MANUAL FOR SIKKIM PUBLIC SERVICE COMMISSION 2018

2nd Edition

	RULES OF PROCEDURE AND CONDUCT OF BUSINESS OF THE SIKKIM PUBLIC SERVICE COMMISSION
	Chapter I
	Definition
	1 Short title and commencement
	2 Definitions
	Chapter II
	Transaction of business of the Commission
	4 Allocation of Business 5 General Procedure
	6 Decision of the Commission
	Chapter III Organizational structure of the Secretariat of the
	Commission
	7 Supervision, direction and control
	8 General function of the Secretary
	9 Authentication of orders and correspondences
1	0 Function of Additional/Joint/Deputy/Under Secretary
	Tunecion of manufacturity points populary of the poor courty
1	1 Function of the Controller of Examinations
1	2 Function of the Joint/Deputy/Assistant Controller of
	Examinations
1	3 Function of Drawing & Disbursing Officer
1	4 Duties of the staff members
	Chapter IV
	Function of the Secretariat and office procedure
4	5 Office Procedures
	6 Division of office into Sections
	7 Sections
	8 Works to be handled by Section
18A	Maintenance of confidentiality and accountability
10/1	Chapter V
	Recruitment by open competitive examination
1	9 Requisition
	0 Issue of advertisement
2	1 Issue and receipt of application forms
2	2 Scrutiny of application received
2	3 Data entry
2	4 Storage of Question Papers and Answer sheets and other secret papers/documents
2	5 Security arrangements
	6 Determination of venue of Examinations
2	7 Appointment of Centre Supervisor and Invigilators,
2	8 Instruction to the Centre Supervisor, Invigilators and other functionaries
2	Arrangement for transportation of stationeries and question papers to the examination centre.

l 30	Coordination with district authorities	
31		
32 33	, , 1	
34		
35		
36		
	examination	
37		
38		
39	Compilation of marks and preparation of final consolidated mark sheet.	
40	Result of the written examination	
41	Call for interview	
42	Declaration of final result.	
42A	Penalty for resorting to unfair means etc.	
	chapter VI	
	Recruitment to a Service by Selection/Promotion	
43	•	
44	1	
45	, 1	
	Promotion Committee.	
46	Departmental Promotion Committee.	
47	suitability of a person.	
48	sealed cover procedure	
49	recommendation of the Commission.	
50	review committee meeting.	
	Limited Departmental Competitive Examination	
	Chapter VII	
	Recruitment by Interview	
51		
	Chapter VIII	
	Promotion from one grade to another higher grade	
52	Requisition	
53	Annual Confidential Reports, vigilance Clearance, Departmental Clearance Certificate.	
54	Meeting of the Selection Committee/ Departmental Promotion Committee.	
55	Frequency of meeting of the Selection Committee/Departmental Promotion Committee	
56	Sealed Cover Procedure	
57		
	Chapter IX	
	Disciplinary cases	
58		
59		
60		
	Chapter X	
	Service Rules	

	61	Constitutional provision.	
	62	Consideration of Draft Service Rules.	
	63	Amendment of Service Rules.	
	64	Reference to rules of other States or Central Government	
		Chapter XI	
		Annual Report	
	65	Preparation and submission of Annual Report.	
	66	Contents of an Annual Report.	
	67	Time table for preparation and submission of Annual Report.	
	68	Follow up action on the Annual Report	
		Chapter XII	
		Miscellaneous	
	69	Cases pending in the court of law	
	70	Weeding out of records.	
	71	Application under Right to Information Act.	
	72	Conduct of examination of the Union Public Service Commission.	
72A.		Protection of action taken in good faith by the Commission and any of the officer or staff.	
	73	Interpretation	
	74	Power of amend.	
		APPENDIX	
IA		Sikkim Public Service Commission Regulation 1976	
IB		Sikkim Public Service Commission (Member) Regulations, 1983	
II		Sikkim Public Service Commission (Exemption from Consultation) Regulations, 1986	
III		Sikkim Public Service Commission (Staff) Regulations, 2010	
		ANNEXURE	I.
I		Proforma of requisition for direct recruitment	
IA		Application Scrutiny Sheet	
II		Log Book	
III		Instruction to the Centre Supervisor and	
		guidelines to Invigilators	
IDA		Instruction to candidates	
1MB		Quantum of penalty for resorting to unfair means etc. in the examination	
IV		Rate of remunerations for persons engaged in connection with conduct of examination	
		Proforma of requisition for recruitment to a Service by promotion	
V			
V VI		Proforma for sending disciplinary cases to SPSC	

PREFACE TO THE SECOND EDITION

The Sikkim Public Service Commission has guided its functionaries for smooth administration and disposal of the assignments for a long time. In consonance with the changing times, the Commission adopted a modern technology in its method of conducting examinations. Further, the Commission has also polished its evaluation system to bring about accountability and responsibility. Fair play and transparency have become the hallmark in the functions of the Sikkim Public Service Commission and whereby the State Government has bestowed even more responsibility to the Commission by assigning the matters concerning appointment and promotion to posts carrying GP of Rs.2300/- and above.

The functions of the Sikkim Public Service Commission are involved in the recruitment process as and when requisitioned by the departments. Besides, under Departmental Promotion Committee (DPC), the Commission reviews all promotional cases in depth and forwards the same with recommendations. All cases pertaining to disciplinary actions are also channelled through Commission, whereby these cases are also scrutinized based on Sikkim Government Servants' Conduct Rules and other relevant rules and forwarded to the Government.

Overtime, due to the tremendous growth in relation to conduct of examinations, norms, proceedings, new codes and new notifications, these anomalies demand changes. Therefore, to cope with all the above developments and additional assignments, it has become necessary to bring out certain amendments in the Manual which would allow further improvement in the working system of the Commission.

In conclusion, I take this opportunity to congratulate and thank the entire faculty for their varied support and efforts in making possible the introduction of this Manual for Sikkim Public Service Commission, Second Edition, 2018.

CHAIRMAN, SIKKIM PUBLIC SERVICE COMMISSION

Dated Gangtok

PREFACE TO THE FIRST EDITION

Civil service in India is regarded as steel-frame and the back bone of the administration in the country. This thought was given due importance by the framers of the Constitution and they thought it essential to provide for an institution which could be given the responsibilities of selecting suitable candidates in a fair and transparent manner who would man civil posts at various levels of the administration in the country. Accordingly, Article 315 of the Constitution of India provided for a Public Service Commission for the Union and a Public Service Commission for each State.

The framers of the Constitution had thus envisaged the Public Service Commission as an independent body and expected it to function in fair and transparent manner. To insulate the Commission from adverse influences from any quarters, the Constitution further provided numerous protective provisions. These provisions can be summarized as under:-

- (1) Very experienced persons are appointed as Chairman and/or Members of State Commissions for a limited period by the Governor of the respective States and they can only be removed from office by order of the President on the ground of misbehavior after the Supreme Court, on reference being made to it by the President, has, on inquiry held in accordance with the prescribed procedure, reported that the Chairman or such other Members, as the case may be, ought on any such ground to be removed.
- (2) The conditions of service of Chairman or a Member cannot be varied to his disadvantage after his appointment. A Chairman or a Member of a State Public Service Commission is not eligible for any other employment under a State Government or Central Government except as Chairman or Members of Union Public Service Commission.
- (3)
- (4) The expenses of the State Public Service Commission including any salaries, allowances and pension payable to or in respect of any Members or the staff of the Commission are charged on the Consolidated Fund of the State.
- (5) The Annual Report of a Commission together with a memorandum explaining the reason for none acceptance of the recommendation of the Commission, if any, is laid before the State Legislature.

Sikkim Public Service Commission, like any other State Public Service Commissions in the country, is created under the same provisions of the Constitution of India as discussed above. It was constituted in the year 1983 with the appointment of its first Chairman. No Members except the Chairman was appointed at that time. Thus the Sikkim Public Service Commission is in existence for ,more than a quarter of century. It had a very humble beginning with very limited functions in the beginning. But as it gained maturity, more responsibilities were bestowed on it by the State Government. Presently, the Sikkim public Service Commission has been given the responsibility of, inter alia, conducting examinations and recommending suitable candidates for appointment through direct recruitment to the posts in Group B and above, all teaching posts in the Colleges, promotion to and from Group B posts and State Services, advising the Disciplinary Authorities on disciplinary cases.

The Commission has so far been guided by Notifications, Circulars, Standing Orders and precedents in carrying out its functions. The time has, however, changed and the fair-play and transparency have become the hall mark of the functions of the public authorities. Functions of the Commission and Committees concerned with the selection processes should not only be fair and transparent but should appear to have been so. It was therefore a long felt need and necessity to bring out a Manual which would act as guideline for proper and efficient functioning of the Commission. This has ultimately culminated into the present Manual which contains Rules of Procedure and Conduct of Business of the Sikkim Public Service Commission.

The Manual for Sikkim Public Service Commission is a document which seeks to lay down guidelines for various functions of the Commission as well as Selection Committees. It specifies and fixes the duties and responsibilities of officers and staff of the Secretariat of the Commission at different levels. It is hoped that the guidelines contained in this Manual will make the works in the Commission easier, effective and efficient.

The Officers and staff of the Commission under able guidance of the Hon'ble Members, Shri K.N. Sharma, did a commendable job in finalizing this Manual. I would like to make a special mention of tireless and sincere effort made by Shri Dilu Kumar Pradhan, Additional Secretary, in drafting it. It would not have seen light of the day without their sincere and wholehearted support and cooperation. I congratulate all of them for this achievement.

Dated Gangtok

(Dorji Dahdul) IAS (retd)
Chairman

The 23rd December 2008

Sikkim Public Service Commission

1. INTRODUCTION

1.1. Public Service Commission under the Constitutional Scheme.-

The Public Service Commissions have been set up in the Central and State levels in terms of Article 315 of the Constitution of India. The Public Service Commissions are envisaged as independent constitutional institutions not subject to governmental or political interference or control and charged with the responsibility of recruitment and management of public services. One of the safeguards enacted to ensure its independence is that the expenses of State Public Service Commission, including any salaries, allowances and pensions payable to or in respect of the members or staff of the Commission are charged on the Consolidated Fund of the State in terms of Article 322 of the Constitution.

The profound objective of the setting up of Public Service Commissions at the Central and State levels, therefore, was to provide an institution which, in a fully transparent manner, can select the personnel for a professional public service by ensuring recruitment and advancement based on merit, free from nepotism or favoritism based on political or other considerations, individual likes or dislikes, or any form of canvassing.

1.2. Functions of the State Public Service Commission.-

The functions of the State Public Commission, as enumerated in Clause (1) of Article 320 of the Constitution of India, are

- (6) to conduct examinations for appointments to the services of the State.
- (7) to make recommendations to the State Government for appointment of persons to the services;
- (8) to be consulted in the matters of appointments, promotions, transfer and disciplinary matters of civilian employees of the State Government;
- (9) to advise on any other matter that may be referred by the Government.
- (10)to advise on any claim by or in respect of a person who is serving or has served under the Government of the state in a civil capacity, that any costs incurred by him in defending legal proceedings instituted against him in respect of acts done or purporting to be done in the execution of his duty should be paid out of the Consolidated Fund of the State;
- (11)to advise on claim for the award of a pension in respect of injuries sustained by a person while in service under the Government of Sikkim, in a civil capacity, and any question as to the amount of any such award.
- (12)to present an annual report to the Governor who shall cause it to be laid before the State Legislature.
- 1.3. It is also the duty of Commission to tender advice, on any matter so referred to it and on any other matter which the Governor of the State, may refer to it.

2. CONSTITUTION OF SIKKIM PUBLIC SERVICE COMMISSION

- 2.1. After Sikkim became a full-fledged State of Union of India, the Governor of Sikkim made regulations, namely, Sikkim Public Service Commission Regulations, 1976 (Sikkim Government Gazette (Extraordinary) No. 69 dated 18th October 1976) in respects of compositions and staff of the Sikkim Public Service Commission, their tenure of Office and conditions of service. According to regulation 4 of the said Regulations, the Sikkim Public Service Commission consists of a Chairman and one or more other members as the Governor of Sikkim consider necessary from time to time. Subsequently, these Regulations were amended vide Sikkim Public Service Commission (Members) Regulation 1983 and regulation 3 of the said Regulations provided that the number of members of the Commission, excluding the Chairman, shall not exceed two. Copies of these Regulations are appended vide APPENDIX IA and APPENDIX IB, respectively.
- 2.2. The function of the Sikkim Public Service Commission is similar as enumerated in paragraph 2 and 3.
- 2.3. Exemption from Constitution.- The State Government as respects services and posts, apart from the all- India Services, in connection with the affairs of the State, is competent to make regulations, under Clause (4) of Article 320 of the Constitution of India, specifying the matters in which either generally, or in any particular class or case or in any particular circumstance, it shall not be necessary for the Sikkim Public Service Commission to be consulted. The Government of Sikkim has made Sikkim Public Service Commission (Exemption from Consultation) Regulations specifying the matters in which the State Government need not consult the Commission. These Regulations are given in APPENDIX II.
- 2.4. Secretariat of the Commission.- The Commission has its Secretariat headed by a Secretary and other officers and staff appointed under the Sikkim Public Service Commission (Staff) Regulations, 1983 as amended from time to time. A copy each of these Regulations with amendments is appended vide APPENDIX-III.
- 2.5. The present manpower position of the Commission is negligible, to say the least. The workload of the Commission has increased by many folds since its inception. Besides, the responsibility of holding large number of examinations conducted by Union Public Service Commission in its Examination Centre at Gangtok adds up considered work load on the meager manpower of the Commission. It is, therefore, imperative that the manpower position of the Secretariat of the Commission is reviewed and adequate required manpower in consonance with the present work load is placed at the disposal of the Commission.

3. MANUAL FOR THE COMMISSION.

- 3.1. For smooth functioning of the Commission it is imperative that procedures and practices followed in the discharge of duties by the Commission are codified to ensure uniform application of those procedures and practices. In the absence of such codified Manual, the Commission finds it necessary to document the conventions of procedures and practices so far followed in the form of a Manual for their uniform application and to maintain transparency in the functioning of the Commission.
- **3.2.** Now therefore the Sikkim Public Service Commission is pleased to formulate a Manual containing **RULES OF PROCEDURE AND CONDUCT OF BUSINESS OF THE SIKKIM PUBLIC SERVICE COMMISSION** as hereinafter provided, namely,-

RULES OF PROCEDURE AND CONDUCT OF BUSINESS OF THE SIKKIM PUBLIC SERVICE COMMISSION CHAPTER I

GENERAL

1. Short title and commencement.-

- (1) These rules may be called the Rules of Procedure and Conduct of Business of the Sikkim Public Service Commission.
- (2) They shall come into force with immediate effect.
- 2. *Definitions*.- In these Rules, unless the context otherwise requires,-
 - (a) "Allocation" means allocation of business of the Commission among the Members (including Chairman) as per the procedure laid down herein after.
 - (b) "Board" means a Board constituted by the Commission for the purpose of holding Interview/Personality Test of candidates.
 - (c) "Chairman" means a person appointed as such under Clause (1) of Article 316 of the Constitution.
 - (d) "Commission" means the Sikkim Public Service Commission constituted under Article 315 of the Constitution.
 - (e) "Committee" means a Committee constituted by the Commission.
 - (f) "Competent Authority" means an Authority which is empowered to take decision on the relevant subject under these rules.
 - (g) "Constitution" means the Constitution of India.
 - (h) "Controller of Examination" means an officer of the Commission authorized by the Commission to act as such.
 - (i) "Examiner" means a person appointed by the Commission for evaluation of answer books of an examination conducted by the commission, and includes Joint Examiner and Co- examiner.
 - (j) "Government" means the Government of Sikkim.
 - (k) "Initiating Member" means the Member who proposes a discussion on any matter or to whom the file is first sent for his opinion/orders in accordance with the allocation of business.
 - (l) "Interview" means interview of candidates for Personality Test.
 - (m) "Member" means a person appointed as such under Clause (1) of Article 316 of the Constitution.
 - (n) "Order of Distribution of Work" means order of distribution of work among officers and staff as approved by the competent authority.
 - (o) "Officer" means Secretary and all other officers of the Secretariat.

- (p) "Presiding Member" means the Member who presides over the meeting of the Commission are carried out.
- (q) "Secretariat" means an office under the Commission where all the works of the Commission are carried out.
- (r) "Secretary" means Secretary to the Commission as appointed from time to time under the Sikkim Public Service Commission (Staff) Regulation, 1983 and includes an officer authorized by the Chairman to perform all or any of the functions of the Secretary during his absence.
- (s) "Staff" means a person holding a post either in Group C or Group D in the Secretariat.

