

Authoritative English Text of this Department Notification No. Home-C(A)3-7/2022 dated.. 25/5/2024 as required under article 348(3) of the Constitution of India.

Government of Himachal Pradesh

Department of Home

No. Home-C (A) 3-7/2022

Dated Shimla-2, the

25/5/2024.

NOTIFICATION

In exercise of the powers conferred by proviso to article 309 of the Constitution of India, the Governor, Himachal Pradesh, in constitution with the Himachal Pradesh Public Services Commission, is pleased to make the Recruitment and Promotion Rules for the post of Chief Welfare Officer (Prisons), Group-A, in the Department of Home, Directorate of Prisons and Correctional Services, Himachal Pradesh as per ANNEXURE 'A' attached to this notification, namely:-

1. Short title and commencement

(1) These Rules may be called the Himachal Pradesh, Home Department, Directorate of Prisons and Correctional Services, Chief Welfare Officer (Prisons), Group-A, Recruitment and Promotion Rules, 2024.

(2) These rules shall come into force from the date of their publication in the Rajpatra (e-Gazette), Himachal Pradesh.

2. Repeal and savings.


(1) The Himachal Pradesh Prison Department, Chief Welfare Officer (Prisons) (Class-II, Gazetted) Recruitment and Promotion Rules, 1997 notified vide this department notification No. Home-B (A) 3-5/80-Vol-II dated 23.05.1997 are hereby repealed.

(2) Notwithstanding such repeal, any appointment made or anything done or any action taken under the rules, so repealed under sub rule (1) supra shall be deemed to have been validly made, done or taken under these rules.

BY ORDER

(Onkar Chand Sharma)

Additional Chief Secretary (Home) to the
Government of Himachal Pradesh

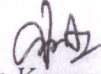
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Copy forwarded to the following:-

Dated Shimla, the

25/5/2024.

1. The Director General, Prisons and Correctional Services Himachal Pradesh, Shimla-9.

2. The Secretary, Himachal Pradesh, Public Services Commission, Shimla-2 w.r.t. his letter No. 1-4/2020-PSC-Part dated 08.11.2023.
3. All Secretaries to the Government of Himachal Pradesh, Shimla-2.
4. The Controller, Printing & Stationary Department, Himachal Pradesh for favour of publication in the Rajpatra (e-Gazette), Himachal Pradesh.
5. Guard file.



(Dinesh Kumar Gupta)
Under Secretary (Home) to the
Govt. of Himachal Pradesh.

RECRUITMENT AND PROMOTION RULES FOR THE POST OF CHIEF WELFARE OFFICER (PRISONS), GROUP-A, IN THE DIRECTORATE OF PRISONS & CORRECTIONAL SERVICES, DEPARTMENT OF HOME, HIMACHAL PRADESH.

1.	Name of post:	Chief Welfare Officer (Prisons)
2.	Number of post:	01(One)
3.	Classification:	Group-A
4.	Scale of pay :	Level-18 of the pay matrix attached with time scale of the post, as per H.P. Civil Services (Revised Pay) Rules, 2022.
5.	Whether "Selection" post or "Non-Selection" Post:	Selection.
6.	Age for direct recruitment:	Not applicable.
7.	Minimum Educational and other qualifications required for direct recruit (s):	(a) <u>Essential Qualification (s)</u> : Not applicable. (b) <u>Desirable qualification (s)</u> : Not applicable.
8.	Whether age and educational qualification(s) prescribed for direct recruit(s) will apply in the case of the promotee(s):	Age: Not applicable. Educational Qualification(s): Not applicable.
9.	Period of probation, if any:	1. <u>Direct Recruitment</u> : Not applicable. 2. <u>Promotion</u> : 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.
10.	Method(s) of recruitment, whether by direct recruitment or by promotion/ secondment/ transfer and the percentage of post(s) to be filled in by various methods:	100% By promotion.
11.	In case of recruitment by promotion/secondment/ transfer, grade(s) from which promotion/secondment/transfer is to be made :	By promotion from amongst the Superintendent, Grade-II, Personal Assistants/ Superintendents Open Air Jail/ Superintendent Borstal Jail/ Deputy Superintendent Jails as follow: (i) Superintendent Grade-II/ Personal Assistant who possess five years regular service or regular combined with continuous adhoc service rendered, if any, in the grade. (ii) Superintendent Open Air Jail/ Superintendent Borstal Jail/ Deputy Superintendent Jail with eight years regular service or regular combined with continuous adhoc service rendered, if any, in the grade. For the purpose of promotion a combined seniority list of eligible official on the basis of length of service without disturbing their cadre-wise inter-se-seniority, shall be prepared.
	(I) Provided that for the purpose of promotion every employee shall have to serve at least one term in the Tribal/Difficult/Hard areas and remote/rural areas subject to adequate number of post(s) available in such areas:	

Provided further that the proviso (I) supra shall not be applicable in the case of those employees who have five years or less service, left for superannuation except posting/transfer in remote/rural area. However, this condition of five years shall not be applicable in cases of promotion:

Provided further that Officers/Officials who have not served at least one tenure in Tribal/Difficult/Hard areas and remote/rural areas shall be transferred to such area strictly in accordance with his/her seniority in the respective cadre.

