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HOME DEPARTMENT

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The Governor, Sikkim, in consultation with the High Court of Sikkim, is pleased to make the following rules, namely:—

1. *Short title and commencement:* These rules may be called the Sikkim Judicial Service Rules and they shall come into force the date of publication in the Sikkim Gazette.

2. *Definitions:* In these rules, unless the context otherwise requires:

- (a) 'Governor' means the Governor of Sikkim.
- (b) 'High Court' means the High Court of Sikkim'
- (c) 'Service' means the Sikkim Judicial Service.
- (d) 'Member of the Service' means a person appointed in a substantive capacity under the provisions of these rules and includes a person appointed on probation.

3. For the purposes of recruitment to the service, there shall be a selection committee consisting of the followings:

- (1) Chief Justice, High Court of Sikkim
- (2) Chief Secretary, Government of Sikkim. Secretary to the Chief Justice shall be the ex-officio Secretary of the committee.

4. A candidate shall be recruited if he is:

- (a) a person practising as an Advocate in India or a person qualified to be admitted as an Advocate under the Advocates Act 1961, and
- (b) not more than 32 years of age on 1st day of January, of the following year.

5. For the purposes of selection, the Selection Committee shall call for interview all those candidates who fulfil the above said qualifications:

6. The Selection Committee shall prepare a list of the selected candidates and in making the selection shall see that preference has been given to candidates who are conversant with local laws, customs and regional languages. The list so prepared shall then be sent to the High Court which shall forward it with its recommendation to the Governor for filling up the vacancies then existing or that may occur within a period of one year of the preparation of the list.

Disqualifications:

- (1) No person who has more than one wife living shall be eligible for appointment to the service provided that the Governor may, if he is satisfied that there are special grounds for doing so, exempt any person from the operation of this sub-rule.

(2) No woman who is married to any person who has a wife living shall be eligible for appointment to the service, provided that the Governor may, if he is satisfied that there are special grounds for doing so, exempt any such woman from the operation of this sub-rule.

7. All candidates on appointment may be required to undergo initial training at any place within or outside Sikkim as the High Court may determine. The nature or duration of such training shall be as determined by the High Court from time to time. After the satisfactory completion of such initial training such candidates shall be placed on probation for a period of two years.

8. All persons appointed to the service on probation shall be confirmed at the end of the said period of two years, provided that the Governor may, on the recommendation of the High Court extend the period of probation, but in no case shall be the period of probation extend beyond three years in all.

9. The services of a person appointed during training or probation are liable to be terminated without assigning any reason.

10. After successful completion of the period of probation the officers shall be confirmed in the service by the Governor in consultation with the High Court and the same shall be notified in the Gazette.

11. The scale of pay of members of the service shall be as follows :

Gazetted Grade (Junior Scale) Rs.430-20-630-EB-25-880.

12. Candidates shall on selection undergo a test for medical fitness before appointment and shall pass during the period of probation such departmental examinations as may be laid down by the High Court.

13. Every member of the service unless he has already done so shall be required to take the oath of allegiance to India and to the Constitution of India as by law established.

14. For all other matters such as fixation of pay, allowances and other conditions of services, the members of the service shall be governed by the Sikkim Government Service Rules.

BY ORDER

T.S. GYALTSEN,
Chief Secretary,
Government of Sikkim.