CHAPTER II

TRANSACTION OF BUSSINESS OF THE COMMISSION

- **3. Meeting.-** The Meeting of the Commission shall be held with a view to transacting its official business and deliberation. The procedure of the meeting shall be as follows:-
 - (a) The meeting of the Commission shall be held at such interval as may be decided by the Commission. However, the Commission shall meet at least once in three months in its office. The proceeding of the Commission shall not be invalidated by reason of any vacancy in the office of the Chairman or any other Member.
 - (b) The Secretary shall circulate the details of date, time and venue of meeting along with agenda notes on all points to be taken up in the meeting.
 - (c) Agenda points shall be decided by the Chairman in consultation with the Member.
 - (d) All the decisions taken in the meeting shall be recorded in the form of minutes or in such other manner as the Commission may direct. It shall be open to any Member who dissents from a decision to record his dissenting note and if he thinks fit, also his reasons therefore. But he will not convey such dissent to Government or any authority or any person.
 - (e) If the Chairman thinks necessary and fit, he may postpone any matter for future consideration.
 - (f) The Secretary shall submit the minutes of the meeting within three days of the date of meeting to the Member and the Chairman for approval.
 - (g) The Secretary shall act as custodian of the record of the meetings. At the end of financial year, a bound volume of minutes of meetings shall be prepared, copies of such volumes shall be distributed to the Chairman and Member. Secretary shall keep one copy.
 - (h) Matters requiring urgent decision of the Commission shall be circulated among the Member and the Chairman for their opinion and decision. If the Member does not make available his opinion within 24 hours of submission of the case to him, then it will be presumed that the Member agrees with the proposal.
 - (i) The decision of the Commission shall be implemented or communicated in writing to the concerned authority under the signature of the Secretary or as directed by the Chairman.
- **4. Allocation of business.-** The Chairman may as and when required, allocate the official business to the Member as may be specified in the order. The Secretary or any other Officer may also be asked in writing to perform any duties assigned to them by the Chairman. The assigned duties in the absence of the Chairman may be discharged as per the orders of the Chairman.
- **5. General procedure.-** No proceedings of the meeting of the Commission shall be invalid only by reason of a vacancy in the office of a member or the Chairman or on the ground that a Member or Chairman was absent from the meeting of the Commission. The meeting must, however, have a quorum of two Members.
- 6. Decision of the Commission. The decision arrived at in a meeting of the Commission shall be the decision of the Commission. Where a case is circulated among the Members and the Chairman and where there is agreement among the members and the Chairman to whom the case is circulated, such agreed opinion shall be deemed to be the opinion of the Commission.

CHAPTER III

ORGANISATIONAL STRUCTURE OF THE SCRETARIAT OF THE COMMISSION

7. Supervision, direction and control.-

(1) The supervision, direction and control of the function of the Secretariat of the Commission shall be under the Chairman. Chairman shall be the appointing authority in respect of the Secretary and such other Officers as may be prescribed in the recruitment rules. He shall exercise such and such other officers as may be prescribed in the recruitment rules. He shall exercise such administrative and financial power as may be delegated to him by orders of the appropriate authority.

8. General function of the Secretary.-

- (1) Subject to the general or special directions of the Chairman or the Commission, as the case may be, the Secretary shall be in charge of the Secretariat and will discharge all official business pertaining to the Commission under the superintendence of the chairman in accordance with the policy and decisions taken from time to time by the Commission.
- (2) The Secretary shall ensure that the policy and decisions of the Commission are carried out diligently, efficiently and promptly. He shall place all the relevant facts in respect of all cases placed before the Chairman or the Commission and render free, frank and correct advice to the Chairman or the Member, as the case may be.
- (3) The Secretary shall be duty bound to draw the attention of the Chairman or the commission, as the case may be, if any of the actions or decision taken by the Chairman or the Commission is contrary to any provisions of any rule or law in vogue or is at variance with the policy decision hitherto adopted by the Commission. Subject to such power as may be delegated to the subordinate officer, the Secretary shall exercise general supervision and control over the staff working in the office and he shall be responsible for seeing that the members of the Secretariat perform their assigned duties efficiently and with promptitude.
- **9.** Authentication of orders and correspondences.- Subject to such orders passed by the Chairman, all the communications, including orders passed by the Chairman or Commission, as the case may be, shall be authenticated by secretary or any other officer.
- 10. Function of Additional/ Joint/ Deputy/ Under/ Secretary. Additional/Joint/ Deputy/Under Secretary shall discharge their duties as per the distribution of works made through standing orders issued with the approval of the Chairman. In the absence of the Secretary, the Chairman may appoint the additional Secretary to take charge of the Secretary.

11. Controller of Examinations					
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(2) The Controller of Examination shall be entrusted with the work of examinations and shall be responsible for all necessary arrangements for smooth and efficient conduct of examination to be conducted by the Commission. All the Certificate of Admission to Examination or Interview, Results of Written Examination and Interview to be declared after obtaining the approval of the Chairman shall be authenticated by the Controller of Examination or in his absence by the Joint/Deputy/Assistant Controller of Examination.

- (3) The Controller of Examination shall submit all the files to the Secretary and the Secretary shall submit the files to the Chairman or the Commission, wherever necessary, for orders.
- **12.** Function of Joint Controller/Deputy Controller/Assistant Controller of Examinations. Joint Controller/Deputy Controller/Assistant Controller of Examinations shall discharge their duties as per the distribution of works made through standing orders issued with the approval of the Chairman.
- **13. Function of Drawing & Disbursing Officer.** The Officer declared by the competent authority as Drawing & Disbursing Officer of the Secretariat shall aid and advice the Secretary and/ or the Chairman on all financial matters. He shall be responsible for proper functioning of the Accounts Section of the Secretariat. He shall ensure effective control over the expenditure and that the provisions of the Financial Rules and such other allied rules relating to financial matters are strictly adhered to.
- **14. Duties of Staff members.** Other staff members shall be responsible for carrying out the duties entrusted to them by standing orders issued from time to time. They shall ensure that official records are maintained in a proper manner in accordance with the rules relating to office procedure and practices as laid down in the **Office Procedure Manual of the Government of Sikkim.**

CHAPTER IV

FUNCTIONS OF THE SECRETARIAT AND OFFICE PROCEDURE

15. The Office Procedure Manual of the Government of Sikkim shall be applicable to the Secretariat of the Commission, mutatis mutandis.

16. Division of Office in to Sections.

The office shall be divided into various sections for proper, efficient and effective disposal of the works of the Secretariat of the Commission. The section shall be, as far as possible, under the charge of a Group B officer. He will be supported by such other Group C and D staff as may be allocated with due regard to the manpower position of the Secretariat.

17. Sections.

- (1) The works of the Secretariat of the Commission shall be allocated to the following Section, namely,-
 - (a) Establishment Section;
 - (b) Accounts Section;
 - (c) Legal Section;
 - (d) Computer and Data Processing Section;
 - (e) Examination Section.

18. Works to be handled by section.-

- (1) **The Establishment Section** shall deal with the matters concerning
 - (1) service matters of the Chairman, Members and employees of the Secretariat,
 - (2) receipt and dispatch of normal dak,
 - (3) housekeeping.
 - (4) Preparation of Annual Report (chapter XI), and
 - (5) weeding out of records in terms of rule 70.

The Secretary may declare, by order in writing, an officer of appropriate grade by designation to be in charge of the Establishment Section and he shall ensure that the works in the section is carried out efficiently and the provisions laid down in Office Procedure Manual are followed scrupulously.]

(2) **The Accounts Section** shall deal with all the matters concerning finance and accounts of the Secretariat. The Officer declared as Drawing & Disbursing Officer shall be in charge of the Accounts Section. The Drawing & Disbursing Officer shall ensure that sanction and disbursement of fund are made strictly in accordance with the provisions contained in Sikkim Financial Rules and other allied rules. He shall be responsible for preparation of proper annual as well as supplementary budgets. He shall coordinate with various departments and agencies including the office of the Accountant General, Sikkim.

Generally, the works of the Accounts Section shall be as follows, namely,-

- (a) Preparation of pay roll/pay bill, processing of bills,
- (b) Generation of deduction statements etc.
- (c) Other works related to typing of statements etc.
- (d) Maintenance of all the books of accounts as per rules,
- (e) Preparation of Budget including Supplementary Budget.
- (3) **The Legal Section** shall deal with the matters enumerated in CHAPTER IX & CHAPTER X herein after. The case filed in the Court of Law will also be dealt with by

this section. The Secretary may declare, by order in writing, an officer of appropriate grade by designation to be in charge of the Legal Section.

- (4) **The Computer and Data Processing Section** shall be responsible for development and up keep of software to meet various purpose of the Secretariat. This Section shall be responsible for timely data entry, data processing and data generation and it shall ensure effective support to the Secretariat in disposal of cases. The Section shall, in general, be responsible for the following types of work, namely,-
 - (a) Typing works;
 - (b) Data entry/scanning of applications;
 - (c) Generation of all the required data, information and documents in connection with conduct of examination;
 - (d) Preparation of various statements, like statement showing cases pending with staff members as per Manual of Office Procedure;
 - (e) Maintenance of data relating to manpower of the State Government;
 - (f) Maintenance of data relating to cases dealt with by the Commission (This is for the purpose of Annual Report of the Commission).
 - (g) Upkeep of the official Website of the Commission.
- (5) (1) **The Examination Section** shall be responsible for all the works relating to conduct of examination and interview for direct recruitment and all cases to be placed before the Selection Committee. The examination process starts from the time advertisement seeking applications are issued and it comes to an end with recommendation of names of selected candidates to the Government. All correspondences concerning any examination shall be made by the Examination Section. Generally, the works of this Section may be listed below, namely,-
 - (a) Processing of requisition for direct recruitment/promotion;
 - (b) Finalization of rules of Examination, subjects and syllabi;
 - (c) Publishing the Advertisement and results in official Website and print and electronic media;
 - (d) Designing Application Forms;
 - (e) Receipt and scrutiny if applications;
 - (f) Preparation of list of eligible candidates;
 - (g) Preparation of Admission Certificate, Nominal Rolls of candidates, Seating Plan etc.;
 - (h) Making arrangement for holding examination/interview;
 - (i) Preparation of question papers, codification and dispatch of Answer books to examiners, receipt of evaluated Answer Books;
 - (j) De-codification and preparation of results.
 - (k) Preparation of merit list;
 - (l) Publishing provisional/final select list;
 - (m)Coordination with Examiners, Subject Experts, authorities of Schools, Colleges and Universities;
 - (n) All other matters connected with examination and departmental promotion cases which are not mentioned hereinabove;
- (2) The Examination Section shall be equipped with the facilities for printing of secret and sensitive documents in connection with the examinations.
- 18A Maintenance of confidentiality and accountability.-

- (1) All the functionaries including staff shall maintain absolute confidentiality of the official matters that may come to their knowledge in the course of discharge of their duties and be accountable for the work assigned to them by work allocation office order.
- (2) Any breach of sub-rule (1) shall constitute misconduct and appropriate disciplinary action shall be initiated against the defaulter.f

CHAPTER V

RECRUITMENT BY OPEN COMPETITIVE EXAMINATION

19. Requisition.-

- (1) The State Government may send the requisitions to the Commission for recruitment to various State Services or posts once in a year. The Commission may accordingly draw up an annual calendar showing the date by which different activities relating an examination is to be completed so that all the works of relating to holding of such examinations are carried out in a well planned manner.
- (2) The Department of Personnel, Administrative Reforms & Training in the Government will send the requisition in the prescribed proforma whenever there is vacancy of a post to be filled up by direct recruitment and the examination is to be conducted by the Commission. All the relevant information and documents will be forwarded by the said Department. These information and documents include essential qualification, age limit, proportion of vacancy to be filled by direct recruitment, details of reservation duly supported by the roster point, recruitment rules, rules and scheme of examination and syllabus prescribed for the written examination. The department will furnish such other information as may be called for by the Commission. A proforma of the requisition is appended as **ANNEXURE I.**
- (3) The requisition will be thoroughly scrutinized in the Examination Section with reference to the eligibility conditions prescribed for the post in the relevant recruitment rules, and other essential conditions concerning Roster Points, No. of vacancies with reference to the sanctioned strength and existing strength.
- (4) The Examination Section will further ensure that the rules of examination and syllabus of written examination are in place.
- (5) When the requisition is verified and scrutinized, the proposal along with draft advertisement will be submitted to the Secretary through the Controller of Examination for orders. The Secretary may pass orders to release the advertisement unless he thinks it appropriate to obtain the orders of the Chairman.

20. Issue of advertisement.-

- (1) Advertisement will be published in the Official Newspaper, namely, Sikkim Herald, and two other local newspapers through the Information and Public Relations Department, Government of Sikkim. Full text of the advertisement will be published in at least two issues of the newspapers. In addition to this, short version of the advertisement may be sent to local electronic media including radio for display/announcement for general information.
- (2) At least five copies of advertisement will be sent to the Department which had sent the requisition and also to the department to which the vacancy is related for their information and also for display in their Notice Boards.
- (3) A copy of the advertisement will be displayed in the Notice Board of the Secretariat of the Commission till the last date of submission of application.

21. Issue and receipt of application forms.-

(1) Application form will be issued against proof of deposit of necessary fee as may be mentioned in the advertisement. Serial number will be indicated in the application

- form issued. Copy of rules of examination and syllabus will be issued along with the application form.
- (2) The Examination Section will receive the completed application forms during office hours till 3.00 P.M of the last date of submission of application. No application either delivered by hand over the counter or received through post will be received after 3.00 P.M. of the last date so fixed. If the application is received by post after the last date is over, the same will be returned to the sender at his own cost.
- (3) As soon as the last date of receipt of application is over, the concerned staff in the Examination Section shall arrange the applications in serial orders, ascertain the total number of applications received and submit the information to the Assistant Controller of Examination.

22. Scrutiny of application received.-

- (1) The Assistant Controller of Examination shall ensure that the applications received on a particular day is scrutinized the next day. The applications shall be scrutinized in accordance with the eligibility criteria and other conditions prescribed in the advertisement. **Scrutiny Sheet** in the prescribed form **(ANNEXURE IA)** will be filled up on the basis of information given in the application to facilitate scrutiny of application. The main points to be verified are,-
 - (a) Whether the application form is received within the prescribed time limit.
 - (b) Whether the prescribed fee is correctly remitted in the manner prescribed;
 - (c) Whether the candidate fulfils the age limit criterion.
 - (d) Whether the candidate possesses the requisite qualifications and experience, if any, prescribed;
 - (e) Whether the attested copies of certificates as called for have been appended;
 - (f) Whether the caste certificate in case of reserved candidates etc. is issued under the relevant laws by the competent authority;
 - (g) Whether the application is properly filled up and signed by the candidate.
- (2) After the scrutiny, all the doubtful cases will be submitted to the Controller of Examination for decision. If necessary, he will submit the cases to the Secretary for orders.
- (3) On having completed the scrutiny of applications received, the applicants whose applications are rejected shall be informed accordingly duly giving reason for such rejection.

23. Data entry.-

- (1) The applications which are found in order shall be arranged and forwarded to the Computer and Data Processing Section for data entry work. Data entry work will be carried out on day to day basis.
- (2) Certificate of Admission will be issued to the eligible candidates under the signature of Controller of Examination or his subordinate officer in the Examination Section. Such certificate will be issued at least thirty days before the first day of examination. Adequate publicity will be given to the programme of the examination for information of candidates through print as well as electronic media.

24. Storage of Question Papers and Answer sheets and other secret papers/documents.-

(1) The Question Papers will be kept in the Strong Room under proper lock and key. The Controller of Examination and one other officer as authorized by the Chairman shall keep keys of the strong room. The procedure for opening Strong Room and Almirah where secret papers and documents including question papers and Answer sheets are stored shall be laid down by the Commission and the same will be circulated

internally. Each time the strong room is opened necessary entries will be made in the **Log Book** maintained in the prescribed form **(Annexure II).** The log book will be inspected by the Secretary once in a month and he will put his signature on the relevant column in the log book in token of inspection of the Log Book.

- (2) Persons who will enter into the Strong Room will give his particulars in the Log Book with other details as required to be provided.
- (3) Unauthorized person will not enter into the Strong room without the permission of the Controller of Examination.

25. Security Arrangements.-

(1) Adequate security personnel will be detailed to guard the Strong Room. The Security Personnel will be secured from the Sikkim Police Force. In case the Police Department finds it difficult to deploy Police Personnel in the Secretariat of the Commission, the Commission will make alternative arrangement at its own discretion.

26. Determination of venue of examination.-

The Controller of Examination shall fix necessary venue for examination well in advance under intimation to the Chairman. He shall obtain confirmation from the concerned Principal/Head of Institution in writing of availability of accommodation and facilities and amenity required for conduct of examination. He shall also obtain in writing the capacity of each hall/ class room and also availability of furniture. The Controller of Examination shall also visit the venues and ascertain availability of facilities required for smooth conduct of examination.

27. Appointment of Centre Supervisor and Invigilators.-

- (1) The Controller of Examination shall appoint Centre Supervisor and Invigilators in the scale as may be determined by the Commission from time to time. A Group A Officer of the State Government including Principal or Head Master of a Government School may be appointed as Centre Supervisor. Group B Officers and teachers up to and including the level of Graduate Teacher of Government Schools may be appointed as Invigilators. A retired Government servant of the requisite rank may also be appointed as Supervisor or Invigilator provided they are mentally and physically fit to shoulder the responsibility.
- (2) While acting as a Centre Supervisor or Invigilator of an Examination, or working in any capacity in connection with the conduct of examination, the incumbent concerned shall be under the control of the Commission and any misbehavior or misconduct including any lapse on his part shall invite appropriate departmental action as well as legal action as per the law. In the event of any omission or commission of misbehavior or misconduct by a Government servant while functioning as Centre Supervisor or Invigilator or in any other capacity, the Commission may recommend to the concerned Head of Department initiation of appropriate disciplinary proceeding against the Government servant under intimation to the Commission.

