

385

Authoritative English Text of this Department's Notification  
No. Home-B(3)2-19/94-Jails, dated 20.8.02 as required under  
Article 348(2) of the Constitution of India.

Govt. of Himachal Pradesh  
Department of Home

No. Home-B(3)2-19/94-Jails      Dated:-Shimla-2, the 20.8.02.

NOTIFICATION

In exercise of the powers conferred by  
proviso to Article 309 of the Constitution of India, the  
Governor of Himachal Pradesh in consultation with the H.P.  
Public Service Commission, is pleased to make the Recruit-  
ment & Promotion Rules for the post of Superintendent,  
Model Central Jail (Class-I Gazetted) in the Department of  
Prisons, Himachal Pradesh as per Annexure 'A' attached to  
this Notification, namely :-

Short title and  
commencement.

1.(1) These rules may be called  
the Himachal Pradesh Prisons  
Department, Superintendent,  
Model Central Jail (Class-I  
Gazetted) Recruitment & Promo-  
tion Rules, 2002.

(2) These Rules shall come into force  
from the date of publication  
in the Rajpatra, Himachal  
Pradesh.

Repeal and Savings.

2.(1) The Himachal Pradesh Jails  
Department's Recruitment  
& Promotion Rules for the  
posts of Superintendent,  
Model Central Jail, Nahan and  
Distt. Jail, Dharamsala, 1970  
notified vide notification  
No. 5-15/69-Home, dated 4.5.1970  
are hereby repealed to the  
extent these are applicable to  
the post of Supdt.; Model  
Central Jail.

(2) Notwithstanding such repeal,  
any appointment made or any-  
thing done or any action  
taken under the rules so  
repealed vide rule 2(1) supra,  
shall be deemed to have  
validly made, done or taken  
under these rules.

BY ORDER

(R. BHATTACHARYA)

Adl. C.S. - cum - secretary (Home) to the  
Govt. of Himachal Pradesh.

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Endst. No. Home-B(B)2-19/94-Jails Dated:-Shimla-2, the 28.8.02.

Copy to:-

1. The Addl. Director General of Prisons, Himachal Pradesh, Shimla-3 (5 copies).
2. The Secretary, H.P. Public Service Commission, Shimla-2 (3 copies).
3. The Controller, Printing & Stationery, H.P. Shimla-5 for publication in the Rajpatra. A copy of the same may be supplied to this department as well as to ADGP (Prisons), H.P. and H.P.P.S.C.
4. The Deputy Legal Remembrancer to the Govt. of H.P., Shimla-2.
5. 20 spare copies.

*Rattan Singh*

Addl. Secretary (Home) to the  
Govt. of Himachal Pradesh.

ANNEXURE-1A'

RECRUITMENT AND PROMOTION RULES FOR THE POST OF SUPERINTENDENT, MODEL CENTRAL JAIL (CLASS-I-GAZETTED), IN THE DEPARTMENT OF PRISONS, HIMACHAL PRADESH.

- 1. Name of the Post : Superintendent, Model Central Jail.
- 2. Number of Posts : 02 (Two)
- 3. Classification : Class-I-Gazette d).
- 4. Scale of Pay : Rs 10025-275-10300-340-12000-375-13500-400-15100.
- 5. Whether Selection Post or Non-Selection Post : Selection.
- 6. Age for direct recruitment. : Not applicable.
- 7. Minimum Educational and other qualifications required for direct recruits. : Not applicable.
- 8. Whether age and educational qualifications prescribed for direct recruits will apply in the case of the promotees. : Age...Not applicable. Educational Qualification...Not applicable.
- 9. Period of probation, if any. : Two years subject to such further extension for a period not exceeding one year as may be ordered by the competent authority in special circumstances and reasons to be recorded in writing.
- 10. Method of recruitment, whether by direct recruitment or by promotion, deputation, transfer and the percentage of posts to be filled in by various methods. : 100 % By promotion.

...2...  
... In case of recruitment  
by promotion, deputation,  
transfer, grade from which  
promotion/deputation/  
transfer is to be made.

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By promotion from amongst  
the following who possess  
03 years regular service or  
regular combined with  
continuous adhoc (rendered  
upto 31.3.98) service in  
the grade.

i) Superintendent, Distt.  
Jail.

ii) Chief Welfare Officer,  
(Prisons).

For the purpose of  
promotion a combined  
seniority based on the  
length of service not  
disturbing the unitwise  
inter-se-seniority, shall  
be prescribed.

