



## **AUTHENTICATION**

I, Bhoj Raj Rai, In-Charge of Food & Civil Supplies Department, do hereby authenticate the Annual Report of Sikkim State Food Commission for the year 2023-2024 and also authorize placing of this report on the table of the Legislative Assembly of Sikkim.

Bhoj Raj Rai  
Minister- in Charge  
Food & Civil Supplies Department

## MESSAGE



Shri. Bhoj Raj Rai

Minister

Food and Civil Supplies Department

It gives me immense pleasure to learn that the Sikkim State Food Commission is bringing out its Annual Report for the year 2024-25. The Commission has played a vital role in ensuring the effective implementation of the provisions of the National Food Security Act, 2013, thereby safeguarding the rights of the people to access safe and adequate food.

The Government remains committed to strengthening the food distribution and supply chain systems to ensure transparency, efficiency, and inclusiveness. I appreciate the dedicated efforts of the Commission and all officials involved in this important work.

I extend my best wishes for the continued success of the Commission in its endeavor to promote food security and ensure nutritional well-being for every citizen of Sikkim.

Thank You



**Bhoj Raj Rai**

**Minister –in-charge**

**Food & Civil Supplies Department**

## **FOREWORD**



Dr. Shiva Kr. Rai  
Chairman

I am extremely pleased to present the Annual Report of Sikkim State Food Commission with details of activities and achievements during the year 2023-2024.

As mandated under National Food Security Act, 2013, Sikkim State Food Commission is making constant effort to monitor the implementation of various ongoing schemes under National Food Security Act, 2013 like AAY (Antodaya Anna Yojana) and PHH (Priority household) under PDS, ICDS under Women and Child Development Department and Mid-Day Meal under Education Department and held several meetings at the conference hall/V.C Room of the Sikkim State Food Commission.

The Commission remained committed to its duties and responsibilities and took various steps to augment the awareness among general public and routinely monitored the above schemes. Awareness Programmes in the districts were organized with the area MLA's, Zilla Adhakshtyas, Upadhakshtyas, Mayors, Deputy Mayors and Councilors of GMC, President and Councilors of Nagar Palikas, Gram Panchayat, Members, Beneficiaries, Fair Price Shop Owners, DCSO's, Food Godown In-charges and Public. Field visits were carried out by the commission to ascertain proper implementation of schemes under NFSA, 2013.

I would like to take this opportunity to thank the State Government, local authorities, beneficiaries and various stake holders for their cooperation and support, while implementing the various schemes undertaken by the Sikkim State Food Commission.

  
(Dr. Shiva Kumar Rai)  
Chairman  
Sikkim State Food Commission

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## CHAPTER - I

### OVERVIEW

The **National Food Security Act 2013**, also known as **Right to Food Act**, is a landmark Act of Parliament with primary objective of providing food and nutritional security to the economically weaker section of the society by ensuring access to adequate quantities of quality food, free of cost or at affordable prices. The Act was published in the Gazette of India on 10<sup>th</sup> September, 2013 and deemed to have come into force on 5<sup>th</sup> July, 2013. The National Food Security Act, 2013 (NFSA 2013) translate the existing food security programs of the Government of India into legal entitlements. It includes schemes like the Midday Meal Scheme, Integrated Child Development Services Scheme and the Public Distribution System. The act basically entitles 75 % of Rural and 50 % of urban population to receive the highly subsidized food grains under Targeted Public Distribution System like Antodaya Anna Yojana (AAY) and Priority Households (PHH). It also provides special provision to pregnant women, lactating mothers to children from 6 months up to the age of 14 yrs by entitling them to receive nutritious meal free of cost through ICDS and Mid-Day Meal Scheme.

In accordance to Section 40 of the NFSA, 2013, the Government of Sikkim framed the Sikkim Food Security Rules, 2014 vide Notification no.20/01/2015 (Annexure-I) and further amended it vide notification no.325/FCS&CA dated 20.06.2018 (Annexure-II).

The National Food Security ACT, 2013 was implemented in our State with effect from **1<sup>st</sup> January, 2016**.

## CHAPTER- II

### **SIKKIM STATE FOOD COMMISSION**

- I. In compliance to Section 16 of the National Food Security Act, 2013, the Government of Sikkim re-constituted the Sikkim State Food Commission vide notification no.935/F&CSD Dated 04.03.2021 (Annexure-III & IV) with following active members:
- i. Dr. Shiva Kumar Rai, Retired PD- cum- Secretary,  
Health & Family Welfare Department - Chairman
  - ii. Mr. Krishna Kumar Basnett - Member
  - iii. Mr. Deependra Mohora - Member
  - iv. Mrs. Sabita Sharma - Member
  - v. Mr. Gyamtso Tamang - Member
  - vi. Mrs. Roshna Sharma - Member
  - vii. Mrs. Diki Doma Bhutia - Member Secretary

II. **The terms of reference of the Commission are as under:**

1. Monitor and evaluate implementation of the National Food Security Act, 2013
2. Either Sou motto or on receipt of complaint, inquire into violations of entitlements provided under this Act.
3. Give advice to the State Government on effective implementation of the Act.
4. Give advice to the State Government, their Agencies, autonomous bodies as well as Non-Governmental Organization (NGO) involved in delivery of relevant service for effective implementation of food and nutrition related schemes, to enable individuals to fully access their entitlements specified in the Act.
5. Hear appeals against orders of the District Grievance Redressal Officer for three schemes namely:
  - i. Targeted Public Distribution System,
  - ii. Integrated Child Development Services and
  - iii. Mid-Day Meal comes within the purview of this Act.
6. The State Food Commission is authorized to inspect the non-compliance of NFSA and the policy decisions of the Government related to the Act. The Commission is also expected to organize regional camps for creation of awareness among the general public about the benefits and entitlements under the Act and come up with measures for redressal of the grievances.

