

U.P. Jail Nursing Service Rules, 1983

UTTAR PRADESH

India

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Rule U-P-JAIL-NURSING-SERVICE-RULES-1983 of 1983

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U.P. Jail Nursing Service Rules, 1983Published Vide Notification No. 1116/22-82-1367-61, dated 14th March, 1983 and published in the U.P. Gazette, dated 14th March, 1983In exercise of the powers conferred by the provision 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 Nursing Service :

Part I – General

1. Short title and commencement.

(1)These rules may be called the Uttar Pradesh Jail Nursing Service Rules, 1983.(2)They shall come into force at once.

2. Status of the Service.

- The Uttar Pradesh Jail Nursing Service is a subordinate service comprising Group 'C' posts.

3. Definitions.

- In these rules, unless there is anything repugnant in the subject or context,-(a)"Appointing Authority" means the Deputy Inspector-General of Prisons, Headquarter, Uttar Pradesh, Lucknow.(b)"Citizen of India" means a person who is or is deemed to be citizen of India under Part II of the Constitution.(c)"Constitution" means the Constitution of India.(d)"Deputy Inspector-General" means the Deputy Inspector-General of Prisons, Headquarters, Uttar Pradesh dealing with the establishment of the Jail Nursing Service.(e)"Government" means the State Government of Uttar Pradesh.(f)"Governor" means the Governor of Uttar Pradesh.(g)"Inspector-General" means the Inspector-General of Prisons, Uttar Pradesh.(h)"Member

of 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.(i)"Service" means the Uttar Pradesh Jail Nursing Service.(j)"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.(k)"Year of Recruitment" means a 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 Government 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), be as given in Appendix 'A'-(i)the appointing authority may leave unfilled or the Governor may hold in abeyance any vacant post without thereby entitling any person to compensation; and(ii)the Governor may create such additional permanent or temporary posts 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 by direct recruitment.

6. Reservations.

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

Part IV – Qualification

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 first 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 belong 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 the 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 qualifications.

- The following are the qualifications for direct recruitment to the various posts in the Service.Essential:(1)Matron(a)Must have passed the Intermediate Examinations with Science and Biology of the Board of High School and Intermediate Education, Uttar Pradesh or any other examination recognised by the Government as equivalent thereto;(b)must hold a diploma in Medical and Surgical Nursing of men, women and children;(c)must hold a diploma in midwifery from a recognised institution;(d)must hold a diploma of post certificate course in Nursing Administration;(e)must have experience as Sister for 5 years;(f)must be registered or registerable with U. P. Nurses and Midwives Council both as Nurse and Midwife; and(g)must have working knowledge of Hindi written in Devnagri script.Preferential :Other things being equal, a candidate having the following qualifications shall be given preference in the matter of direct recruitment:(a)Degree of B.Sc. (Nursing) or M.Sc. (Nursing) from a recognised institution;(b)a certificate in Public Health Nursing from a recognised institution; and(c)experience as Sister or as Assistant Matron.Note.-Males shall not be eligible for recruitment to the post of Matron.(2)Nurse(a)Must have passed the High School Examination of the Board of High School and Intermediate Education, Uttar Pradesh or any other examination recognised by the Government as equivalent thereto;(b)must hold a diploma in midwifery from a recognised institution or an Auxiliary Nursing Certificate.(c)must be registered with the U. P. Nursing and Mid wives Council both as Nurse and Midwife;(d)must hold a diploma in Medical and Surgical Nursing of men, women and children; and(e)have working knowledge of Hindi written in Devnagri script.Note.-Males shall not be eligible for recruitment to the posts of Nurse.(3)Compounder (Pharmacist)(a)must have passed the Intermediate Examination with Science and Biology of the Board of High School and Intermediate Education, Uttar Pradesh or an examination recognised by the Government as equivalent thereto ;(b)must hold the Uttar Pradesh State Medical Faculty's diploma in Pharmacy of having undergone the prescribed course of training including practical training;(c)must be registered as pharmacist with the State Pharmacy Council; and(d)must possess good working knowledge of Hindi written in Devnagri Script.(4)X-ray Technician(a)must have passed the Intermediate Examination with Physics, Chemistry and Mathematics of the Board of High School and Intermediate Education, Uttar Pradesh or an examination recognised by the Government as equivalent thereto;(b)must hold the Uttar Pradesh State Medical Faculty's diploma in X-Ray Technology of having undergone the prescribed course of training including practical training; and(c)must possess good working knowledge of Hindi written in Devanagri script.(5)Laboratory Technician(a)must have passed the Intermediate Examination with Science of the Board of High School and Intermediate Education, Uttar Pradesh or an examination recognised by the

Government as equivalent thereto;(b)must hold the Uttar Pradesh State Medical Faculty's diploma in Laboratory Technology of having undergone the prescribed course of training including practical training; and(c)must possess good working knowledge of Hindi written in Devanagri script.(6)Steward(a)must have passed the Intermediate examination of the Board of High School and Intermediate Education, Uttar Pradesh or an examination recognised by the Government as equivalent thereto;(b)must be skilled and must have practical knowledge in catering and management of cook house and distribution of food and purchase of edible articles; and(c)must possess good working knowledge of Hindi written in Devanagri script.