28. Instruction to the Centre Supervisor, Invigilators and other functionaries.-

(1) Instruction to the Centre Supervisor, Invigilator and other functionaries of an Examination are given in *ANNEXURE III*. The Commission may amend these instructions from time to time. Violation of any of these instructions by a person appointed as Centre Supervisor or Invigilator or any other functionaries to conduct

- an examination will be treated as misconduct and disciplinary action may be initiated on that ground alone.
- (2) The Controller of Examination shall forward a copy of the Instructions and Guidelines to the persons concerned along with the order of appointment. Training may be held for such personnel by the Controller of Examination for briefing and bringing home the important of each and every instruction laid down by the Commission.

29. Arrangement for transportation of stationeries and question papers to the Examination Centre.-

- (1) The assistant Controller of Examination shall ensure that necessary stationeries as per the scale fixed for the purpose are dispatched to the Centre Supervisor at least 15 days before the date of examination.
- (2) The Assistant Controller of Examination shall forward to the Centre Supervisor **two copies of certified attendance list** of candidates registered in the Centre.
- (3) On the set date of examination, sealed packets of Question Paper will be sent by the office of the Controller of Examination and reached to the Examination Centre under armed police escort which would be received by the Centre Supervisor against receipt.
- (4) On completion of the examination, the Answer Books will be collected, counted, packed, sealed and handed over to the Coordinating Supervisor who will reach the same to the Office of the Commission under armed police escort and hand over the same to the Controller of Examination, who in turn shall keep the packet in the safe custody in the Strong Room.

30. Coordination with district authorities.-

The Controller of Examination will coordinate with the District Administration and Police for full-proof security arrangements and regulation of traffic in the vicinity of the venue of examination. He will also coordinate with Power Department, Human Resource Development Department, etc. for their cooperation. The Secretary shall take up appropriate steps to apprise the State authorities regarding the programmes and request them to issue necessary instruction to all the related Departments to provide necessary assistance and cooperation to the Commission.

31. Payment of remuneration.-

- (1) The Controller of Examination shall make necessary arrangement for payment of honorarium / remuneration to the persons engaged for conduct of examination as per the rates fixed by the Government from time to time. Notification No. K(27) Gen/Est/117/Gen/DOP dated: 30.05.2008 issued by the Department of Personnel, Administrative Reforms & Training, Government of Sikkim, prescribing rates for various functionaries is annexed herewith as **ANNEXURE IV**.
- (2) The persons engaged for conduct of examination including Supervisor and Invigilator, may be provided with refreshment at such scale and rate as may be decided by the Commission from time to time during the intervals only if there are two or more papers of an examination during the day.
- (3) The Accounts Section in the Secretariat shall take appropriate action to advance fund to the Centre Supervisors subject to submission of detail accounts within a week from the close of examination.

32. Panel of Examiners / Subject Experts.-

(1) The Commission shall prepare panel of examiners for each subject in which the Commission holds examinations or may constitute a Committee for the purpose.

- Different Committees may be constituted for different subjects. The reports of the Committee shall be laid before the Commission for approval. The Commission make such alterations or additions as it deems fit in the panel prepared by the Committee.
- (2) No officer of the Commission shall be placed on the panel of examiners.
- (3) The panel so prepared and/or approved by the Commission shall be **reviewed by it** at least after every two years or sooner.
- (4) The Panel of Examiners shall be secret document and it shall be kept in safe custody by the Controller of Examination under seal and shall be submitted to the Chairman or Member on requisition.
- (5) Examiners, Paper setters, Subject Specialists shall be appointed by the Commission from the panels made in accordance with the provisions made hereinabove. They may be paid remuneration and provided with other facilities as per the norms approved by the Commission from time to time.

33. Setting of question papers.-

- (1) A Question Bank may be maintained as far as possible by the Commission in accordance with the instructions issued by it from time to time.
- (2) Till such time a functional Question Bank is established, the Paper Setters may be appointed by the Commission and they will be required to set question papers which will be received in sealed cover and shall be kept in the safe custody of the Controller of Examination.
- (3) Whenever necessary, sealed question papers shall be handed over to Moderator after getting a receipt from him for the purpose of moderation of questions. He will put the moderated question papers in different sealed covers. He will not put any identification mark over the covers and hand them over to the Controller of Examination or his nominee after getting a proper receipt.
- (4) The Chairman will select one of the moderated question paper without opening the sealed covers and send it for printing.

34. Printing and packing of question papers.-

- (1) Question papers will be printed under the personal supervision of the Controller of Examination and he will be responsible for maintaining the confidentiality of all the Question Papers. For this purpose, adequate infrastructure shall be developed in the Secretariat.
- (2) Question papers, after printing, will be packed in such a manner as per the direction issued by the Chairman to the Controller of Examination.

35. Storage of question papers.-

- (1) The sealed packet containing question papers shall be stored in the Strong Room of the Commission till such time these packets are transported and delivered to the Centre Supervisors / Coordinating Supervisors.
- (2) Proper entries in the Log Book of the Strong Room shall be made while storing the packets and also taking the packet out of the strong room to the examination centres.

36. Storage of Answer Books and other documents of the examination.-

(1) After the examination is over, the Centre Supervisor shall send the sealed packets with all the relevant documents to the Commission's Secretariat the same day. The Centre

- Supervisor shall pack and seal the answer books in accordance with the instructions issued in this regard.
- (2) The Answer Books and other documents related to the examination shall be kept in the Strong Room of the Commission. Necessary entries shall be made in the Log Book of the Strong Room.

37. Codification of Answer Books.-

The sealed packets containing the Answer Books shall be opened under the personal supervision of the Controller of Examination and the same shall be codified in such a manner that the identity of the Answer Book is neutralized before it is sent to the examiner. This shall be done with a view to maintain secrecy.

38. Evaluation of answer scripts.-

- (1) The Answer Books will be evaluated by the concerned Examiners appointed by the Commission. For this purpose, the Examiners may be invited to the Commission or where this is not feasible, the Answer Books shall be packed and sealed and dispatched to the Examiners by Insured Speed Post as soon as the examinations and codification of the answer books are over.
- (2) The Controller of Examination shall coordinate with the Examiners for ensuring timely completion of evaluation work. The Examiners shall return the Answer Books, after evaluation, to the Controller of Examination in a sealed packet through Speed Post. They shall draw and send necessary mark sheet in a separate sealed envelope.
- (3) Whenever, the Commission is satisfied in a particular case that the Answer Books needs to be evaluated again, for reasons to be recorded in writing, it may direct the Controller of Examination to send all the Answer Books in question to another Examiner. The marks allotted by the first Examiner, in such a case, shall be ignored completely and marks allotted by the second Examiner shall be taken into consideration OR whenever required for certain examinations if any such situation arises, re-evaluation of Answer Books will be undertaken as per the discretion of the Controller of Examination duly obtaining approval of the Commission.

39. Compilation of marks and preparation of final consolidated mark-sheet.-

- (1) As soon as the Answer Sheets and mark sheet are received from the Examiners, the Controller of Examination shall take necessary action for compilation of marks obtained by the candidates and prepare consolidated Mark Sheets. The Mark Sheets shall then be placed before the Commission for its information and approval of the Mark Sheets.
- (2) The Controller of Examinations shall check and verify all the Answer Scripts returned by the Examiner after evaluation in detail and ensure that there are no mistakes in totaling of marks allotted or there is no answer left unevaluated. If there happens to be mistake in totaling of the marks allotted, the Controller of Examination may make necessary correction in the mark sheet. If there is any answer left unevaluated, the Controller of Examination shall return the Answer Scripts to the concerned Examiner for needful.

Note.- For the purpose, the Controller of Examination may authorise Joint Controller of Examination, Deputy Controller of Examinations, Assistant Controller of Examinations, Examination Supervisor to check and verify the evaluated Answer Scripts. But the overall responsibility shall rest on the Controller of Examinations.

(3) The Commission may at its discretion cross check the Marks with reference to the marks given by the Examiner on the Answer Book.

40. Result of the written examination.-

- (1) The Commission shall, with reference to the minimum qualifying marks as may be prescribed and the marks obtained by the candidates in the written examination, prepare the list of successful candidates.
- (2) Where the number of candidates in the list prepared under sub-rule (1) is unreasonably large with reference to the number of vacancy/vacancies notified, the Commission may restrict the number of candidates to be called for interview to a maximum of five times and in any case not less than three times, as far as possible, the number of vacancies notified. Where the number of candidates who succeed in the written examination is less than three times the number of vacancy notified, all such successful candidates shall be called for the interview/viva-voce test.
- (3) The list prepared under sub-rule (1) subject to sub-rule (2) shall be displayed on the notice board of the Commission. It may also be published in local news papers and broadcast through local electronic medium for general information.
- (4) The list shall contain the Roll Number and name of the candidates in descending order of roll number so that the order of merit is not disclosed at this stage.

41. Call for Interview.-

- (1) The candidates whose names are included in the list published under rule 40 shall be invited to appear before the Selection Board for interview/viva-voce/personality test on such time, date and venue as may be indicated in the calling letter. If a candidate fails to turn up for Interview on the specified time and date, he will be marked ABSENT and he will be deemed to have forfeited the examination irrespective of marks secured by him in the written examination.
- **(2)** All the documents and certificates of academic and other qualifications in original shall be verified before the candidate is allowed to appear before the Selection Board. If a candidate fails to produce original certificates or documents for verification, he shall not be allowed to appear before the Selection Board for interview.

42. Declaration of final results.-

After completion of interview, marks of written examination and interview are combined and a merit list of candidates shall be finalized in accordance with the procedure and orders in vogue with the approval of the Commission. A list of candidates equal to the number of vacancy/vacancies notified for each category as per the requisition made under rule 18 of these rules, arranged in order of merit inter-se, shall be published/notified in the Notice Board, Newspaper and electronic medium, incorporating therein the roll numbers and names of such candidates and the category under which the candidate is recommended. Simultaneously, the list shall be forwarded to the Appointing Authority for taking further action.

42A. Penalty for resorting to unfair means etc.-

- (1) A candidate who
 - (a) impersonates and produces forged Admit Card to obtain admission in examination hall;

- (b) submits false/bogus or fabricated documents/certificates which have been tampered to:
- (c) submits his/her wrong information and bio-data in the application form;
- (d) suppresses material information on pendency of criminal case, imprisonment or any punishment by court of law;
- (e) is caught with a cell phone or nay other electronic gadgets which are capable of making communication or using other unfair means in the examination hall;
- (f) appears for the examination after consuming liquor and left the examination hall before the completion of the examination with question paper;
- (g) misbehaves in any manner in the examination hall with other candidate or candidates or with the Supervisor, Invigilator or Commission's representative;
- (h) goes away along with his used O.M.R. Sheet/Answer Sheet instead of submitting it to the concerned Invigilator;
- (i) defies instruction given in writing by or on behalf of the Commission or given verbally by the Supervisor or the Invigilators in or outside the examination hall;
- (j) raises defamatory complaints against the Commission and replies arrogantly to the Show Cause Notice issued by the Commission;
- (k) leaves the examination hall without informing the Invigilator/examination Supervisor before expiry of the allotted time taking away his Test Booklet along with him:
- (l) is guilty of such act or acts which is/are viewed as indiscipline and unbecoming of a candidate to appear the said examination by the Commission; or
- (m) violates instruction given in ANNEXURE IIIA shall be liable to punitive action.
- (2) No penalty shall be imposed on a candidate without giving him due notice in writing and also reasonable opportunity to defend himself.
- (3) If the candidate is found guilty of any of the charges mentioned in sub-rule (1) and also violated the instruction given in **ANNEXURE III A**, the Commission may, with reference to the gravity of charge proved, debar him permanently or for a specified period from admission to any examination or appearing at any interview held by the Sikkim Public Service Commission. The quantum of penalty against the unfair means as stipulated in sub-rule (1) is given in **ANNEXURE IIIB**.
- (4) The punitive action by the Commission shall not bar criminal action against the candidate. The Secretary, with the approval of the Chairman, may lodge complaint against the candidate with the appropriate Police authority.

CHAPTER VI

RECRUITMENT TO A SERVICE BY SELECTION / PROMOTION

43. Requisition.-

- (1) For the purpose of recruitment to a Service by selection/promotion, the concerned authority of the State Government shall send requisition in the prescribed proforma (ANNEXURE V) DULY FURNISHING ALL THE REQUISITE INFORMATION AS PER THE PROFORMA. Essential information required may be listed as under:-
 - (a) Name of the post to be filled up;
 - (b) Name of the Service to which the post belong;
 - (c) Number of vacant post to be filled up;
 - (d) Proportion of vacancies to be filled up by promotion and other conditions laid down under the recruitment rules;
 - (e) List of existing officers in the relevant grade to which recruitment by promotion is sought to be made to fill up the existing vacancy/vacancies;
 - (f) Total number of cadre posts of the Service;
 - (g) Total number of persons so far recruited to the Service by selection/promotion;
 - (h) Eligibility conditions prescribed under the recruitment rules;
 - (i) Notified seniority list of persons who are eligible for consideration for selection/promotion to the Service;
 - (j) Copy of relevant recruitment rules;
- (2) The requisition shall be accompanied by complete Annual Confidential Reports, vigilance Clearance Certificate issued by the Directorate of Vigilance Police, Departmental clearance certificate with regard to any disciplinary cases, complete notified seniority list, and such other information and document as may be necessary.

44. Scrutiny of the requisition.-

The requisition shall be processed and thoroughly scrutinized in the Secretariat with reference to the recruitment rules and the department sending the requisition may be advised to furnish supplementary information as when necessary. When the complete information and documents required under the rules are received, the meeting of the Selection Committee/ Departmental Promotion Committee shall be convened on such date and time as may be fixed with the approval of the Chairman.

45. Meeting of the Selection Committee/Departmental Promotion Committee.-

The meeting of the Selection Committee/Departmental Promotion Committee shall be chaired by the Chairman or in his absence by the Member. The proceeding of the meeting will not be invalidated if one half of the numbers of the members of the Committee are present provided either Chairman or the Member of the Commission is present.

46. Procedure to be followed in assessing the suitability of a person.-

- (1) Where the vacancy is to be filled up on the basis f seniority subject to fitness, the Selection Committee/ Departmental Promotion Committee shall assess the Annual Confidential Reports for the required period of service of the senior-most person. If he is found suitable for promotion, then the Committee shall recommend his name. In that case, it will not be necessary to consider the case of other persons. If, however, the Committee does not find the senior-most person suitable for promotion, then the Committee will consider the person next below in the seniority.
- (2) (a) Where the vacancy is to be filled up on the basis of merit-cum-seniority, the Selection Committee shall consider the cases of all the persons who are in the zone of

consideration. Their suitability will be judged on the basis of relative assessment of their Annual Confidential Reports and other service records. Equal number of Annual Confidential Reports in respect of all the eligible officers shall be taken into account for this purpose. Thereafter, the Committee shall prepare final list on merit and recommend the name of person on the basis of final merit list.

- (b) For the purpose of relative assessment of Confidential Reports, the Committee may adopt the system of making overall relative assessment of Annual Confidential Reports and other service records and preparation of final merit as contained in Notification No. 65/Gen/Est dated 19.6.1981 issued by the then Establishment Department (now Department of Personnel, Administrative Reforms & Training).
- (c) The question whether a person come within the zone of consideration for promotion shall be decided by the rules and instructions issued by the Government from time to time.
- (3) The Committee shall consider ACRs for equal number of years in respect of all officers falling within the zone of consideration for assessing their suitability for promotion. While making the assessment, the Committee shall not be guided merely by the overall grading that may be recorded in the ACRs but shall make its own assessment on the basis of the overall entries made in the ACRs. Where the Reviewing Authority or the Accepting Authority, as the case may be, has overruled the Reporting Officer or the Reviewing Authority respectively, the remarks of the Accepting Authority should be taken as the final remarks for the purposes of assessment.

47. Sealed Cover Procedure.-

- (1) The Sealed Cover Procedure laid down by the Government in Department of Personnel, Administrative Reforms and Training, from time to time, for promotion of Government Servant against whom disciplinary or court proceedings are pending or whose conduct is under investigation shall be followed in the case of officer against whom such proceeding is pending or whose conduct is under investigation but who falls within the zone of consideration for promotion.
- (2) The findings of the Selection Committee/Departmental Promotion Committee shall be placed in the Sealed Cover and it shall be forwarded to the concerned department from which requisition is received.

48. Recommendation of the Commission.-

- (1) The minute of the meeting of the Selection Committee/Departmental Promotion Committee hall be drawn giving details of the case and the final merit list. The minute shall be signed by all the members of the Committee present in the meeting.
- (2) The minute of the Committee shall be placed before the Commission for its concurrence and approval.
- (3) The minute of the meeting of the Committee, after its concurrence by the Commission, shall be forwarded to the Department concerned of the Government along with all the Annual Confidential Reports received along with the requisition. The letter forwarding the minute of the meeting shall be marked "Confidential" and shall be sent in a sealed cover.

49. Review Committee Meeting.-

- (1) The proceedings of any Selection Committee/Departmental Promotion Committee may be reviewed only if
 - (a) the committee had not taken all the material facts into consideration, or
 - (b) there were grave errors in the procedure followed by the Committee, or

- (c) the adverse remarks in an officer's Annual Confidential Reports considered by the Committee are expunged or modified, or
- (d) any other genuine ground.
- (2) The Review Committee would consider only those officers who were eligible for consideration at the time the Original Committee met. The Review Committee would also restrict their scrutiny of the Annual Confidential Reports for the period were toned down or expunged, the modified Annual Confidential Rolls should be considered as if the original adverse remarks did not exist at all.
- (3) It shall be entirely at the discretion of the Commission to convene the meeting of the Review Committee. The Review Committee shall consist of the same persons who constituted the Original Committee.