The terms and conditions of the Sikkim State Food Commission is detailed in the Sikkim Food Security (Amendment) Rules, 2018 notified vide notification number 325/FCS&CA Dated 20.06.2018 (Annexure-II)

**Powers of State Food Commission:**

The State Food Commission has all the powers of a civil court while trying a suit under the Code of Civil Procedure, 1908 in respect to following matters:

- (a) Summon and enforce the attendance of any person and examining him on oath.
- (b) Discovery and production of any document.
- (c) Receiving evidence on affidavits.
- (d) Requisitioning any public record or copy thereof from any court or office.
- (e) Issuing commissions for the examination of witnesses or documents.

The State Food Commission has the power to forward any case to a Magistrate having jurisdiction to try the same and the Magistrate to whom any such case is forwarded shall proceed to hear the complaint against the accused as if the case has been forwarded to him.

The State Food Commission did not receive any major complaint during the year reported upon; as such no enquiry was initiated.

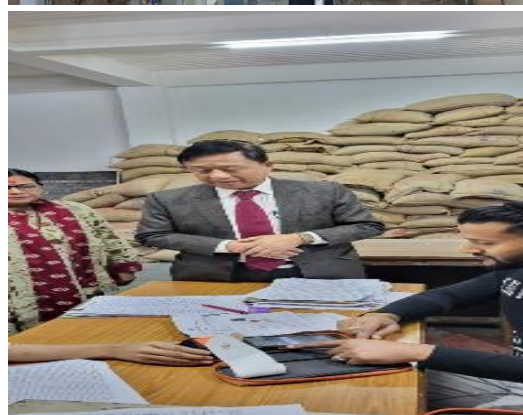
## CHAPTER III

### ACTIVITIES OF SIKKIM STATE FOOD COMMISSION DURING THE YEAR REPORTED UPON

1. Dr. S.K Rai, Chairman, State Food Commission inspected Jorethang Food Godown on 27.09.2024 and interacted with the staff of the Food godown and advised them to maintain cleanliness and keep the stock properly.



2. Glimpses from the visit of Chairman, State Food Commission to Urban Food Godown located at Lumsey, Tadong on 18.11.202427.09.2024.



## **AWARENESS PROGRAMME ON NFSA, 2013 AT PAKYONG ON 24.01.2025**

Glimpses from the Awareness Program on National Food Security Act, 2013 conducted on 24.01.2025 at Pakyong.



The State Food Commission conducted an Awareness Camp on National Food Security Act, 2013 on 24.01.2025 at Pakyong, which is attended by Smt. Laden Lama, Zilla Adhakshya, who is also the Chairman of District Level Vigilance Committee, Chairman, SFC, Zilla Panchayats Members, Gram Panchayats Members, Members of the Commission, District officials, Aaganwadi workers, FPS owners and beneficiaries.

## **AWARENESS CAMP ON NFSA, 2013 AT GYALSHING IN GYALSHING DISTRICT**

Glimpses from the Awareness Program on National Food Security Act, 2013 conducted on 03.03.2025 in the Community Hall of Gyalshing Bazaar.



The awareness camp was attended by Shri. L.N Sharma, MLA, Gyalshing-Bermiok Constituency, Chairman, SFC, President, Municipal Council, Councilors, Zilla Panchayats, Gram Panchayats, Members of the Commission, district officials, Aaganwadi workers, FPS owners and beneficiaries.

**Activities of Public Distribution System under NFSA,2013 in Sikkim**



**ACTIVITIES OF ICDS UNDER NFSA, 2013**



Anganwadi Workers and Anganwadi Helpers seen cleaning the centre



Dry Fruits with Kheer being served to the children on Thursdays



**Various recipes formed from Millets**

**MEETINGS OF THE COMMISSION**

The meeting of the Commission for the year 2024-25 was held on 20.09.2024 in the Video Conference room of the Commission. The meeting was attended by the Mr. Anil Raj Rai, IAS, Secretary, Food and Civil Supplies Department, Members and Member Secretary of the Commission and Additional Secretary, PDS, Food and Civil Supplies Department.

