

U.P. Jail (Group A and B) Service Rules, 1982

UTTAR PRADESH

India

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Rule U-P-JAIL-GROUP-A-AND-B-SERVICE-RULES-1982 of 1982

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U.P. Jail (Group A and B) Service Rules, 1982Published vide Notification No. 4292/22-1351-61, dated 18th November, 1982 and published in the U.P. Gazette, dated 18th November, 1982In 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 (Group A and B) Service.

Part I – General

1. Short title and commencement.

(1)These rules may be called The Uttar Pradesh Jail (Group A and B) Service Rules, 1982.(2)They shall come into force at once.

2. Status of the Service.

- The Uttar Pradesh Jail (Group 'A' and 'B') service is a State Service comprising Group 'A' and 'B' posts as given in the Appendix.

3. Definitions.

- In these rules, unless there is anything repugnant in the subject or context-(a)"appointing authority" means the Governor;(b)"Citizen of India" means a person who is or is deemed to be a citizen of India under Part II of the Constitution;(c)"Commission" means the Public Service Commission, Uttar Pradesh;(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)"Inspector-General" means the Inspector-General of Prisons, Uttar Pradesh;(h)"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;(i)"Service" means the Uttar Pradesh Jail (Group 'A' and 'B') 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)"Superintendent, District Jail" means the whole-time Superintendent, Jail appointed in accordance with these rules; and(l)"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 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 the Appendix.Provided that the Governor may-(i)leave unfilled or hold in abeyance any vacant post, without thereby entitling any person to compensation;(ii)creates 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 from the following sources :
(1)Inspector-General of Prisons. - By promotion from amongst regularly appointed Additional Inspector-General of Prisons and permanent Deputy Inspector-General of prisons; Provided that the post may be filled by transfer (on deputation) of an Officer of the Uttar Pradesh cadre of Indian Administrative Service confirmed in the Senior time-scale of that service if the Government so decides.
(2)Additional Inspector-General of Prisons. - By promotion from amongst regularly appointed Deputy Inspector-General of Prisons.
(3)Deputy Inspectors-General of Prisons. - By promotion from amongst officers appointed regularly in the cadre of Superintendents, Central Prisons.
(4)Superintendent, Central Prisons including Principal, Jail Training School, Lucknow and Sampurnanand Camps and Model Prisons, Lucknow. - By promotion from regularly appointed Superintendents, District Jails.
(5)Director of Jail Industries. - By transfer of a suitable Officer from Industries Department.
(6)Superintendents, District Jails. - (i) 50 per cent of posts in the cadre by direct recruitment through the Commission.(ii)50 per cent of post in the cadre by promotion through the Commission from amongst regularly appointed Deputy Superintendents/Jailors with a minimum of 5 years services as Deputy Superintendents of Jailors or both.

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 Qualifications.

- A candidate for direct recruitment to the post of Superintendent, District Jails must possess-(a) a Bachelor's degree from a recognised University; and (b) Working knowledge of Hindi written in Devnagari Script.Note. - Other things being equal preference shall be given to a person having degree or diploma in criminology, psychology or sociology.

9. Preferential qualification.

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

10. Age.

- A candidate for direct recruitment to the post of Superintendent, District Jails must have attained the age of 21 years and must not have attained age of more than 28 years, 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: 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 wife living or a female candidate who has married a man already having a wife living shall not be eligible for appointment to a post in the Service : Provided that the Governor 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 is 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 pass an examination by Medical Board : Provided that such examination by Medical Board shall not be necessary in case of a candidate recruited by promotion.

Part V – Procedure for Recruitment

14. Determination of vacancies.

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

15. Procedure for direct recruitment.

(1) Application for permission to appear in the competitive examination for direct recruitment shall be invited by the Commission in the prescribed form which may be obtained from the Secretary to

the Commission on payment, if any.(2)No candidate shall be admitted to the examination unless he holds a certificate of admission, issued by the Commission.(3)After the results of the written examination have been received and tabulated the Commission shall, having regard to the need for securing due representation of the candidates belonging to the Scheduled Castes, Scheduled Tribes, and others under Rule 6, summon for interview such number of candidates as, on the result of the written examination, have come up to the standard fixed by the Commission in this respect. The marks awarded to each candidate at the interview shall be added to the marks obtained by him in the written examination.(4)The Commission shall prepare a list of candidates in order of their proficiency as disclosed by the aggregate of marks obtained by each candidate at the written examination and interview and recommend such number of candidates as they consider fit for appointment. If two or more candidate obtain equal marks in the aggregate, the name of the candidate obtaining higher marks in the written examination shall be placed higher in the list. The number of names in the list shall be larger but not larger by more than 25 percent of the number of vacancies. The Commission shall forward the list to the appointing authority.Note. - The syllabus and rules for the competitive examination shall be such as may be prescribed by the Commission from time to time.

16. Procedure for recruitment by promotion to the post of Superintendent, District Jail.

- Recruitment by promotion to the post of Superintendent of District Jail shall be made on the basis of seniority subject to the rejection of the unfit in accordance with the Uttar Pradesh Promotion by Selection in Consultation with Public Service Commission (Procedure) Rules, 1970 as amended from time to time.

