

# **U.P. Jail Executive Subordinate (Non-Gazetted) Service Rules, 1980**

UTTAR PRADESH

India

## **U.P. Jail Executive Subordinate (Non-Gazetted) Service Rules, 1980**

### **Rule**

### **U-P-JAIL-EXECUTIVE-SUBORDINATE-NON-GAZETTED-SERVICE-RULES of 1980**

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U.P. Jail Executive Subordinate (Non-Gazetted) Service Rules, 1980Published vide Notification No. 2374/22-1392-50, dated 6th June, 1980 and published in the U.P. Gazette (Extraordinary), dated 9th June, 1980In 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 Executive Subordinate (Non-Gazetted) Service :

## **Part I – General**

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

(1)These Rules may be called the Uttar Pradesh Jail Executive Subordinate (Non-Gazetted) Service Rules, 1980.(2)They shall come into force at once.

### **2. Status of Service.**

- The Uttar Pradesh Jail Executive Subordinate(Non-Gazetted) Service comprises Group 'C' posts.

### **3. Definitions.**

- In these rules unless there is anything repugnant in the subject or context,-(a)"appointing

authority" means the Inspector-General of Prisons, Uttar Pradesh;(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 service" means a person appointed in a substantive capacity 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 Executive Subordinate (Non-Gazetted) Service; and(j)"year of recruitment" means the 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 Governor from time to time.(2)Tire strength of the Service and of each category of posts therein shall, until orders varying the same are passed under sub-rule (1) shall be as given in Appendix 'A':Provided that-(1)the appointing authority may leave unfilled or the Governor may hold in abeyance any vacant post without entitling any person to payment of compensation, or(2)the Governor may create from time to time such additional permanent or temporary posts as he may consider proper.

## **Part III – Recruitment**

### **5. Source of recruitment.**

(1)Recruitment to the various categories of posts in the Service shall be made from the following sources.(i)Deputy Jailor :(1)By direct recruitment.(2)By promotion, on the basis of seniority subject to the rejection of the unfit, from amongst the permanent Assistant Jailors.(ii)Assistant Jailor including paid apprentice Assistant Jailor :(1)By direct recruitment.(2)By promotion on the basis of seniority subject to the rejection of the unfit from amongst the permanent Chief Head Warders and Head Warders, including Selection Grade Head Warders, who have put in five years Service as Head Warders or on a higher post and who have passed at least High School Examination of the Board of High School and Intermediate Education, Uttar Pradesh or an examination recognised by the Government as equivalent thereto.Note. - For the purpose of promotion to the post of Assistant Jailor a combined seniority list shall be prepared by arranging the names in the following order:(i)Chief Head Warders, arranged in order of seniority.(ii)Head Warders (Selection Grade) arranged in order of seniority.(iii)Head Warders, arranged in order of seniority.(2)Recruitment shall be so arranged that-(i)in the post of Deputy Jailor 50 per cent posts are held by the direct recruits and 50 per cent by promotees, and(ii)in the post of Assistant Jailors 80 per cent posts are held by direct recruits and 20 per cent by promotees.

## 6. Reservation.

- Reservations for the candidates belonging to the 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, Ceylon 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 various posts in the Service must possess the following qualifications :

Post	Qualification
(i) Deputy Jailor	(1) Bachelor's degree from a recognised University. (2) Working knowledge of Hindi in Devnagri script.
(ii) Assistant Jailor (including paid apprentice Assistant Jailor).	Must have passed the Intermediate Examination of the Board of High School and Intermediate Education, Uttar Pradesh or (1) an examination recognised by the Government as equivalent thereto; (2) Working knowledge of Hindi 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 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 must have attained the age of 21 years and must not have attained the age of more than 27 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 candidate 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 by a Local Authority or 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.**

(1)No candidate shall be directly 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 and contained in Chapter III of the Financial Handbook, Volume II, Parts II to IV :Provided that a medical certificate of fitness shall not be required from a candidate recruited by promotion.(2)A candidate for direct recruitment to the Service must possess the following minimum physical standards :(1)168 cms. in height and in case of candidates belonging to Kumaun and Garhwal Divisions not less than 163 cms.(2)81.3 cms. (unexpanded) and 86.3 cms. (expanded) round the

chest.(3)vision 6/6.Note. - Regulations for Medical Examination shall be as prescribed by the Government from time to time.

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

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

- The appointing authority shall determine and intimate to the Commission the number of vacancies to be filled 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 direct recruitment to the posts of Deputy Jailor, Assistant Jailor.**

(1)Applications for permission to appear in the competitive examination shall be called by the Commission in the prescribed form, which may be obtained from the Secretary to the Commission on payment.(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 candidates 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 per cent of the number of vacancies. The Commission shall forward the list to the appointing authority.

