SIKKIM

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GOVERNMENT OF SIKKIM
SIKKIM LEGISLATIVE ASSEMBLY SECRETARIAT
GANGTOK

NOTIFICATION

No. SLAS/80-81/222/(3/3/Home 81). Dated Gangtok, the 7th March, 1981.

THE SIKKIM LEGISLATIVE ASSEMBLY MEMBERS (RESIDENTIAL ACCOMMODATION) RULES, 1981.

In exercise of the powers conferred by section 8 read with sub-section (4) of section 4 of the Sikkim Ministers, Speaker, Deputy Speaker and Members of the Legislative Assembly (Salaries and Allowances) Act, 1977 (No. 4 of 1977), the State Government hereby makes the following rules, namely:—

1. **Short title and commencement:** (1) These Rules may be called the Sikkim Legislative Assembly Members (Residential Accommodation) Rules, 1981.

2. They shall come into force from the date of their publication in the Official Gazette.

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

(a) 'Act' means the Sikkim Ministers, Speaker, Deputy Speaker and Members of the Legislative Assembly (Salaries and Allowances) Act, 1977;
(b) 'day' means 24 hours from the time of occupation of accommodation;
(c) 'guest' means a guest of the -

(a) member of the Sikkim Legislative Assembly ; or
(b) member of parliament; or
(c) member of any State Legislature who may accompany any member; or
(d) State Government;

(d) 'Government' means the State Government of Sikkim;
(e) 'Hostel' means the State Legislators' Hostel, Gangtok;
(f) 'member' means a member of the Sikkim Legislative Assembly;
(g) 'Member of the Parliament' means a Member of Lok Sabha and Rajya Sabha;
(h) 'rent' means charges for accommodation;
(i) 'Secretary' means the Secretary of Sikkim Legislative Assembly and includes a Deputy Secretary and Under Secretary;
(j) 'Superintendent' means the Superintendent of the Hostel;
(k) 'week' means a seven Calender days;

(1) all other words and expressions used in these rules but defined not therein shall have the meanings respectively assigned to them in the Act.

3. **Control of the Hostel:** The Hostel shall be under the administrative control of the Secretary.

4. **Occupation:**

(1) The Hostel is premarily meant for the occupation of the members, but subject to accommodation being available during non-session period and permission being granted by the Secretary, the following categories of non-members coming to Gangtok on Government Business may be accommodated for a period not exceeding one week on payment of usual rent:—

(a) members of Parliament;
(b) members of Legislative Assemblies of other States;
(c) State Guests;
(d) 1st Grade Officers of the Government of Sikkim.
(e) Class I Officers of the Central and other State Government.

(2) A member shall be allowed to occupy a single seat or a room depending upon availability of accommodation on signing an agreement in Form appended to these rules and shall invariably note the time and date of arrival in the occupation register kept at the counter by affixing his signature against the entries. In default, the entries made by the officer assigned with this task shall be conclusive and no dispute thereon shall be entertained.

(3) During non-session period, a member may stay for the period of seven days and stay beyond that period with intimation to the Secretary.

(4) The Hostel shall, on no account, be made available for occupation by any member with or without his family as all time residence.

(5) No member shall be permitted to occupy more than one room at a time.

(6) No one shall be allowed to occupy the dining room or the reception hall.

(7) The Speaker may in his discretaion allow any other category of persons not specified in sub-rule (1) of rule 4 to occupy seat room in the Hostel on payment of rent subject to availability of accommodation.

Explanation:— The expression "no-session period" means the time when the assembly is not in session but does not include the period when any Committee of the Sikkim Legislative Assembly holds its sittings.

5. **Reservation of Hostel seats:**

(1) The Hostel seats shall be reserved for the members during the Assembly session

(2) Accommodation for a person other than a member or his guest may be reserved on an application made to the Secretary at least seven days before the accommodation is reqired indicating the probable number of days which shall not exceed one week. The Secretary reserves the right to refuse accommodation to any person other than a member for his guest without assigning any reason there of.

(3) A member may be allowed an extra seat in a separate room or a room for his guests not exceeding two in number at one time on payment of the tariff rates mentioned in item (b) of the Schedule appended to these rules subject to the availability of accommodation.

(4) The rooms of the Hostel are furnished and no extra bed, linen and furniture shall be provided.