50. Limited Departmental Competitive Examination.-

Whenever limited departmental competitive examination is prescribed as a mode of determining suitability of a candidate for recruitment to a Service by promotion, it shall be held in accordance with relevant rules and scheme of the said examination. On receipt of requisition, the Examination Section will process the requisition and after obtaining the approval of the Chairman, applications in the prescribed profoma shall be invited from the eligible departmental candidates. Other required action shall be taken in the same line as in the case of open competitive examination.

CHAPTER VII

RECRUITMENT BY INTERVIEW

51. Recruitment by interview.-

- (1) There are certain posts, for example Lecturer and Principal of Colleges, recruitment to which is done on the basis of Personal Interview of the eligible candidates. Requisition for such recruitment shall be sent by the concerned Department of the Government in the proforma of requisition prescribed for direct recruitment through open competitive examination (ANNEXURE I). All the relevant information and documents include essential qualification, age limit, details of reservation duly supported by the roster point, recruitment rules. The department will furnish such other information as may be called for by the Commission.
- (2) The requisition will be thoroughly scrutinized in the Examination Section with reference to the eligibility conditions prescribed for the post in the relevant recruitment rules, and other essential conditions concerning Roster Points, if applicable, No. of vacancies with reference to the sanctioned strength and existing strength.
- (3) When the requisition is verified and scrutinized, the proposal along with draft advertisement will be submitted to the Secretary through the Controller of Examination for orders. The Secretary may pass orders to release the advertisement unless he thinks it appropriate to obtain the orders of the Chairman.
- (4) The applications received in response to the advertisement by due date and time shall be scrutinized on day to day basis by the Examination Section and approval of the Controller of Examination shall be obtained on doubtful cases.
- (5) The applicants whose applications are rejected shall be intimated about reason for rejection of their applications duly giving reason(s) for rejection of application.
- (6) The eligible candidates shall be invited for interview on such time, date and place as may be mentioned in the letter. All the certificates and testimonials in original of all the candidates shall be verified before they appear before the Selection Board. If any candidate fails to produce original certificate in support of fulfillment of essential qualifications and conditions, he may not be allowed to appear for the interview.
- (7) The Selection Board or the Interview Board constituted by the Government by Notification, and in the absence of such notification the Selection Board or Interview Board constituted by the Commission, shall interview the candidate. The Commission may invite subject expert or any other person with expert knowledge in the subject concerned to be on its Selection Board or Interview Board.
- (8) Credit shall be given to the academic excellence, experience, and other traits of the candidates and final merit list shall be prepared on the basis of the total marks obtained by each of the candidates. The pattern of marking shall be as decided by the Commission.
- (9) The statement of marks obtained by the candidates shall be signed by all the members of the Selection Board present during the Interview.
- (10) The Commission shall recommend the names of successful candidates in order of merit, equal to the number of vacancy intimated to it by the concerned Department.

CHAPTER VIII

PROMOTION FROM ONE GRADE TO ANOTHER HIGHER GRADE

52. Requisition.-

Where a post is required to be filled up by promotion from lower grade, the course of action elaborated in Chapter VI herein above shall be taken. A proforma of the requisition is appended as **ANNEXURE V.**

53. Annual Confidential Reports, Vigilance Clearance, Departmental Clearance Certificate.-

The requisition shall be accompanied by all the relevant information enumerated below,-

- (a) No. of sanctioned posts/sanctioned strength
- (b) Existing strength and list of existing officers.
- (c) No. of vacancy to be filled up by promotion
- (d) Eligibility conditions prescribed in the relevant recruitment rules,
- (e) Notified seniority list of persons who are eligible for consideration for promotion, The Seniority list should contain all the service details of the persons concerned including date of birth, qualification, date of first appointment, date of promotion to the present grade.
- (f) Copy of recruitment rules.
- (g) Annual Confidential Reports for the required period, Vigilance and Departmental Clearance, and such other documents as may be necessary.

54. Meeting of the Selection Committee/Departmental Promotion Committee.-

- (1) Meeting of the Selection Committee/Departmental Promotion Committee shall be convened only after the Commission is satisfied that all the required information and documents are received with the requisition or even after the deficiency is pointed out to the concerned Department of the Government.
- (2) The Minute of the meeting shall be signed by all the Chairman of the Selection Committee/Departmental Promotion Committee and other members present in the meeting.
- (3) The Minute of the meeting shall be placed before the Commission for consideration and concurrence and thereafter the Secretary shall forward the same to the Government through the Department which had sent the requisition.

55. Frequency of meeting of the Selection Committee/Departmental Promotion Committee.-

- (1) Selection Committee/Departmental Promotion Committee constituted under the recruitment rules of a Service may meet once in a year. Meeting of a Committee for more than once in a year may be convened if the Commission is satisfied that such meeting is in the public interest.
- (2) In other cases, the Commission may refuse to entertain the requisition to avoid repetition of meeting of the Selection Committee/Departmental Promotion Committee.
- **56. Sealed Cover Procedure.-** The provision laid down in rule 47 herein above shall be followed in a case where an officer who falls within the zone of consideration but against whom disciplinary proceeding or court proceedings are pending or whose conduct is under investigation.

57. Review Committee Meeting The provisions laid down in rule 49 herein above shall followed in a case where Review Meeting is necessitated.	be

CHAPTER IX

DISCIPLINARY CASES

- 58. The Commission shall be consulted in the cases of all disciplinary matters pertaining to civil posts except where it is exempted under the rules. The case will be forwarded to the Commission by the Disciplinary Authority by filling up the prescribed proforma (*ANNEXURE VI*) and furnishing the following documents, namely,-
 - (1) Copy of charge sheet along with the statement of imputation of misconduct or misbehavior;
 - (2) Proof of receipt of charge sheet by the delinquent Government Servant.
 - (3) Written Statement of Defence, if any, submitted by the delinquent Government Servant
 - (4) Order appointing inquiring Authority and Presenting Officer;
 - (5) Report of the Inquiring Authority along with record of proceeding of the Inquiry (Daily Order sheet, documentary and oral evidences);
 - (6) Provisional decision of the Disciplinary Authority on the Inquiry Report.
- 59. The Commission shall examine the case with reference to the rules regulating such inquiry and see whether or not
 - (1) complete record required to be sent to the Commission are received;
 - (2) the procedures laid down in the relevant rules are followed;
 - (3) the allegations are proved;
 - (4) the penalty proposed by the Disciplinary Authority is justified with reference to the charge proved; and
 - (a) agree with the proposal of the Disciplinary Authority; or
 - (b) advise the nature of penalty different from the one proposed by the Disciplinary Authority; or
 - (c) advise the Disciplinary Authority to take action according to the procedure laid down in the relevant rules governing such inquiry (if the Commission is satisfied that inquiry made is not in accordance with the rules);
- 60. All the records received from the Disciplinary Authority shall be returned to the Disciplinary Authority along with the letter conveying the advice of the Commission, duly retaining photocopy of the said documents in the Secretariat for future reference.

CHAPTER X

SERVICE RULES

- **61. Constitutional provision.-** All appointment to the Public Services in the State are governed by the rules made by the Governor under proviso to Article 309 of the Constitution. According to sub-clause (a) and sub-clause (b) of clause (3) of Article 320 of the Constitution, the Commission is required to be consulted in framing the Rules and amendments there to in respect of all civil posts.
- **62. Consideration of Draft Service Rules.-** while scrutinizing the Draft Service Rules including any amendments to the existing rules, the various aspects relating to the needs and requirements of the Department, duties attached to the posts, essential qualification and experience, age, method of recruitment etc. shall be examined in the Secretariat.
- **63. Amendment of Service Rules.-** In the case of amendment of rules, all the amendments proposed to be made are to be sent to the Commission, for its concurrence. In such cases, the Secretariat of the Commission shall examine the nature of Service, the existing Rules, amendment proposed, effect of amendment and whether the Commission was consulted previously in the matter or not. If there is a departure from the original Rules referred to the Commission, the reasons therefore should be very carefully examined.
- **64.** Reference to rules of other States or Central Government.- The Commission shall be free to refer to rules already in existence for similar or equitable Services or posts in the State or in other States or in the Central Government.

CHAPTER XI

ANNUAL REPORT

65. Preparation and submission of Annual Report.-

As envisaged under Article 323(2) of the Constitution, the Commission shall prepare annual report about the work done by the Commission and present it to the Governor. The Governor shall, on receipt of such report, cause a copy thereof together with a memorandum explaining the cases, if any, where the advise of the Commission was not accepted by the Government, the reasons thereof, to be laid before the State Legislature.

- 66. *Contents of an Annual Report.* The Annual Report shall comprise of the following items, namely,-
 - (a) PART I Introduction
 - (b) PART II Promotion by interview
 - (c) PART III Direct recruitment
 - (d) PART IV Promotion
 - (e) PART V Disciplinary case
 - (f) PART VI Visit
 - (g) PART VII Miscellaneous
 - (h) PART VIII Acknowledgement
 - (i) APPENDIX
- **67. Time table for preparation and submission of Annual Report.-** Annual Report for a financial year shall be prepared by the Secretary and approval of the Commission obtained by the end of the month of May and printed by the end of the month of August of the following year. Adequate number of copies shall be forwarded to the Department of Personnel, Administrative Reforms and Training, Government of Sikkim, by the first week of September.
- **68. Follow up action on the Annual Report.** Necessary copy of Memorandum, if any, accompanying the Report and intimation with regard to the laying of the Report in the Legislative Assembly shall be ensured from the Department of Personnel, Administrative Reforms and Training for record and future reference.

CHAPTER XIIMISCELLANEOUS

69. Cases pending in the court of law.-

- (1) The cases filed in a Court of Law in which Commission is imp leaded as a party shall be contested with due care and diligence. The Legal Section of the Secretariat shall prepare parawise comments of the Writ Petition or the Plaint in a Civil Suit, as the case may be, based on records and obtain the approval of the Chairman before these comments are forwarded to the counsel. Secretary shall affirm affidavits and file replies in the Court.
- (2) A counsel of appropriate standing shall be retained by the Commission to represent the Commission in the Court of Law. Necessary Retainer Fee and other Fees of the Counsel shall be settled as per the rates mutually agreed upon between the Commission and the counsel. The Commission may engage more than one counsel if the Commission finds it necessary to do so.

70. Weeding out of records.-

- (1) Office records shall be weeded periodically in accordance with the provisions laid down in rule 227 of the Sikkim Financial Rules, 1979.
- (2) Records which are not mentioned in the above mentioned rule shall be weeded out after the expiry of the period indicated in ANNEXURE VII. The Commission may, whenever it finds it essential, direct retention of any of the records included in the Annexure II for more than the maximum period prescribed therein.
- (3) Under Secretary in the Establishment Section of the Secretariat shall take up the weeding out process in the month of April every year and weed out the records after taking approval of the Secretary.
- (4) A complete detail of the records destroyed after expiry of the period of retention shall be maintained by the Under Secretary and the said record shall be retained permanently.

71. Application under Right to information Act.-

- (1) The Sikkim Public Service Commission, having been constituted under the Constitution, is a Public Authority for the purpose of the Right to Information Act, 2005.
- (2) The Chairman shall appoint an officer of the Commission as Assistant Public Information Officer, Public Information Officer and Appellate Authority under the relevant provision of the Right to Information Act, 2005 and Rules made thereunder.
- (3) Such officers shall deal with application made under the provisions of the Right to Information Act, 2005 and Rules made there under in accordance with the provisions of the said Act and Rules.
- (4) The Public Information Officer, on receipt of an application under the R.T.I. Act, shall gather relevant information from the concerned section for the purpose of disposal of the application received.

- (5) The concerned Section shall furnish the relevant information to the Public Information as quickly as possible but in any case not later than 15 days from the date of receipt of requisition from the Public Information Officer.
- (6) Notwithstanding anything contained in sub-rule (4) and sub-rule (5), any information relating to an examination shall not be furnished until the examination process is complete, if the process of the said examination has already commenced with the calling applications.

Note.- Commencement and the end of the examination process will be as explained in caluse (1) of sub-rule (5) of rule 18 herein before.

72. Conduct of examination of the Union Public Service Commission.-

- (1) The Commission is the nodal agency for holding examinations of the Union Public Service Commission in Gangtok Centre. For this purpose the Secretary with the approval of the Chairman, shall nominate an officer of the Secretariat to function as Coordinating Supervisor or Supervisor or Assistant Supervisor, as the case may be, as and when required by the Union Public Service Commission.
- (2) The Chairman may nominate the Secretary or Additional Secretary to monitor the conduct of such examinations, who shall ensure sage custody of secret documents, including question papers. Such officer shall be the custodian of the secret documents including packets containing question papers etc.

72A Protection of action taken in good faith by the Commission and any of its officer or staff.-

No suit, prosecution or other legal proceeding shall lie against the Commission or any of its officer or staff in respect of anything which is done in good faith or intended to be done in the discharge of his official functions or in exercise of his powers under the relevant rules or regulations.

- 73. *Interpretation.* If any question arises as to the interpretation of any of the provisions of these rules, it shall be referred to the Commission and the decision of the Commission shall be final.
- **74. Power to amend.-** The Commission may amend any of the provisions of these rules as and when necessary.

Issued with the approval accorded by the Commission on the 23rd December, 2008.

Sd.. (K.K. Pradhan) SECRETARY, SIKKIM PUBLIC SERVICE COMMISSION

Dated Gangtok The 23rd December, 2008.

APPENDIX IA

SIKKIM GOVERNMENT GAZETTE EXTRAORDINARY PUBLISHED BY AUTHORITY

No. 69.

Gangtok, MONDAY, OCTOBER

18, 1976

GOVERNMENT OF SIKKIM ESTABLISHMENT DEPARTMENT Notification Dated Gangtok, the 22nd September, 1976.

In exercise of the posers conferred by Article 318 of the Constitution of India, the Governor of Sikkim is pleased to make the following regulations in respects of the composition and staff of the Sikkim Public Service Commission, their tenure of Office and conditions of service.

PART I Preliminaries

- 1. These regulations may be called the Sikkim Public Service Commission Regulations, 1976.
- 2. These regulations shall extend to the whole of the State of Sikkim and shall come into force from the date of their publication in the Sikkim Government Gazette.
- 3. In these regulations, unless there is anything repugnant in the subject or context,
 - i. "Governor" means the Governor of Sikkim:
 - ii. "Commission" means the Sikkim Public Service Commission;
 - iii. "Chairman" means a Member of the Commission, who is appointed as Chairman and includes the acting Chairman;
 - iv. "Constitution" means Constitution of India.

PART II

COMMISSION

Composition, Pay and Tenure

- 4. The Commission shall consist of a Chairman and one or more other Members as the Governor may consider necessary from time to time.
- 5. A member of the Commission shall hold office for a term of 6 years from the date on which he enters upon his office or until he attains the age of 62 years, whichever is earlier: Provided that the Member of the Commission may, in writing addressed to the Governor, resign his Office earlier: Provided further that a Member of the Commission may be
 - i. removed from his officer earlier in the manner provided in Clause (1) or Clause(3) of Article 317 of the Constitution;
 - ii. suspended in the manner provided in clause (2) of Article 317 of the Constitution.
- 6. The Chairman shall draw a consolidated salary without allowances of two thousand rupees per mensem and the Member shall draw a consolidated salary of eighteen hundred rupees per mensem in addition to their pension.

PART III LEAVE

- 7. A person appointed as Member of the Commission shall be entitled to leave as may be admissible to the Sikkim Government Servants.
- 8. The power to grant or refuse leave to the Member and revoke or curtail the leave granted to him shall vest in the Governor.

PART IV TRAINING AND OTHER ALLOWANCES

- 9. (i) A Member, on appointment for his journey to take up the assignment shall be entitled to travelling allowances admissible to a Class I Officer of Sikkim Government from the station of his normal stay. Similar travelling allowance shall be admissible for his return journey on completion of term of his Office.
 - (ii) A Member, when travelling on duty, shall be entitled to travelling allowance at the rates admissible to a Class I Officer of the Sikkim Government.

PART V STAFF OF THE COMMISION AND THEIR SERVICE CONDITIONS

- 10. The Staff of the Commission may include a Secretary and such other gazetted and non-gazetted staff as the Governor may from time to time determine in consultation with the Commission.
- 11. The Secretary shall be appointed by the Commission with the approval of the Governor. The normal tenure of the office of the Secretary shall be five years provided that the Commission may, with the approval of the Governor, extend the tenure of the Secretary by any period not exceeding three years. The Secretary shall not, however, remain in office beyond the age of sixty years.
- 12. The Secretary shall be paid during the tenure of his office pay and allowances as may be determined by the Governor in consultation with the Commission.
- 13. In respect of all other matters for which provision is not made by these Regulations, the conditions of service of the Secretary as well as other members of the Commission shall be the same as applicable to the servants of the Sikkim Government.
- 14. The Gazzetted Officer and Non-Gazetted staff in the Pay Scale of Rs. 270-445 and above of the Commission shall be appointed by the Commission and other Non-Gazetted staff shall be appointed by the Secretary. They shall receive such emoluments as are admissible to Government Servants of the corresponding grades in the Sikkim Government Secretariat.
- 15. The Commission, in case of the gazette officers and non-gazetted staff in the pay scale of Rs. 270-445 and above and the Secretary, in case of other non-gazetted staff including the Grade IV employees shall be the authority who may impose any of the penalties prescribed in the Sikkim Government Servants' (Discipline and Appeal) Rules, 1974. The Governor, in respect of the Gazetted Officers and the non-gazetted staff in the pay scale of

- Rs. 270-445 and above and the Commission in respect of other non-gazetted staff including Grade IV employees, shall be the Appellate Authority.
- 16. In respect of any matter for which provision is not made by these Regulations, the conditions of service of persons serving as a member of the Commission or its staff shall be governed by the rules and orders including Sikkim Government Servants' Conduct Rules.
- 17. If any doubt arises about the interpretation of any of these regulations, interpretation of the governor shall be final.

