

THE JAN VISHWAS (AMENDMENT OF PROVISIONS) SIKKIM BILL, 2025

(BILL No. 22 OF 2025)

A  
BILL

to amend certain enactments for decriminalizing and rationalizing minor offences to further enhance trust-based governance for ease of living and ease of doing business.

BE it enacted by the Legislature of Sikkim in the Seventy-sixth Year of the Republic of India as follows, namely:–

Short title and commencement	1.	(1) This Act may be called the Jan Vishwas (Amendment of Provisions) Sikkim Act, 2025. (2) It shall come into force on such date as the State Government may, by notification in the Official Gazette appoint.
Amendment of certain enactments	2	The enactments mentioned in column (4) of the Schedule are hereby amended to the extent and in the manner mentioned in column (5) thereof.
Revision of fines and penalties	3	The fines and penalties provided under various provisions in the enactments mentioned in the Schedule shall be modified by the state government as and when required.
Savings	4	(1) The amendment or repeal by this Act of any enactments shall not affect any other enactment in which the amended or repealed enactment has been applied, incorporated or referred to; (2) This Act shall not affect the validity, invalidity, effect or consequences of anything already done or suffered, or any right, title, obligation or liability already acquired, accrued or incurred or any remedy or proceedings in respect thereof, or any release or discharge of, or from any debt, penalty, obligation, liability, claim or demand, or any indemnity already granted, or the proof of any past act or thing; nor shall this affect any principle or rule of law, or established jurisdiction, form or course of pleading, practice or procedure, or existing usage, custom, privilege, restriction, exemption, office or appointment, notwithstanding that the same respectively may have been affirmed, or recognized or derived, by in or from any enactment hereby amended or repealed; nor shall the amendment or repeal by this Act of any enactment revive or restore any jurisdiction, office, custom, liability, right, title, privilege, restriction, exemption, usage, practice, procedure or other matters or things not now existing or in force.



# SCHEDULE

(See Section 2)

Sl. No.	year	Act No.	Short title	Amendments
(1)	(2)	(3)	(4)	(5)
1.	1983	1.	The Sikkim Industrial Licensing Act, 1982	<p>(A) For section 15, the following shall be substituted, namely:—</p> <p>“15. Penalties.— Every person who contravenes any of the provisions of this Act or rules made hereunder shall be liable to be punished with a fine which may extend upto Rupees One Lakh.</p> <p>(B) after section 15 the following new sections 15A and 15B shall be inserted, namely:—</p> <p>“15A. Cognizance of offences.— No Court shall take cognizance of any offence punishable under this Act except on a complaint filed by an officer as may be notified by the state government in this behalf.</p> <p>15B. Composition of offences.— (1) Notwithstanding anything contained in the Bharatiya Nagarik Suraksha Sanhita, 2023, any offence under this Act shall be compoundable before or after the institution of the proceedings.</p> <p>(2) A contravention under this Act may be compounded on receipt of an application by the Licensing Authority or any other officer authorized in this behalf by the state government. After the offence is compounded, there shall be no further proceedings against the person in respect of contravention so compounded.”</p>
2	1978	12	The Sikkim Co-operative Societies Act, 1978	In sub-section (10) of section 101, the words “with imprisonment for a term which may extend to one year or” shall be omitted.
3	2017	15	The Sikkim Preservation of Rabies-Free State Act, 2017.	<p>(A) For section 12, the following shall be substituted, namely:—</p> <p>“12. Offences and penalties.— (1) Whoever contravenes the provisions of section 3 of the Act shall be liable to a penalty which may not be less than two thousand rupees but which may</p>



