

1/278/2021



F.No: LA/GAD/(RR-NG) UTL/2021(12)

THE ADMINISTRATION OF UNION TERRITORY OF LADAKH

GENERAL ADMINISTRATION DEPARTMENT

E-mail Id: gadutladakh@gmail.com

Civil Secretariat, UT Ladakh

Dated:-26.03.2021

Notification**Ladakh, the 26th March, 2021**

S.O.06 - In exercise of powers conferred vide S.O 282 (E) dated 21st January, 2020, the Hon'ble Lieutenant Governor of Ladakh hereby makes the following regulations, namely:-

1. Short title and commencement.-

- (1) These regulations may be called Union territory of Ladakh Subordinate Services (Temporary) Regulation, 2021.
- (2) These regulations shall come into force on the date of its publication in the e-Gazette.

2. Objectives.- The objective of these regulations is to regulate and address the service matters of sub-ordinate services of Union territory of Ladakh serving in connection with the affairs of the Administration of Union territory of Ladakh till the relevant recruitment rules are notified or for a period of six months whichever is earlier.

3. Applicability of these regulations.- These regulations shall apply to all the members of the respective Sub-ordinate Service(s) of Union territory of Ladakh serving in connection with the affairs of the Administration of Union territory of Ladakh in accordance with the provisions of section 89(2) of Jammu & Kashmir Reorganisation Act except:-

- i. Contractual and Adhoc/Outsourced employees;
- ii. Temporary appointments;
- iii. All the cadres of the service(s) against which post(s) have not been allocated as per the SROs notified by Union territory of J&K as on date;
- iv. Ministerial or other staff of sub-ordinates courts;
- v. Such other posts as the Administration may, by notification, specify; and

(Signature)

Under Secretary GAD
(Sonam)
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- vi. Those employees who are on deputation in the Union territory of Ladakh but have exercised their option to serve in the Union territory of J&K.

4. Definition:- In these regulations unless the context otherwise requires:

- i. "Administration" means Administration of the Union territory of Ladakh;
- ii. "Administrator" means the Administrator appointed under article 239 of the Constitution of India for the Union territory of Ladakh;
- iii. "Administrative Department" means the Department of the Administration in the secretariat dealing with the administrative matters of the Department;
- iv. "General Administration Department" means the General Administration Department of Union territory of Ladakh;
- v. "Head of the department" means the Head of the Department holding the administrative control of the Organization at Divisional level;
- vi. "Council" means Ladakh Autonomous Hill Development Council, as constituted under sub section (2) of section 3 of Ladakh Autonomous Hill Development Councils Act, 1997;
- vii. "CEO" means an officer as defined in section 38 of the Ladakh Autonomous Hill Development Councils Act, 1997;
- viii. "District means" as defined in section 2(g) of the Ladakh Autonomous Hill Development Councils Act, 1997;
- ix. "Sub-ordinate Service" means and includes all non gazetted posts under the Administration whether grouped into organized service or not;
- x. "Consideration Committee" means the committee constituted under regulation 6;
- xi. "Stop-Gap Arrangement" means an appointment made to meet the contingency arising on account of delay in completing the process of regular recruitment to the post(s) due to any reason and where it is not feasible to leave the post(s) vacant and such appointment would not entitle the appointee to acquire any right to the post(s);

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(Sonam)
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- xii. "UT cadre" means the cadre of Departments in the Union territory as notified in respective recruitment rules and as notified vide SROs issued by the Union territory of J&K;
- xiii. "Divisional Cadre" means the cadre of Departments in the Division as notified in respective recruitment rules and as notified vide SROs issued by the Union territory of J&K;
- xiv. "District cadre" means the cadre of Departments in the District as notified in respective recruitment rules and as notified vide SROs issued by the Union territory of J&K;
- xv. "Employee" means the member of the respective subordinate service(s) serving in connection with the affairs of the Union territory of Ladakh and has exercised the option to serve in Ladakh;

Provided that an employee whose name figures in the provisional seniority list notified by the concerned Head of Department and of the concerned employee does not file any objections within the time period specified in the notice calling for objections, as to the inclusion of his name in the said provisional seniority list, it shall be deemed that he has exercised his option to serve in Union territory of Ladakh.

- 5. **Initial constitution of Cadre.**— The existing employees working in the Union territory, Divisional or District Cadre shall be deemed to be members of the respective Union territory, Divisional or District cadres, as the case may be, in a department, unless they are on deputation from another cadre retaining their lien in the parent cadre, in which case they will continue to remain members of such parent cadre.
- 6. **Constitution of Consideration Committees.**— There shall be a Consideration Committee for each Department at the UT/Divisional and District Level comprising the following members for considering stop-gap elevation to higher non-gazetted posts.

(1) **UT/Divisional level Consideration Committee.**—

- i. Administrative Secretary concerned (Chairman)
- ii. Head of the concerned Department (Member cum Convenor)
- iii. Under-Secretary, General Administration Department (Member)
- iv. Concerned District level officer of the Department to be nominated by the Chairman.

- (2) **District Level Consideration Committee.**—In respect of District cadre posts, the Departmental Promotion Committee as constituted under the Ladakh Autonomous Hill Development Councils Regulation shall function as the Consideration Committee.

