

Chapter 21

Check Posts Branch

1. Introduction

The State of Sikkim has international borders with TAR (China) in the North & East, Nepal in the West and Bhutan in the East. These borders are manned, in addition to the ITBP on the Indo-China border and SSB on the Indo-Nepal border by the Sikkim Police through 17 Check Posts/Picket Posts. The Check Post branch is headed by an officer of the rank of ADGP/IGP who looks after the administration, logistics and deployment of personnel in these 17 Check Posts/Picket Posts. The expenditure incurred in the maintenance of the Check Posts is reimbursed by the MHA, Govt. of India on submission of audit certificate from the office of the Accountant General, Sikkim.

2. Organisational set-up

(i) The Check Post branch has its headquarters at Gangtok, which includes a refugee checking cell and 17 Check Posts/Picket Posts namely Chungthang (CP&PS), Lachung (CP/PS), Lachen (CP/PS), Sherathang (CP/PS), Kupuk (CP/PS), Uttarey (CP/PS), Chiwabhanjyang (CP), Mugothang (PP), Tsolhamu (PP), Donkong (PP), 15th Mile (PP), Tamzey (PP), Phadamchen (PP), Toong (PP), Lingtam (PP), Gnathang (PP) and 3rd Mile (PP). For easy access to the High Altitude Check Posts a halting shed has been constructed at Thangu.

(ii) Six of the Check Posts namely Chungthang, Lachung, Lachen, Sherathang, Kupuk and Uttarey have also been declared as Police Stations and the In-Charges of these perform all such functions as are performed by SHOs of regular Police Stations and in such matters they function under the direction and control of the district Superintendent of Police and his superior officers.

(iii) The ADGP/IGP Check Post is assisted by a Superintendent of Police in his supervision over the Check Post branch which has a sanctioned strength of 1 Inspector,

12 Sub-Inspectors, 22 Head Constables, 2 Naiks, 3 Lance Naiks, 112 Constables, 7 Safai Karmacharsi, 7 Cooks, 1 Water Carrier, 1 Junior Accountant and 1 Peon – Total 169 sanctioned by the Ministry of Home Affairs, Government of India.

3. Functions of Check Post branch

- (1) Surveillance and Patrolling of international borders.
- (2) Collection, analysis and dissemination of information relating to border crossings and other police matters.
- (3) Apprehension, interrogation and push back of intruders crossing over international borders.
- (4) Check Posts declared to be police stations shall perform of functions as indicated for the ordinary police stations.

4. Role and Responsibilities of officers

IGP/Check Post

4.1 His role is supervision of the functioning of the Branch including administration, personnel, logistics, provisioning and deployment. He shall be responsible for keeping the personnel under him in a state of high discipline, morale, fitness and professional efficiency. Priority should be given to the welfare, training, allocation of duties, health, clothing, equipment and living accommodation of the personnel posted under him. He should control, instruct and advise Superintendent of Police.

4.2 He will also exercise all powers including financial powers to the extent prescribed. He should, by frequent personal visits and inspections, endeavour to establish and maintain efficiency and discipline ensure uniformity of procedure and practice, and secure cooperation between the personnel and establishments in his jurisdiction

4.3 The ADGP/IGP shall inspect at least one Check Posts and one Picket Posts every Calendar year. During such visits he should, inter alia, analyze the local situations, the relation of the police personnel with the general public especially in the matter of collection and quality of intelligence, the state of crime, quality of preventive measures

against possible intrusions from across the border, beats, surveillance and communication equipments, and render advice and instructions to the In-Charge.

4.4. Whenever an ADGP/IGP inspects a Post, he should send an inspection report to the DGP. The following special points should be mentioned in the covering note to be sent along with the inspection notes:

- (i) Vacancies and follow up action.
- (ii) Condition and upkeep of police building & quarters, grounds, transport, equipments including communication and computers.
- (iii) Effectiveness of beats, and patrols and surveillance measures.
- (iv) Police conduct, including any instances of misbehavior with the public, indiscipline, insubordination etc. and remedial measures taken.

