

PUNJAB JAIL DEPARTMENT, CLERICAL AND TECHNICAL (STATE SERVICE CLASS-III) RULES, 1962

PART I: HOME (JAILS) DEPARTMENT NOTIFICATION The 24th October, 1962 No. GSR-237/Const./Art./309/62.—In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India and all other powers enabling him in this behalf, the Governor of Punjab is pleased to make the following rules regulating the recruitment, and conditions of service of persons appointed, to the Punjab Jail Department Clerical and Technical Service (State Service Class III), namely 1. Short title and These rules may be called the Punjab Jail Department Clerical and Technical (State Service Class III) Rules, 1962. (2) They shall come into force from the date of their publication in the Punjab Government Gazette and shall supersede the rules published with Punjab Government Notification No. 7342-L42/35363, dated 3rd June, 1943, and the rules published with erstwhile Patiala and East Punjab States Union Government Notification No. 452, dated 5th May, 1952

2. Definitions.—In these rules, unless the context otherwise requires,— (a) "Board" means the Subordinate Services Selection Board, Punjab (b) "Commission" means the Punjab Public Service Commission (c) "class of posts" means posts of the same denomination having identical scale of pay (d) "direct appointment" means an appointment made otherwise than by promotion within the cadre of the same service or by transfer of an official already in the service of the Government of India or a State Government, (e) "Government" means Punjab Government in the Administrative Department (f) "Inspector-General" means the Inspector-General Prisons, Punjab; (g) "recognised University" means (i) any university incorporated by law in any of the States of India, (ii) in the case of a degree or diploma obtained as a result of examination held before the 15th August, Punjab; Sind or Dacca University (iii) any other University which is declared by the Government to be a recognised University for the purposes of these rules (h) "Superintendent" means the Superintendent of a Jail (i) "Superintendent" —(1) The Service shall consist of the posts shown in Appendix of these rules. Provided that nothing in these rules shall affect the inherent right of Government to add to or reduce the number of posts or create new posts with different designations and scales of pay permanently or temporarily. (2) The Service shall be divided and sub-divided in two sections as under • Section (I) Ministerial— (a) Office of the Inspector-General of Prisons, Punjab. (b) Jails and other Sub-Officers. Section (II) Technical— (a) Industrial staff. (b) Educational staff. (c) Miscellaneous staff

4. Authority empowered to make appointments.—All appointments to the Service shall be made by the Inspector-General. 5. No person shall be appointed to the Service, unless he is— (a) a citizen of India; or (b) a subject of the State of Pondicherry; or (c) a subject of Sikkim; or (d) a person of Indian origin, who has migrated from Pakistan with the intention of permanently settling in India. Provided that, subject to the issue of a certificate of eligibility in his favour, a subject of Nepal, or a Tibetan who came over to India before the first January, 1962, may also be appointed to the Service. • Provided further that if he belongs to category (b) or (d), he must be a person in whose favour a certificate of eligibility has been given by the Government of India and if he belongs to category (d) the certificate of eligibility will be valid only for a period of one year from the date of his appointment beyond which he can be retained in service only if he has become a citizen of India. 3 (2) A candidate whose case a certificate of eligibility is necessary may be admitted to an examination or interview conducted by the Public Service Commission, Board or other recruiting authority and he may also provisionally be appointed subject to the necessary certificate being given to him by Government of India 6. Age.—No person shall be appointed directly to the Service, is more than twenty-five years or less than eighteen years of age on the date of appointment provided that Government may, in special circumstances to be recorded in writing, relax the upper age limit: provided further that in the case of candidates belonging to Scheduled Castes, scheduled Tribes and other Backward Classes the upper age-limit shall be such as may be fixed by Government from time to time

7. Disqualification for appointment.—No person who has more than one wife living and no woman has married a person already having wife living, shall be eligible for appointment to the Service. • Provided that Government may, if satisfied that there are special grounds for doing so, exempt any person from the operation of this rule

