

Bihar Jail Service Rules, 2014

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Rule BIHAR-JAIL-SERVICE-RULES-2014 of 2014

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Bihar Jail Service Rules, 2014 Published vide Notification No. dkjk@LFkko (v/kho)-01-12/2014-3296, dated 19.06.2014 Last Updated 10th February, 2020 No. dkjk@LFkko (v/kho)-01-12/2014-3296. - In exercise of powers conferred by Section 59 of the Prisons Act, 1894, the Governor of Bihar is pleased to make the following Rules for the Bihar Jail Service:-

1. Short title, extent and commencement.

(1) These Rules shall be called the "Bihar Jail Service Rules, 2014". (2) It shall extend to the whole of the State of Bihar. (3) It shall come into force with immediate effect.

2. Definitions.

- In these Rules, unless the context otherwise requires:- (i) 'State' means the State of Bihar; (ii) 'State Government' means the Bihar State Government; (iii) 'Commission' means the Bihar Public Service Commission; (iv) 'Service' means the Bihar Jail Service prescribed under the Appendix-B of the Bihar Public Service Commission (work limitation) Regulation, 1957 by the Personnel and Administrative Reforms Department (presently General Administration Department) vide notification no. 1174 dated 20.01.1989; (v) 'Appointing Authority' means Governor of Bihar; (vi) 'Cadre Controlling Authority' means the Principal Secretary, Home Department, Bihar; (vii) 'Direct Recruitment' means appointment on the basis of examination conducted by the Bihar Public Service Commission; (viii) 'Appointment through Promotion' means appointment from the cadre of Deputy Superintendent on the basis of seniority-cum-merit; (ix) 'Department' means Home Department as described in executive rules; (x) 'Inspectorate of Prison and Correctional Services' means Office of Inspector General, Prison and Correctional Services, Bihar; (xi) 'Examination' means Combined Competitive Examination for different State Services conducted annually by the Bihar Public Service Commission; (xii) 'Prison Manual' means Bihar Prison Manual, 2012.

3. Constitution of cadre.

(1) There shall be the following posts in the Bihar Jail Service:-(a) Basic Grade. - Primary category (feeder post)- Pay scale (As prescribed by the government from time to time.)(b) Junior Grade. - First stage of Promotion- Pay scale (As prescribed by the government from time to time.)(c) Senior Grade. - Second stage of Promotion- Pay scale (As prescribed by the government from time to time.)(d) Higher Grade. - Third stage of Promotion-Deputy Inspector General of Prisons and Correctional Services- Pay scale (As prescribed by the government from time to time.)(e) The grade of the above posts shall be the same as prescribed by the state government from time to time.(2) The post of Jail Superintendents and posts of similar category as created, sanctioned and notified by the State Government, in all jails situated in the state and in the Inspectorate of Prisons and Correctional services, shall be the part of the Service.(3) The recruitment in the Bihar Jail Service shall be made as Jail Superintendent. The state government may post an officer of any grade of the Service in any jail situated in the State, and pay scale of the grade owned by him/her shall be payable to him/her.(4) The Government may order/notify to depute/assign of any other responsibility, or as the purposes of the Government, from time to time.(5) All persons of the above category appointed and working prior to the enforcement of these Rules, shall automatically be deemed to be included into this service.(6) Inspector General of Prisons and Correctional Services will have the operational control upon the service.(7) Compliance of duties and responsibilities prescribed in Bihar Prison Manual, 2012 and its provisions shall be binding for all the members working to different posts of the chains of posts of the service.

