

**THE JAMMU AND KASHMIR PRISON (GAZETTED)
SERVICE RECRUITMENT RULES, 1982.**

Home Department Notification SRO-129 dated 10th April, 1982—In exercise of the powers conferred by the provision to section 124 of the Constitution of Jammu and Kashmir the Governor hereby in supersession to SRO-610 dated 30-12-70 and SRO- 779 dated 13-12-19778 makes the following rules, namely:-

1. **Short title and commencement.**—(1) These rules may be called the Jammu and Kashmir Prison (Gazetted) Service Recruitment Rules, 1982.

(2) They shall come into force from the date of their publication in the Government Gazette.

2. **Definitions.**—In these rules, unless the context otherwise requires,—

(a) ‘Administrative Department’ means the Department of the Government in the Civil Secretariat holding the Administrative charge of the service;

(b) ‘Cadre’ means the cadre of the service;

(c) ‘Commission’ means the Jammu and Kashmir Public Service Commission ;

(d) ‘Member of the Service’ means a person appointed to a post in the service under the provisions of these rules ;

(e) ‘Schedule’ means the schedule annexed to these rules ;

(f) ‘Service’ means the Jammu and Kashmir Prison (Gazetted) service ;

(g) Words and expressions used in these rules but not defined, shall have the same meaning as assigned to them in the Jammu and Kashmir Civil Service (Classification, Control and Appeal) Rules, 1956.

3. **Constitution of Service.**—(1) From the date of commencement of these rules there shall be constituted the Jammu and Kashmir Prison (Gazetted)

(2) The Government may, at the commencement of these rules, appoint to the service any person who at the commencement of these rules is holding any post in its sanctioned scale of pay included in the cadre of the Service :

Provided that for the purpose of initial constitution of the service, the person holding any post included in the cadre of the service in its sanctioned scale of pay shall be given an opportunity before such appointment to opt for the service within fifteen days from the commencement of the rules.

2. Strength and composition of the Service.—(1) The authorised permanent and temporary strength of the cadre and the nature of the posts included there in shall be determined by the Government from time to time and shall at the initial constitution of the service under these rules, be such as specified in Schedule 'I' annexed to these rules :

Provided that the Government may create temporary posts in the cadre of the service for specified period as may be considered necessary from time to time.

(2) The Government shall, at the interval of every three years or at such other intervals as may be necessary, re-examine the strength and composition of the cadre of the service and make such alterations therein as it deems fit :

Provided that nothing in this sub-rule shall be deemed to affect the power of the Government to alter the strength and composition of the cadre at any time.

3. Qualification and method of recruitment.—(1) No person shall be eligible for appointment or promotion to any post in any class, category or grade in the service unless he possesses the qualification as laid down in Schedule 'II' and fulfils other requirements of recruitment as provided in the rules and orders for the time being in force.

(2) Appointment to the service shall be made-

- (a) by direct recruitment (which will include appointment by transfer);
- (b) by promotion;
- (c) by deputation;

(d) partly by direct recruitment and partly by promotion; in the ratio and in the manner mentioned against each post in Schedule 'II'

6. **Probation**—(1) Persons appointed to service, either by direct recruitment or by promotion shall be on probation or trial for two years.

(2) If it appears at any time during or at the end of the period of probation or of trial that an officer has not made sufficient use of his opportunities or if he has otherwise failed to give satisfaction and has not passed the prescribed departmental examination or training, if any, if directly recruited, be discharged from the service and if appointed by promotion be reverted to the post on which he holds a lien.

(3) The Government may in the case of any person, extend the period of probation or trial upto the maximum period of four years.

Explanation.— Appointments on probation will be made against substantive vacancies only. All other appointments will be on trial; provided that any period of officiating appointment, shall be reckoned as period spent on probation when a person appointed on trial is given regular appointment to the service.

