

In pursuance of the provision of clause(3) of Article 348 of “The Constitution of India”, the Governor is pleased to order the publication of the following English translation of Notification No. **1169 /XX-1/2016-01(36)2007** Dehradun, dated 03 September,2016 , 2019 for general information:-

Government of Uttarakhand
Home Section-01
No. 1169 /XX-1/2016-01(36)2007
Dehradun, dated 03 September,2016
Notification
Miscellaneous

In exercise of the powers under Section 87 of the Uttarakhand Police Act, 2007 (Act No, 1 of 2008), and other enabling powers for this purpose and in supersession of all existing rules issued for this purpose, the Governor for regulating and promoting skilled player of Uttarakhand police out of turn under order of special Appeal No. 325 year 2014 makes the following rules, namely :-

The Uttarakhand Police Skilled Player Out of Turn Promotion Proceeding Rules, 2016
Part I -General

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| Short title and commencement | 1. (1) These rules may be called the Uttarakhand Police Skilled Player Out of Turn Promotion Proceeding Rules, 2016.

(2) It shall come into force at once. |
| Overriding effect | 2. Not with standing anything in rules, orders issued or made by Government for this purposes. |
| Definitions | 3. In this rules, unless the context or subject otherwise requires-

(a) “Skilled Player” means such male/female players of Uttarakhand Police department who has participated in sports organized/ recognized by International Olympic Association of International level and Sports Organized / recognized by Indian Olympic Association of State level; |

- (b) “Sports” means such sports which is recognized by Olympic/ Asian/ Commonwealth/ All India Police Sports Association;
- (c) “Team; means such group of player whose number is fixed by International Olympic committee/ Association for National/ International sports;
- (d) “International competition; means any such competition which is organized by such association which organizes senior/ junior international competition / International Olympic Committee/ Association;
- (e) “National competition” means senior/ junior/ national competition/ national games organized by Indian Olympic Association or Sports Association recognized by it;
- (f) “All Indian Police Sports competition” means such sports related activities/ competitions which are organized by All India Police Sports Control Board, New Delhi;
- (g) “ Uttarakhand Police Sports Control Board” means such unit which organizes and control different sports activities for Uttarakhand Police;
- (h) “Citizen of India” means a person who is or is deemed to be a citizen of India under Part II of the Constitution;
- (i) “ Constitution” means Constitution of India;
- (j) “ Government” means Uttarakhand State Government;
- (k) “ Governor” means Governor of Uttarakhand;
- (l) “Head of Department” means Uttarakhand Director General of Police;

- (m) “Appointing Authority” means-
- (i) Governor in case of Deputy Superintendent of Police or equivalent post;
 - (ii) Deputy Inspector of General in case of Inspector or equivalent post and Sub-inspector or equivalent post;
 - (iii) Senior Superintendent of Police/ Superintendent of Police or equivalent in case of Head Constable or equivalent post;
- (n) “Selection Committee” committee constituted by Director General of Police specially for skilled player out of turn promote in reference to Deputy Superintendent of Police said committee shall be recommendation committee to Government for promotion of skilled player holding qualification;
- (o) “ Service” means service of any person appointed on any post in cadre under these rules through promotion;
- (p) “Sports achievement” means paradigm created by any player or medal earned by him;
- (q) “ Substantive Appointment” means an appointment not being an adhoc appointment and made after selection in accordance with the appointment related service rules, provided where this is no service rules shall be done under executive rules;
- (r) “ Year of recruitment” means a period of twelve months commencing from the 1st day of July of a calendar year.

Part II- Cadre

- Cadre of service** 4. The post for appointment, for which skilled player is promoted, he shall deemed to be appointed on that post in cadre of the service.

Part III- Skilled player out of turn promotion

- Eligibility for promotion** 5. (1) According to the qualification presented in rule 7 of these rules to such skilled player, on the basis of their outstanding performance in their sports according to sub-rule (a) to (f) of rule 3 on the basis of out of turn promotion from every related cadre/ post shall be promoted to head constable or equivalent post, sub-inspector or equivalent post, Inspector or equivalent post or Deputy Superintendent of Police and equivalent post prescribed in related service rules.
- (2) According to these rules for out of turn promotion on any post it is compulsory to hold education qualification prescribed for post in relevant service rules.
- (3) On fulfilling the criteria required under these rules out of turn promotion shall not be subjected to any right and. These promotion shall be based on necessity of Department and individual/ Team performance/ achievement of every separate skilled player.
- (4) Such types of out of turn promotion given to any skilled player shall not be cited as an examples and this do not confer any right of out of turn promotion to other player.
- (5) At the time of giving out of turn promotion on basis of outstanding sports performance cognizance of punishment,

integrity, department/ legal proceeding shall be take and there criteria shall be considered in such a manner as normally seen in department on promotion to such rank.

Determination of vacancy for promotion

6. According to these rules procedure determined for out of turn promotion, such person who uses such opportunity shall be promoted by creating extra post proportion to said which shall dispense after post holder is promoted on higher level.

