

# U.P. Reserve Guard Jail Warders Service Rules, 1983

UTTAR PRADESH

India

## U.P. Reserve Guard Jail Warders Service Rules, 1983

### Rule

### U-P-RESERVE-GUARD-JAIL-WARDERS-SERVICE-RULES-1983 of 1983

- Published on 31 March 1983
- Commenced on 31 March 1983
- [This is the version of this document from 31 March 1983.]
- [Note: The original publication document is not available and this content could not be verified.]

U.P. Reserve Guard Jail Warders Service Rules, 1983Published vide Notification No. 5004/22-1381 (2)-61, dated 31st March, 1983 and published in the U.P. Gazette, Part 4, Section (Ka), dated 31st March, 1983In 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 to posts in and the conditions of Service of persons appointed to the Uttar Pradesh Reserve Guard Jail Warders Service Rules, 1983 :

## Part I – General

### 1. Short title and commencement.

- These Rules may be called the Uttar Pradesh Reserve Guard Jail Warders Service Rules, 1983.(2)They shall come into force at once.

### 2. Status of the Service.

- The Uttar Pradesh Reserve Guard Jail Warders Service comprises Groups 'C and 'D' posts.

### 3. Definitions.

- In these rules, unless there is anything repugnant in the subject or context-(a)"Appointing authority" means the Superintendent of Central Jail;(b)"Citizen of India" means a person who is deemed to be a citizen under Part II of the Constitution;(c)"Circle" means one of the circles in which the Jails of Uttar Pradesh are divided (with the Central Prisons as Headquarters) for the purposes of appointment and control of warders;(d)"Constitution" means the Constitution of

India;(e)"Government" means the State Government of Uttar Pradesh;(f)"Governor" means the Governor of Uttar Pradesh;(g)"Member of the Service" means a person substantively appointed 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 Reserve Guard Jail Warders Service;(i)"Substantive appointment" means an appointment not being an ad hoc appointment, on a post in the Cadre of the Service, made after selection in accordance with the rules and, if there are no rules in accordance with the procedure prescribed for the time being by executive instructions, issued by the Government;(j)"Superintendent" means in the case of Lucknow Circle Superintendent Model Prison, Lucknow and in other cases the Superintendent of the Central Prison concerned;(k)"Year of recruitment" means a period of twelve months commencing from the first day of July of calendar year.

## **Part II – Cadre**

### **4. Cadre of Service.**

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

## **Part III – Recruitment**

### **5. Sources of Recruitment.**

- Recruitment to the Service shall be made from the following sources :(a)Reserve Guard Warder - By direct recruitment.(b)Reserve Guard Head Warder - By promotion from amongst permanent Reserve Guard Warders.(c)Reserve Guard Chief Head Warder - By promotion from amongst permanent Reserve Guard Head Warders including selection grade Reserve Guard Warders.

### **6. Reservation.**

- Reservation for the candidates belonging to 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 – Qualifications**

## **7. Nationality.**

- A candidate for direct recruitment to a post in the Service must be:-(a)a citizen of India, or(b)a Tibetan refugee who came over to India before the 1st January, 1962 with the intention of permanently settling in India, or(c)a person of Indian origin who has migrated from Pakistan, Burma, Sri Lanka or any of the East African countries of Kenya, Uganda and the United Republic of Tanzania (formerly Tanganyika and Zanzibar) with the intention of permanently settling in India:Provided that a candidate belonging to category (b) or (c) above must be a person in whose favour a certificate of eligibility has been issued by the State Government:Provided further that a candidate belonging to category (b) will also be required to obtain a certificate of eligibility granted by the Deputy Inspector-General of Police, Intelligence Branch, Uttar Pradesh :Provided also that if a candidate belongs to category (c) above, no certificate of eligibility will be issued for a period of more than one year and the retention of such a candidate in Service beyond a period of one year shall be subject to his acquiring Indian citizenship.Note. - A candidate in whose case a certificate of eligibility is necessary but the same has neither been issued nor refused may be admitted to an examination or interview and he may also be provisionally appointed subject to the necessary certificate being obtained by him or issued in his favour.

## **8. Academic qualification.**

- A candidate for direct recruitment to the post of Reserve Guard Warder in the Service must-(1)have passed the High School Examination of the Board of High School and Intermediate Education, Uttar Pradesh or an examination declared by the Governor as equivalent thereto.(2)possess working knowledge of Hindi written in Devnagri script.