1. At the outset, the Chairman and the Members of the Commission welcomed Mr. Anil Raj Rai, the incoming Secretary, Food and Civil Supplies Department and raised the issues like functioning of Vigilance Committee and Social Audit for better and effective implementation of PDS schemes under NFSA, 2013.
2. The Commission discussed and decided to conduct Awareness Camp at three places viz Pakyong, Gyalshing and Jorethang.
3. The Commission's Member also raised the issues pertaining to review of Ration Card issued in the year 2015.
4. Additional Secretary, PDS gave brief note regarding status of Vigilance Committee and Social Audit.
5. The Chairman reiterated the Commission Members to continue monitoring the FPS and Food godowns

**CHAPTER-V****FUND ALLOCATION AND EXPENDITURE UNDER SIKKIM STATE FOOD COMMISSION FOR  
THE YEAR 2024-25**

<b>Budget Head</b>	<b>Original Budget (Rupees in thousands)</b>	<b>Revised Estimate (Rupees in thousands)</b>	<b>Expenditure (Rupees in Thousands)</b>	<b>Balance (Rupees in thousands)</b>
3456.00.001.61.00.02 (Wages)	2406	2406	2397	9
3456.00.001.61.00.11 (Travel Expense)	248	248	117	131
3456.00.001.61.00.13 (Office expense)	1474	1074	1074	0
3456.00.001.61.00.24 (Fuel & Lubricants)	1	400	398	2
3456.00.001.61.00.31 (Grant in aid General)	400	400	200	200

# **ANNEXURES**

# SIKKIM GOVERNMENT GAZETTE



EXTRAORDINARY  
PUBLISHED BY AUTHORITY

Gangtok

23<sup>rd</sup> January, 2015

NO.9

GOVERNMENT OF SIKKIM  
FOOD, CIVIL SUPPLIES & CONSUMER AFFAIRS DEPARTMENT  
SECRETARIAT, ANNEX -I, SONAM TSHERING MARG,  
GANGTOK, SIKKIM-737101

No. 1166/FCS&amp;CA

Dated: 20 -01-2015

### NOTIFICATION

Whereas a draft of the Sikkim Food Security Rules, 2014 was published as required by sub section (1) of section 40 of the National Food Security Act, 2013 (20 of 2013) under the notification of Government of Sikkim in the Department of Food Civil Supplies and Consumers Affairs Department vide Notification No 1074/FCS&CA dated 19/12/2014 inviting objections and suggestions from all persons likely to be affected thereby before the expiry of the period of 30(thirty) days from the date on which the copy of the official gazette containing the said notification was made available to the public;

And whereas the said Gazette was made available to the public on the 19<sup>th</sup> December, 2014;

And whereas no objections or suggestions have been received from the public on the said draft rules,

Now, therefore in exercise of the powers conferred by sub-section (1) of section 40 of the National Food Security Act, 2013 (20 of 2013), the State Government hereby makes the following rules, namely:-

Short title and commencement:

1. (1) These rules may be called the Sikkim Food Security Rules, 2014.
- (2) They shall extend to the whole of Sikkim.
- (3) They shall come into force on the date of their publication in the Official Gazette.

Definitions:

2. (1) In these rules, unless the context otherwise requires:-
  - (a) "Act" means the National Food Security Act, 2013.
  - (b) "Chapter", "Section" and "Schedule" means respectively Chapter, Section of, and Schedule to, the Act.
  - (g) "Household" means a nuclear family comprising mother, father and their children. Dependent parent Single women (which means widow, abandoned, separated, divorced women with or without their dependent children), disabled people with or without their dependent children, even if they have a common roof or hearth will be treated as a separate household for the purpose of this Act.

Display of the list of eligible households in the Public Domain.

3. (1) On completion of each identification process, the State Government shall display prominently and place in public domain the list of names of persons/ households identified for inclusion in 'Priority' or 'Antodaya' category.
- (2) The list of names of eligible households shall be displayed at the Gram Panchayat/ Ward Office, ration shop prominently.
- (3) The State Government shall also display the list of eligible households on its website in official language of the State Government and the Central Government.

Guidelines for Identification of Eligible Beneficiaries

4. (1) The State Government shall frame and publish via Gazette notification guidelines for identification of households falling in the "priority category" under the Targeted Public Distribution System for the entitlements under sub section 1 of section 3
- (2) The guidelines, if required may provide separate parameter for identification in the rural and urban areas.
- (3) For the purpose of any rules and guidelines framed under rule 4, the process of identification and the inclusion in the priority category shall not be subject to any of the Below Poverty Line/Above Poverty Line list or criteria maintained by the State Government for the purpose of Targeted Public Distribution System prior to the publication of these rules; Provided that the process of identification shall be completed within 6 (six) months from the publication of these rules.
- (4) The designated authority shall issue a ration card within (one) month of the date of receipt of an application after necessary checks and verification

List of eligible households

5. (1) The State Government shall identify the list of eligible households within the number of persons determined under section 9 of the Act for the rural and urban areas in accordance with the guidelines framed under rule 4.
- (2) The State Government shall annually update the list of eligible households within the number of persons determined under section 9 of the Act for the rural and urban areas in accordance with the guidelines framed under rule 4.
- Provided that the State Government may take into consideration the socio and economic data captured by the census of India for the purpose of identification of eligible beneficiaries under the Act.

Criteria for selection of 6 beneficiaries Households under Antodaya Anna Yojana and Priority Household.