				<p>extend upto rupees five thousand for the first offence and for any subsequent offence, a penalty of not less than rupees five thousand but which may extend upto rupees ten thousand.</p> <p>(2) Any person who contravenes the provisions of section 5, sub-section (2) of section 6 and section 9 shall be liable to a penalty of rupees five thousand for the first offence and for any subsequent offence shall be liable to a penalty which may not be less than six thousand rupees but may extend up to ten thousand rupees.</p> <p>(3) Any person who keeps a ferocious dog or dogs shall be liable to penalty of rupees five thousand for the first offence and with a penalty of rupees six thousand but which may extend up to rupees ten thousand for a subsequent offence.</p> <p>(4) Any dogs and cats not intended for breeding should invariably be neutered (ABC) surgery. The owners shall not breed their cats and dogs indiscriminately. For commercial breeding of dogs and cats, license shall be obtained from the concerned authority. Any person committing the same offence for a second or subsequent time shall be liable to penalty of not less than rupees six thousand but which may extend up to rupees ten thousand.</p> <p>(5) Any person who abandons their pet animals without any reasonable cause shall be guilty of committing an offence and shall be liable to a penalty of rupees two thousand and for a subsequent offence a penalty of rupees five thousand which may extend up to ten</p>
--	--	--	--	---



				<p>thousand.</p> <p>(6) A person who does not comply with the lawful direction of a Veterinary Officer or an Officer of the local authority or Officer-in-Charge of the respective Police Station under section 8 shall be liable with a penalty of rupees 1000 for first offence and with penalty of rupees two thousand which may extend to rupees five thousand for subsequent offence.</p> <p>(B) After section 12, the following new section shall be inserted, namely:-</p> <p>“12A. Composition of Offences.—</p> <p>(1). Notwithstanding anything contained in the Bharatiya Nagarik Suraksha Sanhita, 2023, any offence under this Act shall be compoundable before or after the institution of the proceedings.</p> <p>(2) A contravention under this Act may be compounded on receipt of an application by the Competent Authority or any other officer authorised in this behalf by the state government. After the offence is compounded, there shall be no further proceedings against the person in respect of contravention so compounded.”</p>
4.	1985	4	The Sikkim (Livestock and Livestock Products) Act, 1985.	<p>For section 17, the following shall be substituted, namely:-</p> <p>“17. Penalties.—</p> <p>Any person who contravenes the provisions of this Act, any rule made or notification issued under this Act, shall be liable to a fine of rupees five thousand.”</p>

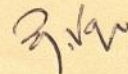


## STATEMENT OF OBJECTS AND REASONS

The Central Government is committed to make India the most preferred global investment destination by boosting investor confidence. The fear of imprisonment for minor offences had become a major hurdle hampering the growth of the business ecosystem and individual confidence. In order to tackle with this hurdle, the main initiative undertaken by the Central government was the introduction of Jan Vishwas (Amendment of Provisions) Act, 2023. Realizing the fact that most of the Acts belonged to the British Era when state mistrusted its citizens and those Acts was adversely affecting the development in the Country, the Central Government by enacting the Jan Vishwas (Amendment of Provisions) Act, 2023 proposed for decriminalization of large number of minor offences by replacing them with monetary penalties. The endeavor undertaken is not only to make lives and business easier but also to reduce judicial burden.

The Jan Vishwas (Amendment of Provision) Sikkim Bill, 2025 has been framed in similar lines for the purpose of ease of living and ease of doing business.

With the above objectives in view, the Bill has been framed



(RAJU BASNET)  
MINISTER-IN-CHARGE  
LAW DEPARTMENT.

**MINISTER**  
Education, Sports & Youth Affairs  
Law and PA Department  
Govt. of Sikkim



## MEMORANDUM REGARDING DELEGATED LEGISLATION

In the Bill, in the schedule,–

- (a) In serial number 1, under column 5, in clause (B), –
  - (i) sub-clause (15A) empowers the state government to notify the officer to file a complaint under the Act;
  - (ii) sub-clause (15B) empowers the state government to authorize any officer for the purposes of compounding of offences under the Act.
- (b) In serial number 3, under column 5, in clause (B), sub-clause (7A) empowers the state government to authorize any officer for the purpose of compounding of offences under the Act.
- (c) In serial number 4, under column 5, in clause (B), sub-clause (12A) empowers the state government to authorize any officer for the purpose of compounding of offences under the Act.

2. The matters in respect of which notifications may be issued or authorization may be made in accordance with the provisions of the Bill are generally matters of procedure and administrative detail.

The delegation of legislative power is therefore of normal in character.

## FINANCIAL MEMORANDUM

The Bill if enacted would not involve any financial expenditure from the state exchequer.



Suraj Chettri (SSJS)  
LR-cum Secretary  
Law and Parliamentary Affairs Deptt.  
Government of Sikkim