4. Source of Recruitment.

- (1) Direct Recruitment. -(i) Appointment shall be made through direct recruitment on the basis of recommendations received from the Commission, as per the competitive examination held by the Commission.(ii) The Commission shall include the vacancy sent by the government in its advertisement for the annually held combined competitive examination.(iii) The Commission shall send the list of selected candidates to the Department on the basis of the examination held for different services as per its prescribed manner and procedures.(iv) Age. - The maximum age limit for entry into the service shall be the same as prescribed by the government from time to time and advertised by the Commission in its advertisement.(v) Educational Qualification. - Graduation or equivalent from any recognized University.(vi) It will be essential for candidates to fulfill the criterion prescribed by the Commission, and satisfy the Commission for selection into the Service.(2) Recruitment through Promotion. - (i) For the recruitment by promotion, the Departmental Promotion Committee constituted under the Chairmanship of Inspector General, Prisons and Correctional Services, Bihar shall prepare a recommendation-list, amongst the working Deputy Superintendents from the cadre of Deputy Superintendents in Bihar jails, on the basis of their service history, Annual Confidential Report, seniority and merit list.(ii) The said recommendation-list shall be sent to the Commission.(iii) The State Government shall notify for filling the actual number of vacancy on the basis of promotion after getting recommendations from the Commission.(iv) The percentage of recruitment through promotion shall be 25 percent of total created and sanctioned posts of the Service.

5. Reservation.

- The provisions of Bihar State Reservation Act as in force in the State shall be applicable.

6. Probation and Period.

- Each personnel, either directly recruited or recruited through promotion, shall be appointed on probation in the beginning of service. The period of probation shall be of two years from the date of appointment.

7. Training/ Departmental Examination.

(1) It shall be required from the person appointed through direct recruitment to take training or pass the Departmental Examination, as may be prescribed by the Cadre Controlling Authority/ Revenue Board, from time to time. (2) The confirmation of service and further promotion of the members of the service shall not be considered if they do not participate in the essential training programme conducted in any Jail or Administrative Training Institute or any Institute prescribed by the Department, or if they do not pass the departmental examination. (3) However, the Cadre Controlling Authority may relax this requirement, if arrangement of such training/examination is not possible.

8. Promotion.

(1) Promotion into the different grades of the service shall be given on the recommendation of the Departmental Promotion Committee constituted by the State Government. (2) The minimum qualifying service, i.e., 'Kalawadhi' (dkykof/k) for such promotions shall be the same as decided by the Home Department, from time to time, in consultation with the General Administration Department.

9. Seniority.

(1) The seniority of members of the service appointed through direct recruitment shall be determined in order of the merit list of the Bihar Public Service Commission. (2) The determination of seniority amongst personnel appointed through direct recruitment and those appointed through promotion shall be made in conformity of instructions issued by the General Administration Department, from time to time.

10. Disciplinary Action.

- The provisions of the Bihar Government Service (Classification, Control and Appeal) Rule, 2005 and provisions notified/issued by the Government, from time to time, shall be obligatory to members of the service.

11. Residues Matters.

- Members of the service shall be governed by regulations and orders of the Government, applicable in respect of employees of equivalent status, in matters specifically not covered by these Rules or by orders/special orders made under these Rules.

12. Removal of Difficulties.

- The Government, from time to time, may issue such general or special direction by notification which is consistent with the provisions of the Act and these Rules to remove difficulties arising in implementation of these Rules.

13. Savings and Repeal.

(1)The Bihar Jail Service Rule, 1953 is hereby repealed.(2)Notwithstanding such repeal, anything done or any action taken in exercise of the power conferred under these Rules shall deemed to be done or taken under these Rules as if these rules were in operation on the day when such thing was done, or such action was taken. Annexure-'A'

1. Criteria of health examination and physical standard for appointment by promotion from Deputy Superintendent to the Bihar Jail Service. - The criteria of health examination for appointment by promotion from Deputy Superintendent to the Bihar Jail Service will be in the following manner:-

(1)There should not be any disease of bones and joints in the body.(2)The candidate should be able to hear in a normal manner and should not have the necessity of using a hearing aid.(3)There should not be any functional or organic disease of heart or blood vessels and the candidate should be free from AIDS.(4)There should not be any serious ailment in internal organs of stomach.(5)The candidate shall not be eligible if he suffers from hernia which has not been operated.(6)There should not be any disease like hydrocele, varicocele or piles.(7)There should not be any skin disease which may cause impairment or deformation.(8)There should not be any serious ocular disease and eye sight should be within common standard with or without glasses. Night-blindness, ablepsia or glaucoma will cause disqualification.(9)Routine ECG and EEG should be under prescribed limit.