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Authoritative English Text of this Department's Notification No.  
Home-B(B)2-4/94, dated 24.4.02 as required under Article  
348(3) of the Constitution of India.

Govt. of Himachal Pradesh  
Department of Home.

No. Home-B(B)2-4/94

Dated Shimla-2 the 24.4.02

N O T I F I C A T I O N

The Governor, Himachal Pradesh, in exercise of

the powers conferred by provision to Article 309 of the Constitu-  
tion of India; in consultation with the Himachal Pradesh Public  
Service Commission is pleased to make the Recruitment and Promo-  
tion Rules for the post of Head Warder (Class-III-Non-Gazetted)  
in the Department of Prisons, Himachal Pradesh as per Annexure  
'A' attached to this Notification, namely:-

Short title  
and commencement.

1. (1) These Rules may be called the Himachal  
Pradesh Prisons Department, Head Warder,  
(Class-III-Non-Gazetted) Recruitment and  
Promotion Rules, 2001.

(2) These shall come into force from the  
date of publication in the Rajpatra, H.P.

Repeal and  
Savings.

2. (1) The Himachal Pradesh Jails Department  
(Class-III executive) Subordinate (Non-Gazet-  
ted) Service (Recruitment, Promotion and  
Certain Conditions of Service) Rules, 1968  
Notified vide this Department's Notification  
No. H(J)-14-929/58-II, dated 6.1.1969 are  
hereby repealed to the extent these are  
applicable to the post of Head Warders.

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action taken under the rules so repealed  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

BY ORDER

(R. BHATTACHARYA)  
Addl. C.S.-cum-Secretary (Home)  
Government of Himachal Pradesh.

No. Home-B(B)2-4/94

Dated Shimla-2 the 24.4.02

Copy forwarded to the following:-

1. The Addl. Director General of Prisons, Himachal Pradesh, Shimla-171003. (5 copies).
2. The Secretary, H.P. Public Service Commission, Himachal Pradesh, Shimla-171002. (3 copies).
3. The Deputy Legal Remembrancer to the Govt. of Himachal Pradesh, Shimla-171002.
4. The Controller, Printing & Stationery, H.P., Shimla-5 for publishing the same in the Rajpatra (Extraordinary). A copy of the same may be supplied to this department as well as to H.P. Public Service Commission.
5. 20 Spare Copies.

*Ratan Singh*  
Addl. Secretary (Home) to the  
Govt. of Himachal Pradesh.

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ANNEXURE A

RECRUITMENT AND PROMOTION RULES FOR THE POST OF HEAD WARDER  
(CLASS-III-NON-GAZETTED) IN THE DEPARTMENT OF PRISONS, H.P.

- 1. Name of the post : Head Warden
- 2. Number of posts : 27
- 3. Classification : Class-III (Non-Gazetted)  
(NonMinistrial Services)
- 4. Scale of Pay : Rs. 40-20-140-4400-150-5000-  
160-5800-200-5200.
- 5. Whether Selection Post or Non-Selection Post : Not Applicable.
- 6. Age for direct recruitment. : Not Applicable.
- 7. Minimum Educational and other qualifications required for direct recruits. : Not Applicable.
- 8. Whether age and educational qualifications prescribed for direct recruits will apply in the case of the promotees. : Not Applicable.
- 9. Period of probation : Two years subject to such if any, 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 of recruitment, whether by direct recruitment or by promotion, deputation, transfer and the percentage of vacancies to be filled in by various methods. : 100% by promotion.
- 11. In case of recruitment by promotion, deputation, transfer, grade from which promotion/deputation/transfer is to be made : 100% By promotion from amongst the Warders as under:-  
(A) From amongst Warders with 10 years regular service or regular combined with continuous adhoc (rendered upto 31.3.98), service in the grade, if any, :  
1) 20% from Non-Matriculate Warders.

...2...

ii) 70% from Matriculates Warders.

(B) From amongst Warders with 0 years regular service as Warders:-

(i) 10% from amongst Warders who possess merit of exceptional order as per scheme laid down in Annexure-'A'.

