

SIKKIM



GOVERNMENT

GAZETTE

**EXTRAORDINARY
PUBLISHED BY AUTHORITY**

Gangtok

Thursday 20th March 2025

No. 50

**GOVERNMENT OF SIKKIM
HOME DEPARTMENT
GANGTOK**

No. 24/Home/2025

Dated: 18/03/2025

NOTIFICATION

In compliance of the directions passed by the Hon'ble Supreme Court of India vide its Judgment dated 9th December, 2024 in Criminal Appeal No. 2831 of 2023, State of Maharashtra and others vs. Pradeep Yashwant Kokade and another with Criminal Appeal No. 2832 of 2023, the State Government is pleased to constitute a dedicated cell to deal with mercy petitions consisting of the following officers, namely:-

Sl. No.	Designation	Department	Designation
1.	Secretary-in-charge	Home Department	Chairperson
2.	Deputy Inspector General of Police, State Central Prison, Rongyek	State Central Prison, Rongyek	Member
3.	Additional Secretary/ Joint Secretary	Home Department	Member
3.	Additional Director	Law & Parliamentary Affairs Department	Member
4.	Superintendent of Prison/ Additional Superintendent of Prison	State Central Prison, Rongyek	Officer-in-charge

2. The terms and reference of the dedicated cell are as under:-

- (1) The dedicated cell shall be responsible for the prompt processing of the mercy petitions within 7 (seven) days of the receipt of the mercy petition.
- (2) As soon as mercy petitions are received by the dedicated cell, copies of the mercy petitions shall be forwarded to the Secretariat of the Hon'ble Governor of Sikkim for their information and initiating necessary action at their end.

- (3) As soon as the Superintendent of Prison or Officer-in-charge receives the mercy petitions, he/she shall immediately forward the copies thereof to the dedicated cell and call for the following details or information from the Officer-in-charge of the concerned Police Station and/or the concerned investigation agency, namely:-
- (a) the criminal antecedents of the convict;
 - (b) information about family members of the convict;
 - (c) economic condition of the convict and his/her family;
 - (d) the date of arrest of the convict and the period of incarceration as an undertrial; and,
 - (e) the date of filing charge sheet and a copy of the committal order, if any.
- (4) On receipt of the request made by the jail authorities, the Officer-in-charge of the concerned police station shall be under an obligation to furnish the aforesaid information to the jail authorities, immediately.
- (5) On receipt of the aforesaid information, without any delay, the jail authorities shall forward the following documents to the Officer-in-charge of the dedicated cell and the Secretary of the Home Department, namely:-
- (a) information furnished as aforesaid by the concerned Police Station with its English translation;
 - (b) copy of the First Information Report with its English translation;
 - (c) details, such as date of arrest of the convict, date of filing of chargesheet and actual period of incarceration undergone by the convicts;
 - (d) A copy of the committal order, if any, passed by the learned Judicial Magistrate;
 - (e) a copy of charge-sheet with its English translation;
 - (f) report about the conduct of the convict in prison;
 - (g) copies of the notes of evidence, all exhibited documents in the trial and copies of statements of convict under section 351 of the Bharatiya Nagarik Suraksha Sanhita, 2023 with its English translation;
 - (h) copies of the judgment of the Sessions Court (with its English translation, if it is in vernacular language), High Court and the Supreme Court of India.
- (6) All correspondences as far as possible, shall be made by email to the official e-mail IDs unless confidentiality is involved.

By order and in the name of the Governor,

**(R. Telang) IAS
Chief Secretary
Government of Sikkim,
File No. Home/Confdl/111/2025/06**