0. Educafaoncl and other Qualifications for appointment.—No person shall be appointed directly to the Service unless he— (a) possesses the educational or technical qualifications prescribed for the posts as shown in column 5 of Appendix 'A' to these rules. Y provided that in the case of a candidate possessing the prescribed qualifications being not available the appointing authority may appoint to any post in the Service, any person, who does not possess the qualification prescribed by this rule from the principal (b) produces a certificate of character academic Officer of Ins university, college or school last attended, if any. and also from two responsible persons not being his relatives are well acquainted with him in private life and are unconnected with his university, and the medical certificate college or school, if any, required by rules contained in Chapter III of the Punjab Civil Services Rules. Volume I, Part I, as amended from time to time. Method of recruitment.—Appointments to the posts specified different parts in Sections I and 11 of Appendix 'A' shall be in the following manner: (1) PART A OF SECTION 1 OFFICE OF THE INSPECTOR-GENERAL OF PRISONS, PUNJAB) In the case of the Superintendent— (i) by promotion from amongst Head Assistants with at least 3 years' experience as such ; or (ii) by transfer from amongst officials in the service of Government, who have at least ten years' service to their credit and hold a degree of a recognised University. In the case of (i) by promotion from amongst Assistants or Senior Scale Stenographer with experience of 5 years' as such or (ii) by promotion from amongst Jail Head Clerks with at least 5 years' experience as such or (iii) by transfer of officials in the service of Government who have at least 5 years' service to their credit and hold a degree of a recognised University. c) In the case of Assistants— (i) by promotion from amongst the Accountant, Clerks, Junior Scale Stenographers and Steno-typists, who qualify in the test held by the Board, prescribed for the post of Assistant, with experience of at least 3 years ; or (ii) by transfer of officials in the service of Government who have at least three years' service to their credit and hold a degree of a recognised University ; or (iii) by direct appointment. (d) In the case of Stenographer to Inspector-General (Senior Scale Stenographer)— (i) by promotion from amongst Junior Scale Stenographers with an experience of at least 2 years' qualify the Departmental test prescribed by Government from time to time ; or (ii) by transfer from amongst officials in the service of Government with at least 5 years' experience as Stenographers or (iii) by direct appointment (e) In the case of Accountant— (i) by promotion from amongst Clerks already in the Service with an experience of at least 5 years' or (ii) by transfer of officials in the service of Government with at least 5 years' experience as Accounts Clerk. (f) In the case of Junior Scale Stenographer— (i) by promotion from amongst Steno-typists having an experience of two years working in the Department as such, and who have qualified the test prescribed by Government from time to time or (ii) by transfer of officials in the service of Government with at least 5 years' experience as Steno-typists ; or (iii) by direct appointment 5 In the case of Sales Organiser— (i) by promotion from amongst Clerks in any office or institution under the Department With at least 3 years' experience and who are graduates of the recognised University or (ii) by transfer of officials in service of Government With at least 5 years' experience (h) In the case of Steno-typists— (i) by promotion from amongst typists and clerks through test, with prescribed proficiency in provided candidates Stenography and type are forthcoming ; or (ii) by direct appointment In the case of Clerks— (i) by direct appointment or (ii) by promotion of Restorer subject to his completing at least 2 service and being a Matriculate ; or (iii) by transfer of clerks in the Jail Offices and from other Government offices ()) In the case of Restorer— (i) by direct appointment (ii) by transfer of Restorer other Government offices (iii) by promotion from dafties or peons who have passed the Middle School Examination and have at least 2 years' service to their credit. (2) PART B OF SECTION 1 JAILS AND SUB-OFFICES In the case Head Clerks— with at least 5 years' service in the department or (i) by transfer of officials in the service of Government who hold a degree of a recognised University With 5 years' experience (b) In the case of Accountants—, (i) by promotion from amongst clerks working in Jails or other sub-offices at least 3 years' experience ; (ii) by transfer of officials, in the service of Government with at least three years' experience in accounts work. seniority amongst Jail Clerks shall be considered irrespective of the duties and, functions being performed by them, e.g. Accounts Clerks, Store-keepers, and other Clerks. (c) In the case of Steno-typists— (i) by transfer of typists or clerks ; or (ii) by direct appointment. (d) In the case of Clerks— (i) by promotion from amongst Head Warders or Wardars who are at least matriculates, through a departmental test with two years' experience ; or (ii) by direct appointment. (3) PART A SECTION 11 INDUSTRIAL STAFF (a) In the case of Assistant Factory Supervisors—by

