

The Orissa Subordinate Correctional Service Rules, 1992

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Rule

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The Orissa Subordinate Correctional Service Rules, 1992Published vide Notification Orissa Gazette Extraordinary No. 663/21.5.1993-SRO No. 382/93/7.5.1993S.R.O. No. 382/93. - In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Orissa is pleased to make the following Rules for regulation of recruitment to the posts in the Subordinate Correctional Service, namely :

1. Short title and commencement.

(1)These rules may be called the Orissa Subordinate Correctional Service Rules, 1992.(2)They shall come into force on the date of their publication in the Orissa Gazette.

2. Definitions.

- In these rules unless the context otherwise requires-(a)"Appointing Authority" means the Inspector-General of Prisons;(b)"Committee" means the Selection Committee constituted under Rule 11;(c)"Government" means the Government of Orissa;(d)"Select list" means the list of candidates approved under Rules 13 and 8;(e)"Service" means the Orissa Subordinate Correctional Service;(f)"Year" means the calendar year;

3. Constitution of Service.

- The cadre of the Service shall consist of the following categories of posts of the Jail Department namely :(a)Prison Welfare Officer which include Lady Prison Welfare Officers;(b)After-Care

Officer;(c)Sub-divisional Probation Officers ; and(d)such other posts as may be included in the service by the Government from time to time by issue of order in that behalf.

4. Method of recruitment and appointing authority.

(1)Save as otherwise provided in these rules, recruitment to the posts of the Service shall be made both by direct recruitment and by promotion on the basis of selection in the ratio of 70 : 30 :Provided that in case of non-availability of suitable lady candidate for promotion to their posts of Lady Welfare Officer in a year, the same shall be filled up by direct recruitment.(2)The Inspector-General of Prison shall be the appointing authority in respect of the posts included in the Service.(3)The appointing authority shall decide ordinarily in the month of January of each year the number of vacancies required to be filled up by direct recruitment and by promotion.

5. Direct recruitment.

- Direct recruitment to different categories of posts in the Service shall be made on the basis of competitive examination to be conducted by the I.G., Prisons or such authority as may be notified by the Government from time to time.

6. Requisition for direct recruitment.

(1)The appointing authority shall place requisition with the Employment Exchange indicating the number of vacancies required to be filled up by the candidates belonging to the Scheduled Castes/Scheduled Tribes, Ex-Servicemen, Physically Handicapped Persons, Sportsmen and Women. In case of non-availability from Employment Exchange recruitment shall be made from the open market through advertisement.(2)The post of Lady Prison Welfare Officer shall be filled up by the Lady candidate only.

7. Condition of eligibility.

- In order to be eligible to appear in the competitive examination, a candidate must satisfy the following conditions, namely : (i)He shall be a citizen of India.(ii)He shall be able to speak, read and write Oriya, and shall have Oriya as a language subject in the H.S.C. Examination or an equivalent examination or has been declared to have passed a test in Oriya language equivalent to the Middle School Standard conducted by the Education Department of the Government of Orissa.(iii)He shall be under thirty-two years and over twenty-one years of age on the first day of January of the year, in which applications are invited :Provided that the maximum age-limit in the case of candidates belonging to Scheduled Castes or Scheduled Tribes and women shall be relaxed by five years :Provided further that the upper age-limit in the case of candidate belonging to Ex-Servicemen shall be relaxed on the basis of the Orissa Ex-Servicemen (Recruitment to State Civil Services and Posts) Rules, 1985 and in case of handicapped persons the upper age-limit shall be relaxed by ten years.Note. - Evidence of age which shall be accepted is the date of birth entered in the H.S.C. Examination or Matriculation or Secondary School Leaving Certificate or a Certificate recognised by

an Indian University as equivalent thereto.(iv)He should have held a Bachelor's Degree from any University incorporated by an Act of the Central or a State Legislature in India or an Educational Institution established by an Act of Parliament or deemed to be a University under Section 3 of the University Grants Commission Act, 1956 or a foreign University approved by the Central Government from time to time :Provided that preference shall be given to a candidate having Psychology/ Sociology as subject in the Bachelor's Degree Examination.Note. - Copies of only degree certificates or provisional certificate issued by the University duly attested by a Gazetted Officer as true copies shall be accepted as evidence of educational qualification.The original shall be produced at the time of viva-voce test.

8. Select list.

(1)After completion of the selection of suitable candidates a list of successful candidates is to be prepared in order of merit and equal to the number of vacancies, in respect of which requisition has been made for being filled up by the direct recruitment. The list is to be furnished to the appointing authority.(2)The list of successful candidates shall be placed before the appointing authority for approval of the select list which shall remain in force for a period of one year from the date of approval by the appointing authority.