Superintendent of Police

5. He is directly responsible for all matters relating to administration, personnel and financial management, maintenance of discipline, punctuality, and efficient performance of all preventive duties entrusted to Check Post branch. He should assist the ADGP/IGP in his enquiries, bring to his notice the requirements of branch, and consult him on all matters of significance. The efficiency and the effectiveness of the SP impact directly on the overall efficiency of policing within a jurisdiction. He should, therefore, ensure by constant supervision and monitoring that collection of intelligence and preventive measures to check cross-border intrusion under the Check Posts and Picket Posts are done on professional lines. His main functions are:

- (i) Control and supervise the work of the In-Charges of Check Posts and Picket Posts except in matters relating to investigation of cases (which will be supervised by the SDPO and the district SP), and issue such directions as may be necessary to better achieve the object of the Sikkim Police Act 2008 and the duties specifically entrusted to Check Post Branch.
- (ii) Keep the area within the jurisdiction of the Check Posts and Picket Posts peaceful and the public satisfied with the security afforded to persons and property

- (iii) Ensure proper organization of beats and patrolling.
- (iv) Promote and maintain good police-public relations.
- (v) Keep the personnel in good discipline, high morale and properly trained.
- (vi) Ensure that the transport, arms, ammunition, stores, grounds, and buildings belonging to the department are well protected and maintained.
- (vii) Organize good intelligence network, criminal, cross-border and general.
- (viii) Ensure effective implementation of community policing scheme.
- (ix) Gaining knowledge of all officers and men in his charge, redress their genuine grievances, motivate them, encourage those who show promise and punish those who are guilty of misdemeanor.
- (x) Gain confidence and loyalty of subordinates by personal integrity, professionalism, impartiality, devotion to duty, fair play and a high sense of justice;
- (xi) Visit the scenes and personally attend to serious occurrences endangering life and property such as heavy floods, earthquakes or fire accidents that involve heavy loss of life or property within the jurisdiction. Detailed instructions should be given regarding the measures to be taken by the Check Post personnel in respect of these natural calamities and other disasters.
- (xii) Inspect two Check Posts and Picket Post in a year, during which he shall also inspect all the Government property held on its charge and submit inspection reports to the ADGP/IGP, Check Post.
- (xiii) During the inspection he must also inspect all licensed arms at the licensees' residences.
- (xiv) Apart from the annual inspection, the SP shall tour the Check Posts/Picket Posts as often as necessary to assess the local situation and the functioning of the police personnel posted in the check Posts/Picket Posts particularly in remote areas and acquaint himself with the Panchayat officials, non-officials, and community representatives, endeavoring to gain their confidence and cooperation, at the same time ascertaining the

state of crime, activities of various groups operating in the area and enquire into their assessment about the working of police personnel posted in the Check Posts/Picket Posts.

Inspector of Police

6. The Inspector of Police at the Check Posts headquarters is a key Officer incharge of personnel management. He is in charge of all Government property including vehicles held on charge of the Branch and deals with matters relating to issue of passes under notification No. S/480/HP dated 25-2-1965. His functions and responsibilities include:-

- (i) Ensure discipline and high morale of police personnel posted under the check posts branch.
- (ii) Assessment of requirements of uniforms and other Government property and timely submission of proposals for their procurement;
- (iii) Scrutiny and processing of applications for issue of permits under notification No. S/480/HP dated 25-2-1965;
- (iv) Periodic visits to Check Posts and Picket Posts to enquire about the welfare of personnel posted there, to assess the working conditions including repairs or maintenance required for buildings and equipment held on charge of the Posts;
- (v) Carry out kit inspections and verify whether Government property registers and other prescribed documents are maintained properly in the Check Post Headquarters and in Check Posts/Picket Posts, at least once in every year. A report of such inspections shall be submitted to the SP;
- (iv) During such visits contact the local public including Panchayats to assess that the working of the Check Posts personnel and that their relationship with the local.
- (v) At the end of each financial year he should conduct physical stock verification of all Government property held on charge of the Check Posts and Picket posts, endorse certificate on the stock register. He shall thereafter submit a stock verification report to the SP.

In-Charge Check Post/Picket Post

7.1. He shall be responsible for proper management of the station and optimum utilization of the resources and facilities available. It shall be his duty to manage the staff and work of the Check Post/Picket Post in accordance with the law and rules and to make the Post a place where the needy public gets necessary and immediate response. He should cultivate an effective net-work for collection of intelligence. The In-Charge and his staff should behave politely and courteously with the public.

7.2. He should assign duties to his staff and ensure that they perform the duty diligently and properly.

7.3. He shall take measures to prevent crime and maintain peace. When the senior-most officer is absent from the place for any reason the next below junior officer shall act in accordance with the law and rules.