T.S. GYALTSHEN
CHIEF SECRETARY TO THE GOVERNMENT OF
SIKKIM
[F.5(101)Gen/Est.]

APPENDIX IB

GOVERNMENT OF SIKKIM HOME DEPARTMENT

No. 9(2) Home/82/3557 Dated Gangtok the 13th
January 1983

THE SIKKIM PUBLIC SERVICE COMMISSION (MEMBER) REGULATIONS, 1983

In exercise of the powers conferred by sub-clause (a) of Article 318 of the Constitution, the Governor of Sikkim hereby makes the following regulations, namely,-

1. Short title, commencement and application.-

- (1) These regulations may be called the Sikkim Public Service Commission (Members) Regulations, 1983.
- (2) They shall come into force on the date of their publication in the official gazette.
- (3) They shall apply to the Chairman and Members of the Commission holding office at the commencement of these regulations but not so as to vary to disadvantage of the chairman or a Member, the conditions of service to which he was entitled immediately before the commencement of these regulations.
- 2. **Definitions.-** In these regulations, unless the context otherwise requires,-
 - (a) "Chairman" means the Chairman of the Commission and includes an acting Chairman appointed under Article 316(1A) of the Constitution.
 - (b) "Commission" means the Sikkim Public Service Commission;
 - (c) "Constitution" means the Constitution of India;
 - (d) "Government" means the Government of Sikkim;
 - (e) "Member" means a member of the Commission and includes the Chairman thereof.
- 3. **Number of Members.-** The number of members of the Commission, excluding the Chairman, shall not exceed two.
- 4. (1) The Chairman shall receive a pay in the level 17 of the pay matrix and each of the Members shall receive a pay in the level 15 of the pay matrix.]

Explanation.- For the purpose of this regulation-

- i) Service under the Union or a State Public Service Commission shall be considered as service under the Government;
- ii) The term "University" shall include any institution for higher education wholly or substantially financed by Central Government or any State Government of both and

- deemed to be a University under section 3 of the University Grants Commission Act, 1956:
- iii) The term "any other body wholly or substantially owned or controlled by the State or Central Government" shall include Government Company as defined in the Companies Act, 1956, and any other statutory body whether incorporated or not, in which the Central Government or any State Government or both has a controlling interest in share or other capital thereof, or has directly or through its nominees substantial control over its working.
- **5. Retirement from parent service on appointment as Member.** A Member, who, on the date of appointment to the Commission, was in the service of the Central or a State Government shall be deemed to have retired from such service with effect from the date of his appointment as Member of the Commission
- **6.** Leave admissible to a Member in the Service of the Central or State Government. Notwithstanding anything contained in regulation 5, a Member who, at the time of his appointment to the Commission, was in service of the Central or a State Government-
 - (a) May be granted leave¹⁷ (......) even after he attains the age of superannuation in the same manner as provided in the rules applicable to him immediately before his appointment and his service as Member shall count for such leave; and
 - (b) The leave at the credit of any such Member in his leave account shall not lapse on the date of his appointment as Member but shall be carried forward and may be availed during his tenure as Member.
- 7. Leave admissible to a Member who was not in the service of the Central or a State Government.-
 - (1) A Member who, at the time of his appointment to the Commission, is not in service of the Central or a State Government shall be entitled to leave as admissible to officers of the Sikkim Government at the highest level.
 - (2) Cash payment in lieu of unutilized earned leave in certain cases.-
 - (1) A Member shall be paid cash equivalent of leave salary in respect of the period of earned leave at his credit at the time when he ceased to hold office as such or when his option under regulation 8(1) becomes effective.
 - (2) The payment of cash equivalent of leave salary under sub-regulation (1) shall be limited to a maximum of one hundred and eighty days of earned leave.
 - (3) The cash equivalent of leave salary thus admissible shall become payable to a Member in one lump sum as a one time settlement.
 - (4) Cash payment shall be equal to leave salary as admissible for earned leave and dearness allowance admissible on that leave salary at the rates in force on the date he becomes entitled for such payment. No city compensatory allowance and house rent allowance shall be payable.

8. Pension payable to members who were in the service of the Central or a State Government.-

(1) A member who at the time of his appointment as such is in the service of the Central or a State Government, shall at his option to be exercised within period of six months from the date of his appointment, be entitled to draw pension and other retirement benefits under the rules applicable to the service to which he belonged with effect from the date of his appointment (as such)⁴ Member (or any later date as may be specified in such option)

Provided that a Member serving as such on the date of commencement of these Regulations may exercise his option within three months from the date of such commencement and such option may be given to be effective from the date of his appointment as such Member or any later date as may be specified in such option.

(2) A Member who at the time of his appointment as such, was in the service of the central or a State Government and does not exercise the option referred to in sub-regulation (1), shall count his service as Member for pension and retirement benefits even after he attains the age of superannuation in the same manner as provided in the rules applicable to the Service to which he belonged immediately before such appointment.

9. Gratuity payable to Members.-

- (1) Subject to the provisions of these regulations, every Member shall, on his ceasing to hold office as such Member, be paid gratuity for the period of service rendered by him:
 - Provided that no such gratuity shall be payable to a Member if he has been removed from office or if he ceases to hold office as Member before the completion of three years.
- (2) The gratuity shall be paid at the rate of completed years of service multiplied by the amount of the monthly pay drawn.

Explanation I.- When the total service for gratuity is rendered by a person partly as Member and partly as Chairman, the gratuity admissible to such person in each such term shall be calculated separately.

Explanation II.- The duration of service of a person as Member shall be computed in terms of completed years, but if the service rendered is six months or more, additional benefits of one year's gratuity may be allowed to one who completes a minimum period of 3 years of service.

10. **Option to subscribe to the General Provident Fund (Sikkim State Service)**.- Every Member may, at his option, subscribe to the General Provident Fund (Sikkim State Service) in accordance with the rules or orders governing that Fund subject to the condition that the maximum limit on subscription, if any, shall not apply if the Member chooses to subscribe in excess of such limit:

Provided that a Member who on the date of his appointment was in service of the Central or a State Government and who had been admitted to the benefits or any other Provident Fund may be allowed to continue to subscribe to that fund, in accordance with the rules or regulations applicable to that Fund, until he reaches the date on which he must compulsorily retire from Service in accordance with the rules applicable to him in his service. On that date, his accumulated balance in that Provident Fund, including the Government's contribution, if any, shall, if the

Member has exercised his option to subscribe to the General Provident Fund (Sikkim State Service) be transferred to the said fund:

Provided further that where a Member opts to withdraw the accumulated balance in that Provident Fund, including the Government' contribution, if any, the said balance shall be paid to him.

- **11. Facilities for medical treatment.-** A Member shall be entitled to such facilities for medical treatment as are provided for officers of the Sikkim State Government at the highest level.
- **12. Allotment of accommodation.-** In respect of allotment of buildings owned or leased or requisitioned by the State Government, the Chairman and other Members shall be entitled to rent free furnished accommodation of the same standards as are applicable to the Chief Secretary and Secretaries, respectively, to the Government of Sikkim.
- **13. Matters in which no provision is made.-** The conditions of service of Chairman or a Member for which no express provision has been made in these regulations shall be determined by the rules and orders for the time being applicable to the Chief Secretary to the Government of Sikkim and Secretary to the Government of Sikkim, respectively:

Provided that nothing in these amendments shall have effect so as to give a person who is the Chairman or a Member less favorable terms in respect of any matter aforesaid, than those to which he would be entitled as a Chairman or a Member, as the case may be, on the date of his appointment as such.

14. Repeal and Savings.-

- (1) On the commencement of the regulations, the Sikkim Public Service Commission Regulations, 1976, dated the 18th October 1976, in so far as they relate to the Members of the Commission stand repealed.
- (2) Notwithstanding such repeal, anything done or any action taken under the regulations so repealed, shall be deemed to have been done or taken under the corresponding provisions of these regulations.

M.P. PRADHAN CHIEF SECRETARY GOVERNMENT OF SIKKIM

APPENDIX II

(Published in Sikkim Government Gazette No. 2 dated 15.1.1987)

GOVERNMENT OF SIKKIM

ESTABLISHMENT

DEPARTMENT

No. J (II)504/Gen/Est. Dated 31/12/1986.

NOTIFICATION

THE SIKKIM PUBLIC SERVICE COMMISSION (EXEMPTION FROM CONSULTATION) REGULATIONS, 1986

In exercise of the powers conferred by the proviso to clause 3 of the Article 320 of the Constitution of India and in supersession of all previous orders, circulars and instructions issued from time to time on the subject including the Notification No. 5 (256)5655/Gen/Est. dated 21st February, 1983, the Governor of Sikkim is pleased to make the following regulations as respects the services and posts in connection with the affairs of the State of Sikkim, specifying matters in which it shall not be necessary for the Sikkim Public Service Commission to be consulted, namely:-

- 1. (a) These regulation may be called the Sikkim Public Service Commission (Exemption from Consultation) Regulation, 1986.
- b) they shall come into force from the date of their publication in the Sikkim Government Gazette.
- 2. In these regulation unless the context otherwise requires.-
 - (a) "Commission" means the Sikkim Public Service Commission;
 - (b) "Constitution" means the Constitution of India;
 - (c) "Government" means the Government of Sikkim;
 - (d) "Governor" means the Governor of Sikkim;
 - (e) "Service" means any Civil Service and "Post" means any civil post in connection with the affairs of the State of Sikkim.
- 3. It shall not be necessary to consult the Commission in regard to any of the matters mentioned in sub-clause (a) and (b) of clause 3 of the Article 320 of the Constitution in the case of services and posts specified in the Schedule of these regulations and other posts in respect which the Government shall, after consultation with the Commission, direct that appointment may be made without reference to the Commission.
- 4. It shall not be necessary to consult the Commission on any of the following matters, namely
 - (a) The determination of the number of vacancies to be filled in a service any particular vear:
 - (b) The determination of the strength of the cadres of different services;
 - (c) The determination of the pay of Government servants on their first appointment;
 - (d) The determination of the initial pay of officers recruited by direct recruitment of by promotion;
 - (e) Transfers of Government servants to foreign services;
 - (f) Reservation of posts to backward classes to any other sector of people of the State.
- 5. It shall not be necessary to consult the Commission-
 - (a) On matters of inter-departmental and infra-departmental transfer from one post to another in the same Service;
 - (b) On the principles to be followed in transfers from one post to another post,

- (c) On the suitability of candidates for transfer from one post to another in the same Service
- 6. It shall not be necessary to consult the Commission with regard to the selection and appointment of a person on contract, co-terminus and consolidated (fixed) pay basis and on deputation from the Central Government or from any other State Government.

7. Disciplinary Case.-

- (1) It shall not be necessary to consult the Commission on any disciplinary matter affecting a person serving in connection with the affairs of the State except;
 - (a) Where the Government purpose to pass an original order imposing any of the following penalties on a Government servant, namely.
 - i. Censure;
 - ii. With holding of his promotion;
 - iii. Recovery from his pay of the whole or part of any pecuniary loss caused by him to the Government by negligence or breach of order;
 - iv. With holding of increments of pay;
 - v. Reduction to a lower stage in the time scale of pay for a specified period with further directions as to whether or not the Government servant will earn increments of pay during the period of such reduction or whether on the expiry of period, the reduction will not have the effect of postponing the future increments of his pay;
 - vi. Reduction to a lower time scale of pay, grade, post or Service which shall ordinarily be a bar to the promotion of the Government servant to the time scale of pay, grade or post or service from which he was reduced, with or without further directions regarding conditions of restoration to the grade or post or Service from which the Government servant was reduced and his seniority and pay on such restoration to hat grade, post or Service;
 - vii. Compulsory retirement;
 - viii. Removal from service which shall not be a disqualification for future employment under the Government.
 - ix. Dismissal from service which shall ordinarily be a disqualification for future employment under the Government.
- (2) Nothing mentioned in clause (i) shall be deemed to make it necessary to consult the Commission in any case
 - i. Relating to withholding of increments of a Government servant for his failure to pass any departmental examination in accordance with the rules or order governing the service which he belongs or post which he holds or the terms of his appointment.
 - ii. Relating to stoppage of a Government servant at the efficiency bar in the time scale of pay on the ground of his unfitness to cross the bar;
 - iii. Relating to non-promotion of a Government servant whether in a substantive or officiating capacity after consideration of his case, to a service, grade or post for promotion to which he is eligible;
 - iv. Relating to reversion of a Government servant officiating in a higher service, grade or post to a lower service, grade or post, on the ground that he is considered to be unsuitable for such higher service, grade or post or on any administrative ground unconnected with his conduct;
 - v. Relating to reversion of a Government servant appointed on probation to any other service, grade of post to his permanent service, grade of post during or

- at the end of the period of probation in accordance with the terms of his appointment to the rules and orders governing such probation;
- vi. Compulsory retirement of a Government servant in accordance with the provisions relating to his superannuating or retirement;
- vii. Relating to termination of the service-
 - (a) of a Government servant appointed on probation during or at the end of the period
 - (b) of his probation, in accordance with the terms of his appointment or the rules and orders of the appointing authority; or
 - (c) of a Government servant, employed under agreement, in accordance with the terms of such agreement;
- viii. In which the Commission has, at any previous stage given advice in regard to the order to be passed and no fresh questions has thereafter arisen for determination
- (3) It shall not be necessary to consult the Commission or any memorial or petition where the Governor proposes to pass orders rejecting such memorial or petition.
- (4) It shall not be necessary to consult the Commission in any case where the Governor propose to make an order of dismissal, removal or reduction in rank after being satisfies that such action is necessary in the interest of the security of the State.
- (5) It shall not be necessary to consult the Commission in disciplinary matter pertaining to Sikkim Police Force and Sikkim Vigilance Police up-to the rank of Sub-Inspector.

By order and in the name of the Governor.

Sd/ D.K. GAJMER, Additional Secretary to the Government, Establishment Department.

²¹ [SCHEDULE]

(See Regulation 3)

- 1. Appointment of officers and staff of the Sikkim Legislative Assembly Secretariat under Article 187(2) of the Constitution.
- 2. Appointment of District Judges and promotion thereto under Article 233 & 235 of the Constitution.
- 3. Appointment of personal staff of the Governor.
- 4. Appointment of Advocate General, Government Advocates, Assistant Government Advocate and Public Prosecutors.
- 5. Appointment of Advisor/Consultant to the Government for specific period and for specific purpose.
- 6. Appointment of persons in State Government Undertakings.
- 7. Appointment of Chairman, Members to any Statutory Body, Tribunal, commission, committee and any other ad-hoc or statutory body.
- 8. (a) All appointment and promotions of persons in Group 'D' posts including Drivers, recruitment of Teachers, Principals of Senior Secondary Schools and Headmasters of Secondary Schools and Police Personnel below the rank of Sub-Inspector in Sikkim Police.
 - 21(b) Promotion in the Group "C" posts from Grade Pay Rs. 2300/- to Rs. 4600/-.

APPENDIX III SIKKIM GOVERNMENT GAZETTE EXTRAORDINARY PUBLISHED BY AUTHORITY

GANGTOK

FRIDAY 22ND January, 2010

No.9

GOVERNMENT OF SIKKIM DEPARTMENT OF PERSONNEL, ADMINISTRATIVE REFORMS TRAINING, GANGTOK-SIKKIM

No. 220/GEN/DOP 13/1/2010 Dated

NOTIFICATION

In exercise of the powers conferred by clause (b) of Article 318 of the Constitution of India and in supersession of all the previous rules and regulations on the subject, the Governor of Sikkim, hereby makes the following regulations to make provisions with respect to the number of members of the staff of the Commission and their condition of service, namely,-

1. Short title and commencement and application.-

- (1) These regulations may be called the Sikkim Public Service Commission (Staff) Regulations, 2010.
- (2) They shall come into force on the date of their publication in the Official Gazette.
- (3) (a) These regulations shall apply to person appointed to the posts mentioned in the Schedule.
 - (b) Save as otherwise provided herein, nothing in these regulations shall apply to any person who is appointed against any of the posts mentioned in the Schedule on deputation from the State Government.
- 2. **Definitions.-** In these regulations, unless the context otherwise requires,
 - (a) "appointed day" means the day on and from which these regulations shall come into force;
 - (b) "Chairman" means the Chairman of the Sikkim Public Service Commission;
 - (c) "Commission" means the Sikkim Public Service Commission;
 - (d) "Constitution" means the Constitution of India;
 - (e) "deputation" means the temporary loan of services of any officer from outside the Secretariat;
 - (f) "employee" means a person appointed to hold any of the posts mentioned in the Schedule;
 - (g) "Government" means the State Government of Sikkim;
 - (h) "State Government" means the State Government of Sikkim;
 - (i) "Governor" means the Governor of Sikkim;
 - (j) "Officer" means and includes official in Group 'A', 'B', 'C' and 'D' of the Secretariat;
 - (k) "Schedule" means the Schedule appended to these regulations;
 - (l) "Secretariat" means the Sikkim Public Service Commission Secretariat;
 - (m)"Secretary" means the Secretary to the Commission and includes any person discharging the duties and functions of the secretary for the time being;
 - (n) "Year" means the financial year commencing on the 1^{st} day of April and ending on the 31^{st} of March next following.

