

PUNJAB GOVERNMENT
HOME (JAILS) DEPARTMENT

Notification

The 6th September, 1978

No. G.S.R.95/Const./Art. 309/78.—In exercise of the powers conferred by the proviso to article 309 of the Constitution of India, the Governor of Punjab is pleased to make the following rules regulating the Recruitment and the Conditions of Service of Persons appointed to the Punjab Prisons State Service (Class II), namely :—

1. (1) These rules may be called the Punjab Prisons State Service (Class II) Rules, 1978.

(2) They shall come into force at once.

(3) They shall apply to the posts specified in Appendix 'A' to these rules.

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

(a) "Appendix" means an appendix appended to these rules ;

(b) "Commission" means the Punjab Public Service Commission ;

(c) "Department" means the Punjab Jail Department ;

(d) "direct appointment" means an appointment made otherwise than by promotion or by transfer of an officer already in the service of Government of India or of a State Government ;

(e) "Government" means the Government of the State of Punjab in the Jail Department ;

(f) "Inspector-General" means the Inspector-General of Prisons, Punjab ;

(g) "recognised university" means,—

(i) any university incorporated by law in any of the States of India ;

(ii) the Punjab Sind or Dacca University in the case of degrees or diplomas obtained as a result of examinations held by these universities before the 15th August, 1947 ; or

(iii) any university which is recognized by the Government for the purpose of these rules ;

(h) "Service" means the Punjab Prisons State Service (Class II).

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Number
and
character
of posts.

3. The Service shall comprise the posts specified in Appendix 'A' to these rules:

Provided that nothing in these rules shall affect the inherent right of Government to add or reduce the number of such posts or to create new posts with different designations and scales of pay, whether permanently or temporarily.

Nationality,
domicile
and
character
of candi-
dates ap-
pointed to
Service.

4. (1) No candidate shall be appointed to the Service, unless he is—

(a) a citizen of India, or

(b) a citizen of Nepal, or

(c) a subject of Bhutan, or

(d) a Tibetan refugee who came over to India for permanently settling in India, or

“(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, 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 a person in whose favour certificate of eligibility has been given by the Government of India.

(2) A candidate in whose case a certificate of eligibility is necessary may be admitted to an examination or interview conducted by the Commission or other recruiting authority of the Government and he may also provisionally be appointed subject to the necessary certificate being given to him by the Government of India.

(3) No person shall be recruited to the Service by direct appointment, unless he produces a certificate of character from the Principal Academic Officer of the university, college, school or institution last attended, if any, and similar certificates from two responsible persons, not being his relatives who are well acquainted with him in his private life and are unconnected with his university, college, school or institution.

5. No person—

(a) who has entered into or contracted a marriage with a person having a spouse living, or

(b) who, having a spouse living, has entered into or contracted a marriage with any person,

shall be eligible for appointment to the Service:

Provided that the Government may, if satisfied that such marriage is permissible under the personal law applicable to such person and other party to the marriage and that there are other grounds for so doing, exempt any person from the operation of this rule.

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OFFICE OF THE
SECRETARY,
PUNJAB GOVT. GAZ.

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6. No person shall be recruited by direct appointment to any post in the Service if he is less than 21 years or is more than 27 years of age on the date of 1st January, next succeeding the last date appointed by the Commission for the submission of applications or unless he is within such range as may be specifically fixed by Government from time to time.

Provided that the condition of upper age limit may be relaxed upto 45 years in the case of a person already in employment of the Punjab Government, other State Government, or the Government of India :

Provided further that the appointing authority may, for reasons to be recorded in writing, relax the upper age limit for a category or class of persons :

Provided further that in the case of a candidate belonging to Scheduled Castes or other Backward Classes, the upper age limit shall be such as may be fixed by the Government from time to time :

Provided further that in the case of candidate who has not less than five years service under the Government; the upper age limit shall be 35 years.

