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GOVERNMENT OF ODISHA
HOME DEPARTMENT

NOTIFICATION

Bhubaneswar dated the— 28th December, 2012

No.HOME-JAIL-RULE-0001-2012 50081 /H, In exercise of the powers conferred by the proviso to Article-309 of the Constitution of India, the Governor of Odisha is pleased to make the following rules for regulating the methods of recruitment and conditions of service of the Odisha jail service, namely:-

1 Short Title and Commencement:

- (1) These rules may be called "Odisha Jail Service (Methods of Recruitment and Conditions of Service) Rules, 2012.
- (2) They shall come into force on the date of their publication in the Odisha Gazette.

2. Definitions:

- (1) In these rules, unless the context otherwise requires-
 - a) "Appointing Authority" means the respective authorities who make appointment to the posts in the service;
 - b) "OPSC" means Odisha Public Service Commission;
 - c) "Commission" means the Odisha Staff Selection Commission;
 - d) "Committee" means the Departmental Promotion Committee constituted under these rules;
 - e) "Government" means the Government of Odisha;
 - f) "Ex-Servicemen" means persons as defined in the Odisha Ex-Servicemen (Recruitment to State Civil Services and Posts) Rules, 1985;
 - g) "I.G of Prisons" means the Inspector General of Prisons and Director of Correctional Services, Odisha;

- h) "Scheduled Castes and Scheduled Tribes" means such Castes and Tribes as notified by the President of India from time to time under Article 341 and 342 of the Constitution of India respectively;
 - i) "SEBC" means the Socially and Educationally Backward Classes of citizens other than the Scheduled Castes and Scheduled Tribes as referred to in clause (e) of section 2 of the Odisha Reservation of Posts and Services (For Socially and Educationally Backward Classes) Act, 2008;
 - j) "Sportsmen" means persons who have been issued with identity card as sportsmen by the Director, Sports as per Resolution No. 24808/Gen. dated 18th November 1985 of General Administration Department;
 - k) "Year" means the calendar year;
 - l) "Service" means the Odisha Jail Service;
 - m) "State" means the State of Odisha; and
 - n) "Select list" means the list finally approved by Government.
- (2) All other words and expressions used in these rules but not specifically defined shall, unless the context otherwise requires, have the same meaning as respectively assigned to them in the Odisha Service Code.

3. Composition of service:

The service shall consist of the following categories of posts.

- (a) Assistant Jailor.
- (b) Jailor.
- (c) Superintendent of District Jails.
- (d) Senior Superintendent of Circle Jails.
- (e) Deputy Inspector General of Prisons.

4. Cadre strength:

The service shall consist of such number of permanent and temporary posts of the categories as specified in rule-3 as the Government may direct from time to time by resolution.

5. Method of recruitment:

Subject to the provisions made in these rules, recruitment to the posts in the service shall be made by the following methods, namely:-

- a) In respect of Assistant Jailor & other posts of equivalent rank:-
 - i. As nearly as may be, but not less than 50% by direct recruitment through the Commission in accordance with the Combined Competitive Recruitment Examination for Group-C posts of the Odisha Police Service, Odisha Prisons Service and Odisha Fire Service Orders, 2008.
 - ii. As nearly as may be, but not more than 50% by way of promotion from amongst the Sub-Assistant Jailors & other posts of equivalent rank.
- b) In respect of the posts of Jailor, Superintendent of District Jails, Senior Superintendent of Circle Jails and Deputy Inspector General of Prisons & other posts of equivalent rank, by way of promotion respectively from Assistant Jailors, Jailors, Superintendent of District Jails and Senior Superintendent of Circle Jails & other posts of equivalent rank working under the control of the Inspector General of Prisons.