9. Recruitment by promotion.

- (i) Subject to the provisions of Rule 4 promotion of in-service candidates who are in the need for appointment to different categories of posts in the service by way of selection in any particular year shall be as follows :(a)Twenty per cent of the vacancies required to be filled up by promotion in a year shall be filled up by selection of eligible ministerial officers working in the offices of District Probation/Sub-divisional Probation Offices, After-Care Offices, Prison Welfare Offices and Central Home.(b)The remaining ten per cent of the vacancies shall be filled up by selecting suitable officers from among the Senior Assistants of the Prison Directorate.

10. Eligibility for promotion.

- In order to be eligible for promotion by way of selection under Rule 10 an employee should have
-(i)completed at least 10 years of continuous service in the ministerial cadre of the aforementioned offices under the Jails Department on or before the 1st January of the recruitment year :Provided that a "Case Worker" (Graduate in qualification) working in Central Home shall be eligible for selection after completion of five years of continuous service on the aforesaid date :Provided further that no employee, whose age exceeds 45 years, shall ordinarily be eligible for promotion;(ii)the minimum educational qualification is a Bachelor's Degree in any discipline from any recognised University;(iii)Passed the Departmental Examination, if any, prescribed for the post held by him;(iv)passed a test in Oriya language equivalent to Middle School standard.

11. Selection Committee.

(1) There shall be a Selection Committee for selection of suitable candidates for appointment by promotion with the following members :

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| 1. Inspector-General of Prison | ... Chairman |
| 2. Joint Secretary (Jails) and in his absence Deputy Secretary(Jails) of Home Department | ... Member |
| 3. Deputy Inspector-General of Prison | ... Member-Secretary |

(2) On receipt of intimation from the appointing authority the respective Heads of Offices shall recommend names of eligible ministerial officers having the requisite qualification and experience etc., to the I.G. of Prisons. (3) The Member-Secretary of the Committee shall prepare the consolidated list of the eligible officers from out of the list of candidates recommended under Sub-rule (2) and place their up-to-date confidential character rolls together with three attested copies of each of the same Service Books and other required documents before the Committee. (4) The consolidated list shall be prepared on the basis of the total length of their continuous service in different grades rendered in offices mentioned in Sub-rule (a) of Rule 9.

12. Selection of eligible officers.

(1) The consolidated gradation list of the eligible Ministerial Officers alongwith other documents shall be placed before the Committee which shall consider the cases and prepare list of officers who are found fit for promotion to different posts in the service. (2) For preparation of list of Officers fit for promotion to the Service, the Committee shall consider the cases of officers who are coming within the zone of consideration as prescribed in Orissa Civil Service (Zone of Consideration for Promotion) Rules, 1988 and the O.R.V. (for S.C. and S.T.) Act, 1975 and rules framed thereunder. (3) Selection of ministerial officers for inclusion in the list prepared by the Committee under Sub-rule (1) shall be based on merit-cum-suitability with due regard to seniority. (4) The Committee while considering the suitability of the candidates shall scrutinise the Confidential Character Rolls of last five years immediately preceding the year in which the Committee meets. (5) The Committee shall recommend the names of the candidates equal to the number of vacancies in different posts in the service to be filled up by promotion under Rule 9.

13. Select List.

(1) The list prepared by the Committee under Rule 12 shall be placed before the appointing authority for approval and after such approval, the lists shall be called the Select List. (2) The Select List shall remain in force for a period of one year from the date of its approval by the appointing authority.

14. Verification of antecedents.

- The appointing authority, after receiving the list of successful candidates under Rule 8 shall take immediate steps to verify the antecedents of the successful candidates for giving appointment

through direct recruitment :Provided that the names of such candidates as are adversely reported upon shall be struck off from the list :Provided further that in exigencies of public service the appointing authority may appoint a selected candidate subject to verification of his antecedents.

15. Medical examination.

- Every candidate selected for appointment by direct recruitment shall be examined by the State Medical Board and names of candidates found unsuitable by the State Medical Board shall be struck off from the select list.

16. Appointment.

- Appointment to different categories of posts in the service by direct recruitment and by selection shall be made by the appointing authority in order in which the names appear in the respective list.

17. Training.

- The candidates selected for appointment by direct recruitment and by promotion from among Departmental candidates shall undergo such training in the Orissa Jail Training Schools may be decided by the appointing authority.

18. Probation.

(1)Every officer appointed by direct recruitment shall be on probation for a period of two years and by promotion from among Departmental candidates shall be on probation for a period of one year :Provided that the appointing authority may, for good and sufficient reason, to be recorded in writing, extend the period of probation of an officer by such further period not exceeding one year.(2)The period of probation shall count from the date on which the officer joins his appointment.(3)The appointing authority may terminate the services of a directly recruited officer and revert an officer selected from among Departmental candidates to his substantive post at the end of the period of probation if the conduct and performance of the officer is found unsatisfactory for permanent appointment to the service.