7.4. He shall maintain a notebook in which he will record his daily activities in discharge of his duties.

7.5. He shall supervise the allotted work and duties of general and beat detachments.

7.6. He shall ensure the maintenance of discipline of the police officers of all ranks posted under his command and control.

7.7. He shall hold inspection of their kits, examine their beat books and notebooks.

7.8. He shall maintain the specified registers including stock register of all government property held in the Check Post/Picket Post.

7.9. The police men of the Post should be periodically briefed on all matters that have bearing on their work and conduct, so that they are psychologically oriented to discharge their allotted duties in an efficient manner.

7.10. Any important development within his jurisdiction should be communicated to the SP Check Post and in relation to crime and law & order to the SDPO/district Superintendent of Police concerned with the quickest possible means.

7.11. He should also ensure –

(i) to restrict entry of unauthorized person(s) into the Restricted and Protected area.

(ii) to check/regulate the flow of people carrying valid permits into Restricted and Protected area.

(iii) to conduct regular checks of people who are permanent residents of Restricted and Protected areas having valid resident permits.

(iv) to collect intelligence on matters considered detrimental to and compromising the security of India.

(v) to prevent people/cattle from crossing the International Border.

(vi) to push back cattle strayed into Sikkim from across the border.

(vii) to carry out regular patrolling of International Border.

(viii) to organize assistance to tourists during natural calamities

7.12. The In-Charge of Check Post which is declared a Police Station shall, in addition to the above, perform all such duties as are prescribed for a Station House Officer.

Restriction on entry into Restricted/Protected areas

8. The Check Posts/Picket Posts manned by Sikkim Police fall under the Protected Area.

Permits for Foreigners visiting Protected Areas

9. Prescribed officers of Tourism department/FRRO/Home Department/West Bengal Govt. and the Central Government are competent to issue permits to foreign nationals to visit the restricted and protected areas in the State subject to the conditions laid down by the Central Govt. from time to time. The restricted and protected areas in respect of visit by foreigners are defined vide Foreigners (Restricted Areas) Amendment Order, 1990 and Foreigners (Protected Areas) Amendment Order, 1990 respectively. In respect of the protected areas so defined permit is issued to foreigner by the check posts branch as well on his presentation of a copy of the permit issued by the Tourism/FRRO/Home deptt. which the foreign nationals are required to carry with them while entering the said protected areas and show it at the Check Posts en route.

Permits for Indian nationals to visit certain places

10. (i) Government of Sikkim notification No. S/480/HP dated 25.2.1965 as amended from time to time restricts entry/visit/passing over/stay of a person in the protected areas, restricted areas and protected places as defined vide schedules A, B & C annexed to the said notification. The conditions for stay and entry in these areas are as follows:

(a) Protected Areas:

- (i) Permanent residents may continue to stay there only after obtaining identity cards.
- (ii) No other person shall without a permit enter or be on it, or pass over any protected area.
- (iii) No new persons will be allowed to reside or settle in the protected areas.
- (iv) There will be special papers for graziers, herdsmen, labourers etc., in protected areas.
- (v) In case of imperative military necessity, the people staying in these areas may be asked to vacate by the Government of Sikkim a whole or part of the area. They will be paid reasonable compensation.

(b) Restricted Areas:

- (i) Persons residing or working in any restricted area will be required to be in possession of identity cards.
- (ii) Persons intending to enter, stay, visit or work in any restricted area will have to obtain necessary permits.

(c) Protected Place:

- (i) No person, shall, without a permit enter or be on or, in or pass over or loiter in the vicinity of any protected place.
- (ii) In the case of entry into a military unit area or cantonment area declared a protected place the permit would be issued by the army authorities.

(ii) No person other than permanent residents who have identity cards shall enter, be on, or in, or pass over the said areas without a permit. Officers of the Government of Sikkim and the Government of India working in Sikkim, the regularly enrolled personnel of the Border Roads Organization, and the Sikkim Police personnel and their vehicles will be permitted to enter the restricted/protected areas without any extra endorsement on their official identity cards. They will, however, produce their identity cards whenever called upon to do so.

(iii) The provisions of the said notification do not apply to the personnel of the Indian defence forces and their vehicles.

(iv) The State Govt. may refuse permission to a person to enter any protected place, protected area or restricted area or may remove therefrom any person who is a security risk or if there in contravention of orders.