6. Eligibility for promotion:

- 1) The Sub- Assistant Jailor or equivalent rank officer to be eligible for consideration for promotion to the rank of Assistant Jailor, must have rendered a minimum period of continuous service of 5 years on or before the 1st day of January of the year in which the Committee meets.
- 2) The Assistant Jailor or equivalent rank officer to be eligible for consideration for promotion to the rank of Jailor, must have rendered a minimum period of continuous service of 5 years on or before the 1st day of January of the year in which the Committee meets.

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- 3) The Jailor or equivalent rank officer to be eligible for consideration for promotion to the rank of Superintendent, must have rendered a minimum period of continuous service of 5 years on or before the 1st day of January of the year in which the Committee meets.
- 4) The Superintendent or equivalent rank officer to be eligible for consideration for promotion to the rank of Senior Superintendent, Circle Jails, must have rendered a minimum period of continuous service of 2 years on or before the 1st day of January of the year in which the Committee meets.
- 5) The Senior Superintendent, Circle jails or equivalent rank officer to be eligible for consideration for promotion to the rank of Deputy Inspector General of Prisons, must have rendered a minimum period of continuous service of 1(one)year on or before the 1st day of January in which the Committee meets.

7. Reservation of vacancies:

Notwithstanding anything contained in these rules reservation of posts or vacancies, as the case may be, for—

- a) Candidates belonging to Scheduled Castes and Scheduled Tribes shall be made in accordance with the provisions of the Orissa Reservation of Vacancies in Posts and services (for Scheduled Castes and Scheduled Tribes) Act, 1975 and the rules made there under, and
- b) Candidates belonging to SEBC, Women, Sportsperson and Ex-servicemen shall be made in accordance with the provisions made under such Act, rules, orders or instructions made, issued in this behalf by Government from time to time.

8. Constitution of Departmental Promotion Committee:

There shall be separate Departmental Promotion committee for promotion to different categories of posts in the service.

a) For selection of ~~Sub Assistant Jailors to the post of Assistant Jailor~~ and posts of equivalent rank and that from Assistant Jailors to the post of Jailor and posts of equivalent rank, the Committee shall consist of the following:-

- i The Inspector General of Prisons & D.C.S. Odisha .. Chairman
- ii The Additional Inspector General of Prisons, Odisha .. Member
- iii A representative of the Home Department not below the rank of Deputy Secretary to Government. .. Member
- iv The Establishment Officer (Field Establishment) .. Member
in the office of the Inspector General of Prisons & D.C.S. Odisha. Convenor

b) For selection of Jailors & posts of equivalent rank to the post of Superintendent of district jails and that from Superintendent to the post of Senior Superintendent & posts of equivalent rank, the Committee shall consist of the following:-

- i The Principal Secretary to Government, Home Department. Chairman
- ii The Additional Secretary to Government, Home Department. Member
- iii The Inspector General of Prisons & Director Correctional Services, Odisha Member
- iv The concerned Deputy or Joint Secretary to Government, Home Department shall act as Secretary of the Committee.

c) For selection of Senior Superintendent of Circle Jails to the post of Deputy Inspector General of Prisons, the Committee shall consist of the following:-

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|-----|--|----------|
| i | The Chief Secretary to Government, Odisha | Chairman |
| ii | The Principal Secretary to Government,
Home Department | Member |
| iii | The Inspector General of Prisons &
Director Correctional Services, Odisha | Member |

The Additional /Joint Secretary to Government, Home Department.
Member Convenor.

9. Meeting of the Committee:

The Committees shall ordinarily meet at least once in a year for selection to the different posts in the service.

10. Supply of particulars of service and records:

The Inspector General of Prisons and D.C.S., Odisha shall, except in case of promotion of Sub Assistant Jailors and Assistant Jailors and posts of equivalent rank, respectively to the post of Assistant Jailor and posts of equivalent rank and Jailor & posts of equivalent rank, in case of which the Inspector General of Prisons and D.C.S, Odisha is the appointing authority, communicate to the Home Department in the month of December every year the total number of vacancies in the posts of Superintendent of District Jails & Senior Superintendents of Circle Jails and posts of equivalent rank and Deputy Inspector General of Prisons, the vacancies reserved for the SCs and STs included, in the service at that point of time or the vacancies that are likely to occur in the next twelve months. On request from the Home Department, the Inspector General of Prisons and D.C.S., Odisha shall furnish the attested copies of the CCRs of all eligible officers & other service particulars.

