

SIKKIM



GOVERNMENT

GAZETTE

EXTRAORDINARY PUBLISHED BY AUTHORITY

Gangtok

Monday 1st December 2025

No. 451

GOVERNMENT OF SIKKIM
LAW DEPARTMENT

No. 11(665)LD/2025/27

Dated:1.12.2025

NOTIFICATION

The following Ordinance promulgated by Governor on 28th day of November, 2025 is hereby published for general information:—

THE SIKKIM LAND REVENUE ORDINANCE, 2025

(ORDINANCE NO. 04 OF 2025)

AN

ORDINANCE

to make the Sikkim Land Revenue Ordinance, 2025.

WHEREAS, the Legislative Assembly of Sikkim is not in session, and the Governor is satisfied that circumstances exist which render it necessary for him to take immediate action.

Now therefore, in exercise of the powers conferred by clause (1) of Article 213 of the Constitution of India, the Governor is hereby pleased to promulgate the following Ordinance, namely: -

CHAPTER I PRELIMINARY

- Short title, extent and commencement**
1. (1) This Ordinance may be called the Sikkim Land Revenue Ordinance, 2025.
- (2) It shall extend to the whole of Sikkim.
- (3) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint and different dates may be appointed for different provisions of this Ordinance.

Definitions

2. In this Ordinance, unless the context otherwise requires-
- (a) **“agriculture”** includes—
 - (i) the raising of annual or periodical crops and garden produce;
 - (ii) horticulture;
 - (iii) the planting and upkeep of orchards;
 - (iv) the reserving of land for fodder, grazing or thatching grass;
 - (v) the use of land for poultry, fisheries or animal husbandry in an area situated away from the periphery of urban area;
 - (b) **“agricultural year”** means the year commencing on a date or such other date as the State Government may, by notification, appoint;
 - (c) **“agriculture Land”** means land used or capable of being used for agriculture including horticulture, dairy farming, poultry farming, pisciculture, sericulture, grazing, or any allied pursuit of cultivation of the soil, and does not include land used exclusively for forestry, timber or non-agriculture purposes.
 - (d) **“appellate Authority”** means such authority appointed under section 46 of the Ordinance.
 - (e) **“attestation”** means authentication of draft land records prepared by the Surveyors or Survey Team which shall be attested by an Attestation Officer nominated under this Ordinance;
 - (f) **“attestation Officer”** includes District Collector, Additional District Collector, Sub Divisional Magistrate, Sub Divisional Officer and Revenue Officer;
 - (g) **“bonafide agriculturist”** means a person who cultivates land personally or who may reasonably be expected to cultivate personally;
 - (h) **“boundary”** means the legal limits of any land parcel or administrative unit;
 - (i) **“circle”** means classification of the Block as notified by the Government;
 - (j) **“circle Rate”** means the incidence of Land Revenue per unit of land as may be notified by the Government from time to time;
 - (k) **“COI”** means Certificate of Identification;
 - (l) **“community land”** means all land vested in or belonging to the Government of Sikkim;
 - (m) **“commercial land”** means land used or intended to be used for business, trade, markets, warehouses, hospitality, or other commercial purposes as notified by the Government;

- (n) “**defaulter**” means a person from whom an arrear of land revenue or a sum recoverable as an arrear of land revenue is due, and includes a person who is responsible as surety for the payment of any such arrear or sum;
- (o) “**forest land** “ means the land shown as forest land in the record of rights including areas under perpetual snow, alpine scrubs or alpine pasture or the land as declared as forest land by the Government, by notification;
- (p) “**government land**” means any land proprietary right which vests with the Government;
- (q) “**industrial Land**” means land used or earmarked for industries, factories, workshops, processing units, power plants, or any activity notified as industrial under the State’s industrial legislation;
- (r) “**khasra**” means index register to the block maps;
- (s) “**kutiadar**” means a person who cultivates land of a land owner on condition of delivering a fixed quantity of produce of the land or any other fixed amount to the land owner;
- (t) “**land**” means land of every description, whether agricultural, homestead, commercial, industrial, government, or forest;
- (u) “**land owner**” means a primary holder of land for commercial, residential or industrial purposes or for whatsoever purpose, but does not include a lessee of the land.
Explanation – For the purpose of this clause, “person” includes an individual, a firm, a company, an institution or an association or body of individuals, whether incorporated or not;
- (v) “**land records**” includes cadastral maps, khasra, khatiyani, dhadda, tenancy records, and other registers maintained for land ownership, possession, and use;
- (w) “**land Revenue/khajana**” means all sums in payments in money or in kind received or claimable by or on behalf of Government from any person on account of land held by, or vested in him and includes any tax, fee, charges, cess, rate or other impost payable under the provisions of this Ordinance.
- (x) “**mutation**” means the process of change or alteration or substitution of the name of the previous land owner to the name of the new land owner;
- (y) “**non-agricultural land**” means land other than agricultural land or land comprised in a forest;
- (z) “**ordinance**” means the Sikkim and Land Revenue Ordinance 2025;
- (za) “**parcha**” means copy of the khatiyani in respect of holding to be issued to the land owner;