(1) In all cases of promotion, the continuous adhoc service rendered in the feeder post upto 31.03.1998, if any, prior to regular appointment to the post shall be taken into account towards the length of service as prescribed in these Rules for promotion subject to the condition that the adhoc appointment/promotion in feeder category had been made after following proper acceptable process of selection in accordance with the provision of R & P Rules, provided that :-

(i) in all cases where a junior person becomes eligible for consideration by virtue of his total length of service (including the service rendered on adhoc basis upto 31.03.1998) followed by regular service/ appointment in the feeder post in view of the provisions referred to above, all persons senior to him in the respective category/post/cadre shall be deemed to be eligible for consideration and placed above the junior person in the field of consideration;

Provided that all incumbents to be considered for promotion shall possess the minimum qualifying service of at least three years or that prescribed in the Recruitment and Promotion Rules for the Post, whichever is less;

Provided further that where a person becomes ineligible to be considered for promotion on account of the requirements of the preceding proviso, the person(s) junior to him shall also be deemed to be ineligible for consideration for such promotion.

Explanation:- The last proviso shall not render the junior incumbents ineligible for consideration for promotion if the senior ineligible persons happened to be Ex-servicemen recruited under the provisions of Rule-3 of Demobilised Armed Forces

..3..

Personnel (Reservation of Vacancies in Himachal State Non-Technical Services) Rules, 1972 and having been given the benefit of seniority thereunder or recruited under the provisions of Rule-3 of Ex-Servicemen (Reservation of Vacancies in the Himachal Pradesh Technical Services) Rules, 1985 and having been given the benefit of seniority thereunder.

(2) Similarly, in all cases of confirmation, adhoc service rendered on the feeder post upto 31.03.1998, if any, prior to the regular appointment against such post shall be taken into account towards the length of service if the adhoc appointment / promotion had been made after proper selection and in accordance with the provision of R & P Rules;

Provided that inter-se-seniority as a result of confirmation after taking into account, adhoc service rendered upto 31.03,1998 as referred to above shall remain unchanged.

12. If a Departmental Promotion Committee exists, what is its composition. : DPC to be presided over by the Chairman, H.P. Public Service Commission or a Member thereof to be nominated by him.
13. Circumstances under which the H.P.P.S.C. is to be consulted in making recruitment. : As required under the law.
14. Essential requirement for a direct recruitment : Not applicable.
15. Selection for appointment to the post by direct recruitment. : Not applicable.
16. Reservation : The appointment to the service shall be subject to orders regarding reservation in the service for Scheduled Castes/Scheduled Tribes / Backward Classes/other categories of persons issued by the Himachal Pradesh Government from time to time.
17. Departmental Examination : Every member of service shall pass the Departmental Examination as prescribed in the H.P. Departmental Examination Rules, 1997 as amended from time to time. ..4/..

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18. Powers to Relax

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Where the State Government is of the opinion that it is necessary or expedient to do so, it may by order for reasons to be recorded in writing and in consultation with the H.P.S.C., relax any of the provisions of these Rules with respect to any class or category of persons or posts.

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No. 5-15/69-Home  
GOVERNMENT OF HIMACHAL PRADESH  
HOME ( JAILS ) DEPARTMENT.

Dated Simla-2, the

4/5/1970

NOTIFICATION.

In exercise of the powers delegated by the President under the proviso to Article 309 of the Constitution, vide Government of India, Ministry of Home Affairs Notification No.F.27/59-HIM(I), dated the 13th July, 1959, the Administrator (Lieut. Governor), Himachal Pradesh in consultation with the U.P.S.C. vide their letter No.J-3/24(A)(2)/67-RR, dated the 2nd February, 1970, is pleased to frame Recruitment Rules for the posts of Superintendent's Model Central Jail, Nahan and District Jail, Dharamsala as per Annexure "A".

These rules shall come into force from the date of issue of this Notification.

This supersedes the Recruitment Rules notified vide this department's notification No.H(J)-14-929/58 dated 5-1-69.

By Order

Joint Secretary (Home) to the  
Government of Himachal Pradesh.

No. 5-15/69-Home.

Dated Simla-2, the 4/5/1970.

A copy together with a copy of the Annexure "A" referred to above is forwarded to :-

1. The Joint Secretary to the Government of Himachal Pradesh (Appointment Department) with eight spare copies) for information with reference to his letter No.2-6/61 Apptt. dated 11-2-1970.
2. The Manager, Himachal Pradesh Government Press Simla-4 for publication of the notification alongwith its enclosures in the H.P. Rajpatra.
3. The Superintendent Model Central Jail, Nahan (H.P.)
4. The Superintendent District Jail, Dharamsala (H.P.)

