare Department.

Agenda Item No. 2 : Any other item(s)

OTHER ACTIVITIES

HIGH COURT LOK ADALAT:

S.No.	Date	Presided over by	Cases taken up	Cases Disposed of
1.	25.02.2022	Hon'ble Mr. Justice A.P. Subba, former Judge, High Court of Sikkim along with Ms. Gita Gurung and Mrs. Yangchen Ladingpa as "Other Persons"	03	02
2.	11.03.2022	Hon'ble Mr. Justice A.P. Subba, former Judge, High Court of Sikkim along with Ms. Gita Gurung and Mr. Wangyal Tshering Bhutia as "Other Persons"	02	01

NATIONAL LOK ADALAT :

National Lok Adalat was held on **12th March, 2022** wherein out of **101 cases** that were taken up, **51 cases** have been settled and a total amount of **Rs. 58,92,427/- only** was awarded.

Details of cases taken up and disposed of are as follows:

(i) Court of District & Sessions Judge, Special Division- II, East at Gangtok:

No. of cases taken up	:	28
No. of cases settled	:	15
Amount Awarded	:	Rs. 27.59.990/-

(ii) Court of District & Sessions Judge, South at Namchi:

No. of cases taken up	:	24
No. of cases settled	:	16
Amount Awarded	:	Rs. 9,59,500/-

(i) Court of District & Sessions Judge, West at Gyalshing:

No. of cases taken up	:	02
No. of cases settled	:	01
Amount Awarded	:	Rs. 300/-

(ii) Court of Chief Judicial Magistrate, East at Gangtok:

No. of cases taken up	:	07
No. of cases settled	:	03
Amount Awarded	:	Nil

(iii) Court of Civil Judge-cum-Judicial Magistrate, East at Gangtok:

No. of cases taken up	:	05
No. of cases settled	:	03
Amount Awarded	:	Rs. 5,12,741/-

(iv) Court of Civil Judge-cum-Judicial Magistrate, West at Gyalshing:

No. of cases taken up	:	35
No. of cases settled	:	13
Amount Awarded	:	Rs. 16,59,896/-

REGULAR LOK ADALAT AT THE DISTRICT AND TALUK LEVEL DURING THE QUARTER JANUARY TO MARCH, 2022

DISTRICT LOK ADALAT (EAST) AT GANGTOK

No. of Lok Adalat held	Previous Pending	No. of cases received	Total	No. of cases settled	No. of cases returned	No. of cases pending
14	71	135	206	99	05	102

DISTRICT LOK ADALAT (WEST) AT GYALSHING

No. of Lok Adalat held	Previous Pending	No. of cases received	Total	No. of cases settled	No. of cases returned	No. of cases pending
02	Nil	04	04	02	Nil	02

DISTRICT LOK ADALAT (SOUTH) AT NAMCHI

No. of Lok Adalat held	Previous Pending	No. of cases received	Total	No. of cases settled	No. of cases returned	No. of cases pending
04	09	85	94	84	04	06

TALUK LOK ADALAT (NORTH) AT MANGAN

No. of Lok Adalat held	Previous Pending	No. of cases received	Total	No. of cases settled	No. of cases returned	No. of cases pending
01	Nil	01	01	01	Nil	Nil

TALUK LOK ADALAT (SOUTH) AT NAMCHI

No. of Lok Adalat held	Previous Pending	No. of cases received	Total	No. of cases settled	No. of cases returned	No. of cases pending
05	31	46	77	34	02	41

TALUK LOK ADALAT (WEST) AT GYALSHING

No. of Lok Adalat held	Previous Pending	No. of cases received	Total	No. of cases settled	No. of cases returned	No. of cases pending
06	60	13	73	47	Nil	26

TALUK LOK ADALAT (WEST) AT SORENG

No. of Lok Adalat held	Previous Pending	No. of cases received	Total	No. of cases settled	No. of cases returned	No. of cases pending
02	01	03	04	02	Nil	02

LEGAL AID

Legal aid was provided to **266** beneficiaries by the Sikkim State Legal Services Authority during the quarter January to March, 2022.

Categories of beneficiaries are as under:

QUARTER	S.C.	S.T.	WOMEN	CHILD	UNDER TRIAL/DETAINED BY CUSTODY	GENERAL	DISABLED	SENIOR CITIZEN	TOTAL
January to March, 2022	09	14	119	06	84	16	01	17	266

CASES BEFORE THE MEDIATION CENTRES, EAST DISTRICT AT GANGTOK, SOUTH DISTRICT AT NAMCHI, WEST DISTRICT AT GYALSHING AND NORTH DISTRICT AT MANGAN FROM JANUARY TO MARCH, 2022

CENTRE	NO. OF MEDIATIONS HELD	NO. OF CASES TAKEN UP	NO. OF CASES SETTLED	NO. OF CASES RETURNED	NO. OF CASES PENDING
Mediation Centre (East) at District Court Complex, Sichey, East Sikkim	60	28	01	15	12
Mediation Centre (South) at District Court Complex, Namchi, South Sikkim	10	10	03	NIL	07
Mediation Centre (West) at Civil Court Complex, Gyalshing, West Sikkim	44	29	09	04	16
Mediation Centre (North) at Pentok, Mangan, North Sikkim	Nil	Nil	Nil	Nil	Nil
Total	114	67	13	19	35

LEGAL AWARENESS PROGRAMMES THROUGH DOORDARSHAN AND ALL INDIA RADIO

Under the direction of Hon'ble Mrs. Justice Meenakshi Madan Rai, Judge, High Court of Sikkim & Executive Chairperson, Sikkim SLSA and in pursuance of the direction from National Legal Services Authority, Sikkim State Legal Services Authority has been disseminating information on various legal topics which is telecasted by Doordarshan once in a month in their talk show called Gramin Kariaikram. Apart from Doordarshan, Sikkim SLSA also disseminates information of various pertinent legal topics through A.I.R. every Saturday in a special talk show called Kanuni Kura.