- (zb) "**plot number**" means a portion of land formed into or recognized as a plot number, in respect of which the area and the land revenue payable are separately entered in the prescribed records under an indicative number and includes any portion of land entered in the previous records under an indicative number known as khasra or survey number;
- (zc) "**plot of land**" means land or lands held by a landowner and treated as a unit for assessment of revenue;
- (zd) "**prescribed**" means prescribed by rules made under this Ordinance;
- (ze) "**prescribed Authority**" means the District Collector within whose jurisdiction the land is situated and shall also include any other officer specially empowered by the State Government in this behalf;
- (zf) "**presiding Officer**" means an officer who presides over a Revenue Court, viz. District Collector, Additional District Collector and Sub-Divisional Magistrate;
- (zg) "**primary holder**" means the name of owner appearing in column Number 2 in Record of Rights;
- (zh) "**record of Rights/khatiyan**" means the record maintained for each land parcel detailing ownership, tenancy, classification, and encumbrances;
- (zi) "**revenue**" means the revenue generated on a yearly basis for the use of land;
- (zj) "**revenue Block**" means the primary unit of Survey and Settlement and Revenue Administration as notified by the Government from time to time;
- (zk) "**revenue Court**" means all or any of the following authorities, i.e District Collector, Additional District Collectors and Sub-Divisional Magistrate or any Authority nominated by the Government;
- (zl) "**revenue Officer**" means an officer appointed under this Ordinance;
- (zm) "**revenue Year**" means the year commencing on such date as the State Government may by notification, appoint;
- (zn) "**rules**" means the rules made under this Ordinance;
- (zo) "**secondary holder**" means one whose name appears in remarks column Number 17 of Record of Right;
- (zp) "**SSC**" means Sikkim Subject Certificate;
- (zq) "**State Government**" means the Government of Sikkim;
- (zr) "**survey**" means the measurement, demarcation and mapping of land parcels using traditional and modern technology;
- (zs) "**survey and settlement officer**" means an officer appointed under this Ordinance for conducting Survey Operation;

- (zt) “**urban area**” means the area for the time being included within the limits of any municipal corporation or any municipality or notified area constituted under any law for the time being in force relating to municipalities which may be specified by the State Government as urban area;
- (zu) “**vacant land**” means land, currently not under cultivation or actively used for any other purpose, within the local limits of State of Sikkim;
- (zv) “**village**” means any tract of land which, before coming into force of this Ordinance, was recognized as or was declared as a village under the provisions of any law for the time being in force and any other tract of land which is hereafter recognized as a village at any revenue survey or which the State Government may, by notification, declare to be a village.
- (2) words used but not defined in this Ordinance, shall have the same meaning respectively assigned to them in the relevant Acts and rules made thereunder.

CHAPTER II

REVENUE ADMINISTRATION

Administrative set up

3. (1) For the purpose of this Ordinance, the administrative structure shall be constituted of the following, namely:-
 - (a) Land Revenue Secretary-cum-Commissioner;
 - (b) District Collector/ Magistrates;
 - (c) Additional District Collector/ Magistrates;
 - (d) Joint Director Revenue
 - (e) Sub-Divisional Officer/ Magistrates;
 - (f) Deputy Director Revenue;
 - (g) Revenue Officer;
 - (h) Revenue Inspector/Junior Land Record Officer;
 - (i) Head Surveyors;
 - (j) Revenue Surveyors;
 - (k) Assistant Revenue Surveyors
 - (l) Such other officers as may be appointed by the Government from time to time.
- (2) the duties of any officer or authority having jurisdiction under this Ordinance shall be such as may be prescribed;

Jurisdiction and Limits of Revenue Official

4. (1) The State Government shall specifically define the jurisdiction and limits of duties to be discharged by revenue officials in the rules made under this Ordinance.

- (2) Certification, Attestation and Authentication of any documents related to the Records of Rights shall be carried out only by an Officer not below the rank of Revenue Officers.
- (3) Any documents related to Records of Rights, authenticated by an unauthorized official, shall be treated as invalid and shall have no legal effect.