Qualification for promotion of skilled player

7. (1) For out of turn promotion on head constable or equivalent post one of the following criteria shall be followed—
 - (a) Being selected in State team of Uttarakhand State or Indian Police team has received Gold/ Silver or Bronze Medal senior/ junior personal or team sport National competition or being selected in Indian Team senior /junior as member of team being selected by Indian Sports Association has participated in International competition recognized by Indian Olympic Association.
 - (b) Has earned one Gold or two silver or one silver and two bronze, or three bronze medal in Team sports by participating in All India Police sports competitions provided said medal are earned in one single year or in three successive year.
- (2) For Sub-inspector or equivalent post one of the following criteria shall be followed—
 - (a) Being selected the Indian Team has earned Gold or Silver or bronze medal by participating in International

competition (Team/ individual sports) recognized by Indian Olympic Association;

- (b) Being selected in Uttarakhand State Team or Police Team has earned two medal (Team/ individual competition)/ in State competition/ State sports in which one gold/ silver medal or three bronze medal shall be there; Provided said medal are earned in one single year or in three successive year.
 - (c) Being selected in India Team included in Team/ individual event in Olympic games.
- (3) For the post of inspector or equivalent following criteria shall be followed—
- (a) Has earned the highest sports award (Arjun award) in country;
 - (b) Being selected in Indian Team has earned Gold or Silver medal or Bronze medal (in Team/ individual event) by participating in National, Asian Championship or two Gold medals in SAF games provided said medal are earned in one single year or in three successive year.
 - (c) Being selected in Indian team by participating in Olympic games in team/ individual event achieved till eight position.
- (4) Criteria for promotion on the post Deputy Superintendent of Police or equivalent post—

Player performing outstanding in any of the following shall be given performance on the post of Deputy

Superintendent of Police—

- (a) He is honored with the highest sport prize – Rajeev Gandhi Khel Ratna, of the country;
 - (b) Being selected in India team earned Gold or Silver or Bronze in individual/ team event by participating in world championship/ Olympic games.
8. Examination of all matters of out of turn promotion of skilled player shall be done by committee constituted by Director General of Police for this purposes for giving out of turn promotion meeting of such selection committee shall be organized twice in month of February and August which shall present its recommendation to Director General of Police Uttarakhand at the end of month of February and August. For out of turn promotion cognizance of only last 3 years achievement shall be taken by committee of employee as a skilled player.
9. For out of turn promotion the selection committees shall be constituted as follows-
- (A) **For the posts of Deputy Superintendent of Police or equivalent (committee for forwarding recommendation to the Government-**
- (1) Director General of Police, Uttarakhand- Chairman;
 - (2) Secretary, Uttarakhand Police Sports Control Board- Member-Secretary;
 - (3) An officer of Scheduled Caste/ Tribes not below the rank of Additional Superintendent of Police, to be nominated by the Director General of Police- Member;
 - (4) An officer of Backward Class not below the rank of Additional Superintendent of Police, to be nominated

by the Director General of Police- Member;

- (5) An officer of Minority Section not below the rank of Additional Superintendent of Police, to be nominated by the Director General of Police- Member.

(B) For promotion on the posts of Inspector or equivalent / Sub-inspector or equivalent-

- (1) Secretary, Uttarakhand Police Sports Control Board (not having rank of Additional Director of Police)/ Additional Director of Police, Personnel - Chairman;
- (2) Deputy Inspector General of Police, Personnel- Member;
- (3) An officer of Scheduled Caste/ Tribes not below the rank of Additional Superintendent of Police, to be nominated by the Director General of Police - Member;
- (4) An officer of Backward Class not below the rank of Additional Superintendent of Police, to be nominated by the Director General of Police- Member;
- (5) An officer of Minority Section not below the rank of Additional Superintendent of Police, to be nominated by the Director General of Police- Member;
- (6) Police Sports Officer- Secretary/Member.

(C) For promotion on the posts of Head Constable or equivalent-

- (1) Secretary, Uttarakhand Police Sports Control Board- Chairman;
- (2) Superintendent of Police, Personnel- Member;
- (3) An officer of Scheduled Caste/ Tribes not below the rank of Additional Superintendent of Police, to be nominated by the Director General of Police- Member;
- (4) An officer of Backward Class not below the rank of Additional Superintendent of Police, to be nominated by the Director General of Police- Member;

