

In pursuance of the provision of clause (3) of article 348 of 'the Constitution of India', the Governor pleased to order the publication of the following English translation of Notification No.729/VI-3/2023-01(16)/2006, Dehradun, dated: 30 August, 2023 for general information.

**Government of Uttarakhand
Sport Section
No. 729 /VI-3/2023-1(16) 2006
Dehradun, Dated: 30 August, 2023**

NOTIFICATION

In exercise of the power conferred Miscellaneous by the proviso to article 309 of "the Constitution of India" and in supersession of all existing rules and orders on the subject, the Governor is pleased to make the following rules, regulating recruitment and the condition of services of persons appointed to the services of the Uttarakhand Sports Department (Gazetted) Service, namely :-

The Uttarakhand Sports Department (Gazetted) Service Rules, 2023

PART-I

GENERAL

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|-------------------------------------|--|
| Short title and Commencement | 1. (1) These rules may be called the Uttarakhand Sports Department (Gazetted) Service Rules, 2023
(2) They shall come into force at once. |
| Status of the Service | 2. The Uttarakhand Sports Department (Gazetted) service is a state service, which comprises Group "A & B" posts. |
| Definitions | 3. In these rules, unless there is anything repugnant in the subject or context :-
(a) "Appointing Authority" means Governor of Uttarakhand ;
(b) "Citizen of India" means a person who is or is deemed to be a citizen of India under part II of the Constitution of India;
(c) "Commission" means the Uttarakhand Public Service Commission;
(d) "Constitution" means 'the Constitution of India';
(e) "Government" means the State Government of Uttarakhand;
(f) "Governor" means Governor of Uttarakhand;
(g) "Member of the Service" means a person substantively appointed under these rules or rules or orders in force prior to the commencement of these rules to a post in the cadre of the Service; |

- (h) 'Service' means the Uttarakhand Sports Department (Gazetted) Service ;
- (i) 'Substantive Appointment' means an appointment, not being an *ad hoc* appointment, on a post in the cadre of the service and made after selection in accordance with the rule and, if there were no rules, in accordance with the procedure prescribed for the time being by executive instructions issued by the Government ;
- (j) 'Year of Recruitment' means a period of twelve months commencing from the first day of July of the calendar year.

PART-II

CADRE

Cadre of Service

4. (1) The strength of the employees/officers in service and each category of posts therein shall be such as may be determined by the Government from time to time.
- (2) The strength of the employees/officers in service and each category of posts therein shall, until orders varying the same are passed under sub-rule (1) as given in Appendix-"A" :
- Provided that-
- (i) the Appointing Authority may leave unfilled or the Governor may hold in abeyance any vacant post, without thereby entitling any person to the compensation;
- (ii) the Governor may create such additional permanent or temporary posts as he may consider proper.

PART-III

RECRUITMENT

Source of Recruitment

5. Recruitment to the various categories of posts in service shall be made from the following sources:-
- (1) **Additional Director:-** By promotion, on the basis of merit from amongst substantively appointed such Joint Directors who have completed twenty five years of services in his/her cadre (Gazetted Service) and four years of service on the post of Joint Director on the first day of the year of recruitment.
- (2) **Joint Director:-** By promotion on the basis of seniority through the Selection Committee, from amongst substantively appointed such Deputy Directors, who have completed five years of service, as such, on the first day of the year of the recruitment.

- (3) **Deputy Director:-** By promotion on the basis of seniority through the Selection Committee from amongst substantively appointed such Deputy Directors, who have completed seven years of service, as such, on the first day of the year of the recruitment.
- (4) **Assistant Director:-** By promotion, on the basis of seniority through the Selection Committee, from amongst substantively appointed such District Sports Officers, who have completed seven years of service, as such, on the first day of the year of the recruitment.
- (5) **District Sports Officer:-**
- (a) 50 percent post by direct recruitment through the Commission.
- (b) 50 percent by promotion on the basis of seniority through the Committee from amongst substantively appointed such Deputy Sports Officers, who have completed seven years of service, as such, on the first day of the year of the recruitment.

Reservation

6. Reservation for the candidates belonging to the Scheduled Castes, Scheduled Tribes, Others Backward Classes, Economically Weaker Sections and other category to the State of Uttarakhand shall be in accordance with the orders of the Government in force at the time of the recruitment.