- (1) Those households being covered under Antodaya Anna Yojana (AAY) shall be considered for inclusion in accordance with the guidelines applicable to the said scheme.
- (2) All economically weaker households not included under sub rule (1) of rule 6, shall be included under Priority Households (PHH) on the following ground:

- (a) the household shall not have any member in the regular service of State Government/ Central Government/ Public Sector Undertaking/ Army etc;
  - (b) the household shall not have any retired Government Servant as member of their family;
  - (c) the household shall not have any member in the work-charge service in State Government/ Central Government/ Public Sector undertaking etc;
  - (d) the household shall not own a taxi or private vehicle in the name of any one of the family member;
  - (e) The household shall not own pucca house (Chief Minister's Rural Housing Scheme & REDRH houses are excluded)
  - (f) The household shall not be earning house rent more than 10 (ten) thousand.
  - (g) the household shall not have any member enlisted as government contractor in class I, IA, II and III categories with sound socio- economic background;
  - (h) the household shall not possess more than 2.5 acres of cultivable land or 5 acres of barren land;
  - (i) the household shall not have agriculture/floriculture/animal husbandry related commercial ventures earning more than 1.20 lakhs per annum from any other source;
  - (j) all selected households shall possess either of the following documents:
    - (i) Sikkim Subject Certificate (SSC);
    - (ii) Certificate of Identification (COI)/KbatiyanParcha
    - (iii) Voter Identity card issued by the Sikkim Election Department, Government of Sikkim.
    - (iv) Ration card surrender certificate Issued by the Food and Civil Supplies Department of the respective State Government, in case the applicant beneficiary is from outside the State.
- (3) The process of identification shall lay that all such persons who do not fulfil the parameters for the exclusion criteria shall automatically be included in the priority category.
- (4) Notwithstanding anything contained in these rules and the NFS Act, and subject to provisions thereof, the State Government may from time to time prescribe criteria for exclusion of households for entitlements under section 3 of the Act.

**Internal Grievance 7. Redressal Mechanism**

- (1) For redressal of public complaints, an officer of Food, Civil Supplies and Consumers Affairs Department, not below the rank of Under Secretary shall be designated as Nodal officer for receiving complaints under Targeted Public Distribution System.
- (2) The Nodal officer shall forward the complaints to the District Grievance Redressal Officer or such official dealing with the subject for speedy disposal of the complaint/s.
- (3) To facilitate the grievance redressal mechanism, the Food, Civil Supplies & Consumer Affairs Department shall put in place call centres, websites and the help line numbers through the

District Grievance Redressal Officer (DGRO)

departmental website and other media.

8. (1) The State Government may by notification, appoint/designate any officers, not below the rank of Under Secretary or equivalent as the District Grievance Redressal Officer of the Food, Civil Supplies and Consumer Affairs Department for expeditious and effective redressal of grievances of the aggrieved persons in matters relating to the distribution of entitled foodgrains or meals under chapter II and to enforce the entitlement under the Act.

The State Government through the Secretary, Food, Civil Supplies & Consumers Affairs Department shall initiate the proposal recommending the name of the officer to be appointed as District Grievance Redressal Officer.

Powers of the District Grievance Redressal Officer (DGRO)

9. The District Grievance Redressal Officers shall, subject to the provision contained under sub section (5) of section 15 of the Act, exercise the following powers, namely:-
- (1) To select the eligible households properly as per the selection criteria prescribed by the State Government, in coordination with the local/urban bodies;
  - (2) To hear the complaints within a reasonable time not later than 30 (thirty) days.
  - (3) To submit the action taken report in time to the appropriate authority within 10 (ten) days from the date of disposal of grievance.

Manner and time limit for hearing complaints

- (1) The District Grievance Redressal Officer (DGRO), on receipt of written complaints on non-receipt of entitlements by the eligible beneficiaries shall cause to have an enquiry immediately.
- (2) The District Grievance Redressal Officer (DGRO) shall fix up a date for hearing within a period of 30 (thirty) days for cases not resolved that need hearing with the aggrieved party, in his/her office chamber, for the redressal of the grievance.

STATE FOOD COMMISSION:

- 11 (1) The State Commission for Protection of Child Rights constituted by the State Government shall perform the functions assigned to it under sub-section (5) of section 16 of the Act.

Office of the State Food Commission

- (1) The office of the Secretary, Food Civil Supplies and Consumer's Affairs Department, Government of Sikkim, shall provide necessary secretarial assistance to the State Food Commission.
- (2) The head quarter of the Commission shall be located at Gangtok, East Sikkim

Procedure to be followed by the Commission

- 18 (1) Subject to the provisions in the Act and the rules made thereunder, the Commission shall have the powers to formulate its own procedure;
- (2) all orders and decision shall be authenticated by the Member