promotion from amongst qualified technical officials in any of the major trades possessing diploma from any recognised institution in the respective craft or trade xvith at least 5 years' experience. (b) In the case of Carpenter Masters— (i) by promotion from amongst General Mistries and Mistries whoh have experience in Carpentry trade of at least 5 years' ; or (ii) by dyect appointnment. (c) In the case of Mechanic—by promotion fronn aniong.st Mistri' General Mistry fitters xvith at least 3 years experience, (d) In the case of all other Technical posts—by direct appoint- ment from amongst candidates "ho possesses the quali- fications prescribed in Section 11, Part (A) of Appendix A (4) PART B OF SECTION 11 TEAct11Nc STAFF (a) In the case of Teucherg Class I— (i) by promotion from amongst Class 11 teachers with at least e.xÄéiience ; or (ii) by direct appointment in the case of onc post for B 'l' teacher. (b) In the case of Teachers Class 11— (i) by promotion from amongst Class III teach cr.s v.') th least 3 years' expercience ; or (ii) by transfer ote deputation from amongst teachers in the Education Department. (c) In the case of Teachers Class III— (i) by direct pppointment ; or (ii) by deputation or transfer from the Education Depart:ment (d) In the case of Drill Ifistructors— (i) by direct appointment ; or (ii) by transfer or deputation from other Departments. (e) In the case of Band Master— (i) by direct appointment ; or (ii) by transfer or deputation from other Departments (f) In the case of Drawing Master— (i) by direct appointment ; or (ii) by transfer or deputation from other Departnment.s MISCELLANEOUS In the case of all posts— (i) by direct appointment ; or (ii) by transfer or deputation fronl other Departtnents (G) When any vacancy occurs or is about the to OCCu 1 11 Service, the Inspector-General shall determine the manner in which such vacancy shall be filled keeping in viexx• the ratio laid down in sub-rule (8). (7) All promotions, whether from one grade to anothe! 01 shall be Inade by iroxn one class of service to another selection based on merit and taking into consideration seniority and seniority alone shall not give any right oi appointment. (8) Direct appointments to the various posts in the Sei Nice shall be made as under— (a) 25 per cent of the vacancies of Assistants (b) 10 per cent of the vacancies of Senior-scale Steno graphers J uniov-scale Steno- (c) 25 per cent of the vacancies of graphers (d) 50 per cent of the vacancies of Steno- typiqts (e) 80 per cent of the vacancies of Clerks (f) 75 per cent of the vacancies of Restorer (g) 100 per cent ot the vacancies of Foremen (h) 75 per cent of the vacancies of Cal nent"l Masie) 8 (i) 100 per cent or the vacancies of all technical posts othe! than Assistant Foctory Supervisor, Carpenter Master (j) 100 per cent of the vacancies or one teacher Class I for (k) 90 per cent of the vacancies of Teachers, Class III (l) 75 per cent of the vacancies of Drill Instructors (m) 75 per cent of the vacancies of Band Master , (n) 75 per cent of the vacancies of Drawing Master ; and (o) 50 per cent of the vacancies of Miscellaneous staff. 1(). Pay of members of Service.—Members of the Service shall be entitled to such scales of pay including special pay, if any, as may be authorised by Government from time to time. The scales present in force in respect of specified posts are given Appendix 'A' to these rules: Provided that the persons -appointed against the posts of Steno- typists and Clerks in part (A) of Section I of Appendix 'A' and the posts of Steno-typists, Clerks, Store-keepers and Accounts Clerks of Part (B) of Section (I) of Appendix A shall be required to undergo training on the stipend prescribed by Government from time to time