PART-IV

QUALIFICATIONS

Nationality

7. A candidate for direct recruitment to be a post in service must be-
- (a) A citizen of India; or
- (b) A Tibetan refugee who come over to India before the 1st January, 1962 with the intention of permanently settling in India; or
- (c) A person of Indian origin who has migrated from Pakistan, Burma, Lanka or any of the east African countries of Kenya, Uganda and the United Republic of Tanzania (formerly Tanganyika and Zanzibar) with the intention of permanently settling in India :

Provided that a candidate belonging to category (b) or (c) mentioned above must be a person in whose favor a certificate of eligibility has been issued by the State Government:

Provided further that a candidate belonging to category (b) shall also be required to obtain certificate of eligibility granted by the Deputy Inspector General of Police, Intelligence Branch, Uttarakhand:

Provided also that if a candidate belongs to category (c) mentioned above, no certificate of eligibility shall be issued for a period of more than one year and the retention of such a candidate in service beyond a period of one year, shall be subject to his acquiring Indian citizenship.

Note:-A candidate in whose case is certificate of eligibility is necessary but the same has neither been issued nor rejected, may be admitted to an examination or interview and he may also be provisionally appointed subject to the necessary certificate being obtained by him or issued in his favour.

**Academic
Qualification**

8. A candidate must have following qualifications for the recruitment to the posts of in the service:-

Designation	Qualifications
District Sports Officer	(1) Bachelor degree from any university established by law in India. (2) Represent in team as a player in national competition (3) (i) Diploma in sports Coaching from Netaji Subhas National Insitute of Sports (NSNIS), Patiala, SAI, Netaji Subhas Southern Centre, Bangalore, SAI, Netaji Subhas Eastern Centre, Kolkata, SAI, Thiruvnanthapuram <u>or</u> , (ii) Post graduate Diploma in sports Coaching from Lakshmibai National Insitute of Physical Education (LNPE), Gwalior <u>or</u> (iii) Post graduate Diploma in sports Coaching from Swarnim Gujarat Sports University (SGSU), Gandhinagar.

**Preferential
Qualification**

9. (1) A candidate who has :-
(i) Served in the Territorial Army for a minimum period of two years; or
(ii) Obtained a "B" or "C" certificate of National Cadet Corps, or
(iii) Has participated as a player in an international sports competition.

shall, other things being equal, be given preference in the matter of direct recruitment ,

Age

10. A candidate for direct recruitment must have attained the minimum age and must not attained the maximum age on the 1st July of the calendar year in which vacancies are advertised as may be prescribed from time to time :

Provided that the upper age limit in the case of candidates belonging to the Secheduled Castes, Secheduled

Tribes, Other Backward Classes and such other Categories as may be notified by the Government from time to time, shall be greater by such number of years as may be specified

Character

11. The character of a candidate to a post in service must be such as render him suitable in all respects for employment in Government service. The Appointing Authority shall satisfy itself on this point.

Note- Person dismissed by the Union Government or a State Government or by a local authority or a corporation or body owned or controlled by the Union Government or a State Government shall be ineligible for appointment to any post in the service. Person's convicted of any offence involving moral turpitude shall also be ineligible.

Marital Status

12. A male candidate who has more than one wife living or a female candidate who has more than one husband living shall not be eligible for appointment to a post in the service:

Provided that the Government may, if satisfied that there exist special ground for doing so, exempt any person from the operation of this rule.

Physical Fitness

13. (1) No such candidate shall be appointed to any part in the service, if he is not physically and mentally healthy and is not free from any such physical defect, which may likely to cause him to interfere in the efficient discharge of his duties.

(2) It is required to submit a fitness certificate as per the rules made under the Fundamental rule-10 contained in Chapter-III of Financial Handbook Section-II Part-III :

Provided, further that a candidate appointed by promotion shall not be required to produce a fitness certificate:

Provided that in order of section 33 the posts identified for this and the categories identified under section 34 of the Rights of Persons with Disabilities Act, 2016 (Act No. 49 of 2016), the disabled, shall not be denied appointment as per rules.

Provided, further that a candidate appointed by promotion shall not be required to produce a fitness certificate:

Provided that in order of section 33 the posts identified for this and the categories identified under section 34 of the Rights of Persons with Disabilities Act, 2016 (Act No. 49 of 2016), the disabled, shall not be denied appointment as per rules.

