

U.P. Jail Executive Subordinate (Gazetted) Service Rules, 1980

UTTAR PRADESH

India

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Rule

U-P-JAIL-EXECUTIVE-SUBORDINATE-GAZETTED-SERVICE-RULES-1980 of 1980

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U.P. Jail Executive Subordinate (Gazetted) Service Rules, 1980Published vide Notification No. 1240/22-1349-54, dated 6th June, 1980 and published in the U.P. Gazette (Extraordinary), dated 6th June, 1980In exercise of the powers conferred by the proviso to Article 309 of the Constitution and in supersession of all existing rules and orders on the subject, the Governor is pleased to make the following rules regulating recruitment and conditions of service of persons appointed to the Uttar Pradesh Jail Executive Subordinate (Gazetted) Service :

Part I – General

1. Short title and commencement.

(1)These rules may be called the Uttar Pradesh Jail Executive Subordinate (Gazetted) Service Rules, 1980.(2)They shall come into force at once.

2. Status of the Service.

- The Uttar Pradesh Jail Executive Subordinate (Gazetted) Service is a subordinate Service comprising Group 'B' posts.

3. Definitions.

- In these rules unless there is anything repugnant in the subject or context,-(a)'Appointing authority' means the Inspector General of Prisons, Uttar Pradesh;(b)'Commission' means the Public

Service Commission, Uttar Pradesh;(c)'Constitution' means the Constitution of India;(d)'Government' means the State Government of Uttar Pradesh;(e)'Governor' means the Governor of Uttar Pradesh;(f)'Inspector General' means the Inspector General of Prisons, Uttar Pradesh;(g)'Member of Service' means a person appointed in a substantive capacity under these rules or the rules or orders in force prior to the commencement of these rules to a post in the cadre of the Service;(h)'Service' means the Uttar Pradesh Jail Executive Subordinate (Gazetted) Service; and(i)'Year of recruitment' means the period of twelve months commencing from the first day of July of a calendar year.

Part II – Cadre

4. Cadre of Service.

(1)The strength of the Service and of each category of posts therein shall be such as may be determined by the Governor from time to time.(2)The strength of the Service and of each category of posts therein shall until orders varying the same are passed under sub-rule (1) shall be as given in Appendix 'A':Provided that-(1)the appointing authority may leave unfilled or the Governor may hold in abeyance any vacant post without thereby entitling any person to compensation, or(2)the Governor may create such additional permanent or temporary posts from time to time as he may consider proper.

Part III – Recruitment

5. Source of Recruitment.

- Recruitment to the various categories of posts in the Service shall be made from the following sources :

- | | | |
|------|--|---|
| (i) | Deputy Superintendents of Central Prisons. | By promotion on the basis of seniority subject to therejection of the unfit from amongst the permanent Jailors. |
| (ii) | Jailors (including the post of Vice-Principal, Jail TrainingSchool Lucknow). | By promotion on the basis of merit from amongst the permanentDeputy Jailors. |

6. Reservation.

- Reservations for the candidates belonging to the Scheduled Castes, Scheduled Tribes and other categories shall be in accordance with the orders of the Government in force at the time of the recruitment.

Part IV – Procedure for Recruitment

7. Determination of vacancies.

- The appointing authority shall determine and intimate to the Commission the number of vacancies to be filled during the course of the year as also the number of vacancies to be reserved for candidates belonging to the Scheduled Castes, Scheduled Tribes and other categories under Rule 6.

Part V – Appointment, Probation, Confirmation and Seniority

8. Procedure for recruitment.

- Recruitment by promotion to the posts of-(i)Deputy Superintendent of Central Prisons; and(ii)Jailors, including Vice-Principal, Jail Training School, Lucknow,shall be made in accordance with the procedure laid down in rules framed by the Government in this behalf and as amended from time to time.Explanation. - The procedure prescribed at the time of promulgation of these rules is given in Uttar Pradesh Promotion in Consultation with Public Service Commission (Procedure) Rules, 1970, notified vide Notification No. 42/4/66-Apptt. (B), dated October 6, 1970 and as amended vide Notification No. 42-4-1966-Apptt. (3), dated July 4, 1972.

9. Appointment.

- (i) On the occurrence of substantive temporary and officiating vacancies, the appointing authority shall make appointments to the Service from the lists drawn up by the Commission and in the order indicated in accordance with the provisions of the rules referred to in the explanation to Rule 8 above.(ii)If no candidate borne on the lists referred to above is available, the appointing authority may make ad hoc appointments for a period not exceeding one year from among persons eligible for appointment under these rules.