(v) The State Government has also prescribed guidelines for mountaineering expeditions and trekking etc. vide Notification No. 114/Home/2010 dated 8/10/10. As prescribed therein permits from the office of SP/Checkposts are also required to be taken for entry into protected areas as defined under schedule 1 of the Foreigners (Protected Area) Amendment order, 1990 in respect of Foreigners and under State Govt. Notification No. 480/HP in respect of other tourists and non-residents of these places.

(vi) If any person is in a restricted area, protected area or a protected place in contravention of the orders contained in Government of Sikkim Notification No. S/480/HP dated 25.2.1965, he is liable for punishment as prescribed or, be removed there-from by any police officer or by any person authorized to in this behalf by the Government.

(vii) In general all users of the North Sikkim Highway beyond Tong, and the Gangtok-Nathula road beyond mile stone 3 will have to obtain passes from the Check Posts branch, Government of Sikkim. This will however not apply to the Government of Sikkim and Government of India employees working in Sikkim and the regularly enrolled personnel of the Border Roads Organization, and their vehicles.

(viii) The passes have to be renewed on or before their date of expiry; failure to do so shall render the pass holder liable for punishment.

Procedure for Issue of passes/permits by Check Post branch

11. The Government of Sikkim vide notification No. 54(22)Home/84/508 dated 4th July 1984 have delegated its powers to the Police Check Posts branch to issue the following passes. These are issued under the signature of the SP/Check Posts. The passes mentioned at Sl. Nos. (i) to (iv) are issued for periods ranging from six months to one year, whereas the pass mentioned at Sl. No. (v) is for period not exceeding three months. Temporary pass mentioned at Sl. No. (vi) is issued to tourists on day to day basis:

(i) Identity card for stay/entry in protected area, in form-1. This identity card in a book form with red cover is issued to Tibetan refugees who were residing in protected areas at the time of issue of the State Government notification No. S/480/HP dated 25.2.1965 and continue to reside there, as well as to their descendents residing therein, and having valid registration certificate (R.C.) issued by the Foreigners' Registration Office, Gangtok., and to Nepal nationals similarly placed, who are residents of protected area and possess a protected area permit and work permit issued by the competent authority. The details of all such permits issued shall be recorded in the register as per form IA by the issuing authority in the Check Posts Branch.

(ii) Identity card for entry/stay in restricted areas in form-II. This identity card in a book form with green cover is issued to people of Sikkimese origin residing in protected areas or who have to visit protected areas for valid purposes. The details of all such permits issued shall be recorded in a register maintained for the purpose as per form IIA .

(iii) Identity card for stay/entry in protected area, in form-III. This identity card in a book form with yellow cover is issued to non-local Indian nationals for entry/stay in protected area for valid purposes. The details of all such permits issued shall be recorded in a register as per form IIIA .

(iv) Special passes for grazers, herdsman, labourers etc, in form-IV. This pass in a book form with grey cover is issued to the above-said category of persons who have to temporarily enter and stay in protected areas along with their cattle when grazing

facilities in their ordinary place of residence are temporarily not available on account of climatic or other conditions. The details of all such permits issued shall be recorded in a register as per form IVA .

(v) Temporary permit in form-V for short term workers who have to enter and stay in protected areas in North/East Sikkim for various construction works etc. The details of all such permits issued shall be recorded in a register as per form VA .

(vi) Temporary permit in form-VI is issued to tourist for visiting protected area. The details of all such permits issued shall be recorded in the register as per form VI A.

FORM-I

GOVERNMENT OF SIKKIM
 IDENTITY CARD FOR STAY/ENTRY IN PROTECTED AREA
 (vide Government of Sikkim notification No. S/480.HP dated 25.2.1965)

(Tibetans)

Serial No. Date of issue

Valid up to

Renewed up to..... Signature.....

Renewed up to..... Signature.....

Renewed up to Signature.....

R.C. No. / PAP No.....

Name Sex

S/o, d/o, w/o

Age/date of birth Nationality

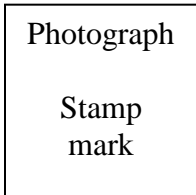
Visible identification marks

Protected area/ places where the holder of this permit is permitted to go to/ stay at

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Route to be followed by the holder of the permit

Note: (1) The holder of this permit shall confine himself/herself to a radius of kilometres from the place where he/she is permitted to stay, and he/she shall not go near any military unit/installation.



(2) The holder of this permit must carry it with him/her at all times, and shall produce this permit for inspection on demand by any police officer.