Provided, further that a candidate appointed by promotion shall not be required to produce a fitness certificate:

PART-V

PROCEDURE FOR RECRUITMENT

- Determination of vacancies** 14. The Appointing Authority shall determine number of vacancies to be filled during the course of the year and intimate to the commission and also the number of vacancies to be reserved for candidates belonging to Scheduled Castes, Scheduled Tribes, Other Backward Classes, Economically Weaker Sections and Other Categories belonging to State of Uttarakhand under rule 6. The Vacancies to be filled inform the Commission shall be intimated to them.
- Procedure for direct recruitment** 15. (a) Direct Recruitment shall be done through competition examination under rules/according to procedure/relevant rules as amended from time to time and prescribed at a time.
Note: - The details and rules for competitive examination shall be prescribed by the Commission from time to time with the permission of State Government.
(b) For the post of District Sports Officer Recruitment by promotion shall be made on the basis of merit/seniority subject to the rejection of unfit in accordance with the Uttarakhand Promotion by Selection in Consultation with Public Service Commission (Procedure) Rules, 2003 (as amended from time to time).
- Procedure for recruitment by promotion**
- Recruitment procedure through promotion on the post of outside the purview of Public Service Commission** 16.(1) Recruitment by promotion to the post of Additional Director shall be made through a Selection Committee constituted under the Uttarakhand Constitution of Departmental Promotion Committee (for the post outside the Purview of the Public Service Commission) Rules, 2002.
(2) promotion on the post of Joint Director/ Deputy Director/ Assistant Director shall be made by the Departmental Selection Committee comprising the following ;
(a) Principal Secretary/ Secretary, Chairperson

Procedure for recruitment by promotion

For the post of District Sports Officer Recruitment by promotion shall be made on the basis of merit/seniority subject to the rejection of unfit in accordance with the Uttarakhand Promotion by Selection in Consultation with Public Service Commission (Procedure) Rules, 2003 (as amended from time to time).

Recruitment procedure through promotion on the post of outside the purview of Public Service Commission

16.(1)

Recruitment by promotion to the post of Additional Director shall be made through a Selection Committee constituted under the Uttarakhand Constitution of Departmental Promotion Committee (for the post outside the Purview of the Public Service Commission) Rules, 2002.

(2)

promotion on the post of Joint Director/ Deputy Director/ Assistant Director shall be made by the Departmental Selection Committee comprising the following ;

- | | |
|--|-------------|
| (a) Principal Secretary/ Secretary,
Sports Department,
Government of
Uttarakhand | Chairperson |
| (b) Principal Secretary/Secretary,
Personnel Department
Government of
Uttarakhand or person
nominated by him not
below the rank of Joint
Secretary | Member |
| (c) Director, Sports
Directorate,
Uttarakhand, Dehradun | Member |
| (d) A representative office
of Scheduled Caste and
Schedules Tribes, not
below the rank of Joint
Secretary | Member |

Note:- (i) Principal Secretary, senior mentioned in the clause (a) clause (b), shall preside the departmental selection Committee.

(ii) One representative of the Scheduled Caste shall be nominated by the Principal Secretary/ Secretary, Sports.

Combined select
list

17. If in any year appointments are made both by direct recruitment and by promotion, a combined select list shall be prepared by taking the name of candidates from the relevant lists; in such manner that the prescribed percentage is maintained, the first name in the list shall be of the person appointed by promotion.

PART-VI

**APPOINTMENT, PROBATION, CONFIRMATION
AND SENIORITY**

Appointment

18.

- (1) Subject to the provisions of sub-rule (2) the Appointing Authority shall make appointment by taking the names of candidates, in the order, in which they stand in the lists prepared under rules 14, 15 and 17 as the case may be.
- (2) Where, in any year of recruitment, appointments are to be made, both by direct recruitment and by promotion regular appointments shall not be made unless selection is made, from both the sources; and a combined list is prepared, in accordance with rule 17.
- (3) If more than one order of appointment are issued in respect of any one selection, a combined order shall also be issued mentioning the names of the persons in order of seniority as determined in the selection ;

Provided that if the appointment are made, both by direct recruitment and by promotion, names shall be arranged in cyclic order referred to rule 17.

- (4) The Appointing Authority may make appointments in temporary or officiating capacity also from the list prepared under sub-rule (1). If no candidate borne on these lists is available, he may make appointments in such vacancy from amongst persons eligible for appointment under these rules. Such appointments shall not last for period exceeding one year or beyond the next selection under these rules, whichever be earlier, and where the post is within the purview of the Commission, the provisions of regulation 5 (a) of the Uttarakhand Public Service Commission (Limitation of Function) Regulations, 2003 shall apply.

Note:- For promotion, Provision shall be apply of the Uttarakhand Procedure of Selection for Promotion in the State Service (Outside the Purview of the Public Service Commission) on the Basis of 'Seniority' and 'Merit' Subject to the Rejection of Unfit (Procedure) Rules, 2009.