11. Preparation of the select list by the Committee:

- (1) The Committee(s) constituted for different posts in the service under rule-8 shall, on the basis of the gradation list of all eligible officers, the documents furnished by the Inspector General of Prisons and D.C.S., Odisha (except in case of promotion to the post of Assistant Jailor and Jailor in which case the Inspector General of Prisons and D.C.S., Odisha is the appointing authority) and any other record relevant for the selection, prepare lists of officers suitable for promotion.
- (2) The Committee while considering the promotion cases of suitable officers/employees and preparation of the list shall follow the provisions of-
 - (a) the Odisha Reservation of Vacancies in Posts and Services (for Scheduled Castes and Scheduled Tribes) Act, 1975 and the rules made there under, wherever required.
 - (b) the Odisha Civil Services (Zone of Consideration for Promotion) Rules, 1988.
 - (c) the Odisha Civil Services (Criteria for Promotion) Rules, 1992 and
 - (d) the Odisha Civil Services (Criteria for Selection for Appointment including Promotion) Rules, 2003.
- (3) The recommendation of the Committee shall be valid and can be operated upon notwithstanding the absence of any one of its members other than the Chairman.

Provided that the member so absenting was duly invited to attend the meeting of the Committee and the majority of members of the Committee attended the meeting.
- (4) Name of the officers found fit for promotion to the higher rank/post shall be arranged in the select list in order of their position in the respective gradation list.

12. Consultation with the OPSC:

The list of officers, except the list of officers for promotion to the post of Assistant Jailor & posts of equivalent rank and Jailor & posts of equivalent rank, prepared by the Committee(s) under rule-10 of these rules shall be referred to the OPSC, along with the prescribed documents to obtain their concurrence for appointment in the posts on regular basis.

13. Recommendation of the OPSC:

The OPSC shall consider the cases of all officers in the select list and documents received by it under rule-11 of these rules and shall furnish its recommendation in accordance with these rules to the Government.

14 Approval of the select list:

(1) The recommendations of the OPSC in case of promotion to the posts of Superintendent of District Jails, Senior Superintendents of Circle Jails and Deputy Inspector General of Prisons & posts of equivalent rank received under rule-12 of these rules shall be placed before the Government for approval and after approval of such list by the Government, the list as such shall form the select list for appointment to the respective posts and select list shall remain valid for a period of one year from the date of its approval by the Government or till another select list is prepared afresh, whichever is earlier.

(2) In case of promotion to the post of Assistant Jailor and Jailor and posts of equivalent rank, the select list prepared by the respective Committee shall form the list for promotion to the respective rank after its approval by the Government and such list shall remain valid for a period of one year from the date of its approval or till another select list is prepared afresh, whichever is earlier.

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15. Appointment to the posts in the services:

- (1) Appointments to the post of Assistant Jailor by direct recruitment shall be made by the IG of Prisons in order of the names appearing in the merit list furnished by the OSSC.
- (2) Appointments to the posts in the service by promotion shall be made by the IG of Prisons (in case of Assistant Jailor, Jailor & equivalent rank) and Government (in case of other posts in the service) in order of the names appearing in the respective select lists.

16. Probation and Confirmation:

- (1) Every person appointed to any grade/post in the service by direct recruitment shall be on probation for a period of two years and when appointed on promotion shall be on probation for a period of one year from the date of joining the post:

Provided that the appointing authority may, if think fit in any case or class of cases, extend the period of probation:

Provided further that such period of probation shall not include-

- (a) Extraordinary leave;
- (b) Period of unauthorized absence; or
- (c) Any other period held to be not being on actual duty.