11. Probation of menibers of the Service.—(1) Persons appointed to the Service shall remain on probation for a period of two years, if recruited by direct appointment and one year if recruited otherwise Provided that— (a) any period at'ter appointnlent to the Service spent on deputation on a corresponding or a higher post shall count towards the period of probation fixed under this rule (b) in the case of an appointment by transfer, any period of work in equivalent or higher rank, prior to appointment to the Service may, at the discretion of appointing autho- rity be allowed to count towards the period of probation and fixed under this rule (c) an officiating appointment in the Service shall be reckoned as a period spent on probation but no member who has thus officiated shall, on the completion of the prescribed period of probation, be entitled to be confirmed, unless he is appointed against a permanent post. (2) If the work or conduct of a pel'son appointed to the Service the period of probation is, in the opinion of appointing during 1/' pity, not satisfactory, it may— (a) dispense with his services, if recruited by direct appoint. ment or (b) if recruited otherwise— (i) revert him to his former post or (ii) deal with him in such other manner as the terms and conditions of his previous appointment permit. (3) On the completion of the period of probation of a person. the appointing authority may— a (a) confirm such person— if recruited by direct (i) from the date of the appointment, and appointment 9 date (01 lowing the appoinunent that a perma- nent vacancy exists if recruited ot.herv.,'ise post is vacant for hill), declare that he (b) if no pel'lnanenl has complet.ed hi.s probation satisfactorily : or (c) if his work or conduct has, in its opinion, not been satis- factory,

dispense with his services. if recruited by direct appointment ; or if otherwise— (d) "t him to his former post ; or (ii) deal with him in such other manner as the terms and conditions of his previous appointment permit (e) extend his, period of probation and thereafter pass such orders as it could have passed on the expiry of the first period of probation (f) provided that the total period of probation, including extension, if any, shall not exceed three years

2. Seniority of Members of Service.—The seniority inter se of members of Service shall be determined by the dates of their continuous appointments in the Service: Provided that in the case of members appointed directly the order of merit determined by the Commission or the Board shall result of an early not be disturbed and persons appointed as a selection shall be senior to those appointed as a result of a subsequent selection Provided further that in the case of two or more members appointed on the same date, their seniority shall be determined as follows (a) a member recruited by direct appointment shall be senior to member recruited otherwise (b) a member recruited by promotion shall be senior member recruited by transfer, (c) in the case of members recruited by promotion their seniority shall be determined according to the seniority of such members in the appointments from which they were promoted or transferred (d) in the case of members recruited by transfer from different cadres, their seniority shall be determined according to pay, preference being given to a member, who was drawing a higher rate of pay in his previous appointment and if the rates of pay drawn are also the same then by their length of service in those appointments, and if the length of such service is also the same, an older member shall be senior to a younger member. Note. I.—This rule shall not apply to persons appointed on purely provisional basis pending their passing the qualifying test. Note. II.—In the case of members whose period of probation extended under rule 10, the date of appointment for the purpose of this rule shall be deemed to have been deferred to the extent the period of probation is extended. 10 13. Liability to transfer. ---Every member of the Service shall be liable to transfer under the orders of Government or Inspector-General of Prisons, anywhere within the State of Punjab, Delhi or any other place in India where he may be required to proceed under the administrative control of the Punjab Government

14. Leave, pension and other matters.—In respect of pay, leave, pension and other matters, not expressly provided for in these rules, the members of the Service shall be governed by such rules and regulations as may have been or may hereafter be framed by competent authority under Article 309 of the Constitution of India or any rules made thereunder

15. Discipline, Penalties and Appeals.---(1) In matters relating to discipline, penalties and appeals, the members of the Service shall be governed by the Punjab Civil Services (Punishment and Appeal) Rules, 1952, as amended from time to time Provided that the nature of penalties which may be imposed, the appellate authority empowered to impose such penalties, authority subject to the provisions of any law or rules made under Article 309 of the Constitution of India, shall be as specified in Appendix 'B' to these rules. (2) The authority competent to pass an order under clauses (c) and (d) of sub-rules (1) of rule 10 of the said rules, and the appellate authority and the second appellate authority shall be as specified in Appendix 'C' to these rules

16. V of the Service shall get himself the (Government so directs by regulation when vaccinated or his rule shall not be applicable to the or special or general order.) Members of Service were in Government service on the 8th March, 1926, except with their concurrence, that Power to the Government are satisfied the operation of any of these rules causes undue hardship in any particular case, it may by order, dispense with or relax the requirements of that rule to such extent and subject to such conditions as he may consider necessary for dealing the case in a just and equitable manner. 00 28 to 00 e, i o o c. O Z o 0'. 11 C) 00 rra 60 09 O o to i 9 00 0 0 96 0 o o 70 0 O o 0.0 0 o o o X 0 0 coo o O o o