Probation

19. (1) A person on substantive appointment to a post in the Service shall be placed on probation for a period of One year.
- (2) The Appointing Authority may, for reasons to be recorded, extend period of probation in individual cases specifying the date up to which the period is extended :
Provided that, save in exceptional circumstances, the period of probation shall not be extended beyond one year and in no circumstances beyond two year.
- (3) If it appears to the Appointing Authority at any time during or at the end of the period of probation or extended period of probation that a probationer has not made sufficient use of his opportunities, he may be reverted to his substantive post, if any, and if he does not hold a lien on any post, his services may be dispensed with.
- (4) A probationer who is reverted or whose services are dispensed with under sub-rule (3) shall not be entitled to any compensation.
- (5) The Appointing Authority may allow continuous Service, rendered in an officiating or temporary capacity in a post included in the cadre or any other equivalent or higher post, to be taken into account for the purpose of computing the period of probation.

Confirmation

20. (1) A probationer shall be confirmed in his appointment at the end of the period of probation or the extended period of probation, if-
- (a) his work and conduct is reported to be satisfactory.
- (b) his integrity is certified.
- (c) the Appointing Authority is satisfied that he is otherwise fit for confirmation.
- (2) Where in accordance with the provisions of the Uttarakhand State Government Servants Confirmation Rules, 2002 as amended from time to time, confirmation is not necessary, it declaring that the person concerned has successfully completed the probation shall be deemed to be the order of confirmation.

Seniority

21. (1) The determination of seniority of a person substantively appointed in any category of posts shall be made as per the Uttarakhand Government Servants Seniority Rules, 2002.

Part- VII

Pay etc.

Pay Scales 22. (1) The scales of pay admissible to persons appointed to the various categories of posts in the service shall be such as may be determined by the Government from time to time.

(2) The scales of pay at the time of the Commencement of these rules is given in **Appendix 'A'**.

Pay During Probation 23. (1) Not with standing any provision in the Fundamental Rules to the contrary a person on probation if he is not already in permanent government service shall be allowed his first increment in the time-scale, when he has completed one year of satisfactory service including period-of-training and has passed the Departmental examination; where prescribed and second increment, after two years satisfactory service, where he has completed the probationary period and is also confirmed;

Provided that, if the period of probation is extended on account of failure to give satisfaction, such extension shall not count for increment unless the Appointing Authority direct otherwise.

(2) The pay during probation of a person who was already holding a post, under the Government, shall be regulate, by the relevant Fundamental Rules:

Provided that, if the period of probation is extended on account of failure to give satisfaction, such extension shall not count for increment unless the Appointing Authority directs otherwise.

(3) The pay, during probation of a person who is already in permanent government service shall be regulated by the relevant rules applicable to Government Service generally governing in connection with the affairs to the State.

PART-VIII

OTHER PROVISIONS

Canvassing 24. No recommendation, either written or oral, other than those required under the rules applicable to the post or service shall be taken into consideration. Any attempt on the part of a candidate to enlist support directly or indirectly or indirectly for his candidature will disqualify him for appointment.

Regulation of other matters 25. In relation to such subjects, which do not fall under these rules or special orders, persons employed in the service shall be regulated by the regulations and orders generally applicable to the serving government servants related to the affairs of the state.

**Relaxation from
the conditions of
service**

26. Where the State Government is satisfied that the operation of any rule regulating the conditions of service of persons appointed to the service cause undue hardship in any particular case, it may, notwithstanding anything contained in the rules applicable to the case, by order, dispense with or relax than requirements of that rule to such extent and subject to such conditions as it may consider necessary for dealing with the case in a just and equitable manner;

Saving

27. Nothing in these rules shall affect reservations and other concessions required for the candidates belong to Scheduled Castes, Scheduled Tribes, Other Backward Categories, Economically Weaker Sections and other special categories of persons to the State of Uttarakhand in accordance with the orders of the Government issued from time to time in this regard.

By Order,

20/11
(Abhinav Kumar)

20/11
Special Principal Secretary

Annexure (A)

(See the Sub rule (2) of Rule, 4 and Sub rule (2) of Rule, 21)

S.No	Name of Post	Pay Level	No. of Post
1	2	3	4
1.	Additional Director	Pay Level-13 (₹123100-215900)	01
2.	Joint Director	Pay Level-12 (₹78800-209200)	02
3.	Deputy Director	Pay Level-11 (₹67700-208700)	03
4.	Assistant Director	Pay Level-10 (₹56100-177500)	04
5.	District Sports Officer	Pay Level-07 (₹44900-142400)	13

By Order,

(Abhinav Kumar)
Special Principal Secretary