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## HOME DEPARTMENT

### NOTIFICATION

The 10th April, 2018

No.16261–HOME-JAIL-RULE-0003/2017/JLS.— In exercise of the powers conferred under sub-section-10 of Section-59 of the Prisons Act, 1894 (Act XI of 1894), Government have been pleased to make the following rules further to amend the Odisha Prison Services (Method of Recruitment and Conditions of Service of Sub-Assistant Jailor) Rules, 2010, namely:—

**1. Short title and commencement:** — (1) These rules may be called the Odisha Prison Services (Method of Recruitment and Conditions of Service of Sub-Assistant Jailor) Amendment Rules, 2018.

(2) They shall come into force on the date of their publication in the *Odisha Gazette*.

**2.** In the said rules, for clause (b) of sub-rule (1) of rule 2, the following shall be substituted:—

(b) “Committee” means Departmental Promotion Committee.

**3.** In the said rules, for rule 4, the following rule shall be substituted, namely:—

**“4. Recruitment:** Subject to the provisions made in these rules, recruitment, to the post of Sub-Assistant Jailor, shall be made by way of promotion from among the Chief Warders in the Jails of the State:

Provided that in case of non-availability of suitable candidates from among the Chief Warders, Warders with at least 10(ten) years of continuous service may be considered for such promotion, subject to their merit with due regards to seniority”.

**5.** In the said rules, for sub-rule (1) of rule 6, the following sub rule shall be substituted, namely:—

“(1) In order to be eligible for promotion, to the post of Sub-Assistant Jailor a Chief Warden, must have,—

- (a) completed at least 10(ten) years of continuous service in post of Warder & Chief Warder taken together as on 1st January of the year in which the Departmental Promotion Committee conducts the selection;
- (b) passed Higher Secondary (10+2) Examination or equivalent examination from a recognized Board or Council; and
- (c) successfully completed the basic training of Warder.

(1a) The warders whose case is considered under rule 4, must have fulfilled the eligibility criteria provided in clause (b) and (c) of sub rule (1):

Provided that the warders who were appointed prior to 2012 having HSC passed qualification and have completed 15 years of service, shall be eligible for promotion.”

6. In the said rules, for rule 7, the following rule shall be substituted, namely:—

**“7. Constitution of the Departmental Promotion Committee-** There shall be constituted a Departmental Promotion Committee for promotion to the post of Sub Assistant Jailor with the following members, namely:—

- |     |  |   |                     |
|-----|--|---|---------------------|
| (a) | I.G. of Prisons and D.C.S. Odisha  | - | Chairman            |
| (b) | Addl. I.G. of Prisons, Odisha/ Deputy<br>Inspector General of Prisons (Head<br>Quarters) | - | Member              |
| (c) | A representative from the Home<br>Department not below the rank of Deputy<br>Secretary   | - | Member              |
| (d) | Establishment Officer (Field Establishment)  | - | Member-<br>Convener |

7. In the said rules, for rule 8, the following rule shall be substituted, namely:—

**“8. Procedure for selection by the Departmental Promotion Committee:—**

(1) The Prisons Directorate shall maintain a State-wise Gradation List of Chief Warders, who shall form the feeder cadre for promotion to the post of Sub-Assistant Jailor.

(2) The Gradation List of all Circle Jails shall be revised merging at the Directorate level and the merged Gradation List shall be prepared on the basis of seniority in entry grade.

(3) Promotion to the rank of Sub-Assistant Jailor shall be made by way of selection on the basis of merit-*cum*-suitability in all respect with due regard to seniority.

(4) All relevant rules, instructions and circulars of the Government in the matter of promotion, as amended from time to time shall be followed.

(5) The Committee, while considering the cases of suitable Chief Warders or Warders and preparation of the select list shall adhere to the following provisions, namely:—

- (a) The Odisha Reservation of Vacancies in Posts and Services (For Scheduled Castes and Scheduled Tribes) Act, 1975 and the rules made thereunder or any law/ rule in force at the relevant time,
- (b) The Odisha Civil Services (Zone of Consideration for Promotion) Rules, 1988,
- (c) The Odisha Civil Services (Criteria for Promotion) Rules, 1992,
- (d) The Odisha Civil Services (Criteria for Selection for Appointment including Promotion) Rules, 2003.

(6) The recommendation of the Committee shall be valid and can be acted 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 the Committee attended the meeting.

(7) The list prepared by the Committee, after being approved by the Government, shall form the select list for appointment to the post in the service.

(8) The select list shall ordinarily remain in force for a period of one year from the date of its approval or until another select list is prepared, whichever is earlier.

(9) Appointment to the posts in service shall be made in the order in which the names of the persons appear in the select list.”

**8.** In the said rules, rule 9 and 10 shall be omitted.

By Order of the Governor

ASIT TRIPATHY

Additional Chief Secretary to Government