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 Himachal Pradesh Public Service Commission is pleased to make the Recruitment and promotion Rules for the post of Chief Welfare Officer (Prisons) (Class-II, Gazetted) in the Department of Prisons H.P. as per Annexure "A" attached to this notification, namely:-

1. Short title and commencement

   (i) These Rules may be called the Himachal Pradesh Prisons Department Chief Welfare Officer (Prisons) (Class-II, Gazetted) Recruitment and Promotion Rules, 1997.

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

2. Repeal and savings

   (i) The Himachal Pradesh Prisons Department Class-II (Gazetted) Services (Recruitment Promotion and certain conditions of service) Rules 1981 Notified vide this department Notification No. PR.A(3)-5/80 dated 20/11/1981 are hereby repealed.

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the rules, so repealed under sub rule 2(1) supra shall be deemed to have been validly made, done or taken under these rules.

By Order

(S.N. Verma)
Commissioner-cum-Secretary(Home)
to the Govt. of Himachal Pradesh

Endst. No. Home-3(A)3-5/80-Vol.-II Dated Shimla-2, the 25
97

Copy forwarded to:-

1. All the Secretaries to the Govt. of H.P.
2. All the Heads of the Department in Himachal Pradesh.
3. The Additional Director General of Prisons H.P.
   Shimla-171002.
4. The Secretary, Himachal Pradesh Vidhan Sabha, Shimla-
   171004.
5. The Secretary, Himachal Pradesh Public Service
   Commission Shimla-171002 along with 3 spare copies
   w.r. to his letter No. 2-41/72-PSC dated 25/2/1997.
6. All the Divisional Commissioners in Himachal Pradesh.
7. All the Deputy Commissioners in Himachal Pradesh.
8. The Controller, Printing and Stationery, Himachal
   Pradesh Govt. Printing Press, Shimla-171005 for
   publication in the H.P. Rajputra. He is requested
   to supply 20 copies of Rajputra to the Addl. Director
   General of Prisons H.P. Shimla-2 for information and
   further necessary action.
9. The Controller, Local Metrolology (Weights & Measures)
   Himachal Pradesh, Shimla-171001.
10. A.L.D. (English/Hindi) Law Department, H.P. Secretariat,
    Shimla-2.
11. Guard File along with 50 spare copies.


Under Secretary(Home) to the Govt. of Himachal Pradesh
RECRUITMENT AND PROMOTION RULES FOR THE POST OF CHIEF
WELFARE OFFICER (PRISONS) (CLASS-II GAZETTED), IN THE
DEPARTMENT OF PRISONS, HIMACHAL PRADESH

1. Name of the Post : Chief Welfare Officer (Prisons)
2. Number of Posts : 1 (One).
3. Classification : Class-II (Gazetted).
4. Scale of Pay : Rs. 2200-70-2550-75-3000-100-4000.

5. Whether Selection post: Selection.
   or Non-Selection Post

6. Age for direct
   recruitment : 35 years and below.

Provided that the upper age limit
for direct recruits will not be applicable to the candidates
already in service of the Govt. including those who have
been appointed on adhoc or on contract basis;

Provided further that if a candidate
appointed on adhoc basis or on contract basis had become
overage on the date when he was appointed as such he shall
not be eligible for any relaxation in the prescribed age
limit by virtue of his such adhoc or contract appointment;

Provided further that upper age
limit is relaxable for Scheduled Castes/Scheduled Tribes/
Other categories of persons to the extent permissible under
the general or special order(s) of the Himachal Pradesh
Government;

Provided further that the
employees of all the Public Sector Corporations and Autono-
mous Bodies who happened to be Government Servants before
absorption in Public Sector Corporations/Autonomous Bodies
at the time of initial constitution of such Corporations/
Autonomous Bodies shall be allowed age concession in direct
recruitment as admissible to Government servants. The
concession will not however, be admissible to such staff
of the Public Sector Corporations/Autonomous Bodies who
were/are subsequently appointed by such Corporations/
Autonomous Bodies and who are/were finally absorbed in the
service of such Corporations/Autonomous Bodies after initial
Constitution of the Public Sector Corporations/Autonomous
Bodies.

Note : (1) Age limit for direct recruitment will
be reckoned on the first day of the
year in which the post(s) is/are
advertised for inviting applications

..........."/-
7. Minimum educational and other qualifications required for direct recruits

8. Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees.

9. Period of probation, if any

10. Method of recruitment whether by direct recruitment or by promotion, deputation, transfer and the percentage of vacancies to be filled in by various methods

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

ESSENTIAL:

Post Graduate Degree in Sociology or its equivalent from any recognized University.