- 3. **Secretariat of the Commission.-** The Secretariat of the Commission shall consist of Secretary and such other employees holding posts mentioned in the Schedule.
- 4. Sanctioned strength and scale of pay.-
 - (1) The sanctioned strength of the posts as specified in the Scheduled may be reviewed from time to time by the Commission in consultation with the Government.
 - (2) The scale of pay prescribed for different posts of the Secretariat shall be as shown in the Schedule and shall be such as may be revised from time to time in consultation with the Government.

5. Appointment of Staff.-

- (1) All employees of the Secretariat, other than those appointed on deputation from the Government, shall be deemed to have been appointed to the posts held by them on and from the appointed day.
- (2) An employee appointed on deputation from the State Government against any of the post of the Secretariat, who is otherwise will to get absorbed against the post held by him in the secretariat, may exercise his option in writing within thirty days from the appointed day.
- 6. **Appointing authority.-** The Chairman shall be the appointing authority in respect of all the employees of the Secretariat:
 - Provided that the Chairman may, by general or special order, delegate to the Secretary or nay other officer his powers to make appointments to nay post or class of posts other than Group 'A' and 'B' post:
 - Provided further that the Chairman may appoint the Secretary with the approval of the Governor.
- 7. **Method of recruitment.-** Any vacancy arising in any of the post, after the appointed day, shall be filled up in the manner provided in the Schedule.

8. Direct recruitment.-

- (1) When vacancy of any post, for which direct recruitment through competitive examination is prescribed as the method of recruitment, arises, the Secretary, with the prior approval of the Chairman, publish advertisement in local newspaper inviting applications from eligible persons giving at least 30 (thirty) days notice.
- (2) The Selection Committee as may be constituted by the Chairman through a separate Notification shall hold competitive examination in accordance with the rules of examination as may be framed with the approval of the chairman.
- (3) The Selection committee shall submit the final list of selected candidates to the Chairman and the Chairman shall, unless he finds it necessary to disagree with the recommendation, make recruitment of candidates in the same order in which their names are arranged in the list recommended by the Selection Committee.

9. Promotion from one post to another.-

- (1) When vacancy of any posts to be filled up by promotion arises, the Secretary shall prepare the list of eligible employees for consideration and convene a meeting of the Selection Committee.
- (2) Seniority list of employees who are eligible for consideration along with their Annual Confidential Reports for the period which is prescribed as the qualifying service for consideration for promotion along with other service records shall be compiled and placed before the Selection Committee along with other relevant information relating to the post in question.

- (3) The Selection Committee shall make overall relative assessment of the Annual Confidential Reports and other service records and prepare final list of eligible candidates.
- (4) The Secretary shall submit the final list prepared by the Selection Committee to the Chairman for decision.

10. Appointment on deputation.-

- (1) Where any vacancy can be filled up on deputation and where the Chairman is satisfied that the situation demands that the vacancy may be filled up by appointment of a person on deputation, a requisition indicating the essential requirements shall be sent to the Government through the Department of Personnel, Administrative Reforms of the State Government seeking panel of interested persons.
- (2) The State Government in the Department of Personnel, Administrative Reforms will arrange to forward the panel with complete bio-data of the persons concerned and the Annual Confidential Reports for the last 5 (five) years.
- (3) The Chairman may select a suitable person based on the service records and also his qualification and experience and intimate the name of the person selected.
- (4) The State Government may place the services of the selected person at the disposal of the Commission for an initial period of three years. The period of deputation may be extended with the consent of the person concerned.
- (5) The Chairman reserves the right to repatriate the person appointed on deputation at any time, with one month's notice in writing in advance to the Department of Personnel, Administrative Reforms, if his performance is not found satisfactory or it is found necessary in larger public interest.
- (6) The terms and conditions of deputation shall be regulated by the instructions and orders issued by the State Government from time to time.

11. Probation.-

- (1) All persons appointed by direct recruitment shall be on probation for a period of two years and those persons promoted to higher posts shall be on probation for a period of one year:
 - Provided that the Chairman or Secretary or any other officer to whom power is delegated under rule 5 may,by order, extended the period of probation in the case of any person appointed to any post for a period not exceeding two years.
- (2) A person whose performance is not found satisfactory during the period of probation initially fixed or subsequently extended shall be summarily discharged without assigning any reason.

12. Pay and other conditions of service.-

- (1) Pay and other conditions of service of employees shall be regulated by such rules or orders as are applicable to the officers of the corresponding post/class/grade in the government with such modifications as the Chairman may, from time to time, directs.
- (2) The pay, allowances and other conditions of services in respect of employees appointed to any post in the Secretariat on deputation shall be regulated by the rules and orders applicable to them in their parent service or department.
- **13. Superintendence and Disciplinary control.-** All employees in the Secretariat shall be subject to the superintendence and disciplinary control of the Chairman: Provided that the Chairman may, by general or special order, delegate to the Secretary any of his powers in this regard.

14. Conduct, Discipline and Appeal.-

- (1) The Sikkim Government Servants' Conduct Rules, 1981 and Sikkim Government Servants' (Discipline & Appeal) Rules, 2985 as amended from time to time shall apply, mutatis mutandis, to the employees of the Secretariat.
- (2) When a departmental enquiry is to be instituted against as employee on deputation, a detail report with supporting documents and information shall be forwarded to his parent department along with a recommendation to take appropriate disciplinary action against the employee, and the employee shall be reverted to his parent department.

15. Disciplinary Authority and Appellate Authority.-

- (1) Subject to the provision of article 311 of the Constitution, the Chairman in relation to Group A and Group B employees and the Secretary in relation to other employees of the Secretariat shall be the Disciplinary authority with full power to impose any of the penalties prescribed under the relevant rules:
 - Provided that the Chairman may impose any of the penalties on Group C and Group D employees in accordance with the relevant rules.
- (2) The Governor in respect of any order passed by the Chairman and the Chairman in respect of any order passed by the Secretary under the relevant rules regulation Discipline and Appeal shall be the Appellate Authority.

16. Leave.-

- (1) The Sikkim Government Service (Leave) Rules, 1982 as amended from time to time shall be applicable to the employees of the Secretariat.
- (2) The Chairman in relation to Group 'A' and Group 'B' employees and Secretary in relation to Group 'C' and Group 'D' employees of the Secretariat shall be the competent authority to sanction leave.
- **17. Residuary matters.-** All other matters in relation to the employees not specified or for which no provision has been made in these regulations shall be regulated by rules and orders applicable to employees of the Government of equivalent status.
- **18. Interpretation.-** If any question arises in relation to the interpretation of the provisions of these rules and orders made under these rules, it shall be decided by the Chairman with prior consultation with the Government in the Department of Personnel, Administrative Reforms and Training.

19. Repeal and savings.-

- (1) On and from the appointed day, the Sikkim Public Service Commission (Staff) Regulations, 1983, shall stand repealed:
 - Provided that any order issued or any appointment made or anything done or any action taken before the commencement or these rules shall be deemed to have been issued, made, done or taken under the corresponding provisions of these rules and shall continue to be in force until altered or cancelled.
- 20. **Power to relax.-** Where the Chairman is of the opinion that the operation of any of these regulations causes undue hardship in any particular case, he may, by order, for reasons to be recorded in writing, in prior consultation with the Government in the Department of Personnel, Administrative Reforms and Training, relax any of the provisions of that rule to such extent and subject to such exceptions and conditions as he may consider necessary.

BY ORDER AND IN THE NAME OF THE GOVERNOR.

2 "SCHEDULE"

Sl. No	Name of Post	No. of Post	Pay Band & Grade Pay	Method of Recruitment	Eligibility Qualification and other eligibility condition required for direct recruitment/deputation	Eligibility Conditions required for promotion
1	2	3	4	5	6	7
1.	Peon, Exam Attendant, Chowkidar, Office Attendant Safaikarmach ari	06	PB-1 5200-20200 and GP 2200 Group 'D'	100% by direct recruitment failing which by transfer on deputation	For Direct Recruitment: (a).Age – As per the normal rules of the State Government. (b).Educational Qualification: Class VIII passed. For Deputation: Persons holding equivalent post in any department of the State Government.	Not applicable
2.	Driver	08	PB-1 5200-20200 and GP 2400 Group 'C'	100% by direct recruitment	For Direct Recruitment: (a).Age – As per the normal rules of the State Government. (b).Educational Qualification: Class VIII passed. (c).Must possess valid driving license issued by the competent authority. (d) 3 years experiences in driving vehicle of different make and model.	Not applicable
3.	Accounts Clerk	01	PB-1 5200-20200 and GP2600 Group 'C'	100 % by direct recruitment failing which by transfer on deputation	For Direct Recruitment: (a).Age – As per the normal rules of the State Government. (b).Educational Qualification: Must have passed Class XII passed from a recognized board with at least 3 (three) months basic course in Computer application. For deputation: Persons holding equivalent post in any department of the state Govt.	Not applicable

5.	Computer Operator	02	PB-1 5200-20200 and GP 3000 Group 'C'	100% by Direct recruitment failing which by transfer on deputation	For Direct Recruitment: (a).Age – As per the normal rules of the State Government. (b).Educational Qualification: Must have passed Class XII from the recognized board with 01 (one) year diploma in computer application from a recognized Institute. For deputation: Persons holding equivalent post in any department of the State Government.	Not applicable
6.	Assistant Programmer	01	PB-1 5200-20200 and GP 3800 Group 'C'	100% by promotion failing which by transfer on deputation	For deputation: Persons holding equivalent post in any department of the State Government.	Computer Operator with 04 (four) years of regular service in the grade.
7.	Upper Divisional Clerk	04	PB-1 5200-20200 and GP 3000 Group 'C'	100 by promotion failing which by transfer on deputation	For deputation: Persons holding equivalent post in any department of the State Government.	Lower Divisional Clerk with at least 4 (four) years of regular service in the grade.
8.	Head Assistant/ Accountant	01 01	PB-1 5200-20200 and GP 3400 Group 'C'	100 by promotion failing which by transfer on deputation	For deputation: Persons holding equivalent post in any department of the State Government.	Upper Divisional Clerk in the case of Head Assistant/Juni or Accountant

						in the case of Accountant with at least 4 (four) years of regular service in the grade
9	Office Superintende nt Senior Accountant	01	PB-2 9300-34800 and GP 4200 Group 'C'	100% by promotion failing which by transfer on deputation	For deputation: Persons holding equivalent post in any department of the State Government.	Head Assistant in the case of Office Superintende nt/Accountan t in the case of Senior Accountant with at least 4 (four) years of regular service in the grade.
10	Programmer	01	PB-2 9300-34800 and GP 4200 Group 'C'	100% by promotion failing which by transfer on deputation	For deputation: Persons holding equivalent post in any department of the State Government.	Assistant Programmer with at least 4 (four) years of regular service in the grade
11.	Stenographer Grade-III	02	PB-1 5200-20200 + 3400 Group 'C'	100% by Direct recruitment failing which by transfer on deputation	For Direct Recruitment: (a).Age – As per the normal rules of the State Government. (b).Educational Qualification: Degree from a recognized University and 2 (two) years short hand	Not applicable

					course with at least 06 (six) months basic computer course. For deputation: Persons holding equivalent post in any department of the State Government.	
12.	Examination Assistant	04	PB-1 5200-20200 and GP 3400 Group 'C'	50% by Direct Recruitment 50% by promotion failing which by transfer on deputation	For Direct Recruitment: (a).Age – As per the normal rules of the State Government. (b).Educational Qualification: Degree from a recognized University For deputation: Persons holding equivalent post in any department of the State Government.	Upper Divisional Clerk with at least 4 (four) years of regular service in the grade.
13.	Examination Supervisor	02	PB-2 9300-34800 and GP 4200 Group 'C'	50% by Direct Recruitment 50% by promotion failing which by transfer on deputation	For Direct Recruitment: (a).Age – As per the normal rules of the State Government. (b).Educational Qualification: Degree in Law from a recognized University For deputation: Persons holding equivalent post in any department of the State Government	Examination Assistant with at least 4 (four) years of regular service in the grade.
14.	Assistant Director (Computer & Data Processing Section)	01	PB-2 9300-34800 and GP 5000 Group 'B'	100% by promotion failing which by transfer on deputation	For deputation: Person holding equivalent post in any department of the State Government with requisite degree.	Programmer with at least 06 (six) years of service in the grade.

15.	Assistant Controller of Examination Examination Section	02	PB-2 9300-34800 and GP 5000 Group 'B'	100% by promotion failing which by transfer on deputation	For deputation: Person holding equivalent post in any department of the State Government with adequate experience in conducting examination	Examination Supervisor with at least 06 (six) years of regular service in the grade.
16.	Private Secretary	01	PB-2 9300-34800 and GP 5000 Group 'B'	100% by promotion failing which by transfer on deputation	For deputation: Persons holding equivalent post of Private Secretary in the PB-2 of Rs.9300-34800 & GP Rs. 5000/- in any department of the State Govt.	Stenographer Grade-I with at least 5(five) years of service in the grade.
17.	Under Secretary	01	PB-2 9300-34800 and GP 5000 Group 'B' Group 'B'	100% by promotion failing which by transfer on deputation	For deputation: Person holding equivalent post in any department of the State Government with degree and having adequate experience in service matters.	Office Superintende nt with at least 06 (six) years of regular service in the grade.
18.	Senior Private Secretary	01	PB-3 15600-39100 GP 6200 Group 'A'	100% by promotion failing which by transfer on deputation	For deputation: Person holding equivalent post of senior Private Secretary in the PB-3 of Rs 15600-39100 & GP Rs. 6200/- in any department of the State Government.	Private Secretary with at least 06 (six) years of regular service in the grade
19.	Deputy Controller of Examination	01	PB-3 15600-39100 and GP 6200 Group 'A'	100% by promotion failing which by transfer on deputation	For deputation: Person holding equivalent post in any department of the State Government with degree in Law having adequate experience in service matters and in conducting examination	Assistant Controller of Exams with at least 06 (six) years of regular

20.	Deputy Secretary	01	PB-3 15600-39100 and GP 6200 Group 'A'	100% by promotion failing which by transfer on deputation	For deputation: Person holding equivalent post in any department of the State Government with adequate experience in service matter.	service in the grade. Under Secretary with at least 06 (six) years of regular service in the
21.	Deputy Director (Finance & Accounts)	01	PB-3 15600-39100 and GP 6200 Group 'A'	100% by deputation	For deputation: Person holding equivalent post in any department of the State Government with adequate experience in service matters and accounts matter.	grade. Not applicable
22.	Joint Controller of Examination	01	PB-3 15600-39100 and GP 7200 Group 'A'	100% by promotion failing which by transfer on deputation	For deputation: Persons holding equivalent post in any department of the State Government with adequate experience in service matters and in conducting examination.	Deputy Controller of Examination with 04 (four) years of service in the grade.
23.	Joint Secretary	01	PB-3 15600-39100 and GP 7200 Group 'A'	100% by promotion failing which by transfer on deputation	For deputation: Persons holding equivalent post in any department of the State Government with adequate experience in service matters.	Deputy Secretary with 04 (four) years of service in the grade.
24.	Additional Secretary- cum- Controller of Examination	01	PB-3 15600-39100 and GP 8700 Group 'A'	100% by promotion failing which by transfer on deputation	For deputation: Persons holding equivalent post in any department of the State Government with adequate experience in service matters and in conducting examination.	Joint Secretary or Joint Controller of Examination with 04 (four)

25.	Secretary	01	PB-4 32000-60000 and GP 9000 Group 'A'	100% by promotion failing which by transfer on deputation	For deputation: Persons serving in the Government in the rank of Secretary to the Government or Special Secretary to the Government with at least 02 (two) years of service as Special Secretary or Additional Secretary with 06 (six) years of service as Additional Secretary with adequate experience in administrative and financial matters.	years of service in the grade. Additional Secretary- cum- Controller of Examination with at least 06 (six) years of service in that grade
	Total	56				

ANNEXURE – I

$\frac{PROFORMA\ FOR\ REFERRING\ PROPOSAL\ TO\ SPSC\ TO\ FILL\ UP\ VACANCIES}{THROUGH\ DIRECT\ RECRUITMENT}.$

1	Name of the post	
2	Name of the Service of the Department to which the post belongs.	
3	Group and Scale of pay	
4	Cadre strength or sanctioned strength (supported by copy of Notification) of the post and total No. of persons in position	
5	Number of vancancy to be filled with necessary break up of vacancy/vancancies reserved for different categories of candidates	
6	Roster points in which last recruitment made had ended	
7	Roster points for the present recruitment	
8	Any carried forward vacancy; if so, no. of roster point and category	
9	Whether the post is temporary or permanent	
10	Appointing Authority	
11	Duties of post in detail	
12	Method of recruitment	
13	If direct recruitment is proposed as a method of recruitment, please indicate (a) Percentage of vacancy proposed to be filled by direct recruitment. (b) Age of direct recruitment: (c) Minimum educational qualification and other conditions required to be fulfilled by the candidate. (d) Other qualifications.	
14	Whether higher starting basic pay is proposed to be given to specially qualified or experienced candidate; if so , the minimum limit of higher pay that can be given.	