For filling up of the posts of Head Warders the following roster shall be followed:-

No. of roster Point	Method of recruitment
(A) (i): 1, 2, 11, 12 & 21.	Method proposed at Sr. No. (i) above.
(ii) 3, 4, 5, 6, 7, 8, 9, 13, 14, 15, 16, 17, 18, 19, 22, 23, 24, 25 & 26.	Method proposed at Sr. No. (ii) above.
(B) (i) 10, 20 & 27.	Method proposed at Sr. No. (i) above.

and the roster is to be repeated after every 27 vacancy.

NOTE:- Inter-se-seniority of candidates promoted under clause (A) (i) & (ii) and (B) (i) above will be determined by the DPC in the order of their selection for such promotion.

(1) In all cases of promotion, the continuous adhoc service rendered in the feeder post upto 31-03-1998, 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 condition that the adhoc appointment/promotion in the feeder category had been made after following proper acceptable process of selection in accordance with the provision of R & P Rules, provided that:-

(1) 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 upto 31-03-1998) followed 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;

... 3 ...

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 and Promotion Rules for the Post, whichever is less;

Provided further that where a person becomes ineligible to be considered for promotion on account of the requirements of the preceding proviso, the person(s) junior to him shall also be deemed to be ineligible for consideration for such promotion.

Explanation:- The last proviso shall not render the junior incumbents ineligible for consideration for promotion if the senior ineligible persons happened to be Ex-Servicement recruited under the provisions of Rule-3 of Demobilised Armed Forces Personnel (Reservation of Vacancies in Himachal State Non-Technical Services) Rules, 1972 and having been given the benefit of seniority thereunder or recruited under the provisions of rule-3 of Ex-servicemen (Reservation of Vacancies in the Himachal Pradesh Technical Services) Rules, 1985 and having been given the benefit of seniority thereunder.

- (2) Similarly, in all cases of confirmation, adhoc service rendered on the feeder post upto 31-03-1998, if any, prior to the regular appointment against such post 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 R & P Rules;

Provided that inter-se-seniority as a result of confirmation after taking into account, adhoc service rendered upto 31-03-1998 as referred to above shall remain unchanged.

12. If a Departmental Promotion Committee exists, what is its composition. : As may be constituted by the Govt. from time to time.
13. Circumstances under which the H.P.P.S.C. is to be consulted in making recruitment. : As required under the Law.
14. Essential requirement for a direct recruitment. : Not applicable.
15. Selection for appointment to post by direct recruitment. : Not applicable.
16. Reservation. : The appointment to the service shall be subject to orders regarding reservation in the service for Scheduled Castes/ Schedules Tribes/ Backward Classes/ other categories of persons issued by the Himachal Pradesh Government from time to time.
17. Powers to Relax. : 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 H.P.P.S.C., relax any of the provisions of these Rules with respect to any class or category of persons or posts.

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ANNEXURE-B

Rules for the promotion to the post of Headwarder on merit of Exceptional order for 10% promotion quota:-

1. Eligibility: All Warder Staff who have rendered 3 years of service shall be eligible for this promotion.

2. Exceptional order of merit:

The promotion to the promotional quota of 10% of Warders engaged in Prison administration, who distinguish themselves in rendering exceptional service marked by efficiency, devotion to duty, integrity, loyalty, sense of discipline and spirit of sacrifice, will be considered as under:-

(i) saving life and property, preventing crime or helping the Police arresting the criminals at the risk of their lives;

(ii) Showing outstanding ability in organising and maintaining discipline in the Jails in the event of any riot;

(iii) For outstanding ability in preventing escape of prisoners and rescuing the officials during any disturbance in or outside the Jail;

(iv) Apprehending a prisoner after escape;

(v) Out-standing achievements in sports at National level; and

(vi) For any other work/duty which may be considered commendable in enhancing the prestige and name of the organisation and the Pradesh.

3. Method of recommendation:-

The Deputy Commissioner/Superintendent Jail will send such recommendations on occurrence with full justification to the Inspector General of Prisons, H.P. The report will be analysed by the Inspector General of Prisons, H.P. in the light of rule 2 above. In the event of suitability of the case of the individual against 10% promotion quota, the case will be put up before the Departmental promotion Committee for final recommendations.

4. For-foitures:-

The promotion is liable to be for-foited if the individual is found guilty of an act of disloyalty, disobedience of serious nature, cowardice in action, neglect of duty or any other conduct which brings the Jail Deptt./Pradesh into disrepute.

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