CHAPTER III

LAND SURVEY AND PREPARATION OF MAP

Power to direct Land Surveys

5. (1) The State Government may, at any time, by notification, order a survey or resurvey of any land within the State, for the purpose of updating land records, assessment of revenue, demarcation of boundaries, or any other public purpose.
- (2) The procedure for demarcation of boundaries, the specification, construction and maintenance of boundary marks, levy and recovery of cost thereof shall be such as may be prescribed.
- (3) The State Government may, by notification, appoint the survey team to carry out the survey of any or all revenue blocks under rural as well as urban areas in the State in the manner as specified in section 6 of this Ordinance.
- (4) For the purpose of carrying out smooth survey of any area, or revenue block the State Government may, by notification suspend the daily transaction till completion of entire process.
- (5) The State Government may, at any time, change the methodologies and scale as deemed fit for the purpose of carrying out the survey of any land and to prepare maps.
- (6) Separate plots of different categories of land as specified in section 11 showing roads, Jhorahs, footpaths, irrigation channels, crematoriums etc. shall be depicted in the map.

Procedure for Survey

6. (1) Notice for the proposed survey shall be given to all interested persons in such manner as may be prescribed.
- (2) The procedure for survey operation and record operation including demarcation of land by the use of available modern technology and digitalization process shall be such as may be prescribed;
- (3) Surveys shall be conducted using modern technology such as Differential Global Positioning System, Electronic Total Station, drone imagery, satellite mapping, and other recognized methods.
- (4) Surveys shall be conducted in cooperation and coordination with the Forest Department to avoid any encroachment of reserved forest land by the public and vice versa.
- (5) Village maps, field books, and registers shall be prepared and authenticated as prescribed.

Preparation and Maintenance of Maps, Documents, Record of Rights etc.

7. (1) A notice for commencement of numbering in the map, and record writing shall be issued for the information of concerned land holders to be present along with their ownership documents.
- (2) The State Government shall maintain an up-to-date Records of Rights for every land parcel.
- (3) The Record of Rights shall include details of ownership, tenancy, classification of land, usage, encumbrances, and such other particulars as may be prescribed.
- (4) Procedure for preparation and maintenance of records of maps, document, statement and record of right and register in rural and urban areas shall be such as may be prescribed.
- (5) Government may issue separate guidelines for preparation of Records of Rights in urban areas.
- (6) Relaxation and validation of certain documents to prove the title ownership over a part and parcel of land holding by an individual within notified urban areas, shall be such as may be prescribed:

Provided that the procedure of preparation of Record of Rights in urban areas shall not contradict with the prevailing rules and provisions related to allotment of sites by Urban Development Department.

- (7) The draft land records prepared by the Surveyors or Survey Team shall be attested by an Attestation Officer nominated under this Ordinance.
- (8) The procedure for Attestation of draft records shall be such as may be prescribed.
- (9) A person shall be deemed to have absolute ownership over a part and parcel of land, if all the following conditions are cumulatively fulfilled, namely: -
- (a) entry in Records of rights (RoR);
 - (b) physical possession;
 - (c) receipt of land revenue/rent paid;
 - (d) possession of Deed (in case of sale/purchase/gift/exchange deed);
- (10) The Record of Rights shall be open to public inspection, and certified copies shall be provided on application and payment of prescribed fees.

Correction of Entries in Records and boundaries

8. (1) Any person aggrieved by an entry in the Record of Rights and boundaries shall write to the concerned Revenue Officer for its correction within 6 (six) months of its publication or occurrence.
- (2) The Revenue Officer shall, after due inquiry, dispose of such applications within 90 (ninety) days.
- (3) The Revenue Officer in course of inquiry may refer previous land records, cadastral maps and such other documents to prove ownership.

- (4) In case of disputes pertaining to the boundaries, Revenue Officer shall rely on the demarcation report submitted by a senior revenue official.
- (5) If the nature of dispute is beyond the power of the Revenue Officer as prescribed, he may forward the matter to the next higher Officer having jurisdiction.

CHAPTER IV

DETERMINATION AND ASSESSMENT OF LAND REVENUE

Determination of Land Revenue and compensation for damages etc.

9. (1) Land revenue shall be assessed with reference to the altitude, area, soil quality, availability of irrigation, land use, market value, and such other factors as may be prescribed.
- (2) The protection, preservation and disposal of properties belonging to or vested in the State Government, including determination of compensation for damages, misappropriation or wrongful occupation thereof shall be such as may be prescribed.