10. Probation.

(1)A person on appointment to a post or Service in or against a substantive vacancy shall be placed on probation for a period of two years.(2)The appointing authority may for reasons to be recorded extend the period of probation in individual cases specifying the date up to which the extension is granted ;Provided that save for exceptional reasons the period of probation shall not be extended for more than one year and in no circumstances beyond the limit of two years.(3)If it appears to the appointing authority at any time during or at the end of the period of probation or extended period of probation that a probationer has not made sufficient use of his opportunities or has otherwise failed to give satisfaction he may be reverted to his substantive post.(4)A probationer who is reverted under sub-rule (3) shall not be entitled to any compensation.(5)The appointing authority may allow continuous Service, rendered in an officiating or temporary capacity in a post included in the cadre or any other equivalent or higher post to be taken into account for the purpose of

computing the period of probation.

11. Confirmation.

- A probationer shall be confirmed in his appointment at the end of the period of probation or the extended period of probation if: (a) his work and conduct are reported to be satisfactory, (b) his integrity is certified, and (c) the appointing authority is satisfied that he is otherwise fit for confirmation.

12. Seniority.

- Seniority in any category of post in the Service shall be determined from the date of substantive appointment and if two or more persons are appointed together from the order in which their names are arranged in the appointment order: Provided that the inter se seniority of person appointed to the Service by promotion shall be the same as it was in the substantive post held by them at the time of promotion.

Part VI – Pay etc.

13. Scale of Pay.

(1) The scale of pay admissible to persons appointed to the various categories of posts in the Service, whether in a substantive or officiating capacity or as a temporary measure, shall be such as may be determined by the Government from time to time. (2) The scales of [pay] [See now Revised Pay Scale.] at the time of the commencement of these rules are given as follows :

I. Deputy Superintendent	Rs. ... 450-25-575-E.B.-25-750-E.B.-30-850.
II. Jailor (including the post of Vice-Principal, Jail Training School, Lucknow).	Rs. 400-15-475-E.B.-20-575-E.B. ... -25-750.

14. Pay during probation.

(1) The pay during probation of a person who was already holding a post under the Government shall be regulated by the relevant Fundamental Rules: Provided that if the period of probation is extended on account of failure to give satisfaction such extension shall not count for increment unless the appointing authority directs otherwise. (2) The pay during probation of a person in the Service shall be regulated by the relevant Fundamental Rules.

15. Criteria for crossing efficiency bars.

- No person shall be allowed to cross:-(i) the first efficiency bar unless he has adequate knowledge of jail rules and the rules relating to prisoners, has acquired efficiency in office work and jail

administration, his work and conduct are found to be satisfactory and unless his integrity is certified;(ii)the second efficiency bar unless he has exercised effective supervision, has initiative, has taken keen interest in the welfare and reformations of prisoners, his work and conduct are found to be satisfactory and unless his integrity is certified.

Part VII – Other Provisions

16. Canvassing.

- No recommendations either written or oral, other than those required under the rules applicable to the post or Service will be taken into consideration. Any attempt on the part of a candidate to enlist support directly or indirectly for his candidature will disqualify him for appointment.

17. Regulation of other matters.

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

18. Relaxation from the conditions of Service.

- Where the Government is satisfied that the operation of any rule regulating the conditions of Service of person appointed to the Service causes undue hardship in any particular case it may, notwithstanding anything contained in the rules applicable to the case by order, dispense with or relax 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 if a rule was framed in consultation with the Commission, that body shall be consulted before the requirements of that rule are dispensed with or relaxed.

19. Saving.

- Nothing in these rules shall affect reservation and other concessions required to be provided for the Scheduled Castes, Scheduled Tribes and other special categories of persons in accordance with the orders issued by the Government from time to time in this regard. Appendix A(See Rule A)The sanctioned strength for the Service is as follows:

Name of post		Number	
Group 'B'	Permanent		Temporary
(1)	Deputy Superintendents, Central Prison	7	...
(2)	Jailors including Vice-Principal, Jail Training School, Lucknow	72*	7

*Including 3 posts of Jailors of District Jail, Allahabad, Central Prison, Naini and Reformatory School, Lucknow held in abeyance.