

The U.P. Hill Sub-Cadre Rules, 1992

UTTAR PRADESH

India

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Rule THE-U-P-HILL-SUB-CADRE-RULES-1992 of 1992

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The U.P. Hill Sub-Cadre Rules, 1992Published vide Notification No. 1318/92-Karmik-1-1992, dated 25th November, 1992, published In the U.P. Gazatte (Extraordinary), Part 4, Section (Ka), dated 25th November, 1992In exercise of the powers conferred by the proviso to Article 309 of India, the Governor is pleased to make the following rules regulating constitution of separate Hill Sub-Cadre in various services under the State Government :

1. Short title and commencement.

(1)These rules may be called the Uttar Pradesh Hill Sub-Cadre Rules, 1992.(2)They shall come into force at once.

2. Application of rules.

- These rules shall apply to the posts included In the Hill Sub-Cadre.

3. Overriding effect.

- These rules shall have effect notwithstanding anything to the contrary contained in any other rules or orders.

4. Definitions.

- In these rules,-(a)'Appointing Authority" means appointing authority as contained in the relevant services rules applicable to a post or where there are no such rules, the officers authorised by the Governor to make appointment on such post;(b)"Government" means the Government of Uttar Pradesh;(c)"Governor" means the Governor of Uttar Pradesh;(d)['General Cadre" means the strength of the posts in a service pertaining to all the departments, which is excluded from the Hill Sub-Cadre by the Government by notified order] [Substituted by Notification No.

13-8-92-Karmik-1/1997, dated 2nd July, 1997, published in U.P. Oazette (Extra), Part 4, Section (Ka), dated 2nd July, 1997, (with Immediate effect).];(e)"Hill Sub-Cadre" means the Hill Sub-Cadre constituted under Rule 5;(f)"Member of Service" menas a person substantively appointed to the Service under the relevant service rules or executive instruction, as the case may be;(g)["Service" means in the departments of the Government] [Substituted by Notification No.

13-8-92-Karmik-1/1997, date 2nd July, 1997, published in U.P. Gazette, (Extra), Part 4, Section (Ka), dated 2nd July, 1997 (with immediate effect).];(h)"Substantive Appointment" means an appointment not being an ad hoc appointment made after selection in accordance with the relevant service rules and, if there were no such rules, in accordance with the procedure prescribed for the time being by executive instructions issued by the Government.

5. [Constitution of Hill Sub-Cadre. [Substituted by Notification No. 13-8-92-Karmik-1/1997, date 2nd July, 1997, published in U.P. Gazette, (Extra), Part 4, Section (Ka), dated 2nd July, 1997 (with immediate effect).]

(1)There shall be a separate Hill Sub-Cadre in all the departments of the Government comprising all posts except the department and posts,-(i)the incumbents whereof were, on the date preceding the commencement of these rules, not liable to be transferred outside the hill districts, namely-Almora, Chamoli, Dehradun, Hainital, Pauri Garhwal, Pithoragarh, Tehri Garhwal, Uttarkashi and Udham Singh Hagar;(ii)which are excluded from the Hill Sub-Cadre by the Government by notified order;(2)The strength of Hill Sub-Cadre in a Service shall be such as may be determined by the Government, from time to time, by notified order.]

6. [Allocation of members of Service to Hill Sub-Cadre. [Substituted by Notification No. 13/VIII-1992-Karmik-1/1998. dated 10th June, 1998, published in U.P. Gazette (Extra), Part 4, Section (Ka), dated 10th June, 1998.]

(1)The existing members of Service shall be required by the appointing authority to exercise their option for allocation to Hill Sub-Cadre within three months from the date of order made under sub-rule (2) of Rule 5.(2)On the commencement of the Uttar Pradesh Hill Sub-Cadre (Second Amendment) Rules, 1997 the appointing authority, in case where the procedure for asking for options to Hill Sub-Cadre has not been completed or partially completed, may require the members of the General Cadre to exercise their options for allocation to Hill Sub-Cadre within three months from the date of order made under sub-rule (2) of Rule 5 :Provided that fresh options shall not be invited in respect of the Departments and posts for which options have already been asked for.(3)Options exercised under sub-rules (1) and (2) shall be final and irrevocable.(4)In case no option is exercised within the time specified in sub-rules (1) and (2) it will be deemed that the member of the Service wants to remain in the General Cadre and does not want his allocation to the Hill Sub-Cadre.]

7. Recruitment.

- Posts in the Hill Sub-Cadre shall be filled by direct recruitment or by promotion, as the case may be, in accordance with the service rules or executive instructions applicable to the Service: Provided that where recruitment to any post falling in the Hill Sub-Cadre is to be made by promotion, separate eligibility list of the members of Hill Sub-Cadre shall be prepared and recruitment made therefrom.

8. Seniority.

- The seniority of persons substantively appointed to the post in a Service in the Hill Sub-Cadre shall be determined in accordance with the Uttar Pradesh Government Servant Seniority Rules, 1991 as amended from time to time.

9. Regulation of other matters.

- In regard to the matters not specifically covered by these rules, persons appointed to the Hill Sub-Cadre shall be governed by the rules, regulations and orders applicable generally to Government servants serving in connection with the affairs of the State.

10. Saving.

- Nothing in these rules shall affect reservations and other concessions required to be provided for the candidates belonging to the Scheduled Castes, Scheduled Tribes and other special categories of persons, in accordance with the order of the Government, issued from time to time, in this regard. Appendix (See Rules 4 and 5)

1. Industries Department

2. Small and Rural Industries Department

3. Geology and Mining Department

4. Energy Department

5. Agriculture Department

6. Rural Development Department

- 7. Panchayti Raj Department**
- 8. Rural Engineering Service Department**
- 9. Animal Husbandry Department**
- 10. Fisheries Department**
- 11. Co-operative Department**
- 12. Dairy Development Department**
- 13. Area Development Department**
- 14. Ayurvedic and Unani Medical Department**
- 15. Medical and Public Health and Family Welfare Department**
- 16. Homeopathic Medical Department**
- 17. Urban Development Department**
- 18. Technical Education Department**
- 19. Transport Department**
- 20. Tourism Department**
- 21. Revenue Department (excluding Consolidation, Land Acquisition and Record Operation)**
- 22. Public Works Department**
- 23. Education Department (including Higher Education)**
- 24. Adult Education Department**

25. Labour Department

26. Training and Employment Department

27. Irrigation Department

28. Information and Public Relation Department

29. Samaj Kalyan Department

30. Mahila Kalyan Department (including Bal Vikas Programmes)

31. Yuva Kalyan Department.