## **9. Preferential qualification.**

- A candidate who has-(i)served in the Territorial Army for a minimum period of two years, or(ii)obtained a 'B' certificate of National Cadet Corps, shall other things being equal, be given preference in the matter of direct recruitment.

## **10. Age.**

- A candidate for direct recruitment must have attained the age of 18 years and must not have attained the age of more than 30 years on the first day of July of the calendar year in which the vacancies for direct recruitment are intimated to the Employment Exchange.Note. - Half of the period of the military service rendered by an ex-military man who is a candidate for recruitment to the post of Reserve Guard Warder shall be taken into account in computing the maximum age and such period shall be deducted from the actual age of the candidate for calculating his age for purpose of eligibility for the post:Provided that the upper age limit in all the case of candidate belonging to the Scheduled Castes, Schedules Tribes and such other Categories as may be notified by Government from time to time shall be greater by such number of years as may be specified.

## **11. Character.**

- The character of a candidate for direct recruitment to a post in the Service must be such as to render him suitable in all respects for employment in Government Service. The appointing authority shall satisfy itself on this point. Note. - Persons dismissed by the union Government or a State Government or a Local Authority or by a Corporation or Body owned or controlled by the Union Government or a State Government shall be ineligible for appointment to any post in the Service, Persons convicted of an offence involving moral turpitude shall also be ineligible.

## **12. Marital status.**

- A male candidate who has more than one wife living shall not be eligible for appointment to a post in the Service : Provided that the Government may, if satisfied that there exist special grounds for doing so, exempt any person from the operation of this rule.

## **13. Physical fitness.**

(a) A candidate for direct recruitment to the Service must not be less than 167.7 cm. in height and must have a chest measurement of not less than 78.8 cm. unexpanded and 83.8 cm. expanded and have eye vision 6/6: Provided that the minimum limits of height in the case of candidates belonging to hill district and Scheduled Tribes shall be 162.6 cm. and 160.0 cm. respectively. The chest measurement for the candidate belonging to hill districts and Scheduled Tribes shall be not less than 76.5 cm. unexpanded and 81.3 cm. expanded. Eye vision for these candidates shall be 6/6. (b) No candidate shall be appointed to a post in the Service unless he be in good mental and bodily health and free from any physical defect likely to interfere with the efficient performance of his duties. Before a candidate is finally approved for appointment he shall be required to produce a medical certificate of fitness in accordance with the rules framed under Fundamental Rule 10 contained in Chapter III of the Financial Handbook. Volume II, Part III : Provided that a medical certificate of fitness shall not be required from a candidate recruited by promotion.

## **Part V – Procedure for Recruitment**

### **14. Determination of vacancies.**

- The appointing authority shall determine and notify to the Employment Exchange in accordance with the rules and orders for the time being in force the number of vacancies to be filled by direct recruitment during the course of the year as also the number of vacancies to be reserved for candidates belonging to Scheduled Castes, Scheduled Tribes and other categories under Rule 6.

### **15. Procedure for recruitment.**

(1) For the purpose of direct recruitment there shall be constituted a Selection Committee comprising-

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|--|----------------|
| (a) Deputy Inspector General of Prisons nominated by the Inspector-General of Prisons, Uttar Pradesh                                       | ..... Chairman |
| (b) The Circle Superintendent, Central Prisons concerned   | ..... Member   |
| (c) Any other whole-time Superintendent of a District Jail within the circle, nominated by the Inspector-General of Prisons, Uttar Pradesh | ..... Member   |
| (d) Deputy Chief Medical Officer nominated by the local Chief Medical Officer  | ..... Member   |
- (2) The Selection Committee shall scrutinize the applications and require the eligible candidates to appear in an interview. (3) The Selection Committee shall prepare a list of the candidates in order of merit, as disclosed by the marks obtained by them in the interview. If two or more candidates obtain equal marks, the Selection Committee shall arrange their names in order of merit on the basis of their general suitability for the post. The number of the names in the list shall be larger (but not larger by more than 25 per cent) than the number of vacancies.

## 16. Procedure for recruitment by promotion.

(1) Recruitment by promotion shall be made on the basis of seniority subject to rejection of unfit through the Selection Committee constituted under Rule 15. (2) The appointing authority shall prepare an eligibility list of the candidates arranged in order of seniority and place it before the Selection Committee along with their Character Rolls and such other records pertaining to them as may be considered proper. (3) The Selection Committee shall consider the cases of candidates on the basis of records referred to in sub-rule (2) and if it considers necessary, it may interview the candidates also. (4) The Selection Committee shall prepare a list of selected candidates arranged in order of seniority and forward the same to the appointing authority.