(4) A candidate appointed to the service by competitive examination, shall be allowed the minimum of the time scale during the first year and at the second stage of that scale during the remaining period of probation /trial. Where the period of probation/trial is extended beyond two years for reasons not directly attributed the probationer he shall be allowed to draw the second and third increments after the expiry of 2nd and 3rd year of probation/trial :

Provided that where a person has immediately before such appointment, been holding a post under the Government in a substantive capacity and was drawing therein pay equal to or more than the minimum of time scale, his initial pay at the time of his appointment to the service, shall be regulated under Art.77 (a) (ii) read with Art 67 (a) (ii) of the Jammu and Kashmir C.S Rs.

(5) In respect of a person who immediately before such appointment held a post under the Government in an officiating capacity and drew his presumptive pay equal to or higher than the minimum of the time scale, his initial pay at the time of appointment to the service shall be regulated under

Art.77 (a) (ii) of the Jammu and Kashmir C.S. Rs. treating his presumptive pay as substantive pay for purpose of such fixation alone. He shall not, however, get the benefit of Art.67 (a) (ii) either at the time of initial fixation or subsequently.

(6) In the case of persons who are appointed under these rules other than by competitive examination, their fixation of pay shall be regulated under the normal rules relating to such fixation from time to time.

7. Training and Departmental Examination.—Persons appointed to the service by competitive examination shall be required to undergo such training from time to time during the course of service and to pass during the period of probation or trial such departmental examination as the Government may prescribe. In case direct recruits fail in the training which they have immediately to undergo, their services shall be immediately terminated :

Provided that the Government may exempt, either wholly or partly, from such training or departmental examination persons who have passed a departmental examination or undergone training declared by Government to be equivalent to a Departmental Examination or training prescribed under these rules.

8. Eligibility of Government servants for direct recruitment.—A person already in the Government service may apply through proper channel for direct recruitment to a vacant post in any particular class or category in the service if he possesses the educational and other qualifications prescribed for recruitment to such class or category of posts. The age limit for direct recruitment shall be 18-30 years :

Provided that in case of a post which requires a higher degree of specialisation and/or experience, the Government may prescribe a higher age limit.

9. Maintenance of seniority lists.—Seniority of the members of the service shall be regulated under Jammu and Kashmir Civil Services (Classification, Control and Appeal) Rules, 1956. The Administrative Department in the Civil Secretariat shall maintain an upto date and final seniority list of the Service.

10. Residuary matters.—In regard to matters not specifically covered by these rules the member of the service shall be governed by the rules, regulations and orders applicable to the State Civil Services in general.

11. **Interpretation.**—If any question arises relating to the interpretation of these rules, the matter shall be referred to the Government whose decision thereon shall be final and binding.

12. **Repeal and Savings.**—(1) All rules corresponding to these rules and in force immediately before the commencement of these rules are hereby repealed.

(3) Notwithstanding such repeal, any appointment, order made or action taken under the provisions of the rules so repealed shall be deemed to have been made or taken under the corresponding provisions of these rules.

SCHEDULE 'I'

S. No.	Designation of the post	Scale	No. of Permanent post		Temporary	Total
1.	Controller of Prisons.	1850-2300	1	1	...	1
2.	Deputy Controller of Prisons	1300-2030	1	1	...	1
3.	Superintendent Central Jail Grade-I	1000—1560	2	2	...	2
4.	Superintendent Jail Grade-II	875-1400	4	4	...	4

701
SCHEDULE 'II'

Class	Cate- gory	Designation	Grade	Minimum qualification	Method of recruitment
I	I	Controller of Prisons	1850-2300	M.A.(PSY) OR MSW OR M.A. (Criminology). OR By deputation from IPS any other service.	By Promotion from class-II with at least 5 years service as such.
II	I	Dy. Controller of Prisons	1300-2030	... OR By deputation.	By promotion from Class III (I) amongst Persons having not less than 5 years service as such. Preference being given to those having passed M.A (PSY) OR MSW OR M.A. (Criminology).
III	(I)	Superintendent Central Jail Grade –I	1000-1560	...	By promotion from class III (ii).
	(II)	Superintendent Grade –II	875-1400	(a) 67% by promotion from Dy. Superintendent of Jails who have not less than two years service. (b) 33% by direct recruitment out of those possessing following qualification and physical standards :— (i) M.A.(PSY) or MSW or M.A. (criminology). (ii) Minimum Height.5’-5”. (iii) Minimum Chest