17. Procedure for recruitment by promotion to the posts of Inspector-General of Prisons/Additional Inspector-General of Prisons/Deputy Inspector-General of Prisons/Superintendents, Central Prisons/Principal, Jail, Training School/Superintendents, Sampurnanand Camps and Model Prison, Lucknow.

(1)Recruitment by Promotion to the post of Inspector-General of Prisons and Additional Inspector-General of Prisons shall be made on the basis of merit and to the posts of Deputy Inspector-General of Prisons, Superintendent, Central Prisons, Principal, Jail Training School and Superintendents, Sampurnanand Camps and Model Prisons, Lucknow shall be made on the basis of seniority subject to rejection of the unfit through selection committee comprising:- (i) the Chief Secretary to the Government or his nominee; (ii) the Secretary to the Government, Personnel Department or his nominee; (iii) the Secretary to the Government, Home (Jails) Department.(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.

18. Combined selected list.

- If in any year of recruitment appointments are made both by direct recruitment and by promotion, a combined select list shall be prepared by taking the names of candidates alternatively from the relevant lists, the first name in the list being of the persons appointed by promotion.

Part VI – Appointment, Probation, Confirmation and Seniority

19. 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 Rules 15, 16, 17 or 18 as the case may be. (2) Where, in any year of recruitment, appointments are to be made both by direct recruitment and by promotion, regular appointments shall not be made unless selections are made from both the sources and a combined list is prepared in accordance with Rule 18. (3) If more than one orders of appointment are issued in respect of any one selection a 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. If the appointments are made both by direct recruitment and by promotion, names shall be arranged in accordance with the order, referred to in Rule 18. (4) The appointing authority may make appointments in temporary or officiating capacity also from the lists referred to in sub-rule (1). If no candidate borne on those lists is available he may make appointments in such vacancy 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, and where the post is within the purview of the Commission, the provisions of regulation 5 (a) of the U. P. Public Service Commission (Limitation of Functions) Regulations, 1954 shall apply.

20. 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 by 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 services 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.

21. 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)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.

22. Seniority.

(1)Except as hereinafter provided, the seniority of persons in any category/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 (3) of Rule 19.(2)The seniority inter se of persons appointed directly on the result of anyone selection, shall be the same as determined by the Commission :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 reason 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.(4)Where appointments are made both by promotion and direct recruitment or from more than one source and the respective quota of the sources is prescribed the inter se seniority shall be determined by arranging the names in a combined list prepared in accordance with Rule 18, in such manner that the prescribed percentage is maintained :Provided that-(i)Where appointments from any source are made in excess of the prescribed quota, the persons appointed in excess of quota shall be pushed down, for seniority, to subsequent year or years in which there are vacancies in accordance with the quota.(ii)Where appointments from any source fall short of the prescribed quota and appointments against such unfilled vacancies are made in subsequent year or years, the persons so appointed shall not get seniority of any earlier year but shall get the seniority of the year in which their appointments are made, so however, that in the combined list of that year, to be prepared under this rule, their names shall be placed at the top followed by the names, in the cyclic order of the other appointees.

Part VII – Pay Etc.

23. Scale of pay.

- 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 :

Name of Post	Scale of pay
Inspector-General of Prisons, (Departmental).	2,050-75-2,200-100-2,500
Additional	
2. Inspector-General of Prisons.	1,840-60-1,900-75-2,200-100-2,400
Deputy	
3. Inspector-General of Prisons.	1,540-60-1,900-E.B.-75-2,200
Director of Jail	
4. Industries.	1,250-50-1,300-60-1,660-E.B.-60-1,900-75-2,050.
Superintendent, Central Prisons.	1,250-50-1,300-60-1,660-E.B.- 60-1,900-75-2,050 (plus Rs. 100 as special pay only for Principal, Jail Training School, Lucknow with effect from September 2, 1981).
5. Superintendent, District Jails.	850-40-1,050-E.B.-50-1,300-60-1,420-E.B.-60-1,720.
6.	

24. 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 his 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, applicable generally to Government Servant serving in connection with the affairs of the State.

25. Criteria for crossing efficiency bar.

(1) No Inspector-General of Prisons or Additional Inspector-General of Prisons who is a member of the Services shall be allowed to cross the efficiency bar unless he has adequate administrative control and effective supervision over the matters relating to prisons, his work and conduct are found to be satisfactory and unless his integrity is certified. (2) A person not covered by sub-rule (1) shall not 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, his work and conduct are found to be satisfactory and

unless his integrity is certified.

Part VIII – Other Provisions

26. Canvassing.

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

27. 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.

28. Relaxation in 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 :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.

29. Savings.

- Nothing in these rules shall affect reservations and other concessions required to be provided for the candidates belonging to the Scheduled Caste, 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) Strength of the service at the commencement of these Rules

Group	Name of post				Number	
	Permanent		Temporary			
'A'	(1)	Inspector-General of Prisons...	...	...	1	...
	(2)	Additional Inspector-General of Prisons	...	...	...	1
	(3)	Deputy Inspector-General of Prisons...	...	...	5	One permanent post held in

					abeyance)
Superintendents of Central Prisons (including the post of Principal, Jail Training School, Lucknow) and Superintendent, Sampurnanand Camps, Model Prisons, Lucknow.					
(4)			8	1	
(5)	Director of Jail Industries...	...	1	...	
Group 'B'					
(1)	Whole-time Superintendents of District Jails	...	24	14	
	Total	...	39	16	