(5) All requests for allotment of seats in the Hostel for any State shall come from the Home Department of the Government.

6. **Cancellation of Reservation:** Failure to occupy the seat on the due date shall amount to cancellation of the reservation.

7. **Rent for Hostel:** (1) The trariff rates for accommodation of the members, of Parliament, the members of other State Legislatures their guests and other occupants shall be charged as per rates given in the Schedule appended to these rules. The State Government reserves the right to add or alter the rates at its pleasure which shall be in force from the date such addition or alteration is made.

(2) The occupants shall have to make entries in the occupantion register at the time of vacating the occupation and leave the key with the Superintendent of the Hostel and in case of default he or she shall be treated to be in continuous occupation and the charges thereof shall be double the usual rates.

8. The occupants shall keep all their personal belongings under lock and key at owner's risk and snall take them back while leaving. The Secretary shall not be responsible for the loss and/or damage of any articles which shall be kept exclusively at owner's risk.

9. The visitors may be allowed on request and with the concurrence of the occupants from 6. A.M. to 10. P.M. and prescribed rent shall be charged if any visitor stays beyond 10 P.M.

10. **Registers:**

(1) There shall be separate occupation Registers for members and non-members.

(2) The Registers shall be maintained by the Superintendent and kept in his custody or in his absence in the custody of the caretaker or chowkidar.

11. **Entry into Register:**
Every occupant shall enter the date and time of his arrival immediately when the accommodation is allotted to him and shall also enter the date and time of his departure in the Register.

12. **Payment of Rent:**

(1) All dues for the occpation of the Hostel shall be paid to the Superintendent at the time of departure and necessary entries made in the Register kept with the Superintendent or in his absence kept with the the Caretaker or Chowkidar of the Hostel by the occupant.

(2) Rent for occupation of seats by any State Guest shall be paid by the Home Department of the Government after receipts of the bill from the Assembly Secretariat.

(3) The Superintendent shall deposit the rent received by him weekly with the Secretary in the Assembly Secretariat.

(4) The Secretary shall maintain a rent register and credit the rent in the State Bank of Sikkim every week under proper Head.

(5) The Secretary after crediting the rent shall enter the Bank receipt number and date in the occupation Register, Receipt Book and the Rent Register.

(6) The payment of rent for occupation of seats by members during Session of the Assembly by members during Session of the Assembly or business connected with his duties as a member shall be made in cash to the Superintendent before their departure. For occupation of seats at other times by the members themselves, their families and guests shall similarly be paid before or while vacating the Hostel to the Superintendent and receipt for such payment shall be issued to the members.

Explanation:-

The expression "business connected with his duties as member" means any business arising out of Legislative Assemby duties and includes participation in the business at various committees, Commissions, boards or study teams constituted, formed or appointed by the House or its presiding Officer or by the Government.

(7) When rent is not paid in cash it shall be recovered from the _ y or travellling allowances of the members.

(8) Rent for occupation of seat in the hostel by any non-member except the State Guest shall be paid in cash to the Superintendent before vacating the seat or room. The occupant shall also be given a receipt for such payment.

(9) In case of failure to pay seat rent by any non-member, the Department or the person on whose request seat has been allotted to the non-member shall be responsible for payment of the rent. The Superintendent or in his absence the Caretaker or Chowkidar shall report immediately to the Secretary, as soon as a non-member leaves the Hostel without payment or has made only part payment of rent.

13. **Stock Register:**

A stock Register shall be maintained in the Hostel for furniture, utensils, crokeries and other properties. The Stock Register shall be checked and verified half-yearly by the Secretary.

14. **Recovery on account of damage, breakage etc.:** Any damage, breakage, or loss of utensils and furniture of the Hostel shall be made good by the person responsible for the damage breakage or loss by paying the price of the kind at the current market rate.

15. **Gambling, drinking etc.** (1) Gambling, drinking of liquors and entertainment of persons of loose character in the premises are strictly prohibited.

(2) No occupant shall keep in his room any outsider except a Member of his family.

16. **Telephone:** (1) The telephone provided in the Hostel are for the use of the members . The members are entitled to use the telephone free of charge for the local calls. Trunk calls may be made with the prior permission of the Superintendent or in his absence information to the Caretaker or Chowkidar and entries for such trunk calls shall have to be made in the register kept for the purpose which shall be signed by the caller and the charges thereof as prescribed shall be recoverable from the caller.

