

# **Bihar Warder Cadre Rules, 2014**

BIHAR

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### **Rule BIHAR-WARDER-CADRE-RULES-2014 of 2014**

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Jail/Estab.(warder)01-39/2011-3297, dated 19.06.2014Last Updated 8th February, 2020No.

Jail/Estab.(warder)01-39/2011-3297 - In exercise of powers conferred by Section 59 of Prison Act, 1894 Governor of Bihar is pleased to make the following Rules to regulate appointment and service condition of Warder in Prisons of the State.

#### **1. Short title, extent and commencement.**

- These rules shall be called The Bihar Warder Cadre Rules, 2014.1.1It shall extend to the whole of the State of Bihar.1.2It shall come into force with immediate effect.

#### **2. Definitions.**

- In these Rules , unless the context otherwise requires:-(a)'Government' means the Bihar Government;(b)'Appointing Authority' means Inspector General, Prison and Correctional Services, Bihar;(c)'Department' means Home Department as described in Rules of Executive Business;(d)'Inspectorate of Prison and Correctional Services' means office of the Inspector General, Prison and Correctional Services, Bihar;(e)'Examination Agency' means Central Selection Board (Police Recruitment) or any other Agency selected by the Home Department;(f)'Cadre Promotion' means promotion given in the cadre of warder to the post of Head Warder and Chief Head Warder on the basis of seniority- cum-merit and on the basis of specified percentage, as fixed by the Government from time to time and as mentioned in these Rules at proper place;(g)All words and expressions used in these Rules and not defined therein but defined in the Act/Bihar Jail Manual shall respectively have the same meaning as one assigned to them.

### 3. Constitution of Cadre.

- 3.1 In this Cadre, the number of post of each stage of hierarchy and total number of posts of the cadre shall be as that has been sanctioned or notified by the Government, and as that may be notified by the Government from time to time in the future. 3.2 The hierarchy of this cadre shall be as follows -(i)Warder(ii)Head Warder(iii)Chief Head WarderNote. -3.3Promotion based post of Head Warder and Chief Head Warder shall be within total Cadre strength or as may be recommended and sanctioned or may have been sanctioned. 3.4The process for promotion to Head Warder from Warder and to Chief Head Warder from Head Warder shall be that as may be laid down by Inspector General, Prisons and Correctional Services in the light of prescribed provisions of the General Administrative Department from time to time.

### 4. Recruitment.

- 4.1 Appointment shall be made on regular posts of Warder in Prisons situated in the State, in pay scale, as prescribed from time to time. 4.2There shall be Direct Recruitment on 50 percent of total posts; and 25 percent posts shall be filled by trained Home Guards of the State and the rest 25 percent shall be filled by Ex-servicemen.

### 5. Qualification.

- 5.1. Educational Qualification:- Intermediate(10+2) or equivalent examination passed from any Board/ Council recognized by any State/Central Government. 5.2Age:-5.2.1. The age limit for direct recruitment shall be as following (or as prescribed from time to time by the State Government):-

- |   |                  |
|---|------------------|
| A. General Category                                     | - 18 to 23 years |
| B. Backward Class/most B.C.                             | - 18 to 25 years |
| C. Women (unreserved, Backward and most Backwardclass ) | - 18 to 26 years |
| D. Scheduled Caste /Tribe (Men and Women)               | - 18 to 28 years |

5.2.2. The maximum age limit fixed for vacancies to be filled by home guards and the criteria of relaxation will be the same as prescribed for 'constable' in Bihar Police from time to time. 5.2.3. The maximum age limit for ex-serviceman will be of 45 years. Explanation. -5.3In case of unavailability of qualified Home Guards and Ex-servicemen, vacancy shall be filled by Non-Home Guard/ Non-Ex-Serviceman candidates of the same reservation category through direct recruitment. 5.4Candidates of reserved category belonging to other States shall be treated as candidates of General Category, and accordingly, age limit of such candidates shall be the same as prescribed for General Candidates.

### 6. Mode and Procedure of Appointment.

- 6.1. Fifty percent of posts of Warder as created and sanctioned by the State Government from time to time shall be filled by Direct Recruitment. 6.2Procedure of Direct Recruitment 6.2.1. There shall be following stages for the process of Direct Recruitment:- (i)First stage A written examination shall

be conducted for candidates, on the basis of received applications by the Examination Agency.(ii)Second stage The Examination Agency shall prepare a list of candidates, five times the number of reported vacancy on the basis of written examination. In case of unavailability of sufficient number of qualified candidates for medical test, the ratio of candidates may properly be reduced. All such candidates shall have to undergo for a race.(iii)Third stage-Candidates qualified in race, a physical measurement and test shall be followed. On the basis of list of candidates found fit in physical measurement and test, the merit wise and reservation category wise list of candidates equal to the number of vacancies selected by the Examination Agency from the qualified candidates shall be provided to the Appointing Authority.(iv)Fourth stage- A medical test shall be conducted by a Medical Board constituted under prescribed provisions after receiving the list of qualified candidates from the Examination Agency. It will be mandatory for candidates to be found fit in medical examination for appointment.(v)If some of the candidates do not succeed in the medical test, then the Examination Agency will be asked to recommend names of candidates from the merit list, reservation category wise, against the number of unsuccessful candidates in the medical test by the appointing authority; and proper action shall be taken by the appointing authority after getting such a list.