- (5) An officer of Minority Section not below the rank of Additional Superintendent of Police, to be nominated by the Director General of Police- Member;
- (6) Police Sports Officer- Secretary/Member.
- Procedure for promotion**
10. (1) The Secretary, Uttarakhand Police Sports Control Board, for the sedentary skilled player who fulfill, the criteria under rule 7 and who is recommended for promotion by the selection committee under rule 8, shall forward the proposal for promotion on higher rank out of turn to the Board of the skilled players with all sports activity/ achievements holding the achievements as mentioned in rule 7. The Board with due procedure shall send the proposal to the Appointing Authority of the concerned post.
- (2) After the clear approval of Head of Department on the basis of proposal of the Board, the promotion/ appointment of non-gazetted employees shall be made against the maximum available posts under rule 6, by the Appointing Authority.
- (3) The requisition proposal, for the promotion on the posts of Deputy Superintendent of Police, on the basis of recommendation of Selection committee shall be forwarded by the Board, to the Government after the approval of Director General of Police, in order of which, the proceeding of promotion shall be taken by the Government through the Uttarakhand Public Service Commission.
- (4)The promotion made under these rules shall be applicable from the date of taking charge.
- Gap in second promotion**
11. The next out of turn promotion of the skilled player after first out of term. Promotion may be made on the basis of sports achievements after his first promotion but there should be minimum two years of gap between them.
- Demotion**
12. (1) If the performance of the promoted employee as skilled player on the basis of the promoted achievement by which he is promoted not maintain the eligibility at

qualifying level for two years after his promotion on the basis of above said rules as skilled player, then recommendation for his demotion by the Selection Committee after due consideration / examination, shall be made to Appointing Authority and order of demotion of the concerned employee with reason shall be issued by the Appointing Authority according to the above recommendation of the Committee.

- (2) After promotion of the promoted employee as skilled player under sub rule (1), shall have to perform up to qualifying level of the specific sports (on the basis of which he is promoted) for two years before the committee prescribed by the Secretary, Uttarakhand Police Sports Control Board, the Police Sports Officer shall forward the report of same to the Chairman of the selection committee as mentioned in sub rule (1). The time of performance shall be determined by the Police Sports Officer and accordingly concerned officer/ employee shall be communicated.
- (3) If the employee promoted as skilled player under sub rule (1) could not perform for successive two year up to the required level before the police sports officer—
 - (a) If he is ill/ victim of accident, became physically weak by which his sports performance is, certainly to effect (he shall submit the report of the State Medical Board to the Police Sports Officer, regarding it);
 - (b) If he does not get required time to maintain the level of sports, due to discharge of departmental duties/ responsibility (for which it is essential to submit the certificate by the above employee given by concerned immediate officer regarding this to the appointing authority) and above said player/ players have also informed and requested for due time for practice to his controlling officer in writing through proper medium (the endorsement of which shall be certainly made to the Police Sports Officer)

such employee shall not be demoted.

- (4) The employee promoted as skilled player, shall be given three month time for performance before the selection committee to maintain the required level of next performance by the immediate officer and the time bound procedure for deployment on identified / marked place/ concerning shall be ensured.

Part IV- Out of turn promotion training of players and their seniority

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| Training | 13 | (1) The skilled player promoted out of turn shall undergo the successful essential prescribed basic training program of the rank on which they are promoted.

(2) The skilled player shall have the exemption to take part in All India Police Sports/ National/ International games, during the training. In this case, he have to complete the required basic training separately.

(3) Generally for the promotion on higher rank a player shall be eligible only when he has successfully undergone the prescribed basic training program for that rank and he fulfills the all qualification for such promotion. |
| Probation | 14. | All skilled players promoted under these rules shall be kept on probation according the provisions of the related service rules. |
| Confirmation | 15. | A probationer shall be confirmed in his appointment at the end of the period of probation or extended period of probation if—

(a) he has successfully undergone the prescribed training;

(b) his work and conduct found very good;

(c) his integrity is certified. |
| Seniority | 16. | The persons appointed on the basis of promotion of out of turn shall be kept below the persons substantively appointed on that cadre. |

Part V- Pay scale etc.

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| Pay | 17. | The pay and allowances permissible to the skilled player |
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according to the prevailing salary structure on substantive post/ service shall be same against which he is deployed as a result of promotion.

Part VI- Other provisions

**Other
miscellaneous
provision**

18. (1) In regards to the matter not specifically covered by these rules or other relevant orders, shall be governed by such rules, provisions and orders applicable generally to the Government servants serving in connection with the affairs of the State.
- (2) The existing provisions of Government order against the provisions of these rules shall extinguish from the commencement of these rules.
- (3) The persons promoted on the basis of achievement of sports, in the compliance of Government orders issued from time to time, shall be considered promoted on their cadre from the date of promotion.
- (4) Nothing in these rules shall effect reservation or any concession required to be provided to the candidates belonging to Scheduled Caste, Scheduled Tribes and Other special categories of person in accordance with the orders of the Government issued from time to time in this regard.

**Relaxation from
the conditions of
the service**

19. Where the State Government is satisfied that the operation of any rule, regulating to the conditions of service of a person appointed to the service causes under hardship in any particular case, it may, notwithstanding anything contained in the rules applicable to the case by order, dispense with or relax with the 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;

Provided that where the rule has been framed in consultation with the Uttarakhand Public Service Commission, that body shall be consulted before the requirement of the rule are dispensed with or relaxed.

**Extent/
Applicability**

20. The action taken under these rules for promotion shall be deemed to take under the relevant service rules.

**Dr. Umakant Panwar
Principal Secretary.**