(2) In the case of a demobilized Armed Forces person his age at the time of joining Military Service or training prior to the Commission, as the case may be, should not exceed the upper age limit prescribed for direct appointment to such posts.

7. All appointments to posts in the Service shall be made by the Govern- Appointing authority.
ment.

8. (1) The posts in the Service shall be filled in the following manner :— Method of appointment.

(a) In the case of posts specified in section I of Appendix 'A'—

(i) by promotion from amongst the officers mentioned in section II of Appendix 'A' who have an experience of working on any one or more of the posts held by such officers for a minimum period of five years ;

(ii) by transfer or deputation of a person serving in any other department of the Government or any other State or Union of India if no suitable candidate is available by the method specified in sub-clause (i).

(b) In the case of posts specified in Section II of Appendix 'A'—

(i) by direct appointment ; or

(ii) by promotion from amongst the Assistant Superintendents Jail or Welfare Officers who have an experience of working on either or both of these posts for a minimum period of seven years and have passed the departmental examination in the required standard ; or

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- (iii) by promotion from amongst persons who have an experience of working on the ministerial posts in the Department for a minimum period of ten years and possess the educational qualifications and physical standard as specified in rule 9; or
- (iv) by transfer or deputation of a person serving in any other Department of the Government, if no suitable candidate is available by the method specified in sub-clauses (i) and (iii):

Provided that 37½ % of the total number of posts shall be filled by the method specified in sub-clause (i) of clause (b) and 12½ % of the total number of posts shall be filled by the method specified in sub-clause (iii) of clause (b):

Provided further that the first three vacancies would be filled by direct appointment, the next four vacancies would be filled by promotion and the eighth vacancy would be filled by promotion from amongst the ministerial staff of the Department.

(2) If no suitable candidate is available for appointment to any post through the specified method of appointment, the appointing authority shall decide by which alternative method that post shall be filled.

(3) All promotions to the posts in the Service shall be made pure by selection on the basis of merit-cum-seniority and no person shall be promoted on the basis of seniority alone.

Condi-
tions for
direct
appoint-
ment.

9. No person shall be eligible for direct appointment to posts specified in Section II of Appendix 'A' unless he—

- (i) possesses a degree of a recognised university; and
- (ii) has the following height and chest measurements:—
 - (a) Height 170.17 cm (165 cm in the case of Dogras and Gera)
 - (b) Chest—
 - (i) 83.82 cm unexpanded;
 - (ii) 87.63 cm expanded;
- (iii) possesses knowledge of Punjabi language of Minimum Standard:

Provided that other things being equal the persons having skill in sports shall be given preference.

Depart-
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examination.

10. (1) Members of the service shall be required to pass a departmental examination within a period of two years from the date of their appointment or promotion to the service, in accordance with the provisions of the Punjab Departmental Examination (Jails Department) Rules:

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(2) In the case of an officer who does not pass the departmental examination within the period specified in Sub-rule (1), the Government may—

- (3) No person shall be qualified for confirmation till he passes the departmental examination :

11. (1) The members of the Service holding posts enumerated in Training Section 1 of Appendix 'A' shall within one year of their first appointment and pay to the Service, receive training in the Judicial line at least for a period of one month. After the completion of that training, they will have to obtain a certificate from the District Magistrate of the District where training is taken to the effect that they have successfully completed the same.

(a) For the first six months of general training, such trainee shall receive minimum of the time scale of the post of Deputy Superintendent, Grade II, without rent-free accommodation.

(b) For the next one year of the training, the trainee shall be required to work as Assistant Superintendent, Jail, against a regular post and will continue to draw the minimum of the time-scale of pay with rent-free accommodation or house rent allowance at the rate of ten per cent of the pay or the actual house rent paid whichever is less.