6.2.2. Prescribed Criteria for selection through Direct Recruitment:-(i)Written examination- The criteria and standard of written examination shall be same as prescribed for Constable in Bihar Police. Besides, minimum marks for written examination and process and provisions for preparing the merit list will be same as applicable for recruitment of constable in Bihar Police.(ii)Race- The criteria and standard of race examination shall be same as prescribed for constable in Bihar Police.(iii)Physical measurement and test- The criteria and standard of physical measurement and test shall be same as prescribed for constable in Bihar Police.

6.2.3If the examination is conducted by Central Selection Board (Police recruitment) then examination for appointment to the post of Warder may be either conducted jointly with the examination for the appointment to the post of Constable or conducted separately.

6.3Procedure of Appointment on 25 per cent reserved post of for Home Guards and 25 percent reserved posts for Ex-servicemen-6.3.1Written examination- Applications shall be invited by the Examination Agency for appointment against 25 percent reserved post for Ex-servicemen and 25 percent reserved post for Home Guards of the State of Bihar. A written examination will be conducted on the basis of application. Minimum marks for written examination and process and provisions for preparing the merit list will be same as applicable for recruitment of constable in Bihar Police.

6.3.2The Examination Agency may conduct examinations for appointment through direct recruitment and for appointment on 25 percent post reserved for ex-servicemen and 25percent post reserved for Home Guards of Bihar State, either jointly or separately.

6.3.3After the result of the written examination, the Examination Agency shall send the list of successful candidates on the basis of reservation category to Inspectorate of Prisons and Correctional Services.

6.3.4A medical test shall be conducted for candidates successful in the written test and proper action for appointment of such eligible candidates will be taken.

6.3.5If some of candidates so not succeed in the medical test, then the examination agency will be asked to recommend names of candidates from the merit list reservation category wise against the number of unsuccessful candidates in the medical test by the appointing authority; and proper action shall be taken by the appointing authority after getting such a list.

6.4Medical Examination A medical examination shall be conducted according to following parameters -(i)Candidates, shall not have a knocking knee and a sign of flat foot.(ii)Candidates should be able to listen normally and he should not have a compulsion of using a hearing aid.(iii)It a

candidate has hernia/hydrocil, then he may be eligible for candidature only after surgery.(iv)Candidates should not suffer from any serious ocular disease. They should possess an eye sight of 6/6 with or without glasses. They should not suffer from night blindness or colour blindness.

## **7. Reservation.**

- The provisions of Bihar State Reservation Act as in force from time to time shall be applicable in all these appointments and promotions, and its benefits shall be applicable to permanent domicile of the state of Bihar only.

## **8. Training.**

- A three month training shall be compulsory for newly recruited warders. This training shall be carried out in Jail Training Institute/Central Jail/District jail.

## **9. Probation period.**

- There shall be a probation period of two years for newly appointed employees from the date of first appointment to the post. If service in the probation period is not found satisfactory, the probation period shall be liable to extend for one year. The post holder may be removed from service if his service is not found satisfactory even during the extended period.

## **10. Confirmation.**

- The service will be confirmed by the Inspector General, Prisons and Correctional Services, Bihar after completing satisfactory probation period and passing departmental examination.

## **11. Pay Scale.**

- Pay scale and allowances as prescribed by the State Government from time to time shall be applicable to the cadre.

## **12. Seniority.**

- 12.1 Seniority shall be fixed according to merit list issued by the examination agency. 12.2 Seniority of previously appointed warders shall be decided according to provisions prescribed by General Administration Department.

## **13. Discipline, Appeal and Punishments.**

- The provisions of Bihar Jail Manual, 2012 shall be applicable to all members of this Cadre. But those provisions which are not mentioned in Bihar Jail Manual, 2012, the provisions of Bihar

Government Employee (Classification, Control and Appeal) Rules, 2005 shall be applicable to all members of this Cadre.

## **14. Savings and Repeal.**

- 14.1 All notified and enforced rules/resolutions /circulars/ orders shall be deemed to be repealed from the date of commencement of these Rules in regard to cadre of warder.14.2Notwithstanding such repeal, anything done or any action taken in exercise of the power inferred by order under the said rules/ resolutions /circulars /order shall deemed to be taken under these rules as if these rules were in operation on the day when such thing was done, or such action was taken.14.3Power of removing any difficulty arising out of enforcing any provision or rule of these rules shall vest in the Inspectorate of Prisons and Correctional Services by the order of the Government of Bihar.