Assessment and periodical revision of land revenue

10. (1) The principles for assessment of land revenue, including its variation, remission, suspension and apportionment shall be such as may be prescribed.
- (2) The assessment of land revenue shall ordinarily be revised every 5 (five) years or at such intervals as the State Government may notify in this behalf.
- (3) The State Government may, by notification, at any time change the circle, classification and rate of annual land rent as deemed fit.
- (4) The State Government may, by notification, impose reasonable amount of annual land rent for the land holding of various Departments, semi government organizations and private organizations, and any other organizations which are functional in the territory of Sikkim.

Classification of Lands

11. For the purposes of assessment, lands shall be classified into—
 - (a) Agricultural land;
 - (b) Homestead land;
 - (c) Commercial land;
 - (d) Industrial land;
 - (e) Forest land;
 - (f) Government land;
 - (g) Community land; or
 - (h) any other category as notified by the State Government.

CHAPTER V

COLLECTION AND RECOVERY OF LAND REVENUE

Payment and Collection of Land Revenue

12. (1) Land revenue shall be payable annually on or before the date notified by the State Government.
- (2) Payments may be made online or at revenue offices. The procedure for collection of land revenue and other public money, and the matter connected with the execution of various processes thereof, including the fixation of costs and collection charge shall be such as may be prescribed.

Recovery of Arrears of Land Revenue

13. (1) Arrears of land revenue shall be recovered as arrears of land revenue through attachment and sale of movable or immovable property of the defaulter, or by any other means authorized by this Ordinance or rules made hereunder.
- (2) The procedure for recovery shall be such as may be prescribed by the State Government.

CHAPTER VI

GOVERNMENT AND COMMUNITY LAND

Management of Government Lands

14. (1) The State Government shall manage and regulate the use, allotment, and lease of government lands for public purposes or other notified purposes, in accordance with rules framed under this Ordinance.
- (2) No allotment, lease, or transfer of Government land shall be made without prior approval of the Government.
- (3) The terms and conditions of such allotment or lease shall specify the period, purpose, and restrictions on transfer or change of use.
- (4) Any violation of the terms of allotment or lease shall render the land liable to resumption by the Government, after giving reasonable opportunity of hearing to the occupant.

Protection of Community lands and lands belonging to religious institutions

15. (1) Community grazing lands, monastery lands, and religious institution lands shall be protected from unauthorized alienation, encroachment, or conversion.
- (2) The State Government may issue guidelines for the protection and management of such lands.

CHAPTER VII

LAND RECORD MANAGEMENT

Digital Maintenance of Land Records

16. (1) The State Government shall maintain a digital land records management system for secure, accessible, and updated records.
- (2) All land transactions and changes in ownership shall be promptly recorded.
- (3) The State Government shall digitize all previous land records and preserve for future reference.
- (4) The State Government shall create a modern record room to preserve all the available current and previous or past land records with proper safety and security.

Right to Obtain Certified Copies

17. (1) Any landholder or interested person may apply for and obtain certified copies of land records on payment of prescribed fees.
- (2) The certified copies of land records may consist of cadastral maps, khasra, khatiyan, dhabba or any other details available with the records.
- (3) The State Government shall prescribe the procedure for issuance of certified copies of previous land records to any person on certain specific grounds only, to restrict misuse of such documents.

CHAPTER VIII

REVENUE COURTS

Constitution of Revenue Courts

18. The State Government shall constitute Revenue Courts for adjudication of disputes related to land records, boundary, assessment of revenue, recovery proceedings, correction of entries, and other matters connected with land and revenue.

Procedure of Revenue Courts

19. The procedure of Revenue Courts and the fees to be paid in respect of suits, appeals, applications and other proceedings, if any, shall be such as may be prescribed.

Jurisdiction of revenue courts

20. (1) Notwithstanding anything contained in any law for the time being in force, but subject to the provisions of this Ordinance, the jurisdiction to determine, decide or dispose of any matters under this Ordinance shall be with the Revenue Court, or the Prescribed Authority as empowered by the provisions of this Ordinance.
- (2) Any objection that a Revenue Court or Prescribed Authority had or had no jurisdiction with respect to any suit, application or proceeding, shall not be entertained by any appellate, revision or executing Court, unless the objection was taken before the Court

or Officer of the first instance, at the earliest possible opportunity, and in all cases issues are settled at or before such settlement, and unless there has been a consequent failure of justice.

Power of the Prescribed Authority

21. The Prescribed Authority shall have the power of general superintendence and control over all other officers subordinate to him and shall also have power to distribute work among them.

Power to summon witnesses

22. (1) The Revenue Court shall have the power to summon witnesses and compel their attendance for giving evidence in proceedings.
- (2) The summons issued by the Revenue Court shall specify the date, time and place for the appearance of the witnesses.
- (3) Any individual failing to comply with such summons, without sufficient cause, despite being provided with multiple opportunities, shall forfeit their right to be heard, and the Revenue Court may proceed to hear and decide the case suo moto based on the evidence available on record.