(ii) Members of the Service appointed by promotion from amongst the ministerial staff or by transfer or deputation from other departments shall receive their pay in their old scale or the minimum of the time scale of the

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post of Deputy Superintendent (Grade II) whichever is more beneficial to them with rent free accommodation or house rent allowance admissible under the rules :

Provided that persons appointed to the Service by transfer or by deputation from departments of other State Governments or the Government of India shall not be required to undergo training.

Probation
of officers
appointed
to Service.

12. (1) On appointment to the Service, after successful completion of the training, if any, members of 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 after such appointment spent on deputation on a corresponding or a higher post shall count towards the period of probation ;

(b) in the case of appointment by transfer, any period of work in equivalent or higher rank prior to appointment to the Service may, in the discretion of the appointing authority, be allowed to count towards the period of probation fixed under this rule ;

(c) any period of officiating appointment to the Service shall be reckoned as period spent on probation, but no person who has so officiated shall, on the completion of the prescribed period of probation be entitled to be confirmed, unless he is appointed against a permanent vacancy.

(2) If, in the opinion of the appointing authority, the work and conduct of a person during the period of probation is not satisfactory, he may—

(a) if such person is recruited by direct appointment, dispense with his services, or revert him to a post on which he held lien prior to his appointment to the Service by direct appointment ; and

(b) If such person is recruited otherwise ;

(i) revert him to his former post ; or

(ii) deal with him in such other manner as the terms and conditions of the previous appointment permit.

(3) On the completion of the period of probation of a person, the appointing authority may,—

(a) if his work or conduct, in its opinion has been satisfactory,—

(i) confirm such person from the date of his appointment if appointed against a permanent vacancy, or

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- (ii) confirm such person from the date from which a permanent vacancy occurs, if appointed against a temporary vacancy; or
- (iii) declare that he has completed his probation satisfactorily if there is no permanent vacancy;
- (b) if his work or conduct has not been, in its opinion, satisfactory,—
 - (i) Dispense with his services, if recruited by direct appointment or if recruited otherwise, revert him to his former post, or deal with him in such other manner as the terms and conditions of his previous appointment may permit; or
 - (ii) extend his period of probation and thereafter pass such order as it could have passed on the expiry of the first period of probation:

Provided that the total period of probation including extension, if any, shall not exceed three years.

13. The Seniority *inter se* of the members of the Service shall be determined by the length of their continuous appointment in the Service : Seniority of Members of Service.

Provided that in the case of members recruited by direct appointment, the order of merit determined by the Commission or other recruiting authority, as the case may be, shall not be disturbed in fixing the seniority :

Provided further that in the case of two or more members appointed on the same date, the seniority shall be determined as follows :—

- (a) a member recruited by direct appointment shall be senior to a member recruited otherwise;
- (b) a member appointed by promotion shall be senior to a member recruited by transfer ;
- (c) in the case of members appointed by promotion or transfer seniority shall be determined according to the seniority of such members in the appointments from which they were promoted or transferred; and
- (d) in the case of members appointed 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 :—Seniority of members appointed on purely provisional basis, shall be determined as and when they are regularly appointed keeping in view the date of such regular appointment.

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Pay of
members of
Service.

14. The members of the Service shall be entitled to such scales of pay as may be authorised by Government from time to time. The scales of pay, at present in force are given in Appendix 'A' to these rules.

Liability of
members of
Service to
transfer.

15. A member of the Service may be transferred by the Government to any post, whether included in any other service or not, on the same terms and conditions as are specified in rule 3.17 of the Punjab Civil Service Rules, Volume I, Part I.

Liability to
serve.

16. A member of the Service shall be liable to service at any place whether within or out of the State of Punjab on being ordered to do so by the appointing authority.

Leave,
Pension and
other
matters.

17. In respect of pay, leave, pension and all other matters not expressly provided for in these rules, the members of the Service shall be governed by such law and rules and regulations as may have been or may hereafter be adopted or made by the competent authority.

Discipline
Punishment
and appeals.