(3) The holder of this permit shall be responsible for its renewal before the expiry of the current validity. His/her stay in the protected area without a valid permit shall render him liable to imprisonment for a period which may extend to 3 years or fine up to Rs. 1,000/- or both.

(4) This permit shall become automatically void on the expiry of the validity of the RC No./PAP No. mentioned herein, irrespective of the validity of this permit.

SP/Check Post
Sikkim Police

Chapter – Check Posts Branch

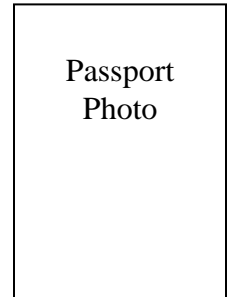
See para

FORM-I A

Register of identity cards issued to (Tibetans and Nepali Nationals) for entry /stay in protected areas.

IDENTITY CARD NO. _____

Date of Issue _____



NAME _____

Father's /husband's name _____

Sex _____ Age/Date of Birth _____

Permanent Address _____

Present Address _____

Marks of Identification _____

Temporary residential Permit No. in case of Tibetan _____

Passport/ILP No. _____

Permitted to stay at _____

Record of renewal

From	To	Signature

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Chapter – Check Posts Branch

See para

FORM-II

GOVERNMENT OF SIKKIM

IDENTITY CARD FOR STAY/ENTRY IN PROTECTED AREA

(vide Government of Sikkim notification No. S/480.HP dated 25.2.1965)

(Locals)

Serial No. Date of issue

Valid up to

Renewed up to..... Signature.....

Renewed up to..... Signature.....

Renewed up to Signature.....

NameSex

S/o, d/o, w/o

Age/date of birth

Visible identification marks

Permanent address

Protected area/places where the holder of this permit is permitted to go/ to stay at

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Route to be followed by the holder of the permit

<p>Photograph</p> <p>Stamp mark</p>
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Note: (1) The holder of this permit shall confine himself/herself to a radius of kilometres from the place where he/she is permitted to stay, and he/she shall not go near any military unit/installation.

(2) The holder of this permit must carry it with him/her at all times, and shall produce this permit for inspection on demand by any police officer.

(3) The holder of this permit shall be responsible for its renewal before the expiry of the current validity. His/her stay in the protected area without a valid permit shall render him liable to imprisonment for a period which may extend to 3 years or fine up to Rs. 1,000/- or both.

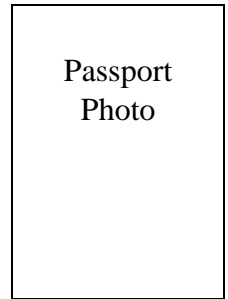
SP/Check Post
Sikkim Police

FORM-II A

Register of identity cards issued to Non Local Indian Nationals for entry /stay in Protected area.

IDENTITY CARD NO. _____

Date of Issue _____



NAME _____

Father's /husband's name _____

Sex _____ Age/Date of Birth _____

Permanent Address _____

Present Address _____

Marks of Identification _____

Permitted to stay at _____

Record of renewal

From	To	Signature

FORM-III

GOVERNMENT OF SIKKIM
IDENTITY CARD FOR STAY/ENTRY IN PROTECTED AREA
(vide Government of Sikkim notification No. S/480.HP dated 25.2.1965)
(Non Local Indians)

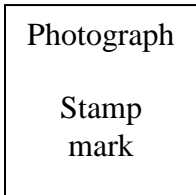
Serial No. Date of issue

Valid up to

Renewed up to..... Signature.....

Renewed up to..... Signature.....

Renewed up to Signature.....



NameSex

S/o, d/o, w/o

Age/date of birth

Visible identification marks

Permanent address

Protected area/places where the holder of this permit is permitted to go to/ stay at

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Route to be followed by the holder of the permit

Note: (1) The holder of this permit shall confine himself/herself to a radius of kilometres from the place where he/she is permitted to stay, and he/she shall not go near any military unit/installation.

(2) The holder of this permit must carry it with him/her at all times, and shall produce this permit for inspection on demand by any police officer.

(3) The holder of this permit shall be responsible for its renewal before the expiry of the current validity. His/her stay in the protected area without a valid permit shall render him liable to imprisonment for a period which may extend to 3 years or fine up to Rs. 1,000/- or both.

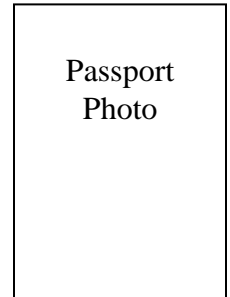
SP/Check Post
Sikkim Police

FORM-III A

Register of identity cards issued to Sikkimese personnel for entry /stay in Protected area.