## Part VI – Appointment, Probation Confirmation and Seniority

### 17. Appointment.

(1) Subject to the provisions of sub-rule (2) the appointing authority shall make appointment by taking the names of candidates in the order in which they stand in the lists prepared under Rule 15 or 16 as the case may be. (2) If more than one orders of appointment are issued in respect of any one selection, as combined order shall also be issued, mentioning the names of the persons in order of seniority as determined in the selection or, as the case may be, as it stood in the cadre from which they are promoted. (3) The appointing authority may make appointments in temporary or officiating capacity also from the list referred to in sub-rule (1). If no candidate borne on these lists is available he may make appointments in such vacancies from amongst persons eligible for appointment under these rules. Such appointments shall not last for a period exceeding one year or beyond the next selection under these rules, whichever be earlier. (4) Appointments to the Selection Grade shall be made by the Appointing Authority on the basis of seniority subject to rejection of the unfit.

## **18. Probation.**

(1) A person on appointment to a post in the Service in or against a permanent 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 in exceptional circumstances the period of probation shall not be extended beyond one year and in no circumstances beyond 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, if any, and if he does not hold a lien on any post his services may be dispensed with. (4) A probationer who is reverted or whose services are dispensed with 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.

## **19. Confirmation.**

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

## **20. Seniority.**

(1) Except as hereinafter provided, the seniority of persons in any category of post shall be determined from the date of the order of substantive appointment and if two or more persons are appointed together, by the order in which their names are arranged in the appointment order: Provided that if the appointment order specifies a particular back date with effect from which a person is substantively appointed, that date will be deemed to be the date of order of substantive appointment and in other cases, it will mean the date of issue of the order : Provided further that if more than one orders of appointment are issued in respect of any one selection the seniority shall be as mentioned in the combined order of appointment issued under sub-rule (2) of Rule 17. (2) The seniority inter se of persons appointed directly on the result of any one selection, shall be the same as determined by the Selection Committee : Provided that a candidate recruited directly may lose his seniority if he fails to join without valid reasons when vacancy is offered to him. The decision of the appointing authority as to the validity of reasons shall be final. (3) The seniority inter se of persons appointed by promotion shall be the same as it was in the cadre from which they were promoted.

## **Part VII – Pay etc.**

## 21. Pay.

(1)The scales 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 as follows:

(1) Reserve Guard/Chief Head Warder	Rs. 430-12-490-15-520-E.B.-15-640-E.B.-15-685.
(2) Reserve Guard Head Warder (Selection Grade)	Rs. 454-12-514-E.B.-586-14-600.
(3) Reserve Guard Head Warder	Rs. 354-10-424-E.B.-10-454-12-514-E.B.-12-550.
(4) Reserve Guard Warder	Rs. 330-7-365-8-381-E.B.-8-405-9-450-E.B.-9-495.

## 22. Pay during probation.

(1)Notwithstanding any provision in the Fundamental Rules to the contrary, a person on probation if he is not already in permanent Government service shall be allowed first increment in the time scale when he has completed one year of satisfactory Service, has passed departmental examination and undergone training, where prescribed, and second increment after two years service when he has completed the probationary period and is also confirmed :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 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.(3)The pay during probation of a person already in permanent Government service shall be regulated by the relevant rules, generally applicable to Government servants serving in connection with the affairs of the State.

## 23. Criteria for crossing the efficiency bar.

- No person shall be allowed to cross-(i)the first efficiency bar unless his work and conduct are found to be satisfactory and unless his integrity is certified; and(ii)the second efficiency bar unless he has worked diligently and to the best of his ability, has maintained his efficiency, his work and conduct are found to be satisfactory and his integrity is certified.

## Part VIII – Other Provisions

### 24. Canvassing.

- No recommendations, either written or oral, other than those require 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.

## **25. Regulation of other matters.**

- In regard to the matters not specifically covered by these rules or 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.

## **26. Relaxation from the conditions of Service.**

- Where the State 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 where a rule has been framed in consultation with the Commission that body shall be consulted before the requirements of the rule are dispensed with or relaxed.

## **27. 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 orders of the Government issued from time to time in this regard. Appendix [See Rule 4 (2)]

Name of Posts	Number of Posts			
	Permanent	Temporary Total		
Reserve Guard Chief Head Warder	...	6	2	8
Reserve Guard Head Warder (Selection Grade)	...	9	...	9
Reserve Guard Head Warder	...	51	79	130
Reserve Guard Warder	...	382	121	503