18. (1) In the matter of discipline, punishment and appeals, the members of the Service shall be governed by the Punjab Civil Service (Punishment and Appeal) Rules, 1970, as amended from time to time.

(2) The authority, empowered to impose penalties under the Punjab Civil Services (Punishment and Appeal) Rules, 1970, and the appellate authority thereunder in respect of the members of the Service shall be as specified in Appendix 'B' to these rules.

(3) The authority, competent to pass an order specified in rule 15 of the Punjab Civil Services (Punishment and Appeal) Rules, 1970, other than an order imposing any of the penalties mentioned in Appendix 'B' as the appellate authority thereunder, shall be as specified in Appendix 'C' to these rules.

Liability for
vaccination
and re-vacci-
nation.

19. Every member of the Service shall get himself vaccinated or re-vaccinated when Government so directs by special or general order.

Oath of
Allegiance.

20. Every member of the Service, unless he has already done so, shall be required to take oath of allegiance to India and to the Constitution of India as by law established.

Power to
relax.

21. Where the Government is of opinion that it is expedient so to do, it may, by order, for reasons to be recorded in writing, relax any of the provisions of these rules except the educational qualifications and experience with respect to any class or category of persons.

Interpreta-
tion.

22. If any question arises as to the interpretation of these rules, Government shall decide the same.

Repeal and
Saving.

23. The Punjab Jail Department Executive Staff (Punishment and Appeal) Rules, 1943, in so far as they are applicable to the members of the Service, and the Punjab Prisons Service (Class II) Rules, 1963 are hereby repealed ;

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

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[See rules 1(3), 3, 8, 9 and 11]

Designation of the post	No. of posts			Scale of Pay
	Perma- nent	Tempo- rary	Total	
1	2	3	4	5

Superintendent District
Jails

Chief Probation Officer,
Deputy Superintendent
1st Grade and Chief Welfare
Officer

SECTION I

10 3 13 Rs. 350—25—500
—30—800/40—1,000

With initial start of
Rs. 590

SECTION II

Deputy Superintendent
1st Grade District Probation
Officer

12 13 25 Rs. 300—25—600

APPENDIX 'B'

(See rule 18)

Designation of members of Services	Penalty/Nature of Order	Authority competent to pass orders	Appellate authority
1	2	3	4
Superintendent Jails, Deputy Superinten- dent (Grade I), Chief Probation Officer, Chief Welfare Officer	Minor and Major penalties mentioned in rule 5 of the Punjab Civil Services (Punishment and Appeal) Rules, 1970	Government	Nil
Deputy Superintendent (Grade II), District Probation Officers, Probation Officers	Major penalties as men- tioned in rule 5 of the Punjab Civil Services (Punishment and Appeal) Rules, 1970	Government	Nil
	Minor penalties as men- tioned in rule 5 of the Punjab Civil Services (Punishment and Appeal) Rules, 1970	I.G. Prisons	Govern- ment

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APPENDIX 'C'

(See Rule 18)

Designation of members of Services	Penalty/Nature of Order	Authority competent to pass orders	Appellate authority
1	2	3	4
Superintendent Jails Deputy Superintendent (Grade I), Chief Probation Officer, Chief Welfare Officer and other officers holding equivalent ex-cadre posts	(i) an order of suspension made or deemed to have been made under rule 4 of the Punjab Civil Services (Punishment and Appeal) Rules, 1970 (ii) an order which— (a) denies or varies to his disadvantage his pay, allowances, pension or other conditions of service as regulated by rules or by agreement; (b) interprets to his disadvantage the provisions of any such rule or agreement; (iii) an order— (a) stopping him at the efficiency bar in the time scale of pay on the ground of his unsuitness to cross the bar; (b) reverting him while officiating in a higher service, grade or post to a lower service, grade or post, otherwise than as a penalty;	Government	Nil

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(c) reducing or with holding the pension or denying the maximum pension admissible to him under the rules;