Power to take evidence

23. (1) The Revenue Court shall have the authority to receive and record evidence, including oral and documentary evidence, in matters brought before it.
- (2) The Court shall ensure that all evidence is relevant to the dispute at hand and recorded in a manner that facilitates fair and efficient adjudication.

Appeal

24. Where in any suit, application or proceeding, any final order or decree is passed by the Prescribed Authority and if any party is aggrieved by it, such party may prefer an appeal to the Appellate Authority within a period of 30 (thirty) days from the date of the order/decree.

Bar against certain appeal

25. Notwithstanding anything contained in section 27, no appeal shall lie against any order or decree –
- (a) granting or rejecting an application for condonation of delay under section 5 of Limitation Act, 1963;
 - (b) rejecting an application for revision;
 - (c) granting or rejecting an application for stay;
 - (d) remanding the case to any subordinate Court;
 - (e) where such order or decree is of an interim nature;
 - (f) passed by Court or Officer with the consent of parties;
 - (g) where such order has been passed ex-parte or by default:

Provided that, any party aggrieved by an order passed ex-parte or by default, may move an application for setting aside such order within a period of thirty days from the date of the order;

Provided further that, no such order shall be reversed or altered without previously summoning the party in whose favour order has been passed to appear and be heard in support of it.

Limitation of Appeal 26. No appeal shall lie in the case of appeal, after the expiry of 30 (thirty) days from the date of the order/decre.

Application of the Limitation Act 27. Save as otherwise provided in this Ordinance, the provision of section 4, 5 and 12 of the Limitation Act, 1963 (Central Act 36 of 1963) shall mutatis mutandis apply to all appeals under this Ordinance.

Power to call for records 28. (1) The District Collector may call for the record of any suit or proceeding decided by any sub-ordinate Revenue Court in which no appeal lies, for the purpose of satisfying itself or himself as to the legality or propriety of any order passed in such suit or proceeding, and if such subordinate Court appears to have-

- (a) exercised a jurisdiction not vested in it by law; or
- (b) failed to exercise a jurisdiction so vested; or
- (c) acted in the exercise of such jurisdiction illegally or with material irregularity, as the case may be, may pass such order in the case as it thinks fit.

(2) If an application under this section has been moved by any person, no further application under the same section by the same person shall be entertained.

Explanation: when an application under this section has been moved, the application shall not be permitted to be withdrawn for the purpose of filing the application against the same order.

(3) No application under this section shall be entertained after the expiry of a period of 30 (thirty) days from the date of the order.

Powers of appellate authority 29. The appellate authority may, for reasons to be recorded in writing either annul, reverse, modify or confirm the order appealed from, or may direct the officer making the order by himself or by any of his subordinate officers, to make further inquiry or to take additional evidence on such points as the appellate authority may specify, or the appellate authority may itself make such inquiry or take such additional evidence:

Provided that no additional evidence, whether oral or documentary shall be directed to be taken, unless,-

- (a) the Revenue Officer from whose order the appeal is preferred has refused to admit evidence which ought to have been admitted, or
- (b) the appellate authority requires any document to be produced or any witness to be examined to enable it to pronounce orders, or
- (c) for any substantial cause, the appellate authority allows such evidence or document to be produced or witness to be examined:

Provided further that, when additional evidence is allowed to be produced by an appellate authority, such authority shall record the reason for its admission.

- Revenue Court's power to review** 30. (1) The Court may, of its own motion or on the application of any party interested, review any order passed by itself and pass such orders in reference thereof as it thinks fit.
- (2) No order shall be reviewed under sub-section (1), except on the following grounds, namely:-
- (a) discovery of any new and important matter or evidence;
 - (b) some mistake or error apparent on the face record;
 - (c) any other sufficient reason.
- (3) Orders passed on review shall not be reviewed.
- (4) An application under sub-section (1), for review of any order, may be moved within 30 (thirty) days from the date of such order.
- Power to transfer cases** 31. (1) Where it appears to the court under this Ordinance, that it is expedient for the ends of justice to do so, it may direct that any case be transferred from one Sub-Divisional Magistrate to another Sub-Divisional Magistrate of an equal or superior rank in same district or any other district.
- (2) The District Collector may take over any case or class of cases arising under the provisions of this Ordinance or any other enactment for the time being in force, for decision from his own file to any Sub-Divisional Magistrate sub-ordinate to him and competent to decide such case or class of cases, or may withdraw any case or class from any such Sub-Divisional Magistrate and may deal with such case or class of cases himself or refer the same for disposal to any other Sub-Divisional Magistrate competent to decide such case or class of cases.
- State Government to be necessary party in certain cases** 32. Subject to the provisions of this Ordinance or the rules made there under, the State Government shall be made a party to any suit instituted by or against the local bodies (Panchayat and municipalities) under this Ordinance.
- Applicability of Code of Civil Procedure, 1908 and Limitation Act, 1963** 33. Unless otherwise expressly provided by or under this Ordinance, the provisions of the Code of Civil Procedure, 1908 and the Limitation Act, 1963 shall apply to every suit, application or proceedings under this Ordinance.
- Orders not to be invalid on account of irregularity in procedure** 34. No order passed by the Prescribed Authority shall be reversed or altered in appeal or revision on account merely of any error, omission or irregularity in the summons, notice, proclamation, warrant or order or other proceedings before or during any inquiry or other proceedings under this Ordinance, unless such error, omission or irregularity has in fact occasioned a failure of justice.