7. Seniority.—

- (1) Every Head of the Department shall maintain an up to date provisional seniority list of employees for all categories of posts included in the UT/Divisional cadres, in respect of the Department under him. The said provisional seniority list shall be based on the last final seniority list issued by J&K Government and issued after seeking objections.
- (2) Provisional Seniority list of employees belonging to District Cadre posts shall be maintained by the DC/CEO, LAHDC concerned based on the last final seniority list issued and incorporating further changes in accordance with the provisions prescribed under J&K CS (CCA) Rules, 1956 concerning maintenance of the seniority.
- (3) The inter-se seniority in case of employees belonging to different District cadre posts for consideration of in charge arrangements to the higher posts included in the UT/Divisional cadre shall be determined based on continued service in the said district cadre post in a substantive capacity and shall not, include service rendered in a local arrangement or on an ad-hoc basis.
- (4) Provided that nothing in these regulations shall affect the inter-se seniority of members of any service, class, category, or grade as fixed in accordance with the rules in force on the date of issue of this notification.

8. Service Books, Annual Performance Report, and Vigilance Clearances.—

- (1) The service book of each employee shall be maintained by concerned DDOs in safe custody. The service book shall be updated regularly by the concerned DDOs. All the DDOs, on 1st January of every year, shall submit a certificate with regard to availability and safe custody of the updated service book of each employee under their control to the respective HOD. The HOD concerned shall forward the certificate, after countersignature, to the concerned Administrative Department for the record.

- (2) The HOD concerned shall maintain the updated record of the Annual Performance Report concerning all the employees of Divisional/UT cadres. Similarly, Deputy Commissioner/CEO, LAHDCs shall maintain the Annual Performance Report record of each employee of the district cadre. DC/CEO, LAHDC or the HODs concerned on 1st January of every year shall issue a list depicting the year wise status and availability of annual performance report in respect of each employee.
 - (3) IT Department, Union territory of Ladakh, shall develop a suitable online platform for submission, maintenance, and updation of APR, Vigilance clearance, and Service book of the employees.
9. Vigilance clearance of all the employees shall be obtained by concerned HOD and DC/CEO LAHDC in respect of Divisional/UT cadre and District Cadre employees respectively as and when required for their career progression. The Head of Police UT Ladakh shall readily maintain the vigilance status record in respect of each employee in a suitable format in consultation with the Anti Corruption Bureau of Jammu and Kashmir and shall provide the negative list to the General Administration Department at the time of considering stop-gap Arrangement of the members of the respective subordinate services.

10. Stop-Gap Arrangements/In-charge Arrangements.-

- (1) If exigencies of public service necessitate stop-gap arrangements for any post, the departments can submit a proposal before the Consideration Committee, having due regard to the basic eligibility needed for that post.
- (2) The consideration committee shall scrutinize the proposal submitted by the department in light of the relevant recruitment rules and the provisional seniority list notified by the department and make recommendations accordingly.
- (3) The Department may decide for a stop-gap arrangement based on the recommendation of the Consideration Committee.
- (4) The order of stop-gap arrangement shall specify that the person would continue to hold his substantive lower post and only discharge the duties of the higher post purely as a stop-gap arrangement.
- (5) The stop-gap arrangement shall not confer any right of promotion to that post.



11. Transfers:- A member of the UT/Divisional/District cadre will ordinarily be transferable within his cadre:

Provided that in the public interest he may be transferred to a post in any of the cadre, but his lien and promotion prospects shall be protected in his parent cadre.

Note:-

- i. A member of any cadre shall be transferred to another cadre only under orders of the Administration (General Administration Department).
- ii. A member of the district cadre shall be transferred from one District cadre to another or from District Cadre to the divisional cadre under orders of the Head of the Department.

12. Power to issue instructions.-

- (1) The General Administration Department may from time to time issue such directives or instruction as may be necessary for carrying out the provisions of these regulations.
- (2) The General Administration Department may, where it is satisfied that the operation, of any provisions of these regulations, causes undue hardship in any particular case or class of cases, by order, dispense with or relax the requirements of that regulation(s) as it may consider necessary.

13. Grievance Redressal:- Issues if any, arising out of implementation of these regulations, shall be addressed and decided by an Empowered Committee comprising of the following-

- i. Advisor -Chairman
- ii. Administrative Secretary General Administrative Department-Member Secretary
- iii. Administrative Secretary, Law -Member
- iv. Administrative Secretary (Department Concerned)-Member

14. Interpretation.- If any question arises as to the interpretation of these regulations the matter shall be referred to the Administration in Union Territory of Ladakh whose decision thereon shall be final.

By order of the Lieutenant Governor Ladakh.

Sd/-

**(Ajeet Kumar Sahu)IAS
Commissioner/Secretary**

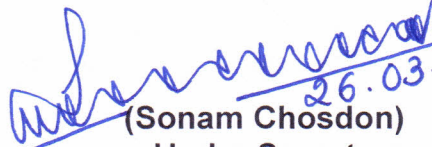
General Administration Department

Copy to the:-

1. Joint Secretary (JKL), Ministry of Home Affairs, Gol.



2. All Administrative Secretaries, UT, Ladakh.
3. Additional Director General of Police, Ladakh.
4. Deputy Commissioner/CEO, LAHDC, Leh & Kargil.
5. All Divisional Head of the Departments, Ladakh.
6. Deputy Director Information, Ladakh.
- ✓ 7. District Informatics Officer, NIC, Ladakh for uploading on UT website.
8. OSD to Hon'ble Lt. Governor, UT of Ladakh for information of Hon'ble Lt. Governor.
9. Private Secretary to Advisor to Hon'ble Lt. Governor for information of Advisor to Hon'ble Lt. Governor, Ladakh.
10. Superintendent, Archives, Archaeology & Museum.
11. Office/order/e-office file.


(Sonam Chosdon)
Under Secretary
General Administration Department