(d) determining the subsistence and other allowances to be paid to him for the period of suspension or for the period during which he is deemed to be under suspension for any portion thereof; or

(e) determining his pay and allowances—

(i) for the period of suspension; or

(ii) for the period from the date of his dismissal, removal or compulsory retirement from service, or from the date of his reduction to a lower service, grade, post, time scale of pay to the date of his retirement or restoration to his service grade or post, or

(f) determining whether or not the period from the date of his suspension or from the date of his dismissal removal, compulsory retirement or reduction to a lower service, grade, post, time scale of pay or stage in a time scale of pay to the date of his reinstatement or restoration to his service, grade or post shall be treated as a period spent on duty for any purpose.

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Deputy Superintendent (Grade II), District Probation Officers, Probation Officers	(i) an order of suspension made or deemed to have been made under rule 4 of the Punjab Civil Services (Punishment and Appeal) Rules, 1970	Inspector General, Prisons	Government
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	(ii) an order enhancing any penalty imposed under rule 5 of the Punjab Civil Services (Punishment and Appeal) Rules, 1970	Government	Nil
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(iii) an order which—

(a) denies or varies to his disadvantage his pay, allowances, pension or other conditions of service as regulated by rules or by agreement;	Government	Nil
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(b) interprets to his disadvantage the provisions of any such rule or agreement	Government	Nil
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(iv) an order—

(a) stopping him at the efficiency bar in the time scale of pay on the ground of his unfitness to cross the bar;	Inspector General, Prisons	Government
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(b) reverting him while officiating in a higher service, grade or post to a lower service, grade or post, otherwise than as a penalty;	Government	Nil
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(c) reducing or withholding the pension or denying the maximum pension admissible to him under the rules;	Government	Nil
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Deputy Superintendent (Grade II), District Probation Officers, Probation Officers— <i>concl'd</i>	(d) determining the subsistence and other allowances to be paid to him for the period of suspension or for the period during which he is deemed to be under suspension or for any portion thereof ; or	Inspector General, Prisons	Government
	(e) determining his pay and allowances	Inspector General, Prisons	Government
	(i) for the period of suspension; or		
	(ii) for the period from the date of his dismissal, removal or compulsory retirement from service, or from the date of his reduction to a lower service grade, post, time-scale or stage in a time scale of pay to the date of his retirement or restoration to his service, grade or post; or	Government	Nil
	(f) determining whether or not the period from the date of his dismissal, removal, compulsory retirement or reduction to a lower service, grade, post time scale of pay or stage in a time scale of pay to the date of his reinstatement or restoration to his service, grade or post shall be treated as a period spent on duty for any purpose.	Government	Nil

R.C. KAPILA,
Secretary to Government, Punjab,
Home Department.

33367 CS (P)—Govt. Press, Chd.

ਮੁਖੀ ਅਤੇ
ਅਧਿਕਾਰੀ
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PART III

GOVERNMENT OF PUNJAB

**DEPARTMENT OF HOME AFFAIRS AND JUSTICE
(JAILS BRANCH)**

NOTIFICATION

The 30th May, 2014

No. G.S.R. 30/Const./Art.309/Amd.(1)/2014.-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 further to amend the Punjab Prisons State Service (Class-II), Rules, 1978, namely:-

RULES

1. (1) These rules may be called the Punjab Prisons State Service (Class II), (First Amendment) Rules, 2014.
(2) They shall be deemed to have come into force on and with effect from the 3rd December, 2013.
(3) They shall apply to the posts specified in SECTION II of Appendix "A" of the Punjab Prisons State Service (Class II) Rules, 1978.
2. In the Punjab Prisons State Service (Class II) Rules, 1978, (hereinafter referred to as the said rules), for the figures, bracket and word "(Class II)" wherever occurring, the bracket, word and letter "(Group B)" shall be substituted.
3. In the said rules, for rule 6, the following rule shall be substituted, namely:-
"6. (1) No person shall be recruited to the Service by direct appointment, if he is less than twenty one years, or is more than twenty eight years of age on the first day of January of the year immediately preceding the last date, fixed for submission of applications by the Commission or the Board, as the case may be."