		<p>Secretary or any other officers of the commission duly authorized by the commission on its behalf;</p> <p>(3) The Member Secretary shall act as the Chief Executive Officer of the Commission and shall exercise such powers and functions as delegated to it by the Commission.</p> <p>(4) The Chairperson of the Commission may direct the Member Secretary to call the meeting of the Commission which may be held from time to time as the Chairperson may direct. Any member of the Commission may request for the meeting of the Commission by submitting a written notice to the Chairperson.</p> <p>(5) In case of difference of opinion amongst the members of the Commission, the opinion of the majority shall prevail through the process of ballot by each member.</p> <p>(6) All directives, decision and orders of the Commission shall be given in writing with proper justifications. The directives, decision and orders of the Commission shall be made available to the applicant in the manner as the Commis. in may specify.</p>
Salary and allowances	14	<p>(1) The salary and allowances of the Chairperson and the Members shall be as follows, namely:-</p> <p>(a) The Chairperson of the Commission shall be paid with an honorarium of Rs 1500/- per sitting of the Commission.</p> <p>(b) The member of the Commission shall be paid with an honorarium of Rs 1000/- per sitting of the Commission.</p>
Disclosure of record of Targeted Public Distribution System	15	<p>(1) The records relating to the stock and allocation of foodgrains and other essential commodities of the food godowns of the State, shall be uploaded in the national portal/ departmental website within 2 (two) days of the issue of allocation order.</p> <p>(2) The food godownIncharge shall maintain proper accounts relating to distribution of foodgrains and other commodities on day to day basis and the accounts shall be readily available for inspection of the local authorities/ departmental authorities and authorized persons/bodies etc as and when necessary.</p> <p>(3) The food godownIncharge shall not deal with direct cash transaction with any individuals or fair price shop. The official shall maintain proper record of Bank receipts and drafts realized on account of sale proceeds which shall be available for inspection by any authorized persons.</p> <p>(4) Computerization of the Targeted Public Distribution System shall be undertaken for maintaining transparency in the supply chain management system of foodgrains and other essential commodities.</p> <p>(5) All the information relating to the Targeted Public Distribution System shall be hosted timely in the national and state portal.</p> <p>(6) The Nodal officer appointed under Section 14 of the Act, shall disseminate to all concerned on time to time basis through the media and other electronic modes of the day to day transaction by the department including such policy decision of the Government in regard to the implementation of schemes under Targeted Public Distribution System.</p>
Conduct of Social Audit	16	<p>(1)The Department shall at regular intervals conduct Social Audit in the Fair Price Shops of the book of accounts and other related register maintained by the vendor.</p> <p>(2) The members of the Block Level Vigilance Committee shall be included as a part of social audit along with any interested stake holders</p>

at the time of social audit.

(3) The social audit report shall be examined by the District Civil Supplies Officers who shall take appropriate measures as may be necessary to bring in competency in the accounting process in the fair price shops.

(4) In case of any actions found to have taken contrary to the interest of the beneficiaries at the time of social audit shall be brought forthwith to the notice of the District Food and Civil Supplies Officer, for taking action as per the relevant law.

Composition of Vigilance Committee:	17	(1) Subject to the provision contained under the Act and the rules made there under, the State Government shall by notification constitute three tiers Vigilance Committee in the State. (2) The three tier Vigilance Committee, so constituted, shall be at the State level, District Level and Block Level. (3) The composition of the Vigilance Committee shall be such as may be notified by the State Government in the official gazette.
Utilization of Institutional Mechanism for other purposes	18	The State Government may, at any time if so desires, utilize the service of the Commission established under the Act for any other beneficial purposes in the interest of the State Government.
Removal of doubts	19	If any doubt arises with regard to the interpretation of any provision of these rules, it shall be referred to the Food, Civil Supplies and Consumers Affairs Department, Government of Sikkim, whose decision shall be binding.

FCS&CA DEPARTMENT,

Sd/-  
D.P.SHARMA, IAS  
SECRETARY,  
GOVERNMENT OF  
SIKKIM, GANGTOK  
File No. GOS 7 (45) FCS&CA/ 2014

Memo No \_\_\_\_\_ / FCS&CA Dated: 19-12-2014

Copy to:

1. The Principal Secretary to the Hon'ble Chief Minister, Sikkim
2. The Chief Secretary, Government of Sikkim
3. PS to the Hon'ble Minister, FCS&CA Department
4. The Principal Secretary, Women & Child Welfare Department, Government of Sikkim.
5. The Secretary, RMDD, Government of Sikkim
6. The Secretary, UD&HD, Government of Sikkim
7. The Secretary, HRDD, Government of Sikkim
8. All the HoDs of Government Department
9. The Advocate General, Government of Sikkim

SIKKIM

ANNEXURE II

GOVERNMENT



GAZETTE

EXTRAORDINARY  
PUBLISHED BY AUTHORITY

Gangtok

Wednesday 20<sup>th</sup> June, 2018

No. 325

FOOD & CIVIL SUPPLIES & CONSUMER AFFAIRS DEPARTMENT  
GOVERNMENT OF SIKKIM

No. 1168(I)/FCS&CA

Date: 11.06.2018

**AMENDMENT RULES SIKKIM STATE FOOD COMMISSION**

In exercise of the powers conferred by sub section (1) of section 40 of the National Food Security Act, 2013 (20 of 2013) the State Government hereby makes the following rules further to amend the Sikkim Food Security Rules, 2014.

