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असाधारण

EXTRAORDINARY

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PART II — Section 1

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE (Legislative Department)

New Delhi, the 2nd June, 2025/Jyaistha 12, 1947 (Saka)

THE LADAKH CIVIL SERVICES DECENTRALIZATION AND RECRUITMENT (AMENDMENT) REGULATION, 2025

NO. 4 OF 2025

Promulgated by the President in the Seventy-sixth Year of the Republic of India.

A Regulation further to amend the Jammu and Kashmir Civil Services Decentralization and Recruitment Act, 2010 in its application to the Union territory of Ladakh.

In exercise of the powers conferred by article 240 of the Constitution read with sub-section (2) of section 58 of the Jammu and Kashmir Reorganisation Act, 2019, the President is pleased to promulgate the following Regulation made by her:—

- (1) This Regulation may be called the Ladakh Civil Services Decentralization and Recruitment (Amendment) Regulation, 2025.

Short title,
extent and
commencement.

(2) It extends to the whole of the Union territory of Ladakh.

(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. Throughout the Jammu and Kashmir Civil Services Decentralization and Recruitment Act, 2010 (hereinafter referred to as the principal Act),—

XVI of 2010.

(a) for the words “State of Jammu and Kashmir”, wherever they occur, the words “Union territory of Ladakh” shall be substituted;

(b) for the words “Jammu and Kashmir”, wherever they occur, the word “Ladakh” shall be substituted;

(c) for the word “Government”, wherever it occurs, the word “Administration” shall be substituted;

(d) for the words “Government Gazette”, wherever they occur, the words “Official Gazette of the Union territory of Ladakh” shall be substituted;

(e) for the words “State Cadre”, wherever they occur, the words “Union territory Cadre” shall be substituted;

(f) the words “, Divisional”, “or Divisional”, “Divisional or”, “or Division” and “or the Division”, wherever they occur, shall be omitted;

(g) for the words “permanent resident of the State”, wherever they occur, the words “domicile of the Union territory of Ladakh” shall be substituted.

3. For section 2 of the principal Act, the following section shall be substituted, namely:—

‘2. In this Regulation, unless the context otherwise requires,—

(a) “Administration” means the Administration of the Union territory of Ladakh;

(b) “Appellate Authority” means the Authority who is empowered to hear the appeals against the decision of the Competent Authority;

(c) “Competent Authority” means the Authority who is empowered to issue a domicile certificate;

(d) “District Cadre” means the cadre of a department in a district comprising all the posts whether executive, ministerial or technical, the basic pay of which does not exceed the basic pay for the post of Senior Assistant, but does not include the posts falling under the Union territory Cadre;

(e) “domicile” means the domicile as defined in section 3A of this Regulation;

(f) “domicile certificate” means the domicile certificate referred to in section 3B of this Regulation;

(g) “notification” means a notification published in the Official Gazette of the Union territory of Ladakh and the expression “notify” shall be construed accordingly;

(h) “prescribed” means prescribed by rules made by the Administration of the Union territory of Ladakh;

(i) “Union territory” means the Union territory of Ladakh;

(j) “Union territory Cadre” means the sanctioned strength of all Gazetted and non-Gazetted posts borne, on the establishment of the headquarter offices of all the departments having jurisdiction over the

Construction of reference of certain expressions by certain other expressions.

Substitution of new section for section 2.

Definitions.

entire Union territory, but does not include the posts borne on the District Cadre.'

4. For section 3 of the principal Act, the following section shall be substituted, namely:—

"3. The provisions of this Regulation shall apply to all the Gazetted and non-Gazetted posts borne on the establishment of any Department or Service of the Administration or a company under the control of Administration:

Provided that the provisions of this Regulation shall not apply to—

(i) the posts for which any special procedure is laid down under any law of the Union territory; and

(ii) such other posts as may be excluded from the operation of this Regulation by the notification issued by the Administration in this behalf from time to time.”.

5. After section 3 of the principal Act, the following sections shall be inserted, namely:—

"3A. (1) Any person who fulfils the following conditions shall be domicile of the Union territory for the purposes of appointment to any post under the Union territory or under a local or other authority (other than cantonment Board) within the Union territory, namely:—

(a) who has resided for a period of fifteen years in the Union territory; or

(b) who has studied for a period of seven years and appeared in class 10th or 12th examination in an educational institution located in the Union territory.