Explanation I :- For the purpose of proviso (I) supra the "term" in Tribal/Difficult/Hard areas and remote/rural areas shall mean normally three years or less period of posting in such areas keeping in view the administrative exigencies/convenience.

Explanation II :- For the purpose of proviso (I) supra the Tribe/Difficult Areas shall be as under:-

1. District Lahaul & Spiti.
2. Pangi and Bharmour Sub Division of Chamba District.
3. Dodra Kwar Area of Rohru Sub Division.
4. Pandrah Bis Pargana, Munish Darkali and Gram Panchayat Kashpat of Rampur Tehsil of District Shimla.
5. Pandrah Bis Pargana of Kullu District.
6. Bara Bhangal Areas of Baijnath Sub Division of Kangra District.
7. District Kinnaur.
8. Kathwar and Korga Patwar Circles of Kamrau Sub Tehsil, Bhaladh Bhalona and Sangna Patwar Circles of Renukaji Tehsil and Kota Pab Patwar Circle of Shillai Tehsil, in Sirmour District.
9. Khanyol-Bagra Patwar Circle of Karsog Tehsil, Gada-Gussaini, Mathyani, Ghanyar, Thachi, Baggi, Songad and Kholanal of Bali-Chowki Sub Tehsil, Jharwar, Kutgarh, Graman, Devgarh, Trailla, Ropa, Kathog, Kathog, Silh-Badhwani, Hastpur Ghamrehar and Bhatehar Patwar Circle of Padhar Tehsil, Chiuni, Kalipar, Mangarh, Thach-Bagra, North Magru and South Magru Patwar Circles of Thunag Tehsil and Batwara Patwar Circle of Sunder Nagar Tehsil in Mandi District.

Examination III: For the purpose (I) supra the Remote/Rural Areas shall be as under :-

- i) All stations beyond the radius of 20 Kms. from Sub Division/Tehsil headquarters.
 - ii) All stations beyond the radius of 15 Kms. from State Headquarters and District headquarters where bus service is not available and on foot journey is more than 3 (three) Kms.
 - iii) Home town or area adjoining to area of home town within the radius of 20 Kms. of the employee regardless of its category.
- (II) In all cases of promotion, the continuous adhoc service rendered in the feeder post 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 the adhoc appointment/promotion in the feeder category had been made after following proper acceptable process of selection in accordance with the provisions of R & P Rules:

- (i) Provided 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 following by regular service/appointment) 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 & Promotion Rules for the post, whichever is less:

Provided further that where a person becomes ineligible to be considered for

	<p>promotion on account of the requirements of the preceding proviso, the person(s) junior to him shall also be deemed to be in-eligible for consideration for such promotion.</p> <p><u>Explanation:-</u> The last proviso shall not render the junior incumbents ineligible for consideration for promotion if the senior ineligible persons happened to be ex-servicemen who have joined Armed Forces during the period of emergency and recruited under the provisions of Rule-3 of Demobilized Armed Forces Personnel (Reservation of vacancies in Himachal State Non-Technical Services) Rules, 1972 and having been given the benefit of Seniority there under or recruited under the provisions of Rule-3 of Ex-Servicemen (Reservation of Vacancies in the Himachal Pradesh Technical Service) Rules, 1985 and having been given the benefit of seniority thereunder.</p> <p>(ii) Similarly, in all cases of confirmation, continuous adhoc service rendered on the feeder post, if any, prior to the regular appointment against such posts shall be taken into account towards the length of service, if the adhoc appointment/promotion had been made after proper selection and in accordance with the provision of the Recruitment & Promotion rules: Provided that inter-se-seniority as a result of confirmation after taking into account, adhoc service rendered shall remain unchanged.</p>
12	<p>If a Departmental Promotion /confirmation Committee exists, what is its composition?</p> <p>(a) <u>Departmental Promotion Committee:</u> DPC to be presided over by the Chairman, Himachal Pradesh Public Service Commission or a member thereof to be nominated by him.</p> <p>(b) <u>Departmental Confirmation Committee:</u> Not applicable.</p>
13	<p>Circumstances under which the Himachal Pradesh Public Service Commission (HPPSC) is to be consulted in making recruitment;</p> <p>As required under the Law.</p>
14	<p>Essential requirement for a direct recruitment:</p> <p>A candidate for appointment to any service or post must be a citizen of India.</p>
15	<p>Selection for appointment to the post by direct recruitment:</p> <p>Not applicable.</p>
16	<p>Reservation;</p> <p>The appointment to the service shall be subject to order regarding reservation in the services for Scheduled Castes/Scheduled Tribes/Other Backward Classes/Other Categories of persons issued by the Himachal Pradesh Government from time to time.</p>
17	<p>Departmental Examination</p> <p>Every member of the service shall pass a Departmental Examination as prescribed in the Himachal Pradesh Departmental Examination Rules, 1997, as amended from time to time.</p>
18	<p>Power to Relax;</p> <p>Where the State Government 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 Himachal Pradesh Public Service Commission relax any of the provision (s) of these rules with respect to any class or category of person (s) or post(s).</p>

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