- Service of Notice** 35. Any notice or other document required or authorized to be served under this Ordinance, may be served either,-
- (a) by delivering it to the person on whom it is to be served; or
 - (b) by registered post addressed to that person at his usual or last known place of residence; or
 - (c) in case of an incorporated company or body, by delivering it or sending it by registered post addressed to the Secretary or other principle functionary of the company or body at its principle office; or
 - (d) in any other manner laid down in the Code of Civil Procedure, 1908 for service of summons.

Determination of questions in summary proceeding 36. All the questions arising for determination in any summary proceeding under this Ordinance shall be decided on the basis of affidavit and documents submitted, in the manner prescribed:

Provided that if Revenue Court or any Presiding Officer under this Ordinance, is satisfied that the cross examination of any witness, who has filed affidavit is necessary, he may direct to produce that witness for such cross examination.

- Lodging of Caveat** 37. (1) Where an application is expected to be made in any suit or other proceeding under this Ordinance, any person claiming the right to oppose the application, may, either personally or through his counsel, after serving a copy of caveat through registered post on the person by whom the application is expected to be made, lodge a caveat in the court in respect thereof.
- (2) Where a caveat has been lodged and notice thereof has been served, the applicant shall, while presenting the application in court, furnish proof of having given prior notice in writing to the caveator, or his counsel of the date on which the application is proposed to be presented.
- (3) If any caveat is filed under this section, the entry of the same shall be made in the register of caveat in the manner prescribed.

- Consolidation of cases** 38. (1) Where more cases than one involving substantially the same question for determination and based on the same cause of action are pending in different courts, they shall, on application being made by any party to the court to which all the courts concerned are subordinate, be transferred and consolidated in one court and decided by the same court.
- (2) When two or more suit or proceeding are pending in the same court, and the court is of opinion that it is expedient in the interest of justice, it may by order direct their joint trial, whereupon all such suits and proceedings may be decided upon the evidence in all or any of such suits or proceedings.

Applicability of the Act to pending proceedings

39. Save as otherwise expressly provided in this Ordinance, all cases pending in any Revenue Court immediately before the commencement of this Ordinance, whether in appeal, revision or otherwise, shall be decided in accordance with the provision of the existing law of the land.

CHAPTER IX

RECOVERY, FINES AND PENALTIES

Recovery of fines and imposition of penalty

40. (1) Any sum payable under this Ordinance, including land revenue, survey fees, costs, fines penalties or other dues if not paid within the prescribed time, shall be deemed to be an arrear of land revenue.
- (2) All such arrears under this Ordinance shall be recoverable under section 13 of this Ordinance in the manner as may be prescribed.

Penalty for non-compliance of the order

41. (1) Any person who fails to comply with any order or direction made by any presiding officer or Revenue Courts, shall be liable to a penalty of not less than Rs. 1000 (one thousand) and not exceeding Rs. 10000 (ten thousand) and in any other case shall not be less than Rs. 500 (five hundred) and not exceeding Rs. 5000 (five thousand).
- (2) Every person referred to in sub-section (1) may be required by the Prescribed Authority, as the case may be, to execute a personal bond for such sum not exceeding Rs. 15000 (fifteen thousand) as the officer concerned may deem fit for abstaining from the repetition of such act or failure.

Penalty for destruction of boundary marks

42. (1) If any person willfully destroys or injures or without lawful authority removes any boundary marks lawfully erected under this Ordinance or any other law for the time being in force, he may be ordered by the Prescribed Authority to pay such amount not exceeding Rs.1000 (one thousand) for each marks so destroyed, injured or removed, as may in the opinion of the Prescribed Authority be necessary to defray the expense of restoring the same and of rewarding the informant, if any.
- (2) The recovery of damages under sub- section (1) shall not debar prosecution for any offence committed under the Bharatiya Nyaya Sanhita, 2023, in respect of such destruction, injury or removal.