(2) Notwithstanding anything contained in sub-section (1), the following persons shall be domicile under sub-section (1), namely:—

(a) children of those Central Government Officials, All India Services Officers, Officials of Public Sector Undertaking and Autonomous body of Central Government, Public Sector Banks, Officials of Statutory bodies, Officials of the Central Universities and recognised Research institutes of Central Government who shall have served in the Union territory for a total period of ten years;

(b) the children of parents who fulfils any of the conditions specified in sub-section (1); or

(c) the children of such residents of Union territory who resides outside the Union territory in connection with their employment or business or other professional or vocational reasons, but their parents fulfil any of the conditions specified in sub-section (1).

(3) Notwithstanding anything contained in sub-section (1), the spouse of a domicile shall also be deemed to be a domicile for the purposes of sub-section (1).

3B. (1) The Tehsildar within his territorial jurisdiction shall be the Competent Authority for issuance of domicile certificate:

Provided that the Administration of the Union territory may notify any other officer to be the Competent Authority for issuance of domicile certificate.

Substitution of new section for section 3.

Applications of this Regulation.

Insertion of new sections 3A and 3B.

Domicile for purpose of appointment in any service to Union territory.

Issuance of domicile certificate.

(2) The applicant may apply in such form and manner as may be prescribed to the Competent Authority who shall after due verification issue such certificate in such form as may be determined by the Competent Authority.

(3) Any person aggrieved by the decision of the Competent Authority may file an appeal before the concerned Deputy Commissioner who shall be the Appellate Authority for deciding the appeal, after providing an opportunity of being heard to the parties, within a period of sixty days from the date of receipt of appeal:

Provided that the Appellate Authority may entertain the appeal after the expiry of the said period of sixty days, if it is satisfied that the appellant was prevented by a sufficient cause from preferring the appeal in the given time.”.

Amendment of section 4.

6. In section 4 of the principal Act, for sub-section (2), the following sub-section shall be substituted, namely:—

“(2) Notwithstanding anything contained in sub-section (1), the posts borne on temporary organisations created for specified works or projects, other than the work charged establishment shall be treated as posts in the Union territory Cadre concerned for purposes of recruitment only.”.

7. In section 5 of the principal Act,—

(i) for the words “State Service Selection Board”, occurring at both the places, the words “Ladakh Subordinate Services Staff Selection Board” shall be substituted;

(ii) in sub-section (1), the proviso shall be omitted.

8. Section 7 of the principal Act shall be omitted.

9. Section 10 of the principal Act shall be omitted.

10. In section 11 of the principal Act,—

(i) for the word “Divisional”, the word “District” shall be substituted;

(ii) sub-section (2) shall be omitted.

11. After section 13 of the principal Act, the following section shall be inserted, namely:—

“13A. The provisions of this Regulation shall be in addition to and not in derogation of any other law relating to recruitment for the time being in force in the Union territory of Ladakh.”.

12. For section 14 of the principal Act, the following section shall be substituted, namely:—

“14. (1) If any difficulty arises in giving effect to the provisions of this Regulation, the Administration may by order published in the Official Gazette of Union territory of Ladakh, make such provisions not inconsistent with the provisions of this Regulation as may appear to it to be necessary for removing the difficulty:

Provided that no order shall be made under this section after the expiry of two years from the date of commencement of this Regulation.

(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.”.

Omission of section 7.

Omission of section 10.

Amendment of section 11.

Insertion of new section 13A.

Application of other laws not barred.

Substitution of new section for section 14.

Power to remove difficulties.

13. For section 15 of the principal Act, the following section shall be substituted, namely:—

“15. (1) The Administration may, by notification, make rules not inconsistent with the provisions of this Regulation for carrying out the purposes of this Regulation.

(2) Any rule made under this Regulation shall, as soon as may be after it is made, be laid before each House of Parliament.”.

Substitution of new section for section 15.

Power to make rules.

DROUPADI MURMU,
President.

DR. RAJIV MANI,
Secretary to the Govt. of India.