### **16. Procedure for recruitment by promotion to the post of Assistant Jailor.**

- Recruitment by promotion to the post of Assistant, Jailor shall be made on the basis of seniority subject to the rejection of the unfit in accordance with the provisions of the Uttar Pradesh Promotion by Selection in Consultation with the Public Service Commission (Procedure) Rules, 1970, from amongst eligible candidates who have come up to the requisite standard in the qualifying test to be conducted by the Commission.The Commission may, having regard to the number of vacancies call such number of persons in order of seniority for qualifying test as it may consider proper.Note. - The syllabus for the qualifying test is given in Appendix 'B'

## **17. Procedure for recruitment by promotion to the post of Deputy Jailor.**

- Recruitment by promotion to the post of Deputy Jailor 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.

## **18. Combined selection list.**

- If appointment has to be made both by direct recruitment and by promotion, a combined select list shall be prepared by taking the names of candidates in such manner that prescribed percentage of direct recruits and promotees is maintained from the lists prepared under Rules 15 and 17 in the case of recruitment to the post of Deputy Jailor and from the lists prepared under Rules 15 and 16 in the case of Assistant Jailors, the first name in the combined lists for Deputy Jailors and Assistant Jailors being from the lists prepared under Rules 17 and 16 respectively.

## **Part VI – Appointment, Probation, Confirmation and Seniority**

### **19. Appointment.**

(1) On the occurrence of substantive vacancies, the appointing authority shall make appointments by taking 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) The appointing authority may make appointment in temporary and officiating vacancies also from the lists, referred to in sub-rule (1). If no candidate borne on these lists is available, he may make appointments in such vacancies from persons eligible for appointment under these rules, provided that such appointment shall not exceed the period of one year without the Commission being consulted.

### **20. Probation.**

(1) A person on appointment to a post in the Service in or against a substantive 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 for exceptional reasons, the period of probation shall not be extended for more than one year and in no circumstances beyond the limit of 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.

## 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,(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.

- Seniority in any category of posts in the Service shall be determined from the date of substantive appointment and if two or more persons are appointed together, from the order in which their names are arranged in the appointment order:Provided that-(1)the inter se seniority of persons directly appointed to the Service shall be the same as determined at the time of selection;(2)the inter se seniority of persons appointed to the posts of Deputy Jailor by promotion shall be the same as it was in the substantive post held by them at the time of promotion; and(3)the inter se seniority of persons promoted to the posts of Assistant Jailor from various categories in the lower posts shall be determined by arranging their names in their respective categories in accordance with their dates of substantive appointment and placing them en bloc in a combined list in the following order :(i)Chief Head Warder.(ii)Head Warder (Selection Grade).(iii)Head Warder.Note. - 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 the reasons will be final.

## Part VII – Pay Etc.

### 23. Scale of 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 given as follows :

Name of the Post	Scale of Pay
1. Deputy Jailor	... Rs. 300-10-350-E.B.-12-470- E.B.-16-550.
2. Assistant Jailor	... Rs. 250-7-285-E.B.-9-375- E.B.-10-425.
3. Paid Apprentice Assistant Jailor	... Rs. 200 (fixed).

### 24. Pay during probation.

(1)Notwithstanding any probation 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 to Government Servants generally serving in connection with the affairs of the State.

## **25. Criteria for crossing efficiency bars.**

- No person shall be allowed to cross-(i)the first efficiency bar unless he has knowledge of the Prison Act and the relevant rules, his work and conduct are found to be satisfactory and unless his integrity is certified, and(ii)the second efficiency bar unless he has exercised effective supervision over the staff under his charge and has taken interest in the welfare and reformation of prisoners, 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 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.

### **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 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 if a rule was framed in consultation with the Commission the requirements of that rule shall not be dispensed with or relaxed without the Commission being consulted before hand.Appendix 'A'(See Rule 4)The sanctioned strength of the Service is as follows :

Name of Post   Number



Permanent	Temporary	
(1)	Deputy Jailor	.... 107* 18
(2)	Assistant Jailor	.... 218+ 19
(3)	Paid Apprentice Assistant Jailor	.... 35 -

Notes. - (1) (\*) Including two posts held in abeyance.(2)(+) Including eight posts held in abeyance.Appendix 'B'(See Rule 5)For promotion of warder staff to the posts of Assistant Jailor, a qualifying examination may be held by the Public Service Commission, Uttar Pradesh. This examination shall include the following subjects and each subject will carry the marks indicated against it :

Subjects	Marks
(i) General Hindi and Essay ...	100
(ii) Elementary Mathematics ...	100

**2. The written examination in the above subjects will be of High School standard.**

**3. A personality test of the candidates, who qualify in the above written examination, shall also be held. This personality test will carry 100 marks in which character rolls of the candidates may also be scrutinized.**