*[Signature]*  
Joint Secretary (Home) to the  
Government of Himachal Pradesh.  
4/5/70

RULES FOR THE POST OF SUPDT. MODEL CENTRAL JAIL, NAHAN AND SUPDT., DIST. JAIL, DHARAMSALA, GOVT. OF HIMACHAL PRADESH.

F.No.F.3./24-A(2)/67

Name of post.	No. of posts.	Classification.	Salary Pay
I-Supdt., Model Central Jail, Nahan-1.	2	Class II Gaz.	Rs. 350-25-600-25-800.
Supdt. Dist. Jail, Dharamsala. -1			1200-1550

Whether selection post non-selection post.	Age for direct recruits.	Educational and other qualifications required for direct recruits.
Selection.	45 years and below (Relaxable for Govt. servants.)	Essential:

- i) Degree of a recognised University or equivalent
  - ii) Adequate experience of Jail admn. Qualifications relaxable at Commission's discretion in case of candidates otherwise well qualified).
- Desirable. A pass certificate in Correctional Admn. from the Tata School of Social Science., Bombay or Lucknow Jail Training School or equivalent.

Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees.	period of probation, if any.	Method of recruitment, whether by direct recruitment or by deputation/transfer & percentage of the vacancies to be filled by various methods.
Age: No. Educational qualifications Yes.	2 years	By promotion failing which by transfer on deputation and failing both by direct recruitment.

In case of rectt. by promotion/deputation/transfer, grades from which promotion/deputation/transfer to be made.	If a DPC exists, what is its composition.	Circumstances in which UpSC is to be consulted in making rectt.
Promotion. 1) Dy. Supdt. Jails. 2) Supdt. Open Air Jail Bilaspur (with 5 years service in the respective grades)	Class II Deptl. Promotion Committee.	As required under the UpSC (exemption from Consultation) Regulations, 1958.

Transfer on deputation. Suitable Officers from Central/State Governments.

(period of deputation ordinarily not exceeding 3 years).



23/8/76

38

Government of Himachal Pradesh  
Jails Department.

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NO: (PR)-A(3)-34/75 dated Simla-171002 the 13th August, 1976. 216

NOTIFICATION 17/11

In exercise of the powers conferred by proviso to Article 309 of the Constitution of India and all other powers enabling him in this behalf, the Governor, Himachal Pradesh, in consultation with the Himachal Pradesh Public Service Commission and with the approval of the Government of India is pleased to make the following rules to amend the Recruitment Rules in respect of the posts of Superintendent Model Central Jail, Nahan and District Jail, Dharamsala, Class-II(Gazetted) in the Department of Jails, Himachal Pradesh notified vide Notification NO:5-15/69-Home dated 4-5-1970.

Short title and commencement.

These rules may be called Recruitment Rules for the posts of Superintendent Model Central Jail, Nahan and District Jail, Dharamsala, Class-II(Gazetted) in the Department of Jails, Himachal Pradesh (1st Amendment) rules, 1976.

Amendment to the Rules:

Add the following as footnote at the end of the Annexure to the Recruitment Rules in respect of the posts of Superintendent Model Central Jail, Nahan and District Jail, Dharamsala, Class-II(Gazetted).

"Every member of the service shall pass a departmental examination as prescribed in the Departmental Examination Rules within the probation period or within two years from the notification of these rules whichever is later failing which he shall not be eligible to:-

- (i) Cross the efficiency bar next due,
- (ii) Confirmation in the service, and
- (iii) Promotion to the next higher post;

Provided that if a member becomes otherwise eligible for promotion, within the period mentioned above he shall be considered for promotion and if otherwise found fit shall be promoted provisionally subject to his passing the departmental examination. He may be reverted if he fails to pass the same.

Provided further that an officer who has qualified the departmental examination in whole or in part prescribed under any other rules before the notification of these rules, shall not be required to qualify the whole or in part of the examination as the case may be:

Provided further that an officer for whom no departmental examination was prescribed prior to the notification of these rules and who has attained the age of 45 years on the 1st March, 1976 shall not be required to qualify the departmental examination prescribed under these rules.

(b) An officer on promotion to a higher post in his direct line of promotion shall not be required to pass the aforesaid examination if he has already passed the same in the lower gazetted post.

(c) The Government may, in consultation with the Himachal Pradesh Public Service Commission, grant in exceptional circumstances and for reason to be reduced to writing exemption in accordance with the Departmental Examination Rules, any Class or category of persons from the Departmental examination in whole or in part."