**1. Short Title and Commencement:**

- (1) These rules may be called the Sikkim Food Security (Amendment) Rules, 2018.
- (2) They shall extend to the whole of Sikkim.
- (3) They shall come into force at once.

**Amendment of rule 2.**

in Rules 2 of the Sikkim Food Security Rules, 2015 (herein after referred to as the said rules), after clause (c), the following clause shall be inserted, namely:-

- (d) "State Food Commission means the Sikkim State Food Commission as notified vide Notification number 816/FCS&CA dated 13.02.2018".
- (e) "Government" means Government of Sikkim;
- (f) "Chairperson" means the Chairperson of the State Food Commission;
- (g) "Member" means the members of the State Food Commission;
- (h) "Section" means Section of the Act.

- 2) Words and expressions used in these rules but not defined, shall have the same meaning as respectively assigned to them in the Act.

**Amendment of Rule 14:** in Rule 14 of the principal rules, the following shall be substituted, namely:-

**1. Terms and Conditions of appointment of Chairperson and other Members of the State Food Commission:**

- (1) The Chairperson and every other Member shall hold office for a term not exceeding 5 (five) years from the date on which he enters upon his office unless removed earlier and shall be eligible for reappointment.

Provided that no person shall hold office as the Chairperson or other member after he has attained the age of 65 (sixty-five) years.

- (2) A person who held the office of the Chairperson or other Member shall be eligible for re-appointment, but a re-appointed Chairperson or other Member shall hold office for a period not exceeding one year from the date of his re-appointment.
- (3) The Chairperson or any other Member may, by writing under his hand addressed to the Government, resign from the office of the Chairperson or the Member, as the case may be, at any time.
- (4) An officer, who has been selected for appointment as Member-Secretary shall hold such office on deputation.
- (5) The Government may remove from office, the Chairperson or the other Member referred to in the sub-rule (9) of Section 16 of the Act, if that person;
- (a) is, or at any time has been, adjudged as an insolvent; or
  - (b) has become physically or mentally incapable of acting as a member; or
  - (c) has been convicted of an offence which, in the opinion of the State Government, involves moral turpitude; or
  - (d) has acquired such financial or other interest as is likely to affect prejudicially his functions as a member; or
  - (e) has so abused his position as to render his continuation in office detrimental to the public interest.

Provided that, no Chairperson or other Member shall be removed from the office under clause (d) or clause (e) of sub-section (9) unless he has been given a reasonable opportunity of being heard in the matter.

**2. Salaries and Allowances of Chairperson, Member, Member Secretary and other staff of the State Commission:**

- a) The Chairperson shall receive pay of Rs. 80000.00 (Rupees Eighty Thousand) (fixed) per month provided that in case of an appointment as Chairperson, of a person who has retired as a Judge of the High Court or who has retired from service under the Central Government or a State Government and who is in receipt of or has received or has become entitled to receive any retirement benefits by way of pension and/or gratuity or other forms of retirement benefits, the pay shall be reduced by the gross amount of pension equivalent of service gratuity if any but excluding pension equivalent of retirement gratuity, drawn or to be drawn by him.
- b) The Chairperson shall receive such Dearness Allowance as is admissible to officers of the Indian Administrative Service of the corresponding grade in the State.

- c) The Chairperson shall be entitled to receive compensatory allowance and other allowances as are admissible to officers of the Indian Administrative Service of the corresponding grade in the State.
- d) The Members shall be paid Rs. 10,000.00 (Rupees Ten Thousand) per month subject to revision by the State Government from time to time.

### 3. Travelling Allowance

The Chairperson while on tour inside or outside the State or on transfer (including the journey undertaken to join the commission or on expiry of his term with the Commission to proceed to his home town) shall be entitled to travelling allowance, daily allowance, transportation of personal effects and other similar matters at the same scale as applicable to the officers of the Indian Administrative Service of the corresponding grade in the State.

### 4. Facility for Conveyance

The Chairperson shall be provided with a car and a driver as per entitlement of the office of the Indian Administrative Service of the corresponding grade in the State.

### 5. Accommodation

The Chairperson shall be entitled to rent free accommodation. The Chairperson who is not provided with or does not avail himself of the use of official residence and resides in his own house, he may be paid house rent allowance as admissible to the office of the Indian Administrative Service of the corresponding grade in the State.

### 6. Leave Sanctioning Authority

- (1) The State Government shall be the authority competent to sanction leave to the Chairperson.
- (2) The Chairperson shall be the authority to sanction leave to every Member.

### 7. Powers of the State Food Commission: The State Food Commission shall have the following powers, namely:—

- (1) The State Food Commission shall, while inquiring into any matter referred to in clause (b) and (e) of sub-section (6) of section 16, of the National Food Security Act, have all the powers of Civil Court while trying a suit under the Code of Civil Procedure, 1908, and, in particular, in respect of the following matters, namely:
  - a) summoning and enforcing the attendance of any person and examining him on oath;
  - b) discovery and production of any document;
  - c) requisitioning any public record or copy thereof from any court or office;
  - d) issuing commissions for the examination of witness or documents.
- (2) The State Commission shall have the power to forward any case to a Magistrate having jurisdiction to try the same and the Magistrate to whom any such case is forwarded shall proceed to hear the complaint against the accused as if the case has been forwarded to him under section 346 of the Code of Criminal Procedure, 1973.