Provided that the condition of upper age limit may be relaxed upto forty-five years in the case of persons already in the employment of the Punjab Government, other State Government or the Government of India:

Provided further that in the case of candidates belonging to Scheduled Castes and other Backward Classes, the upper age limit shall be such as may be fixed by the Government from time to time.

- (2) In the case of ex-servicemen, the upper age limit shall be such as has been specified in the Punjab Recruitment of Ex-servicemen Rules, 1982, as amended from time to time.
- (3) In the case of appointment of a War-hero, who has been discharged from defence services or para-military forces on account of disability suffered by him or his widow or dependent member of his family, the upper age limit shall, be such as may be specifically fixed by the Government from time to time."
4. In the said rules, in rule 8, in sub-rule (i), in clause (b), for sub-clause (i), the following sub-clause shall be substituted, namely:-
- "Appointment to the Service shall be made by direct appointment on the basis of the recommendations of the Commission as result of a Combined Competitive Examination called the Punjab Civil Services (Executive Branch) and Allied Service Competitive Examination and interview conducted by the Commission. The academic Syllabus of Examination shall be the same as specified in the Punjab Civil Service (Executive Branch) (Class-I) Rules, 1976 as amended from time to time and the candidates, who qualify the said main competitive examination, and obtain not less than the minimum qualifying marks fixed by the Commission shall be put to physical test and only those candidates who qualify physical test shall be allowed to compete in the viva voce test which shall be conducted by the Commission."
5. In the said rules, in rule 9,-
- (i) in clause (ii), after sub-clause (b), the following sub-clause shall be added, namely:-
- "(c) in the case of female candidate, the height shall be minimum of 160 cm;"; and
- (ii) after clause (iii), the following clause shall be added, namely:-
- "(iv) Candidates produces a certificate of physical fitness as prescribed by rule 3.1 of the Punjab Civil Services Rules, Volume-I, Part-I."
6. In the said rules, for rule 21, the following shall be substituted, namely:-
- "21. Where the Government is of opinion that it is expedient so to do, it may, in consultation with the Department of Personnel, by order, for

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reasons to be recorded in writing relax any of the provisions of these rules except the educational qualifications and experience with respect to any class or category of persons."

7. In the said rules, for rule 22, the following shall be substituted, namely:-

"22. If any question arises as to the interpretation of these rules, the Government in consultation with the Department of Personnel, shall decide the same."

RAJ KAMAL CHAUDHARI,
Secretary to Government of Punjab,
Department of Home Affairs and Justice.

506/05-2014/Pb. Govt. Press, S.A.S. Nagar

PART III
GOVERNMENT OF PUNJAB
DEPARTMENT OF JAILS
(JAIL BRANCH)
NOTIFICATION

The 30th July, 2021

No. G.S.R. 100/Const./Art.309/Amd.(2)/2021.- 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 further to amend the Punjab Prisons State Service (Class -II) Rules, 1978, namely:-

1. (1) These rules may be called the Punjab Prisons State Service (Class -II) (First Amendment) Rules, 2021.
(2) They shall come into force on and with effect from the date of its publication in the Official Gazette.
2. In the Punjab Prisons State Service (Class -II) Rules, 1978, in rule 8, in sub-rule(1),-
 - (i) in clause (a) in sub-clause (i), for the words "five years", the words "four years" shall be substituted;
 - (ii) in clause (b), in sub-clause (ii), for the words "seven years", the words "five years" shall be substituted; and
 - (iii) in clause (b), in sub-clause (iii), for the words "ten years", the words "seven years" shall be substituted.

D. K. TIWARI,
Principal Secretary to the Government of Punjab,
Department of Jails.