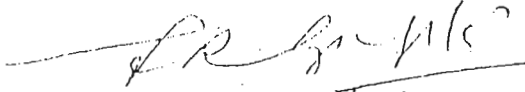
By order

S. R. Gupta,  
Under Secretary (Prisons) to the  
Government of Himachal Pradesh.

Ends at: NO. (PR)-A(3)-34/75 dated Simla-2 the 13th Aug., 1976

Copy forwarded to:-

1. The Deputy Controller of Printing & Stationery H.P. Govt. Press, Simla, for publication in Rajpatra.
2. The Secretary, H.P. Public Service Commission, Simla with 4 spare copies.
3. The Under Secretary (Prisons) H.P. Simla-171025 with four spare copies.
4. The Deputy Secretary (Personnel) to the Govt. of H.P. Simla with two spare copies.
5. The Under Secretary (Training) to the Govt. of H.P. Simla-Fair Lawn Mashobra with reference to Office Memo: HIPA (Exam)-12/75 dated 23-3-1976.
6. Guard File.

  
Under Secretary (Pr) to the  
Government of Himachal Pradesh.

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217

Government of Himachal Pradesh  
Home.B(Jail) Department.

No.Home.B(B)2-2/80-Jails. Dated Simla-2, the 17-6-84.

NOTIFICATION

In exercise of the powers conferred by proviso to article 309 of the Constitution of India and all other powers enabling him in this behalf, the Governor, Himachal Pradesh in consultation with the Himachal Pradesh Public Service Commission is pleased to make the following rules to amend the Recruitment and Promotion Rules in respect of the posts of Superintendent, Model Central Jail, Nahan and Superintendent, District Jail, Dharamsala, Class-II (Gazetted) in the Prisons Department of Himachal Pradesh notified vide notification No.5-15/69-Home dated the 4th May, 1970 and further amended vide notification No.PR.A(3)-34/75 dated the 13/17th August, 1976.

P-13  
P-37-26

1. Short Title and commencement:

These Rules may be called the Himachal Pradesh Prisons Department Class-II (Gazetted) Services (Recruitment Promotion and certain conditions of Service) Rules, 1970 for the posts of Superintendent, Model Central Jail, Nahan and Superintendent, District Jail, Dharamsala, Class-II (Gazetted) (2nd amendment) 1984.

2.

These shall come into force with immediate effect.

3. Amendments to Annexure-A.

In Annexure-A to the aforesaid Rules for the existing entries under Col.No. 4, 6, 11, 12 & 13, the following shall be substituted:-

Sr.No.

Col.No.4.

Superintendent, Model Central Jail, Nahan. Rs.1200-1850.

Superintendent, District Jail, Dharamsala. Rs.940-1775.

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Sr.No. Col.No.6.

- |   |                 |
|---|-----------------|
| 1. Superintendent, Model Central Jail, Nahan. | 18 to 30 years. |
| 2. Superintendent, District Jail, Dharamsala. | 18 to 30 years. |

Col.No.11.

- |   |   |
|---|---|
| 1. Superintendent, Model Central Jail, Nahan. | i) Superintendent, District Jail in the scale of Rs,940-1775 (with 3 years service in the grade).<br>ii) Chief Welfare Officer (Prisons) in the scale of Rs,940-1775 (with 3 years service in the grade). |
|---|---|

The promotion is to be based on joint seniority lists prepared on the basis of length of service in the grade).

- |   |  |
|---|--|
| 2. Superintendent, District Jail, Dharamsala. | Superintendent, Open Air Jail/ Deputy Superintendent Jail in the scale of Rs,750-1300 (with 5 years service in the respective grades). |
|---|--|

(The promotion is to be based on joint seniority lists prepared on the basis of length of service in the grade).

- |   |   |
|---|---|
| 1. Superintendent, Model Central Jail, Nahan. | <u>Col.No.12.</u><br>D.P.C. to be presided over by the Chairman/Member of the Commission. |
|---|---|

- |   |   |
|---|---|
| 1. Superintendent, Model Central Jail, Nahan. | <u>Col.No.13.</u><br>As required under the law. |
|---|---|

2. Further to add the following standard relaxation clause at Sr.No.14 at the end of the Annexure-A to the main Rules and also standard foot notes at the end of the Annexure-A in respect of the posts of Superintendents, Model Central Jail, Nahan and District Jail, Dharamsala notified vide notification No.5-15/69-Home dated the 4th May, 1970:-

Provision for relaxation.

14. Where the Government is of the opinion that it is necessary or expedient to do so, it may, by order, for reasons to be

recorded in writing and in consultation with the Himachal Pradesh Public Service Commission, relax any of the provisions of these rules with respect to any class or category or person or post.