Penalty for obstruction and not furnishing required statement or information

43. Every person who,-
- (a) fails to furnish any statement or information lawfully required under the provisions of this Ordinance; or
- (b) furnishes any statement or information which is false and which he has reasons to believe to be false; or

- (c) obstructs the Prescribed Authority or any other subordinate officer authorized by the Prescribed Authority in taking possession of any land in accordance with the provision of this Ordinance; or
- (d) obstructs any officer or public servant in doing any of the acts specified under this Ordinance, shall on conviction, be liable to a fine not exceeding Rs.5000 (five thousand).

Penalty for non-payment of Khazana

44. In case of non-payment of khazana, the amount of fine payable shall be multiplied every year twice the amount of the standing arrears.

CHAPTER X

SUO MOTO POWERS OF REVENUE AUTHORITIES

Suo Moto action by Revenue Authorities

45. (1) Any Officer empowered under this Ordinance, including the District Collector or an authorized subordinate, may initiate suo moto proceedings for : -
- (a) correction of entries in land records,
 - (b) detection and rectification of boundary discrepancies,
 - (c) detection of unauthorized occupation, encroachment or alienation of land,
 - (d) recovery of Land Revenue and other dues,
 - (e) re-demarkation of land where necessary,
 - (f) review of orders passed under this Ordinance that appears to be erroneous or illegal.
- (2) The procedure under sub-section (1) shall be such as may be prescribed.

Appellate Authority

46. Appellate Authority shall be such as the State Government may, by notification in the Official Gazette, appoint.

Appeal against decision of Revenue officer

47. Appeal against any decision of a Revenue Officer shall lie with the Appellate Authority.

CHAPTER XI

POWER OF DISTRICT COLLECTOR

Powers of District Collector

48. (1) The District Collector shall oversee the survey process under his jurisdiction and shall exercise general control and supervision.
- (2) The District Collector shall ensure that the survey is done fairly and accurately, involving ground validation of property boundaries and resolving any objections or disputes related to ownership.

CHAPTER XII

MUTATION, PARTITION, REGISTRATION AND TRANSFER OF LAND

Registration and Transfer of Land

49. (1) The Registration of any immovable property by sale, gift, partition, inheritance, mortgage, lease or agreements shall be governed by the Registration of Document Rules, 1930.
- (2) Mutation through inheritance, post-registration, allotment, or other means shall be carried out as per the existing procedure for digital updation of land records.

CHAPTER XIII

LAND ACQUISITION

Acquisition of Land

50. Acquisition of any land within the State of Sikkim shall be carried out in accordance with the prevailing Act and rules made thereunder.

CHAPTER XIV

MISCELLANEOUS

Enforcement of Land Records

51. The State Government after completion of entire process of Survey Operation shall, by notification bring into force the new Land Records and declare the previous records to be unenforceable from such date as specified in the notification:

Provided that on the direction of the competent court or authority, the previous land records shall be produced as evidence in any judicial, quasi-judicial or administrative proceedings.

Mode of recovery of fines, etc.

52. Any fee, cost, expense, penalty or compensation payable to or recoverable by the State Government, or other local authority under this Ordinance or any other law for the time being in force may, without prejudice to any other mode of recovery, be realized as if it were an arrear of land revenue.

Power to call for statement

53. (1) Where a Prescribed Authority, or any other appointed officer under this Ordinance, considers it necessary to call for statement, it may call upon any tenure holder or any person in possession of any land to furnish within such time as may be specified, a statement containing of any nature and extent of his interest in the land held or possessed by him as well as by members of his family.
- (2) The tenure holder or other person referred to in sub-section (1) may also be called upon to disclose the name and address of any person possessing any interest in such land including the nature and extent of such interest.

**Protection of
action taken in
good faith**

54. (1) No officer or servant of the State Government shall be liable in any civil or criminal proceeding in respect of any act done or purporting to be done under this Ordinance or any rules made there under, if the act was done in good faith and in the course of execution of the duties or the discharge of function imposed by or under this Ordinance.
- (2) No suit or other proceeding shall lie against the State Government for any damage caused or likely to be caused or any injury suffered or likely to be suffered by virtue of any provisions of this Ordinance or by anything done or intended to be done in good faith in pursuance of the provisions of this Ordinance or any rules made there under.