IDENTITY CARD NO. _____

Date of Issue _____



NAME _____

Father's /husband's name _____

Sex _____ Age/Date of Birth _____

Permanent Address _____

Present Address _____

Marks of Identification _____

Permitted to stay at _____

Record of renewal

From	To	Signature

FORM-IV

GOVERNMENT OF SIKKIM
IDENTITY CARD FOR STAY/ENTRY IN PROTECTED AREA
 (vide Government of Sikkim notification No. S/480.HP dated 25.2.1965)

(Grazers, Herdsmen, labourers)

Serial No. Date of issue

Valid up to

Renewed up to..... Signature.....

Renewed up to..... Signature.....

Renewed up to Signature.....

R.C. No. / PAP No.....

Name Sex

S/o, d/o, w/o

Age/date of birth Nationality

Visible identification marks

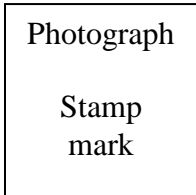
Protected area/places where the holder of this permit is permitted to go to/ stay at

.....

Route to be followed by the holder of the permit

Note: (1) The holder of this permit shall confine himself/herself to a radius of kilometres from the place where he/she is permitted to stay, and he/she shall not go near any military unit/installation.

(2) The holder of this permit must carry it with him/her at all times, and shall produce this permit for inspection on demand by any police officer.



(3) The holder of this permit shall be responsible for its renewal before the expiry of the current validity. His/her stay in the protected area without a valid permit shall render him liable to imprisonment for a period which may extend to 3 years or fine up to Rs. 1,000/- or both.

(4) This permit shall become automatically void on the expiry of the validity of the RC No./PAP No. mentioned herein, irrespective of the validity of this permit.

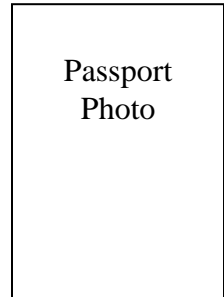
SP/Check Post
Sikkim Police

FORM-IV A

Register of identity cards issued to Graziers for entry/Stay in protected areas

IDENTITY CARD NO. _____

Date of Issue _____



NAME _____

Father's /husband's name _____

Sex _____ Age/Date of Birth _____

Permanent Address _____

Present Address _____

Marks of Identification _____

Temporary residential Permit No. in case of Tibetan _____

Passport/ILP No. _____

Permitted to stay at _____

Record of renewal

From	To	Signature

FORM-V

GOVERNMENT OF SIKKIM

TEMPORARY PERMIT FOR STAY/ENTRY IN PROTECTED AREA

(vide Government of Sikkim notification No. S/480.HP dated 25.2.1965)

(Construction workers valid upto 3 months)

Serial No. Date of issue

Name.....

Sex Age/date of birth

S/o, d/o, w/o

Permanent address

.....

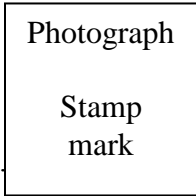
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Company/Establishment sponsoring the permit holder

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Places permitted to enter/stay

Date of expiry of the permit



Note: (1) The holder of this permit shall confine himself/herself to a radius of kilometres from the place where he/she is permitted to stay, and he/she shall not go near any military unit/installation.

(2) The holder of this permit must carry it with him/her at all times, and shall produce this permit for inspection on demand by any police officer.

(3) The holder of this permit shall be responsible for its renewal before the expiry of the current validity. His/her stay in the protected area without a valid permit shall render him liable to imprisonment for a period which may extend to 3 years or fine up to Rs. 1,000/- or both.

SP/Check Post
Sikkim Police

FORM-VI

**OFFICE OF THE INSPECTOR GENERAL OF POLICE
CHECKPOST BRANCH
GANGTOK
(For Tourist)**

T.P. NO...../IGP/CP

Dated.....

The holder's of this permit listed below is/are permitted to visit.....
falling within the Restricted/Protected area of East/North Sikkim.

- 01..... 06.....
- 02..... 07.....
- 03..... 08.....
- 04..... 09.....
- 05..... 10.....

Driver's Name..... Veh. No. SK/.....

D.L. No..... This permit is valid w.e.f..... to.....

under Notification No. S/480/HP dated 25.02.1965.

**SP/Check Posts
Sikkim Police**