FOOT-NOTES:

1. A candidate for appointment to any service or post must be:-
  - a) A Citizen of India, or
  - b) a subject to Nepal, or
  - c) a subject to Bhutan, or
  - d) a Tibetan refugees who came over to India before the 1st January, 1962 with the intention of permanently settling in India, or
  - e) a person of Indian origin who has migrated from Pakistan, Burma, Srilanka, East African Countries or Kenya, Uganda, the United Republic of Tanzania (formerly Tanganyika and Zanzibar), Zambia, Malawi Zaire and Ethiopia with the intention of permanently settling in India.

Provided that a candidate belonging to categories (b), (c), (d) and (e) shall be person in whose favour a certificate of eligibility has been issued by the Government of India/State Government.

A candidate in whose case a certificate of eligibility is necessary may be admitted to an examination or interview conducted by the HPPSC or other recruiting authority, but the offer of appointment may be given only after the necessary eligibility certificate has been issued to him by the Government of India/Government of Himachal Pradesh.

2. Upper age limit is relaxable for Scheduled Caste/Tribes candidates and other categories of persons to the extent permissible under the general or special order of the H.P. Government.
3. Provision of columns 10 and 11 are to be revised by the Government in consideration with the Commission as and when the number of posts under column 2 are increased or decreased.
4. Selection for appointment to these posts in the case of direct recruitment, shall be made on the basis of viva voce test, if the Commission so considers necessary or expedient by a written test, the standard/syllabus etc. of which will be determined by the Commission or a practical test.
5. In all cases where a Junior person becomes eligible for consideration by virtue of his total length of service (including ad-hoc one) in the feeder post, all persons senior to him in the respective category shall be deemed to be eligible for consideration and placed above the junior persons.

Provided that all incumbents to be considered for promotion confirmation shall possess the minimum qualifying service of a least three years or that prescribed in the relevant Recruitment and Promotion Rules for the post whichever is less.

Provided further that where a person becomes in eligible to be considered for promotion/confirmation, on account of the recruitment prescribed in the proceeding proviso the person(s) junior to him shall also be deemed to be ineligible for consideration for such promotion/confirmation.

6. The appointment to this service shall be subject to orders regarding reservation in the services for Scheduled Caste/Scheduled Tribes/Backward Classes issued by the Himachal Pradesh Government from time to time.

7. Departmental Examination:

(i) Every member of the service shall pass a departmental examination as proscribed in the Departmental Examination Rules within the probation period or within two years from the notification of these rules whichever is latter failing, which he shall not be eligible to:-

- (a) Cross the Efficiency Bar next due;
- (b) Confirmation in the services, and
- (c) Promotion to the next higher post.

Provided that if a member becomes otherwise eligible for promotion, within the period mentioned above, he shall be considered for promotion and if otherwise found fit, shall be promoted provisionally subject to his passing the departmental examination. He may be reverted if he fails to pass the same.

Provided further that an officer who has qualified the departmental examination in whole or in part prescribed under any other rules before the notification of these rules, shall not be required to qualify the whole or in part of the examination as the case may be.

Provided further that an officer for whom no departmental examination was prescribed prior to the notification of these rules and who has attained the age of 45 years on the 1st March, 1976 shall not be required to, qualify the departmental examination prescribed under these rules.

(ii) An officer on promotion to a higher post in his direct line of promotion shall not be required to pass the aforesaid examination, if he has already passed the same in the lower gazetted post.

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(iii) The Government may, in consultation with the Himachal Pradesh Public Service Commission grant in exceptional circumstances and for reasons to be reduced to writing, exemption in accordance with the departmental examination rules, to any class or category of persons from the departmental examination in whole or in part.

Secretary (Home) to  
the Government of Himachal Pradesh.

No. Home. B(B(2-2/80-Jails. Dated Simla-2, the 13-6-84.  
Copy forwarded to:-

I. G. (Prs) ..... on leave  
D. I. G. (Prs) ..... 15/6/84

1. The Secretary, Himachal Pradesh Public Service Commission, Simla-2, with three spare copies with reference to his letter No.2-41/72-PSC dated the 7th April, 1983.
2. All Secretaries to the Government of Himachal Pradesh, Simla-2.
3. The Joint Secretary (Personnel) to the Government of Himachal Pradesh with three spare copies.
4. The Finance Department (F-Section) H.P. Sectt. Simla-2 with three spare copies.
5. The Inspector General of Prisons, Himachal Pradesh, Simla-2 for information and necessary action with 15 spare copies.
6. The Deputy Controller of Printing and Stationery for favour of publication in the Rajpatra.

Ashwani Kumar Dhes  
Deputy Secretary (Home) to  
the Govt. of Himachal Pradesh.