19. Departmental Examination.

(1)All officers in the cadre, unless specifically exempted by the appointing authority shall be required to pass the Departmental Examination prescribed in the Appendix.(2)No Officer shall be allowed to draw a second increment unless he has passed the Departmental Examination in all the subjects in the lower standard.

20. Confirmation.

- No Officer shall be confirmed in the service unless he has passed the Departmental Examination in all the subjects and completed the period of probation satisfactorily.

21. Seniority.

(1) Subject to Sub-rule (2) the seniority, inter se of Officers appointed to any post of the service in a particular year shall be determined in the order in which their names find place in the select list. (2) When Officers are appointed by promotion from among departmental candidates and by direct recruitment during the same year the former shall be senior to the later irrespective of their date of appointment.

22. Reservation of vacancies.

(a) Vacancies in the service shall be reserved for candidates belonging to Scheduled Castes/Scheduled Tribes as per provision contained in the Orissa Reservation of Vacancies in Posts and Services (For Scheduled Castes and Scheduled Tribes) Act, 1975 and rules framed thereunder. (b) Reservation of vacancies shall be made for the physically handicapped candidates as per the decision of the Government in the General Administration Department. (c) Reservation of vacancies shall be made for ex-servicemen as provided in the Rules. (d) Reservation of vacancies shall be made for Sportsmen as per the decision of the Government, in the General Administration Department. (e) 32.32% of vacancies shall be reserved for women in terms of General Administration Department Resolution No. 43328-Gen., dated the 23rd December, 1992.

23. Relaxation.

- Notwithstanding anything contained in these rules Government may, for reasons to be recorded in writing, relax any of the provisions of these rules for any class or category of persons in the public interest.

24. Repeal and savings.

- All rules, instructions corresponding to the provisions of these rules and in force immediately before the commencement of these rules are hereby repealed : Provided that anything done or action taken under the provisions of the rules and/or instructions so repealed shall be deemed to have been done or taken under the provisions of these rules.

25. Interpretation.

- If any doubt arises relating to the interpretation of these rules, the same shall be referred to Government in the Home Department for decision. Appendix [See Rule 19 (1)] Departmental Examination

1. There shall be two standards of the examination -

(a) Lower Standard and (b) Higher Standard. Each Standard will comprise of two papers : (a) Lower Standard - Questions will be of simple and general nature to be answered without books. The coverage of the paper will be as follows: (i) Paper I - Orissa Service Code, Orissa Travelling Allowance Rules, Orissa Civil Services Rules, 1992, General Provident Fund (Orissa) Rules, The Orissa Civil Services (Classification, Control and Appeal) Rules, 1962, The Orissa Government Servant's Conduct Rules, 1959 and General Knowledge in Accounts. (ii) Paper II - Probation of Offenders Act, 1958 (20 of 1958) and Rules, Management of Probation Hostel, After-care Homes and Shelters and Prison Welfare Services, Constitution of India, National Security Act, 1980 (65 of 1980) and Rules, Social Organisation. (b) Higher Standard - The question will be more difficult than question in lower standard and will be of practical character to be answered with books. The coverage of the papers will be as follows : (i) Paper I - Indian Penal Code, 1960, Code of Criminal Procedure, 1973 (2 of 1974), Indian Evidence Act, 1872 (1 of 1872), Civil Procedure Code, 1908, Treasury Code, Orissa General Financial Rules, Police Acts, 1868 (5 of 1868), Police Act, 1888 (3 of 1888), Police Act, 1949 (64 of 1949) and Rules, Budget Manual. (ii) Paper II - Prison Act, 1894 (9 of 1894), Prison Act, 1900 (3 of 1900) and Rules, Jails Manual, Juvenile Justice Act, 1986 (53 of 1986) and Rules, Immoral Traffics (Prevention) Act, 1956 (104 of 1956), Probation of Offenders Act, 1958 and Rules, Lunacy Act, 1912 (4 of 1912) and Rules, Habitual Offenders Act and Rules, Borstal School Act and Rules. Note. - For the papers with books only unannotated Codes or Acts and Manuals will be allowed in answering the papers.

2. Each paper will contain maximum mark of 100 and pass marks shall be 50. The duration of the test in each paper will be 2 hours.

3. The examination will be held at Bhubaneswar once a year, ordinarily in November, under the supervision of the Inspector-General of Prisons.

4. The intending examinees shall make applications through their respective heads of offices by 30th September positively to appear at the examinations indicating the paper in which they want to appear.

5. Travelling allowance shall be allowed to the examinees in accordance with the Orissa Travelling Allowance Rules.