

# Sikkim Work Permit Rules, 1965

SIKKIM

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### Rule SIKKIM-WORK-PERMIT-RULES-1965 of 1965

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Sikkim Work Permit Rules, 1965Published vide Notification No. 848/HP, Gangtok, dated 10.12.1965Last Updated 20th February, 2020In pursuance of the Notification No. 848/HP, Dated Gangtok, the 10th December 1965, the Government of Sikkim is pleased to make and promulgate the following Rules.

#### 1. Short title and extent Commencement.

- (i) These Rules may be called Sikkim Work Permit Rules, 1965.(ii)It shall extend throughout the territory of Sikkim.

#### 2. Commencement. These Rules shall come into force on such date as may be specified for purpose by the Government.

#### 3. Definitions.

(a)Foreigners - means all foreigners not being Indian nationals:(b)District Officer - means the Administration Officer of the Government of Sikkim, in charge of a District.(c)Government - means the Government of Sikkim(d)Rules means the Sikkim Work Permit Rules 1965(e)Permit means Sikkim Work Permit.

#### 4. These rules are applicable to.

(a)All foreigners entering Sikkim and residing therein or already residing in Sikkim and engaged in any employment for gain or otherwise before the enforcement of these Rules;(b)an such foreigners, if any, entering Sikkim or residing therein shall obtain a Work Permit before they can take up or continue in any employment for gain or otherwise within the territory of Sikkim.(c)all such foreigners, if any who are already residing in Sikkim and engaged in any such employment for gain shall procure Work Permit by 1st February, 1966.

## **5. Authority to Issue Work Permits.**

- (i) The Chief Secretary to the Government may authorize the District Officers of Sikkim to issue such Work Permits on his behalf. (ii) Every foreigner shall apply for the Permit in the prescribed form as given in Appendix I to the District Officer of the area where he intends to stay temporarily on his own behalf and on behalf of his family members, if any, in the prescribed form as given in Appendix 2. (iii) The District Officer, on being satisfied as to the correctness of the particulars given, shall prepare such permit (as given in Appendix 3) in triplicate in each case and issue one to the foreigner concerned (applicant), the second to be kept in his office for record and the third to be sent to the Police Thana of the area, where the foreigner intends to take or has already taken any employment. (iv) The District Officer has the right to make such enquiries which he deems necessary and to satisfy himself about the correctness of the particulars given and statements made therein. (v) The Government reserves the right to refuse such Permit or to cancel the already issued Permit, on proper grounds.

## **6. Validity of the Permit.**

- (i) A permit once issued shall be valid for a period of one year from the date of issue. (ii) On completion of one year a Permit is renewable within 30 days for the succeeding year. (iii) The permit holder shall deposit the Permit in the Office of the District officers or Police of the area where the permit holder last stayed or at the check post at the time of his permanent departure from Sikkim. (iv) If any permit holder, who leaves Sikkim after depositing the Permit in accordance with the rule 6 (iii) happens to re-visit Sikkim, he shall again have to apply for a fresh Permit, as to be done by a new entrant.

## **7. Forms.**

- (i) Necessary forms will be available at the District Offices on payment of 25 paise each. (ii) Forms should be properly filled in ink giving the necessary details as required.

## **8. Fees.**

- (i) Each application form available in the District Office will cost 25 paise as fee to cover expenses. (ii) On completion of one year, Permit is renewable on payment of an annual renewable fee of Rs. 3.00 each to cover expenditure on account of administration. (iii) The District Officer shall maintain two separate Registers showing the fees collected in accordance with Rules 8(i) & (ii). (iv) The District Officer shall submit a monthly statement showing the number of applications received, No. of Permits issued, No. of Permits renewed, fees collected from them and such other particulars as may be required, to the Chief Secretary, Government of Sikkim.

## **9. Offences and Punishments.**

- (i) Any foreigner, who procures or continues to be in employment without obtaining a Work Permit as required under Para 4 (b) of this Rule, shall be liable to a fine which may extend to Rs. 100.00 or in default thereof to undergo 15 days simple imprisonment or deportation from Sikkim forthwith. (ii) Any foreigner who, being already in Sikkim and engaged in any employment, fails to procure Permit within the specified date as given in Para 4 (c) of this Rule shall be liable to punishment as specified above under Rules 9 (i). Any person who, in contravention of the Rules, employs a foreigner without a valid Permit, as required in Rule (4) (b) shall be liable to a fine which may extend to one hundred rupees and in default thereof to undergo 15 days simple imprisonment.