9. Preferential qualifications.

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

10. Age.

- Minimum and maximum age limits for candidate for direct recruitment to the various posts in the Service shall be as indicated below against each post, and shall be reckoned as on January 1 of the year in which recruitment is to be made if the posts are advertised during the period January 1 to June 30, and on July 1, if the posts are advertised during the period July 1 to December 31.

	Age	
	Min.	Max.
Matron	25	- 40
Nurse	21	- 40
Compounder (Pharmacist)	18	- 28
X-Ray Technician	18	- 28
Laboratory Technician	18	- 28
Steward	18	- 28

Provided that the upper age-limit in the case of candidates belonging to the Scheduled Castes, Scheduled Tribes and such other categories as may be notified by the 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 wives living or a female candidate who has married a man already having 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.

- No candidate shall be appointed to a post in the Service unless he be in good mental and bodily health and free from the 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.

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 during the course of the year as also the number of vacancies reserved for the candidates belonging to Scheduled Castes, Scheduled Tribes and other categories under Rule 6.

15. Selection Committee.

(1)For the purpose of recruitment, there shall be constituted a selection committee comprising-(a)the Deputy Inspector-General of Prisons.(b)the Deputy Chief Medical Officer (I), Lucknow, and(c)the Medical Superintendent of Model Prison, Lucknow.(2)The selection committee shall scrutinize the applications and require the eligible candidates to appear in interview.(3)The selection committee shall prepare a list of candidates in order of merit as disclosed by the marks obtained by each candidates 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.

15A. Procedure for direct recruitment for the posts of Compounder (Pharmacist, X-ray Technician, Laboratory Technician and Steward.

- Direct Recruitment to the posts of Compounder (Pharmacist), X-Ray Technician, Laboratory Technician and Steward in the Service shall be made in accordance with the provisions of the Uttar Pradesh Procedure for Direct Recruitment for Group 'C' Posts (Outside the Purview of the Uttar Pradesh Public Service Commission) Rules, 1998, as amended from time to time.

Part VI – Appointment, Probation, Seniority and Confirmation

16. Appointment.

(1)The appointing authority shall make appointment by taking the name of candidates in the order in which they stand in the lists prepared under Rule 15 or Rule 15-A, as the case may be.(2)If more than one order of appointment are issued in respect of any one selection, a combined order shall also be issued, mentioning the name of the persons in order of seniority as determined in the Selection.

17. 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 reason 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/she does not hold a lien on any post his/her 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.

18. Confirmation.

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

19. Seniority.

- Except as herein provided the seniority of persons appointed 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 deemed to be the date of order of substantive appointment and in other cases, it shall mean the date of issue of the order.

Part VII – Pay Etc.

20. Scales of Pay.

(1)The scales of pay admissible to persons appointed to the various categories of posts to 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:

Name of Post	Scale of Pay
1. Matron	515-15-590-18-626-E.B.-18-680-20-780-E.B.-20-860.
2. Nurse	470-15-575-E.B.-15-650-17-701-E.B.-17-735.
3. Compounder (Pharmacist)	400-10-450-12-474-E.B.-12-570-E.B.-15-615.
4. X-Ray Technician	400-10-450-12-474-E. B.-12-570-E.B.-15-615.
5. Laboratory Technician	400-10-450-12-474-E.B.-12-570-E.B.-15-615.
6. Steward	354-10-424-E.B.-10-^54-12-514-E.B.-12-550.

21. Pay during probation.

(1)Notwithstanding any provisions in the Fundamental Rules to the contrary, a person on probation if he/she is not already in permanent Government service shall be allowed first increment in the time-scale when he/she has completed one year of satisfactory Service and has 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 direct otherwise.(2)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.(3)The pay during probation of a person already in permanent Government service, shall be regulated by the relevant rules, applicable generally to Government servants serving in connection with the affairs of the State.

22. Criteria for crossing efficiency bar.

- No person shall be allowed to cross:-(i)the first efficiency bar (where there are two such bars) unless his work and conduct are found to be satisfactory and unless his integrity is certified, and(ii)the second efficiency bar or the single efficiency bar unless he/she worked diligently and the best of his ability, his/her work and conduct are found to be satisfactory and unless his/her integrity is certified.

Part VIII – Other Provisions

23. Canvassing.

- No recommendations, either written or oral, than those required under the rules applicable to the post of Service shall 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.

24. 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.

25. Relaxation on the conditions of Service.

- Where the State Government is satisfied that the operation of any rule regulating the conditions of Service of persons 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.

26. Savings.

- Nothing in these rules shall affect reservations and other concessions required to be provided for the candidates belonging to Scheduled Castes, Scheduled Tribes and other special categories of persons in accordance with the order of the Government issued from time to time in this regard. Appendix [See Rule 4 (2)] The sanctioned strength of the Service is as follows:

	Name of Post	Number of posts	Total	
Permanent	Temporary			
1.	Matron	3	...	3
2.	Nurse	2	2	4
3.	Compounder (Pharmacist)	72	56	128
4.	X-Ray Technician	1	...	1
5.	Laboratory Technician	...	7	7
6.	Steward	1	...	1