

SIKKIM RELIEF UNDERTAKING ACT, 1987

GOVERNMENT SÅKKIM EXTRAORDINARY GAZETTE No. 27 PUBLISHED BY AUTHORITY Gangtok, Saturday, March 28, 1987. GOVERNMENT OF SIKKIM LAW DEPARTMENT GANGTOK NOTIFICATION No. 2/1-13/1987. Dated the 18th March, 1987. The foliowing Act of the Sikkim Legislative Assembly having received the assent of the Governor on the 13th day of March, 1987, is hereby published for general information THE SIKKIM RELIEF UNDERTAKING ACT, 1987. (ACT NO. 1 OF 1987) AN ACT To make temporary provisions for empowering the Government te take over the management and administration of certain under- takings for better management and improvement in the public interest ; WHEREAS it is expedient to empower the Government to take over the management and administration of certain undertakings for better management and improvement; •pe it enacted by the Legislative Assembly of Sikkim in the Thirtyø eighth Year of the Republic of India as follows Short title and Commence- ment. Definitions. (1) 1. (2) 2. (a) (b) (c) (d) This Act may be called the Sikkir% Relief Undertaking Act, 1987. It shall come into force at once. In this Act, unless the context otherwise requires.— "Committee" means a Committee appointed by the State Government consisting of one or more persons not excee- ding five in number; "Government" means the State Government of Sikkim; "Nofification" means notification published in the Official Gazette ; "Undertaking" includes any establishment carrying on social, religious or charitable activities. Tak ing over managentenf (Vd!" inis- trefion any undertaking h)' tho Gove•rn- Appointment Of Committee. Vesting QT inae nugement oj undertaking. Period for which the ma- nagemeni and administration of an under- taking tun be taken over. of Com- 'nittee. Liabili(ies eurred by past management. Power to make jules. Repeal and saving. 3. 4. 5. 6. 8. 9. 10. (2) (3) (1) (2) 2 Where the Government is of the opinion that an undere taking is not properly functioning or the functioning of an undertaking is to be improved for the benefit of the undertaking and all persons connected with the under- taking and if it is so necessary in the public interest, the Government inay, by notification, take over management and administration of such undertaking. On and from the issue of the notification under Section 3, the Government shall appoint a Committee for the management and administration of such an undertaking. On and from the date of issue of the notification under Section 3, the management of such an undertaking shall vest in the Committee so appointed under Section 4. The managemient and administration of an undertaking under this Act shall bc taken over initially for a period of five years and nmay be extended for a period of another five years not exceeding one year at a times by notification. The tenure of the Committee so appointed under Section 4 shall be for a period of three years which may be extended by the Government if it deems fit. If the Government is of the opinion that the Committee so appointed is not functioning properly, the Government shall remove the same and appoint a fresh Comfnittee. The terms and conditions of the members of the Com- mittee and the conduct of the business by the Committee shall be as may be prescribed. During the period of management and administration of an undertaking under this Act, all liabilities incurred by the past inanagement shall stand suspended as against the management under this Act. The State Government may, by notification, make rules for carrying out the purposes of this Act. The Sikkim Relief Undertaking Ordinance, 1986 is hereby Ordinance No. 1 of 1987. repealed. Notwithstanding such repeal, anything done or any action taken under the Ordinance so repealed, shall be deemed to have been done or taken under the corresponding provisions of this Act. By Order of the Governor, B. R. PRADHAN, Secretary to the Govt. of Sikkim, Law Department. (F. No. 16 (222)/LD/1986.) PRINTED AT THE SIKKIM GOVERNMENT PRESS, GANGTOK.