- (2) The appointment of a probationer may for good and sufficient reasons to be recorded in writing, be terminated by the appointing authority at any time without previous notice during the period of probation including extension of such period, if any, and after such termination, the employee shall be deemed to be reverted to his/her former cadre/post, if he/she is a promotee.
- (3) A probationer after completing the period of probation to be satisfaction of the appointing authority shall be eligible for confirmation subject to the availability of substantive vacancy in the service.

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17. Inter se seniority:

- (1) The inter se seniority of Assistant Jailor and posts of equivalent rank in respect of particular recruitment year shall be in the following manner:
 - (i) Promotee officers shall be ranked inter se in the order in which their names appearing in the select list.
 - (ii) Direct Recruit officers shall be ranked inter se in the order in which their names appearing in the merit list prepared by the OSSC.
 - (iii) Assistant Jailors and posts of equivalent rank appointed by way of promotion shall enblock be senior to all Assistant Jailors appointed during that year by way of direct recruitment.
- (2) The inter se seniority of the other officers appointed to the posts in the service shall be determined in accordance with the order of their names in the select lists under rule 14 of these rules.

18. Other conditions of service:

Other conditions of service in regard to the matters not covered under these rules shall be governed by such other rule or instructions of the Government issued from time to time and the rules that are applicable to officers of other state Government services of similar rank.

19. Training:

All Assistant Jailors & posts of equivalent rank appointed directly or by promotion shall undergo the basic training of Assistant Jailor for a period to be prescribed by the Government from time to time.

20. Interpretation:

If any question arises relating to the interpretation of these rules, it shall be referred to Government for decision.

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21. Repeal and savings:

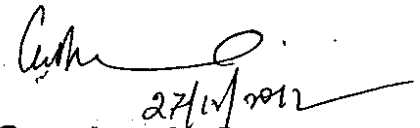
All rules and instructions corresponding to these rules and are in force immediately before the commencement of these rules, except the Combined Competitive Recruitment Examination for Group-C posts of the Odisha Police Service, Odisha Prisons Service and Odisha Fire Service Orders, 2008, are hereby repealed.

Provided that any order made or action taken under the rules so repealed shall be deemed to have been made or taken under the corresponding provisions of these rules.

22. Relaxation:

The state Government by its own motion or otherwise, may by order, and for the reasons to be recorded in writing, relax any of the provisions of these rules in respect of any class or category of employees in the interest of public service.

By order of the Governor

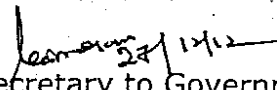


Principal Secretary to Government

Memo No. 50082/H Dt. 28/12/2012

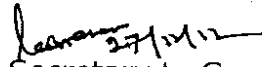
Copy forwarded to the Director, Printing, Stationery and Publication, Odisha, Cuttack for publication of the Notification in the extra ordinary issue of the Odisha Gazette and supply 100 copies to this Department.

An SRO number may please be allotted.


Additional Secretary to Government.

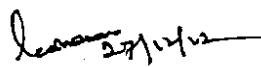
Memo No. 50083/H Dt. 28/12/2012

Copy forwarded to All Departments of State Government for information and necessary action.


Additional Secretary to Government.

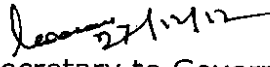
Memo No. 50084/H Dt. 28/12/2012

Copy forwarded to the Additional D.G. of Police-cum-Inspector General of Prisons and D.C.S. Odisha, Bhubaneswar for information and necessary action.


Additional Secretary to Government.

Memo No. 50085/H Dt. 28/12/2012

Copy forwarded to the Secretary, Odisha Public Service Commission, 19, Dr.P.K. Parija Road, Cuttack/Secretary, Odisha Staff Selection Commission, Bhubaneswar for information and necessary action.


Additional Secretary to Government.

Memo No. 50086/H Dt. 28/12/2012

Copy forwarded to the N.I.C. Coordinator, Home (IMU) Department for information and necessary action.


Additional Secretary to Government.