- (3) Inspect or cause to be inspected, the non-compliance of policy decisions of the Government relating to the Act;
- (4) Organize regional camps for building awareness about benefits and entitlements under the Act and define measures for redressal of grievance;
- (5) Appoint, in consultation with the Government, consultants and technical staff to assist the State Food Commission;
- (6) Lay down procedures for day-today- functioning.

**9. Procedure of Meetings:**

- (1) The State Food Commission shall meet once in every months in its office at Gangtok at such time as the Chairperson thinks fit;
- (2) The quorum for the meeting of the State Food Commission shall be 4 (four);
- (3) The Member Secretary, along with such officers as the Chairperson may direct, shall assist in holding the meeting of the State Food Commission.
- (4) The Member Secretary shall, in consultation with the Chairperson, prepare the agenda for each meeting of the State Food Commission.

**10. Duties of the Member Secretary:**

The Member-Secretary shall, in addition to functions as provided in the Act and rules and in accordance with the direction of the Chairperson, have the following duties, namely:—

- (1) execute all decisions taken by the State Food Commission in exercise its powers and functions of the State Food Commission;
- (2) exercise and discharge such powers and perform such duties as may be required for the proper administration of the affairs of the State Food Commission and its day to day management;
- (3) convene the meetings of the State Food Commission in consultation with its Chairperson and cause service of notices of the meetings to all concerned;
- (4) prepare, in consultation with the Chairperson, the agenda for each meeting of the State Food Commission and have notes prepared, which shall be self-contained;
- (5) make available records covering the agenda items to the State Food Commission for reference;
- (6) ensure that the agenda papers are circulated to the members at least before three clear working days in advance of the meeting, except in cases when urgent attention is required;
- (7) prepare the minutes of the meetings of the State Food Commission and shall execute the decisions of the State Food Commission taken in the meeting and shall also ensure the placing of the Action Taken Note of the decisions of the State Food Commission before the State Food Commission in its subsequent meetings;
- (8) ensure that the procedure of the State Food Commission is followed by it in transaction of its business;

- (9) take up all such matters with the Government for release of grants, creation of post-audit report in Assembly, procurement of vehicles, appointment of staff, laying of annual and other matter requiring the approval of the State Government;
- (10) exercise such financial powers as may be delegated to him by the Chair person on behalf of the State Food Commission;
- (11) shall be the appointing and disciplinary authority in respect of officers and other employees of the State Food Commission.

#### 11. Procedure for hearing Appeal

- (1) Any citizen aggrieved by a decision of the District Grievance Redressal Officer (DGRO) may file a Memorandum of Appeal with the State Food Commission within thirty days of such decision.
- (2) When the Memorandum of Appeal is presented after thirty days, such Memorandum of appeal shall be accompanied by an application supported by an affidavit setting forth the fact on which the Appellant relies to satisfy the State Food Commission that he has sufficient cause for not presenting the appeal within the period of limitation.
- (3) Any Memorandum of Appeal so filed with the State Food Commission must be heard and disposed of within a period of sixty days of the filing of such appeals.
- (4) The Memorandum of Appeal shall be filed in triplicate and accompanied by a true copy of the orders of the DGRO appealed against and such other documents as may be required to support ground of objections mentioned in the Memorandum of Appeal.
- (5) The Chairperson shall have power to constitute a Bench consisting of two or three members and declare any member, as he deems fit, to preside over the Bench, where the Chairperson is not the member of such Bench: Provided that the Chairperson may constitute or reconstitute Benches from time to time.
- (6) The decision of the Bench is to be made according to the opinion of the majority of the Bench. Provided that if the member of a Bench consisting of an even number differ in opinion on any point, they shall state the point or points on which they differ and make reference to the Chairperson who shall either hear the case or refer the case to another Bench for decision.
- (7) While hearing the appeal, the Bench shall consider the grounds of appeal and shall decide the case accordingly.
- (8) Orders of State Food Commission on appeal shall be signed and dated by the Member thereof hearing the appeal and shall be communicated to the parties free of charge.

#### 12. Financial powers of the State Food Commission:

- (1) The State Food Commission shall be responsible for expenditure for the funds received by it for the purposes of the implementation of the Act;
- (2) The Chairperson shall have all powers relating to financial transaction of the State Food Commission, except in cases which require prior approval of the Government;
- (3) The Chairperson shall, subject to such conditions and limitations, control and supervision, have powers to delegate his financial powers to the Member-Secretary of the State Food

Commission or to any officer of the said State Food Commission who shall be not below the rank of Group B. Provided that no such powers shall be delegated in respect of incurring an expenditure on an item exceeding Rs. 25000.00 (Rupees Twenty-Five Thousand).