Date

(SEE RULE 22)

SIKKIM PUBLIC SERVICE COMMISSION

APPLICATION SCRUTINY SHEET (DIRECT RECRUITMENT)

(Note. This Format is illustrative. Certain information may vary from Service to Service or Post to Post. Therefore, Format may be expanded by inserting additional information which is essential in respect of a particular Service or Post.)

Name of the post applied for:
Reference No. of Advertisement:

1.	Name of candidate		
2.	Marital Status	Married ()	Unmarried ()
3	Date of Birth		
4.	Religion		
5.	Educational qualification (certificates and mark sheets)		
6.	Valid Local Employment Card	Yes ()	No ()
7.	Attested copy of Sikkim Subject Certificate/Certificate of Identification	Yes ()	No ()
8.	Attested copy of Category or Caste Certificate of applicant (BL/ST/OBC-CL/OBC- SL/PT/BPL)	Yes ()	No ()
9.	Attested copy of Disabled Card (Blind/Orthopedically handicapped/Deaf and Dumb)	Yes ()	No ()
10.	Whether age relaxation claimed	Yes ()	No()
11.	In case of in-service candidates, a valid copy of No Objection Certificate from the employer submitted	Yes ()	No ()
12.	In case of temporary employee, a certificate from the employer stating that he/she is currently serving in the department	Yes ()	No ()
13.	Attested copies of all the required certificates submitted (as per application form)	Yes ()	No ()
14.	Valid Unmarried Certificate in case of unmarried women candidates submitted.	Yes ()	No ()

15.	Remarks.	

Signature Name of the Scrutinizer Designation Date

LOG BOOK

(See rule 24)

Date	Name of person(s) entering into the Strong Room	Purpose	Time of Entry	Time of exist	Signature of the person(s) entering into the Strong Room	Countersigna ture of the Controller of Examination	Remarks

INSTRUCTION TO CENTRE SUPERVISOR

(See rule 28)

- 1. DAY OF ARRANGEMENT.-
- 1.1 Day of arrangement is one day before the actual day of examination. Supervisor must ensure that-
 - All arrangements for the examination are complete, namely arrangement of seats, writing of roll numbers on the desks.
 - Seating plans of candidates for the venue as a whole has been displayed at the central place.
 - Furniture are arranged in systematic and orderly manner.
 - Arrangements for proper cold drinking water are in place.
 - Proper arrangements for keeping books etc. of candidates at the entrance of the premises are made.

2. APPOINTMENT OF ASSISTANT SUPERVISORS.

- 2.1 The Supervisor can engage Assistant Supervisor(s) as per the following criteria:
 - (a) When the number of candidate is upto 400- One
 - (b) When the number of candidates is 401-600 Two
 - (c) When the number of candidates is 601-800 Three
 - (d) When the number of candidates is 801 or more Four
- 2.2 At a centre in which there are a large number of rooms, each Assistant Supervisor may be made responsible for supervision of certain number of room. The Supervisor should assign specific duties to each Assistant Supervisor.
- 2.3 The Supervisor should assign one Assistant Supervisor the job of making announcement not t bring banned items like mobile phones and such IT Gadgets, pagers or any other communication device with them to the examination hall. He should also announce that violation of these instructions shall entail disciplinary action including ban from future examinations of the Commission. The Assistant Supervisor appointed for this purpose will also be entrusted the duty to carry out inspection of various rooms/toilets etc. to prevent the possession and use of any such device during the course of examination. Under no circumstances, the banned devices should be kept in the Examination Hall/rooms. If necessary, suitable arrangements be made at the entrance of venue to deposit the devices which may be returned to the candidates on the conclusion of Examination.

3. APPOINTMENT OF INVIGILATORS.

- 3.1 Generally, one invigilator should be appointed for every 24 candidates. In every room, however, there should be at least two invigilators even if the number of candidates is less than 24.
- 3.2 The number of Invigilators for the compulsory papers on the first day of the examination should remain unaltered. However, for subsequent sessions on remaining days, the requirement of Invigilators should be worked out after taking into account the number of absentees in the paper held on the first day and steps should be taken to reduce the number of Invigilators to the minimum required in accordance with the scale prescribed above.

3.3 As far as possible, no Invigilator should remain in-charge of the same group of candidates for more than one session.

4. APPOINTMENT OF CLERKS

4.1 The Supervisor is allowed to engage Clerks as per the following scale.

For the day of arrangement and actual day of examination:-

(i)	When the number of candidates is up to	1 clerk
	400	
(ii)	When the number of candidates id from	2 clerks
	401 to 600	
(iii)	When the number of candidates is from	3 clerks
	601 to 800	
(iv)	When the number of candidates is over	4 clerks
	800	

5. APPOINTMENT OF GROUP "D" STAFF

5.1 Group 'D' staff should be deployed to the extent necessary to assist the Supervisor for ensuring smooth conduct of the examination.

6. BRIEFING OF ASSISTANT SUPERVISORS/INVIGILATORS

6.1 All the Assistant Supervisor and Invigilators detailed for duty should be briefed suitably on the day of examination itself well before the start of the examination in the first session in regard to the procedures and requirements for the conduct of the examination, their duties in general and special features as are peculiar to the conduct of the examination.

7. TIMING FOR ADMISSION OF CANDIDATES.

- 7.1 Candidates are allowed to entry in the examination hall/room 20 minutes before the commencement of examination in each paper.
- 7.2 No candidate should be admitted to the examination hall after 15 minutes of scheduled time of commencement of the examination/paper in each session. No functionary has any discretion in this regard.
- 7.3 No candidate should be allowed to leave the examination hall until expiry of the full allotted time for the paper.
- 7.4 No candidate should be allowed to go to the toilet during last 30 minutes of the examination in each session.

8. SEATING PLAN

- 8.1 Seating Plans should be drawn for each room in the advance and should be ready on the day of arrangement. This must be done as per the Attendance List sent by the Commission.
- 8.2 The seating plans are to be drawn separately for each session in roll number order and subject wise manner except compulsory subjects.
- 8.3 Each room/hall would have separate plan. Number of rows in each room and roll numbers of candidates in each row should be indicated. Exact location of each candidate's seat, entrance to the Hall/Room and seat of Assistant Supervisor/Supervisor should be clearly drawn. Four copies of seating plans should be drawn for the following:-

- (a) Supervisor
- (b) To be pasted on the door of respective room/hall;
- (c) To be sent to the Commission (signed by the Invigilators and Supervisor)
- (d) To be given to the Invigilator.
- **8.4** The Seating Plans for compulsory papers on the first day of the examination should remain unaltered. Revised seating plans should, however, be drawn up for all the sessions on remaining days and no seats should be provided for candidates who were absent in the paper on the first day.
- 8.5 Roll number of the absent candidates should be encircled with red ink in the copy of the Seating Plan to be sent to the Commission.
- 8.6 A list/Attendance sheet of present candidates in General English/General Knowledge paper may be compiled and delivered after the examination is over to the Coordinating Supervisor who will deliver the same to the Centre Supervisor of the Centre where the candidates have to take the examination on Option Papers on subsequent day(s).
- 8.7 Information as to the names of the Invigilators detailed for each hall/room and how they have been deployed should be indicated in the respective plan of seating arrangement to be sent to the Commission.
- 9. OPENING AND DISTRIBUTION OF QUESTION PAPERS.
- 9.1 The Question Papers for the examination will be delivered to you by the representative of the Commission one hour before the commencement of the examination.
- 9.2 While opening the sealed packets of Question Papers, you are requested to observe carefully the following instruction:-
- 9.2.1 The packet containing question papers will have properly sealed using adhesive tapes with specimen of authorized signature.
- 9.2.2 Authorized signature impressions should be carefully examined and prescribed certificate proforma **(From I)** completed before opening the packet.
- 9.2.3 Contents of packet(s) of Question Papers should be removed by cutting with pen knife the flap side of the pocket. The flap must in no case be torn open. The authorized signature impression must remain intact on the packet which should be returned to the Commission.
- 9.2.4 The packet(s) containing Question Papers should not be opened if no candidate is registered at the Centre or the candidate by virtue of being absent in compulsory paper earlier is not expected to appear in the optional paper. These packet(s) containing the Question Papers should be returned to the Commission.
- 9.2.5 The packet(s) should be opened *ten minutes* before the time scheduled for the commencement of the examination in a particular subject.

- 9.2.6 After opening the packets, verify that the number of question papers is in order and in accordance with the details indicated on the cover of the packet. No candidate should be allowed to visit the Supervisor's room after opening the packet(s) of the Question Papers for any purpose whatsoever. Queries of candidates, if any, should be replied to outside the Supervisor's room.
- 9.2.7 Whenever an examination in more than one paper, either of the same subject or different subject, is to be held in the same session, the Supervisor may kindly impress upon the Assistant Supervisor(s) and the Invigilators that they should exercise utmost care in ensuring that each candidate is supplied correct Question Paper and that in the event of any lapse in this regard coming to notice later they will be held responsible for the same.

10. DISTRIBUTION OF QUESTION PAPERS.

- 10.1 The question papers should be distributed to the candidates by the Invigilators immediately on ringing of the bell marking the start of the examination.
- 10.2 The question papers should be distributed to only those candidates who have occupied their seats in the examination hall/room. No Question Paper should be left on the tables not occupied by the candidates.
- 10.3 As the candidates are not to be admitted after 15 minutes of commencement of the examination, all spare copies of Question Papers should be collected from each Invigilator immediately after 15 minutes of commencement of the Examination in each session and kept in the personal custody of the Supervisor.

10.4 No candidate should be allowed to leave the examination hall till expiry of the full allotted time for the paper.

- 10.5 The Invigilators should be advised to ensure that the candidates are seated strictly in accordance with the seating plan.
- 10.6 The Supervisor may kindly impress upon the Assistant Supervisor(s) and the Invigilators that they should exercise utmost care in ensuring accurate distribution of Question Papers and that in the event of any lapse in this regard coming to notice later on, they would be held responsible for the same.
- 10.7 If any candidate raises a doubt about any apparent mistake/ambiguity or anomaly about any item in the Question Paper, he may **be advised to answer the item as it is** and make a representation to the Commission. The representation should indicate the name of the examination, name of the subject, name of the candidate, his roll number, centre, serial number of item in the question paper and the nature of mistake/ambiguity. The candidate may be informed that the Commission will take due note of his/her representation while evaluating the Answer Book.
- 10.8 Not even a single copy of the Question Paper be retained by the Supervisor or the Assistant Supervisor(s) or the Invigilators. No Question Paper should be taken out of the

examination hall building for any purpose whatsoever until the conclusion of the examination in each session.

11. ATTENDANCE LIST AND ADMISSION CERTIFICATE.

- 11.1 The Admission Certificate/Admit Card has been sent directly to the candidates. After the candidate have taken their seats and announcements have been made, each Invigilator is required to scrutinize the admission certificates of the candidates, under his charge and satisfy himself all candidates present have been regularly admitted.
- 11.2 The Invigilator should see that the candidate puts his signature on the space provided against the name of the subject on which examination is being taken. He should also put his signature on the space provided. Then he should separate the Admission Certificate (the portion on which photo of the candidate is affixed and signature of candidate and the invigilator is put) by tearing off on the perforated portion. He should collect the portion with photograph and hand over the remaining part to the candidate. The candidate has to produce that portion of the Admission Certificate/Admit Card for seeking admission in the examination for other papers/subjects.
- 11.3 Attendance List is a list containing (1) the details of Examination, date of examination, name of Venue and date of examination, (2) Roll Number (3) Name of candidate (4) column to record PRESENT and ABSENT.
- 11.4 Supervisor should collect the Admission Certificate from the Invigilator and mark in the appropriate column of PRESENT or ABSENT against the names of the candidates and given total number of candidate PRESENT and ABSENT.

12. STATIONERY.

- 12.1 The Answer Book and other articles of stationery required for the examination will be sent to you separately. Kindly make sure that the receipt thereof has been acknowledged. If you feel that there is likely to be shortfall of stationery, kindly contact the office of the Commission immediately.
- Answer Book with cover will be issued to the candidates present. Supplementary Answer Book (Answer Book cover) will be issued to the candidates on demand.

13. SUPPLY OF ANSWER BOOK

13.1 Answer Book with cover will be issued to the candidates who are present. The Invigilator should check particulars given by the candidates on the relevant portion in the front page of the answer book. Supplementary Answer Book (without cover) will be supplied on demand. The Invigilator should put his signature on the top of the supplementary Answer Book while supplying it to the demanding candidate.

14. RELEASE OF QUESTION PAPERS.

14.1 The candidates are permitted to take away the question papers issued to them after the conclusion of the examination. The Supervisor may, therefore, kindly make suitable arrangements to ensure greater vigilance and surveillance in the examination hall and its vicinity. The following arrangements should be made in this regard –

- (a) The used answer book (script) may be sealed and dispatched to this office without any loss of time, after completing Packing Certificate. (Form 3);
- (b) No unauthorized person may be allowed to remain in the vicinity of the examination hall till all the scripts have been sealed and dispatched to the Commission's office.
- (c) The candidates may not be allowed to assemble near the examination hall after conclusion of the examination.
- (d) The Assistant Supervisor(s) should be directed to take frequent rounds of the examination hall and its vicinity till the conclusion of the examination.
- (e) The invigilators may be briefed suitably.

15. PACKING OF ANSWER BOOKS (SCRIPTS)

- 15.1 Answer Books (Scripts) of the General English and General Knowledge to be arranged roll number-wise and checked/tallied with attendance list. Answer Book of optional subjects to be arranged according to subject and roll number-wise. These packets should be sealed properly and address them to the SECRETARY, SIKKIM PUBLIC SERVICE COMMISSION, GANGTOK.
- 15.2 You should send the following certificates/documents in a separate envelope along with the packet containing Answer Scripts:-
 - (a) Attendance Sheet;
 - (b) Certificate of opening of packet containing question paper (Form 1);
 - (c) Absentee Statement (Form 2);
 - (d) Answer Script packing Certificate (Form 3);
 - (e) No Relation Certificate (Form 4).
- 15.3 No Assistant Supervisor and Invigilator shall be allowed to leave until the packing work is completed by the Supervisor.

16. DESPATCH OF PACKETS

An officer nominated by the Commission will come to the Centre and collect the packet containing the answer scripts immediately after completion of the examination in each paper/subject. He will take delivery of the packets from you on proper receipt.

17. UNUSED QUESTION PAPERS AND ANSWER BOOKS

17.1 Unused Question Papers

The unused Question Papers available with the Assistant Supervisors and Invigilators must be collected from them immediately after 15 minutes of commencement of the examination in each session. These Question Papers along with the spare Question Papers already available with the Supervisor shall be sealed in a cover forthwith and sealed packet kept by the Supervisor in his personal custody under lock and key. As soon as the examination is over, the sealed packet containing the unused spare Question Papers shall be dispatched to the Commission along with the Packet containing the Answer Scripts.

18. UNUSED ANSWER BOOK ETC.

- 18.1 All unused articles should be returned to the Commission soon after the examination is over. The packets should be addressed to the SECRETARY, SIKKIM PUBLIC SERVICE COMMISSION, GANGTOK.
- 18.2 Each packet should contain a list of the articles returned for proper accounting.

GUIDELINES TO INVIGILATORS

- 1. Report to the Centre Supervisor one hour before commencement of examination.
- 2. Ascertain and find out the room or the hall and the row allocated to you.
- 3. Ascertain the number of candidates in your room or row.
- 4. If you find that your close relative is a candidate and he or she is allotted seat in your room or row, inform the Centre Supervisor. (Centre Supervisor will obtain necessary certificate from all the Invigilators.)
- 5. Obtain Answer Books from the Assistant Supervisor/Supervisor. Check that all the answer books supplied to you are in order.
- 6. Candidates may be allowed to enter into the hall or the room 15 minutes before commencement of examination.
- 7. **Use of Mobile Phone or other electronic gadgets are prohibited in the examination hall.** Candidates are not allowed to take with them in the examination hall anything except the pen/pencil and the admit card. If they come with other items, ask them to deposit the same outside the examination hall/room.
- 8. Candidates are required to produce Admit Card/Attendance sheet for securing admission in the examination hall/room. Check their admit card/attendance sheet and see that Photograph is pasted on the space provided on the Admission Sheet. Verify whether the candidate appearing for the examination has pasted his own recent photograph.
- 9. Ensure that the candidate occupies the seat allotted him/her. If there is any problem, contact the Assistant Supervisor/Supervisor.
- 10. No candidate is to be admitted to the examination hall/room after **15 minutes** of the commencement of the Examination.
- 11. Check the Admission Sheet of the candidates, obtain their signature on the space provided and put your signature also on the Admission Sheet. If the candidate has already put his signature, ask him to sign again in your presence. Tear on the dividing line of the Admission Certificate and Admission Sheet and collect the Admission Sheet with photograph only. (In the Second Session and subsequent dates, the Admission Sheet with photograph will have to be presented to the candidate, obtain his signature on the space provided and put your signature also. Then collect the Attendance sheet and hand over the same to the Centre Supervisor along with the used Answer Books.)
- 12. Ensure that the candidate writes his particulars on the Answer Book accurately, **CODE NO. WILL BE FILLED UP BY THE OFFICE THE COMMISSION.** Therefore, it should be left blank. Put your signature on the Answer Book on the space provided.
- 13. Additional Answer Sheet (Except for Objective Type of Answer Sheet) should be supplied to the candidates on demand. **Candidate should not write his name or roll no. on the additional sheet.** But you have to put your signature on the front page (top right hand side) of the additional answer sheet before supplying the additional answer sheet to the candidate.