The topics discussed during the quarter January to March, 2022 are as follows:

- **Doordarshan (once in a month):**

Sl. No.	Month	Topic	Resource Person
1.	February, 2022	Important Provisions of Motor Vehicle Act, 1988	Mr. K.B. Chettri, Panel Advocate, Sikkim SLSA
2.	March, 2022	Important Legislations in India for the Protection of Women and Girl Child	Mr. S.P. Bhutia, Member Secretary, Sikkim SLSA

- **All India Radio (every Saturday):**

Sl. No.	Date	Topic	Resource Person
1.	05.02.2022	Consumer Rights in India vis-à-vis Consumer Protection Right, 1986	Mr. K.B. Chettri, Panel Advocate, Sikkim SLSA
2.	12.02.2022	Law relating Public Interest Litigation in India	Mr. Jorgay Namka, Panel Advocate, Sikkim SLSA
3.	19.02.2022	The Immoral Traffic (Prevention) Act, 1956	Mr. T.R. Barfungpa, Panel Advocate, Sikkim SLSA
4.	26.02.2022	Important provisions of Cr.P.C. that every common man needs to know	Mr. S.P. Bhutia, Member Secretary, Sikkim SLSA
5.	05.03.2022	Protection of Women from Domestic Violence Act, 2005	Mr. Umesh Ranpal, Panel Advocate, Sikkim SLSA
6.	12.03.2022	Prevention of Damage to Public Property Act, 1984	Mr. Manish Kr. Jain, Panel Advocate, Sikkim SLSA
7.	19.03.2022	Pre-Conception and Pre-Natal Diagnostic Techniques Act	Mr. S.S. Hamal, Panel Advocate, Sikkim SLSA
8.	26.03.2022	Various legislations in India for the protection of women at work places	Mrs. Zola Megi, Panel Advocate, Sikkim SLSA

ONLINE COUNSELLING FOR THE INMATES ARRESTED UNDER SADA, 2006 AND NDPS ACT, 1985

Under the direction of Hon'ble Mrs. Justice Meenakshi Madan Rai, Judge, High Court of Sikkim & Executive Chairperson, Sikkim SLISA, online counseling are being provided to the inmates arrested under SADA, 2006 and NDPS, Act, 1985 and lodged in State Central Prison, Rongyek, East Sikkim by the Counselors of Rehabilitation Centres through webinar on rotation basis.

Eight (08) counselling programmes were conducted via virtual mode during the quarter January-March, 2022 which are as follows:

Sl. No.	Date	Resource Persons	No. of Participants
1.	09.03.2022	Mr. Amon Boris Lepcha, Counselor, Serenity Home Rehabilitation Centre, Lower Burtuk, Gangtok	29
2.	11.03.2022	Mr. Amon Boris Lepcha, Counselor, Serenity Home Rehabilitation Centre, Lower Burtuk, Gangtok	20
3.	14.03.2022	Mr. Amon Boris Lepcha, Counselor, Serenity Home Rehabilitation Centre, Lower Burtuk, Gangtok	21
4.	16.03.2022	Mr. Amon Boris Lepcha, Counselor, Serenity Home Rehabilitation Centre, Lower Burtuk, Gangtok	24
5.	21.03.2022	Mr. Tenzing Bhutia, Counselor, Serenity Home Rehabilitation Centre, Lower Burtuk, Gangtok	20
6.	25.03.2022	Mr. Amon Boris Lepcha and Mr. Tenzing Bhutia, Counselor, Serenity Home Rehabilitation Centre, Lower Burtuk, Gangtok	15
7.	28.03.2022	Mr. Amon Boris Lepcha and Mr. Tenzing Bhutia, Counselor, Serenity Home Rehabilitation Centre,	20

		Lower Burtuk, Gangtok	
8.	30.03.2022	Mr. Aresh Mukhia, Counselor, Serenity Home Rehabilitation Centre, Lower Burtuk, Gangtok	17

OTHER LEGAL AWARENESS PROGRAMMES

CONDUCTED BY	DATE	Name of the Programme	Venue
DLSA, East at Gangtok	15.03.2022	World Consumer Rights Day	Mamtalaya Women Shelter Home, Bojhoghari.
DLSA, North at Mangan	15.03.2022	World Consumer Rights Day	Conference Hall of District & Sessions Court, Mangan.
DLSA, West at Gyalshing	15.03.2022 16.03.2022	World Consumer Rights Day	ADR Centre, Gyalshing. Haat Bazar, Gyalshing.