DESIRABLE QUALIFICATIONS:

Knowledge of customs, manners and dialects of Himachal Pradesh and suitability for appointment in the peculiar conditions prevailing in the Pradesh.

Age: Not applicable.

Educational Qualification: Not applicable.

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.

100% by promotion, failing which by deputation, failing both by direct recruitment.

By promotion from amongst the Superintendant Grade-II, Personal Assistant/Superintendant, Open Air Jail/Superintendent, Borstal Jail/Dep. Superintendant, Jail as follows:

.......... 3/-
1) Superintendant Grade-II/Personal Assistant who possess five years regular service or regular combined with continuous adhoc rendered upto 31/3/1991, service if any in the grade.

2) Superintendant Open Air Jail/ Superintendant Borstal Jail/ Deputy Superintendant Jail with eight years regular service or regular combined with continuous adhoc, (rendered upto 31/3/1991), service, if any, in the grade.

For the purpose of promotion a combined seniority list of eligible officials on the basis of length of service without disturbing their cadre-wise inter-se seniority, shall be prepared.

Failing which by deputation from amongst the District Welfare-cum-Probation Officers in the pay scale of Rs.2130-3700 with atleast 5 years service in the grade or Assistant Director Social Welfare/ Child Development Project Officer in the pay scale of Rs.2000-3500, with eight years service in the grade of Social and Woman's Welfare Department, or from amongst the incumbents holding the analogous posts in other H.P. Govt. Departments.

Note: (1) In all cases of promotion, the adhoc service rendered in the feeder post upto 31/3/1991, 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 conditions that 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 31/3/1991) 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 Rules 3 of Demobilised Armed Forces Personnel (Reservation of Vacancies in Himachal Pradesh State Non-Technical Services) Rules, 1972 and having been given the benefit of seniority thereunder or recruited under the provision of Rule 3 of Ex-Servicemen, (Reservation of Vacancies in the Himachal Pradesh Technical Services) Rules, 1981 and having been given the benefit of seniority thereunder.

Note: (2) Similarly in all cases of confirmation ad hoc service rendered on the feeder post upto 31/3/1991, if any prior to regular appointment against such post shall be taken into account towards length of service;

Provided that inter-se-seniority as a result of confirmation after taking into account adhoc service rendered upto 31/3/1991 shall remain unchanged.

12. If a Departmental Promotion Committee exists, what is its composition?

13. Circumstances under which the H.P.P.S.C. is to be consulted in making recruitment
14. Essential requirements: A candidate for appointment to any service or post must be:

(a) a citizen of India, or
(b) a subject of Nepal, or
(c) a subject of Bhutan, or
(d) a Tibetan refugee who came over to India before the 1st January, 1962 with the intention of permanently settling in India.

(e) a person of Indian origin who has migrated from Pakistan, Burma, Sri Lanka, East African Countries of Kenya, Uganda, the United Republic of Tanzania (formerly Tanganyika and Zanzibar), Zambia, Malwa, 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 a person in whose favour a certificate of eligibility has been issued by the Govt. of India.

A candidate in whose case a certificate of eligibility is necessary may be admitted to an examination or interview conducted by the Himachal Pradesh Public Service Commission 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 Govt. of India.

15. Selection for appointment to posts by direct recruitment

Selection for appointment to the post in the case of direct recruitment shall be made on the basis of viva-voce test.
if the Himachal Pradesh Public Service Commission or other recruiting authority as the case may be, so consider necessary or expedient by a written test or practical test, the standard/syllabus, etc., of which will be determined by the Commission/other recruiting authority as the case may be.

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

(1) Every member of the service shall pass a Departmental Examination as prescribed in the Departmental Examination Rules, 1976 as amended from time to time, failing which he shall not be eligible to-

(i) Cross the Efficiency Bar next due,

(ii) Confirmation in the service even after completion of probationary period, and

(iii) Promotion to the next higher post.

Provided that an officer who has qualified the Departmental Examination in whole or in part, prescribed under any 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.
Provided further that an Officer for whom no Departmental Examination was prescribed prior to the notification of these Rules and who had not attained the age of 45 years on 1/3/1976 shall not be required to qualify the Departmental Examination prescribed under these Rules after attaining the age of 50 years for the purpose of:

(1) Crossing of Efficiency Bar next due and (ii) confirmation in the service after completion of probationary period.

(2) An officer on promotion to 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.

(3) The Government may in consultation with the Himachal Pradesh Public Service Commission, grant in exceptional circumstances and for reasons to be recorded in 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 provided that such officer is not likely to be considered for any other higher promotion before the date of his superannuation.

48. Power to Relax: Where the State Govt. 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. Public Service Commission, relax any of the provisions of the Rules with respect to any class or category of persons or posts.