

**THE SIKKIM ALLOTMENT OF HOUSE SITES AND CONSTRUCTION OF BUILDING  
(REGULATION AND CONTROL) (AMENDMENT) BILL, 2022  
[BILL NO. 24 OF 2022]**

A

BILL

further to amend the Sikkim Allotment of House Sites and Construction of Building (Regulation and Control) Act, 1985.

Be it enacted by the Legislature of Sikkim in the Seventy-third Year of the Republic of India as follows:-

*Short title extent and commencement*

1. (1) *This Act may be called the Sikkim Allotment of House Sites and Construction of Building (Regulation and Control) (Amendment) Act, 2022.*  
(2) *They shall extend to the whole of Sikkim.*  
(3) *They shall come into force at once.*

*Amendment of section 11.*

2. In the Sikkim Allotment of House Sites and Construction of Building (Regulation and Control) Act, 1985 (hereinafter referred to as the "Principal Act") for section 11, the following shall be substituted, namely:-

*"11 Without prejudice to any other actions to be taken under the provisions of this Act, any person who contravenes the provisions of this Act or rules, regulations, notifications, orders or directions issued thereunder, shall be punishable with such fine as may be notified from time to time."*

*Amendment of section 12.*

3. In the Principal Act, for section 12, the following shall be substituted, namely:-

*"12 All offences under this Act or rules or regulations made thereunder shall be Cognizable and shall be triable by the District Magistrate."*

**THE SIKKIM ALLOTMENT OF HOUSE SITES AND CONSTRUCTION OF BUILDING (REGULATION AND CONTROL)(AMENDMENT) BILL, 2022**

**STATEMENT OF OBJECTS AND REASONS**

The Sikkim Allotment of House Sites and Construction of Building (Regulation and Control) Act, 1985 governs the allotment of house sites, regulation of construction, alteration and repair of Buildings in Sikkim and for matters connected therewith. The Act was notified vide Notification No. 11/LD/85 dated the 29<sup>th</sup> June, 1985 and published in the official Sikkim Government Gazette vide No. 117 dated Wednesday, July 3, 1985.

In order to build a trust-based governance, the decriminalization of minor offences is an important aspect of 'ease of living' and is a key aspect in the Government's vision to reduce the compliance burden on the common man. Some of these provisions are archaic, have outlived their utility and have been seldom used but still are in statute books. In this context, the Central Ministries have undertaken a major exercise to review/ amend/ repeal such provisions in various Acts and Rules.

Accordingly, the Urban Development Department, Government of Sikkim has deemed it expedient to amend section 11 and 12 of the "The Sikkim Allotment of House Sites and Construction of Building (Regulation and Control) Act, 1985. With this object in view, the bill has been framed.


  
(P. S. TAMANG)  
MINISTER-IN-CHARGE  
URBAN DEVELOPMENT DEPARTMENT

**FINANCIAL MEMORANDUM**

-NIL-

**MEMORANDUM REGARDING DELEGATED LEGISLATION**

Amendment of section 12 of the Act empowers the District Magistrate to conduct trials for all Cognizable offences under this Act or rules or regulations made thereunder.

  
SECRETARY  
Urban Development Deptt  
Govt of Sikkim Gangtok  
(M. T. SHERPA, IAS)  
SECRETARY-IN-CHARGE  
URBAN DEVELOPMENT DEPARTMENT