**Power of State
Government to
make rules**

55. (1) The State Government may, by notification, make rules for carrying out the provisions of this Ordinance.
- (2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely: -
- (a) duties of officer or authority under sub-section (2) of section 3;
 - (b) procedure for demarcation of boundaries under sub-section (2) of section 5;
 - (c) notice for the survey to be given to all interested persons under sub-section(1) of section 6;
 - (d) the procedure for survey operation and record operation under sub-section (2) of section 6;
 - (e) preparation and authentication of village maps, field books and registers under sub-section (5) of section 6;
 - (f) inclusion of details of ownership, tenancy, classification of land, usage, encumbrances, and other particulars in the record of rights under sub-section (3) of section 7;
 - (g) procedure for preparation and maintenance of record of rights etc. in rural and urban areas under sub section (4) of section 7;
 - (h) relaxation and validation of certain documents to prove the title ownership over a part and parcel of land hold by an individual within notified urban areas under sub-section (6) of section 7;
 - (i) procedure for attestation of draft records under sub-section (8) of section 7;
 - (j) rate of fees for application under sub-section (10) of section 7;
 - (k) power of revenue officer under sub-section (5) of section 8;
 - (l) determination of land revenue and determination of compensation for damages etc. under section 9;

- (m) the principles for assessment of land revenue, including its variation, remission, suspension and apportionment under sub-section (1) of section 10;
- (n) mode of payment and procedure for collection of land revenue under sub-section (2) of section 12;
- (o) recovery of arrears of land revenue through attachment and sale of immovable or movable property of the defaulter or by other means under sub-section (1) of section 13;
- (p) procedure for recovery of arrears of land revenue under sub-section (2) of section 13;
- (q) manage and regulation the use, allotment and lease of government land for public purpose or other purposes under sub-section (1) of section 14;
- (r) rate of fees to obtain certified copies of land records under sub-section (1) of section 17;
- (s) procedure for issuance of certified copies of previous land records under sub-section (3) of section 17;
- (t) procedure of revenue court and fees to be paid under section 19;
- (u) submission of affidavit and documents for determination in any summary proceedings under section 36;
- (v) entry of caveat in the register under sub-section (3) of section 37;
- (w) time limit for recovery of fines and imposition of penalty under section 40;
- (x) procedure for suo moto proceeding by revenue authorities under sub-section (2) of section 45;
- (y) such other matter which is to be, or may be, prescribed, or in respect of which provision is to be made, by rules.

Power to remove difficulties 56. (1) If any difficulty arises in giving effect to the provisions of this Ordinance, the State Government may, by order, published in the Official Gazette, make such provisions not inconsistent with the provisions of this Ordinance as it may deem necessary for removing the difficulty:

Provided that no order shall be made under this section after the expiry of 2 (two) years from the date of commencement of this Ordinance.

- (2) Every order made under this section shall be laid, as soon may be after it is made, in the State legislature.

Repeal and Savings

57. (1) The Sikkim Agricultural Land Ceiling and Reform Act 1978 (14 of 1978) is hereby repealed.
- (2) Notwithstanding such repeal, -
- (a) anything done or any action taken or purported to have been done or taken, including any rule, notification, regulation, guidelines, bye-laws, policies, inspection, order or notice made or issued or any appointment or declaration made or any operation undertaken or any direction given or any proceeding taken or any penalty, punishment, forfeiture or fine imposed under the repealed enactments shall, in so far as it is not inconsistent with the provisions of this Ordinance, be deemed to have been done or taken under the corresponding provisions of this Ordinance;
 - (b) subject to the provisions of clause (a), any orders, rule, notifications, regulation, appointment, conveyance, mortgage, deed, document or agreement made, fee directed, resolution passed, direction given, proceeding taken, instrument executed or issued or things done under or in pursuance of any repealed enactment shall, if in force at the commencement of this Ordinance, continue to be in force and shall have effect as if made, directed, passed, given, taken, executed, issued or done under or in pursuance of this Ordinance;
 - (c) all the existing matters, proceedings, cases relating to land revenue pending before revenue authorities immediately prior to the commencement of this Ordinance shall be deemed to have been instituted under the provisions of this Ordinance, and shall be continued in accordance with the corresponding provisions of this Ordinance;
 - (d) the revenue authorities/officials existing before the commencement of this Ordinance shall be deemed to have been established under the provisions of this Ordinance and shall continue to function as if constituted thereunder;
 - (e) all Notifications, Orders, Regulations and Proclamations in force in Sikkim prior to 1975 safeguarded by the Article 371F of the Constitution of India, shall continue to be in force.

Date: 28th November, 2025

**(OM PRAKASH MATHUR)
GOVERNOR OF SIKKIM**

By order and in the name of the Governor of Sikkim.

**Suraj Chettri
LR-cum-Secretary
Law Department
File No.11(665)LD/2025**