(2) The non-member may also use the telephone on payment of the charges as notified from time to time by the State Government.

17. **Catering of Food:** (1) A canteen is attached to the Hostel and a member, his guests and/or the occupant may arrange for their own food directly with the caterer on payment of the tariff prescribed from time to time.

(2) A washerman is attached to the Hostel whose service may be available on payment.

(3) The services of room-attendants may be available for the occupants except for the works outside the premises of the hostel.

(4) Cooking shall not be permitted in the rooms, balconies and/or verandah of the hostel.

(5) No pet or animal shall be allowed in the premises of the hostel.

J. T. DENSAPA,
Home Secretary,
Government of Sikkim.

FORM

(See sub-rule (2) of rule 4)

I,.....hereby agree to the allotment of seat No.....in Room No.....of the Hostel subject to the following conditions:

(a) that I shall pay to the Government dues pertaining to such occupation by deduction of allowance every month and/or after presentation of the bill if not paid in cash earlier.

(b) that I shall not sublet any seat to any person:

(c) that I shall abide by the existing rules and rules formulated from time to time.

Signature of the M.L.A.

SCHEDULE

The tariff rates are noted below :

(a) (i) For Members - Rs.2/- per day for a single seat and Rs.3/ per day for a double bed room .

(ii)For guest of the members Rs.2/- per day for each guest.

(b) Members of the Parliament and their guests, Members of the other State Legislature and their guests - Rs. 5/- per seat per day and part thereof.

(c) For others - Rs.8/- per day per seat for the first seven days and Rs.12/- per day seat there after.

Note Part of day will be reckoned as a full day for the purpose of realising occupation charges.

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Gangtok

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Notification

In exercise of the powers conferred by section 8 read with sub-section (4) of section 4 of the Sikkim Ministers, Speaker, Deputy Speaker and Members of the Sikkim Legislative Assembly (Salaries and Allowances) Act, 1977 (4 of 1977), the State Government hereby makes the following rules further to amend the Sikkim Legislative Assembly Members (Residential Accommodation) Rules, 1981, namely:-

Short title and commencement

1. (1) These rules may be called the Sikkim Legislative Assembly Members (Residential Accommodation) Amendment Rules, 2007;

(2) They shall come into force at once.

Amendment of rule 2.

2. In the Sikkim Legislative Assembly Members (Residential Accommodation) Rules, 1981,(hereinafter referred to as the said rules), in clause(i) of rule 2, for the words, "Deputy Secretary and Under Secretary," the words, "Special Secretary and Joint Secretary" shall be substituted.

Amendment of rule 4.

3. In the said rules, in rule 4,-

(a) in sub-rule (2), for the word "seat," the word "unit" shall be substituted;

(b) for the existing sub-rule (5), the following shall be substituted, namely:-

"(5) (a) No member shall be permitted to occupy more than one unit or room at a time.

(b) Once a person ceases to be a member he or she shall have to vacate the unit or room under his or her occupation, handover the unit/room and deposit the key to the Superintendent."

Amendment of rules 10, 12 and 16.

4. In the said rules, in rules 10, 12, and 16, for the words "caretaker or chowkidar" wherever they occur, the words "Supervisor or Caretaker or Chowkidar", shall be substituted.

Amendment of rule 17

5. In the said rules, in sub-rule (4) of rule 17, the word, "rooms" shall be omitted.

Amendment of Schedule.

6. In the said rules, in the Schedule,-

(1) in clause (a), for the figure "2" wherever it occurs, the figure "10" and for the figure "3", the figure "20" shall, respectively be substituted;

(2) in clause (b), for the figure "5", the figure "20" shall be substituted;

(3) in clause (c), for the figure "8", the figure "40" and for the figure "12", the figure "60" shall, respectively be substituted;

(4) after clause (c), the following clause shall be inserted, namely:-

"(d) Rate fixed for use of dinning hall of MLA hostel-

(i) For tea party Rs. 250/- each occasion,

(ii) Lunch/dinner Rs. 500/- each occasion".

R.K. Purkayastha,SSJS
Secretary,
Department of Parliamentary Affairs.