- (4) The Member-Secretary shall have powers to execute all decisions taken by the Chairperson on his behalf relating to financial matters;
- (5) All financial powers of the State Food Commission shall be governed by delegation of financial powers, rules and circulars, orders, instructions as may be issued by the Finance Department of the Government from time to time, in this behalf;

**S.K Shilal, IAS**  
**Secretary to Govt. of Sikkim**  
**Food, Civil Supplies & CA Dept.**

SIKKIM

ANNEXURE III

GOVERNMENT



GAZETTE

EXTRAORDINARY  
PUBLISHED BY AUTHORITY

Gangtok

Friday 27<sup>th</sup> August, 2021

No. 251

GOVERNMENT OF SIKKIM  
FOOD, CIVIL SUPPLIES DEPARTMENT  
SECRETARIAT ANNEXE - I, SONAM TSHERING MARG  
GANGTOK, SIKKIM-737101

No. 935/F&CSD

Dated: 04/03/2021

NOTIFICATION

In exercise of the powers conferred by section 16 of the National Food Security Act, 2013, read with rule II (I) of Sikkim Food Security Rules, 2014 and in supersession of Notification No. 816/FCS & CA dated 13/01/2018 published in Extraordinary Gazette No. 48 dated 1<sup>st</sup> February, 2018, the State Government is hereby pleased to reconstitute the State Food Commission with the following members:-

1.	Dr. Shiva Kumar Rai	- Chairperson
2.	Mr. Krishna Kumar Basnett, Bishal Gaon, Gangtok	- Member
3.	Mr. Deependra Mohora, Deorali Police Out Post Building	- Member
4.	Mrs. Sabita Sharma (Dhakal), Amba, Rhenock	- Member
5.	Mr. Gyamtso Tamang, Development Area, below Raj Saloon	- Member
6.	Mrs. Roshna Sharma, Barfung, Ralang/Lingding	- Member
7.	Ms. Rohini Pradhan, Joint Secretary, F&CSD	- Member Secretary

The terms of reference of the Committee shall be as follows:-

1. Monitor and evaluate implementation of the National Food Security Act, 2013.
2. Either suo motto or on receipt of complaint, inquire into violations of entitlements provided under the Act.
3. Give advice to the State Government on effective implementation of the Act.
4. Give advice to the State Government, their agencies, autonomous bodies as well as Non-Governmental Organisation (NGO) involved in delivery of relevant services, for effective implementation of food and nutrition related schemes, to enable individuals to fully access their entitlements specified in the Act.
5. Hear appeals against orders of the District Grievance Redressal Officer.

6. Prepare annual reports which shall be laid before the State Legislature by the State Government.
7. The Chairperson and every other member shall hold office for a term not exceeding (five) years from the date on which he/she enters Office and shall be "eligible for reappointment". Provided that no person shall hold office as the Chairperson or other Member after he has attained age of 65 (sixty five) years.

**Deepa Rani Thapa, SCS**  
**Secretary**  
**Food & Civil Supplies Department**

1. Mr. Rajendra Prasad, Joint Secretary, FSSD	Chairman
2. Mr. Rajendra Prasad, Joint Secretary, FSSD	Member
3. Mr. Rajendra Prasad, Joint Secretary, FSSD	Member
4. Mr. Rajendra Prasad, Joint Secretary, FSSD	Member
5. Mr. Rajendra Prasad, Joint Secretary, FSSD	Member
6. Mr. Rajendra Prasad, Joint Secretary, FSSD	Member
7. Mr. Rajendra Prasad, Joint Secretary, FSSD	Member

- The terms of reference of the Committee shall be as follows:
1. Monitor and evaluate implementation of the National Food Security Act, 2013.
  2. Examine the extent of coverage, impact and violation of entitlement provided under the Act.
  3. Give advice to the State Government on effective implementation of the Act.
  4. Give advice to the State Government for regular, continuous work as well as non-Governmental Organisations (NGOs) involved in the field of ration services, the efficient management of food and nutrient intervention, to enable the State to fully access the entitlement specified in the Act.
  5. File reports against orders of the Government, Government Orders.

**GOVERNMENT**

**SIKKIM**



**ANNEXURE IV**

**GAZETTE**

**EXTRAORDINARY  
PUBLISHED BY AUTHORITY**

**Gangtok**

**Friday 27<sup>th</sup> August, 2021**

**No. 252**

**GOVERNMENT OF SIKKIM  
FOOD AND CIVIL SUPPLIES DEPARTMENT  
SECRETARIAT ANNEXE-I, SONAM TSHERING MARG  
GANGTOK, SIKKIM-737101**

**No. 277/F&CSD**

**Dated: 05/08/2021**

**NOTIFICATION**

In exercise of the powers conferred by section 16 of the National Food Security Act, 2013 read with rule II (i) of Sikkim Food Security Rules, 2014 and in partial suppression of Notification No. 935/F/CSD dated 04/03/2021, the state Government is hereby pleased to appoint Mrs. Diki Doma Bhutia, Joint Secretary as Member Secretary, State Food Commission, in place of Mrs. Rohini Pradhan since transferred to Home Department.

The terms of reference of the committee shall be as laid in Notification No. 935/F/CSD Dated 04/03/2021.

**Deepa Rani Thapa, SCS  
Secretary  
Food & Civil Supplies Department**