- 14. No candidate should be allowed to leave the examination hall/room until expiry of the full allotted time.
- 15. No candidate should be allowed to go to the toilet during the last 30 minutes of the examination.
- 16. On completion of the examination, ensure that all the candidates of your room/row hands over the used Answer Sheet with additional sheets (if any). Tally the Answer Books with the number of candidates present in your room/row.
- 17. Deposit the Attendance Sheet and the used Answer Book to the Assistant Supervisor/Supervisor before you leave the examination centre.
- 18. If the candidate seeks clarification regarding any question, do not give any clarification or explanation. If the candidate insists, ask him to give an application addressed to the Secretary, SPSC, in a separate sheet of paper indicating (i) his name and roll number (ii) the name of the Subject, (iii) the question no., and (iv) the nature of doubt the candidate has. You should collect the same and hand over the same to the Centre Supervisor.
- 19. You are required to be very vigilant during the period of examination so that no candidate resorts to any activity which is not permissible.
- 20. While you are in the examination hall/room on duty, you should not indulge in gossiping/conversation with other person, read magazines or newspapers or use cell phone.
- 21. Your active role will ensure smooth conduct of fair examination.

(see rule 42A) INSTRUCTION TO THE CANDIDATES

1	Candidates shall report to the examination venue ½ hour before the commencement of the examination.
2	Check their seat arrangement as per the sitting plan pasted in the notice board of the examination campus and accordingly go to the respective hall or room where their seating arrangements have been made.
3	Undergo necessary frisking process (if arranged) and enter the examination hall or room before 15 minutes of the commencement of the examination.
4	No candidate shall be admitted in the examination hall or room not later than 20 minutes after expiry of 20 minutes of the commencement of examination. No Centre Supervisor and Invigilator shall have discretion in this regard.
5	They shall produce Admit Card to the Invigilator for admission in the examination hall or room. No candidates shall be admitted into the Examination Hall or room if he/she fails to show his/her Admit Card.
6	Observe silence in examination hall/room.
7	No candidates will be allowed to carry any incendiary material like match box/cigarette lighters or mobile phone, electronic gadgets, bags etc into the examination hall/room.
8	Do not carry examination materials to the toilet.
9	No candidate will be allowed to go to the toilet during the last 30 minutes of the examination in each session.
10	They shall maintain and observe strict disciplines in the Examination Centre/Hall or room and shall not do any action on their part which causes any obstruction and or disturbance or disruption in the conduct of examination.
11	If a candidate slips away from the toilet, he/she will not be allowed to re-enter the examination hall/room.
12	When going to toilet, turn your answer sheet/OMR sheet upside down in such a manner that no part of writing on these sheets is visible.
13	No candidates shall leave the examination hall/room during the examination process for any purpose whatsoever without prior permission of the Supervisor.
14	No candidate should be admitted to the examination hall /room after 20 minutes of scheduled time of commencement of the examination/paper in each session. No functionary has any discretion in this respect.
15	After the examination concludes, continue to remain seated at your desk and wait until your answer sheet/OMR sheet is collected and you are allowed to leave.
16	Candidate who takes away the answer sheet/OMR sheet or part thereof is liable to be penalized.
17	Candidates must not write or revise answers after expiry of the allotted time nor engage in conversation with any other candidate.
18	Candidate should not loiter or stand in and around the examination hall/room after being permitted to leave on conclusion of examination.

(See Rule 42A)

A candidate who is found guilty of	Prescribed Quantum of Penalty
(a) Impersonation and production of	Permanently debarred from all the
forged Admit Card to obtain	examination/selection to be held by Sikkim
admission in examination hall/rom.	Public Service Commission.
(b) Submits false/bogus or fabricated	Permanently debarred from all the
documents/certificates which have	examination/selection to be held by Sikkim
been tempered to	Public Service Commission.
(c) Submits his/her wrong information &	Debarred for 01(one) year from all the
biodata along with the application	Examination/Selection to be held by Sikkim
form	Public Service Commission.
(d) Suppress material information on	Debarred for 01(one) year from all the
pendency of criminal case,	Examination/Selection to be held by Sikkim
imprisonment or any punishment by	Public Service Commission.
court of law.	
(e) Caught with a cell phone or any other	Debarred for 03(three) years from all the
electronic gadgets which are capable	Examination/Selection to be held by Sikkim
of making communication or using	Public Service Commission.
other unfair means in the examination	
hall/room.	
(f) Appeared for the examination after	Debarred for 03(three) years from all the
consuming liquor and left the	Examination/Selection to be held by Sikkim
examination hall/room before the	Public Service Commission.
completion of the examination with	
question paper.	
(g) Misbehaves in any manner in the	Debarred for 03 (three) years from all the
examination hall/room with other	Examination/Selection to be held by Sikkim
candidate or candidates or with the	Public Service Commission.
Supervisor, Invigilator or	
Commission's representatives	
(h) Goes away along with his used O.M.R	Debarred for 03 (three) years from all the
Sheet/Answer Sheet instead of	Examination/Selection to be held by Sikkim
submitting it to the concerned	Public Service Commission.
Invigilator.	
(i) Defies instruction given in writing by	Debarred for 01 (one) year from all the
or on behalf of the Commission or	Examination/Selection to be held by Sikkim
verbally by the Supervisor or the	Public Service Commission.
Invigilators in or outside the	
examination hall, or	
(j) Raised defamatory complaints against	Permanently debarred from all the
the Commission and replied	Examination/Selection to be held by Sikkim
arrogantly to the Show cause notice	Public Service Commission.
issued by the Commission	

(See rule 31) SIKKIM PUBLIC SERVICE COMMISSION GANGTOK

No. 62/SPSC/ADM/2014

Dated 21/02/2014

NOTIFICATION

The Sikkim Public Service Commission is pleased to notify with the approval of the State Government the revised rates for payment of fees for various services conducted, in connection with the holding of interview/written examination for selection of persons for employment, as under:-

Sl No.	Categories of functionaries	Rates for single session	Rates for two sessions of full day	Norms for payment of remuneration
1	2	3	4	5
1.	Observer	Rs. 1500/- per day (lump sum)		For the day of arrangement
2.	Coordinating Supervisor	Rs. 1200/- per day (lump sum)		
3.	Supervisor	Rs. 500/-	Rs. 900/-	Additional Rs. 1000/-
4.	Assistant Supervisor	Rs. 400/-	Rs. 750/-	
5.	Invigilator	Rs. 360/-	Rs. 700/-	
6.	Examination Assistant	Rs.250/-	Rs. 400/-	Rs. 400/-
7.	Group 'D' staff	Rs. 300/- per day (lump sum)		Rs. 300/-

II- Setting of question papers.

1.	Setting of subjective question paper	Rs. 5,000/- to Rs.10,000/- (in exceptional cases.)	
2.	Setting of objective question paper	Rs. 7,000/- to Rs. 12,000/0 (in exceptional cases).	
3.	Answer key (objective type question)	Rs. 3,000/- to Rs. 5,000/- (in exceptional cases).	
4.	Moderation fee	1 hour paper= Rs. 1,000/-	
		1 ½ hour paper= Rs. 1,500/- 2 hours paper= Rs. 2,000/-	
		3 hours paper= Rs. 2,500/-	

III. Evaluation of papers.

(a)	Answer scripts of 50 marks	Rs. 20/- per script (minimum
1.	General Knowledge/General English	Rs. 500/-)
2	Answer Scripts of 100 marks- General paper	Rs. 25/- per script (minimum
		Rs. 500/-)
3.	Answer Scripts of 200 marks- General paper	Rs. 30/- per script (minimum
		Rs.500/-)

4	Answer Scripts of 300 marks- Core subject	Rs. 35/- per script (minimum Rs.500/-)
5.	Recounting of marks charges	Rs. 5/- per script having 50 marks; Rs. 10/- per script having 100 marks; Rs. 15/- per script having 200 & above marks.

(b) The above rate of remuneration shall be applicable to the 2nd Examiner as well.

IV. Hall/Room rents.-

1. Hall Rent - Rs. 500/- to Rs. 1000 per day.

Room Rent - Rs. 200/- per day.
 Seating arrangement - Rs.5/- per candidate.

- V. Examiner for shorthand and typing test.-
 - Rs. 350/- per session.
- VI. Typing of question in State Languages:
 - Rs. 500/- for 50 marks question paper
 - Rs. 600/- for 100 marks question paper
 - Rs. 1000/- for 200 marks question paper & above.
- VII. Honorarium to subject experts on Interview Boards of Recruitment Examination.
 - Rs. 1000/- + taxi fare.
- VIII. Academic experts from outside the State:
 - Rs. 2000/-+ actual fare and accommodation.
- IX. Data entry Rs. 5/- per candidate.
 - (a) The Supervisor, Examination Assistant and any other officials engaged shall be paid additional remuneration of one full day for making arrangement on the day prior to the date of examination. The Officers and staff engaged for the examination duties during holidays shall be paid remuneration for the day as per the norms according to their designation.
 - (b) Scale of appointment of functionaries for each centre:-
 - 1. Invigilator: 1:20 candidates
 - 2. Assistant Supervisor: 1:400 candidates
 - 3. Examination Assistant: 1"200 candidates
 - 4. Group 'D' staff: (a) Bell man/runner-2
 - (b) Safai Karmachari-1

Sd/- Secretary,
Sikkim Public Service Commission

ANNEXURE - V

(See rule 43)

PROFORMA FOR REFERRING PROPOSAL TO SPSC TO FILL UP VACANCIES BY PROMOTION.

1.	Name of the post and Department	
2.	No. of posts to be filled up	
3.	Scale of pay of the post	
4.	Total number of the posts of this grade in the Department with their nomenclature, if any.	
5.	List of officers already holding posts in this grade, including those on adhos basis, in order of seniority duly indicating mode of recruitment to this grade.	
6.	Complete up to date seniority list of persons in the lower grade with full service particulars.	
7.	Up to date Confidential Reports for the number of years as per rules, of all the persons who are to be considered for promotion.	
8.	Whether vigilance clearance certificates in respect of all persons to be considered for promotion are enclosed.	
9.	Whether Annual Property Return in respect of all persons to be considered for promotion is enclosed.	
10.	Whether the Departmental Clearance Certificates of all eligible persons are enclosed.	
11.	Number and date of the notification along with a copy under which the relevant promotion rules including up to date amendments are enclosed.	
12.	Total number of enclosures:- (i) List of officers mentioned at Sl. No. 5 (ii) Seniority list vide Sl. No. 6 (iii) A.C.Rs (iv) Vigilance Clearance. (v) Departmental Clearance (vi) Annual Property Return (vii) Other (please specify) (viii) Grand total	

Date Signature Designation.

ANNEXURE - VI

(see rule 58)

PROFORMA FOR FORWARDING DISCIPLINARY CASE TO THE SIKKIM PUBLIC SERVICE COMMISSION

PART ISERVICE AND RELATED PARTICULARS

1.	Name of charged officer and the service on which borne	
2.	i) Whether temporary/permanent/officiating/contract service	
	(ii) If confirmed, date of confirmation	
3.	Doct hold substantively if in normanant service	
3.	Post held substantively if in permanent service (a) Designation	
	(b) Scale of Pay	
	(c) Substantive pay/basic pay drawn	
	(d) Date from which pay shown against (c) drawn	
	(e) Date of next annual increment	
4.	Post held at present	
т.	(a) Designation	
	(b) Scale of pay	
	(c) Pay drawn	
	(d) Date from which pay shown against (c) drawn	
	(e) Date of next annual increment	
5.	The next lower post along with pay scale/grade, the officer would have held	
	but for his appointment to the present post he is holding.	
6.	Date of birth	
7.	Date of joining Government service	
8.	Due date of retirement or actual date of retirement, if already retired.	
9.	(a) Amount of monthly pension admissible/sanctioned	
	(b) Amount of gratuity sanctioned (This information is required only in	
	respect of case of recovery from or withholding of pensionary benefits.	
10.	(a) Appointing Authority in respect of the post held at present, or the	
	authority which actually appointed the person if that authority is higher.	
	(b) Authority competent to impose the penalty in respect of the posts held	
	at present.	
	(c) Appellate Authority in respect of the post held at present.	
11.	Whether an oral inquiry, if required under the rules, has been held.	
12.	Name and designation of the Inquiry Officer appointed, if any.	

PART IIDETAILS OF CASE RECORDS

All the records are required to be arranged and crossed-referred as indicated below and page numbers of the file/folders to be indicated against each item.

	ITEM	REFFERRENCE/COMMENTS
	(A) ORIGINAL CASES (Whether an order of penalty is to be passed for the first time)	
(a)	Complaint, if any, received by the authority	
(b)	(i) Report of the Preliminary Inquiry, if any, held in the matter leading to the institution of formal disciplinary proceedings against the charged officer(together with depositions recorded) (ii) Order of suspension/revocation of suspension, if any.	
(c)	Order, if any, of the competent authority for joint/common proceeding where two or more Government servants are involved.	
(d)	Charge sheet together with the statement of imputations, if any along with records to prove its delivery or otherwise.	
(e)	Reply of the charged officer.	
(f)	A note from the disciplinary authority explaining the factual or procedural point, if any, raised in the charged officer's reply in minor penalty cases where no inquiry has been held.	
(g)	Order of the Disciplinary Authority appointing the Inquiry Officer.	
(h)	Order of the Disciplinary Authority appointing the Presenting Officer.	
(i)	Daily Order Sheet maintained by the Inquiry Officer indicating the progress of oral inquiry.	
(j)	Correspondence of the Inquiry Officer, if any, with the Disciplinary Authority, Charged Officer, Presenting Officer, witnesses etc.	
(k)	(i) Depositions/oral statements recorded from the Departmental witness and Defence Witnesses, replies of the charged officer to the questionnaire, if any, prepared by the Inquiry Officer. (ii) Exhibits, both departmental and defence along with a list thereof giving description of each exhibit. (iii) Written statement of defence, if any, of the charged officer before the Inquiry Officer.	

(l)	Written brief, if any, submitted by the Presenting Officer.	
(m)	Written brief, if any, submitted by the Charged Officer.	
(n)	Inquiry Officer's report.	
(0)	Whether the Disciplinary Authority has considered the merits of the case and come to the conclusion that a formal penalty is called for.	
	(B) APPEAL CASE (Where the order of penalty has been passed by a subordinate authority and an appeal lies to the Appellate Authority. In these cases, all the documents listed in (A) should also be sent.)	
(a)	Orders passed by the Disciplinary Authority together with a note, if any, containing the conclusion arrived by him in respect of each charge.	
(b) (c)	Appeal of the Officer concerned. Comments of the Disciplinary Authority on the appeal including clarification on procedural points, if any, raised by the appellant.	
(a)	(C)REVISION/REVIEW CASE (Where the Appellate Authority is subordinate to the Governor or a modification of the Appellate Order is sought by way of revision/review or where the governor has passed the original order. In these cases all documents listed in (A) and (B) should also be sent.) Appellate Authority's Order/Governor's Order	
(b)	Petition/Memorial submitted by the Officer	
(c)	Note indicating the Reviewing Authority's findings on the charge, detailing the reasons warranting modification of the penalty already imposed and the extent of such modification.	
(d)	Additional comments on the procedural or factual points, if any, raised in petition.	
	(D) GENERAL (Miscellaneous documents regarding evidence such as the exhibits, statements etc. referred to in (A) to (C) and extracts of relevant Rules, Codes, Manuals, Acts, Judgements etc.) Whether complete and up to-date Confidential Roll of the Officer has been enclosed.	

Signature
Name in Block letters of officer signing this
Statement
Designation
Department
Date
Telephone No.

(See rule 70) **PERIOD OF RETENTION OF RECORDS OF THE COMMISSION**

Sl	Description of record	Retention period
No.		
01	Minutes of meeting of the Commission	Permanent
02	Minutes of meeting of the Selection	Permanent
	Committee/Departmental Promotion Committee	
03	Recommendation of the Commission for direct recruitment	Permanent
04	Requisition for direct recruitment or promotion	5 years
05	Statement showing the marks secured by candidates in written examination and /or viva-voce / Interview/Combined Merit list and Category-wise merit list.	5 years
06	Advice of the Commission on Disciplinary Proceedings/cases	5 years
07	Correspondences regarding direct recruitment, promotion, disciplinary proceeding	5 years from the date of receipt by the Commission.
08	Applications received in response to advertisement (a) Rejected applications (b) Applications of those candidates who fail in the written examination (c) Application of those who is not recommended for recruitment after the interview (d) Applications of those candidates who are recommended for recruitment	 (a) 6 month after the completion of written examination (b) 6 months after result of the written examination (c) 1 year after the date of declaration of final result. (d) To be forwarded to the Appointing Authority along with the recommendation.
09	Used Answer Books	1 year from the date of examination
10	Unused Question Papers	One week from the date of examination.
11	Attendance Sheet / Absentee Statement / Certificate of opening of packet containing question papers	1 year from the date of examination.
12	Correspondences with other State Public Service Commissions or UPSC on miscellaneous subjects	1 year

Explanation.- Records which are required for disposal of cases pending in the Court of Law or for disposal of any case pending in the Commission shall be retained irrespective of the period of retention in respect of such records.

