IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P.(S) No. 2724 of 2021

--

1. Pradeep Tirkey, aged about 27 years, son of Vishnu Tirkey, resident of Pahan Tailor House, Larango Road, Gamharia, P.O. & P.S. & District Gumla.
2. Dilip Kumar Sah, aged about 30 years, S/o Vishwakarma Sah, resident of Village - Borio, P.O & P.S - Boriyo, Dist - Sahibganj.

...Petitioners

Versus

1. State of Jharkhand through the Chief Secretary, Government of Jharkhand, having office at Project Building, Dhurwa, P.O. –Dhurwa, P.S.-Jagarnathpur, District – Ranchi
2. Department of Finance-cum-Planning through its Secretary, Government of Jharkhand, having office at Project Building, Dhurwa, P.O.- Dhurwa, P.S.- Jagarnathpur, District - Ranchi.
3. Department of Home, Prison & Disaster Management through its Principal Secretary, Government of Jharkhand, having office at Project Building, Dhurwa, P.O.- Dhurwa, P.S. -Jagarnathpur, District - Ranchi
4. Inspector General (Prison), Government of Jharkhand, having office at Project Building, Dhurwa, P.O.- Dhurwa, P.S. Jagarnathpur, District - Ranchi**.**

....Respondents

--

CORAM: **HON'BLE MR. JUSTICE DEEPAK ROSHAN**

--

For the Petitioner(s) : M/s. Amritansh Vats, Arpan Manjesh Ekka, Advocates

For the Respondents : Mr. Uttam Kr. Das, A.C to G.P.-VI

--

06/02.07.2026 The instant writ application was initially preferred by the petitioners for the following reliefs:

> *(i) For issuance of an appropriate writ(s), order(s) or direction(s) in the nature of mandamus, commanding upon the respondents to fix the pay scale of the petitioners, who are working on the post of Jail Warder (Class-III) at par/equivalent to the other Class-III employees of State Govt. i.e. Police Constables, Forest Guards, Special Branch Constables whose qualifications and nature of work is similar to the petitioners OR in alternative fix the pay scale at par to Jail Warders working under Bihar Govt. since the qualification, experience and nature of work are similar to other Class-III employees but the pay scale of the petitioner are much lower than other similarly situated Class-III employees of the State Govt. and Bihar Govt.*
>
> *(ii) For issuance of an appropriate writ(s), order(s) or direction(s) in the nature of mandamus, commanding upon the respondents to revise the allowances i.e Food allowance, uniform allowance etc of Jail Warders working under State of Jharkhand, since the same has not been revised in accordance with present inflation rate since*

> *decades, however, in the State of Bihar after bifurcation, the allowances of Jail Warder have been revised timely and at present they getting much higher present as compare to the petitioners.*

2. Learned counsel for the petitioners submits that during the pendency of this writ application, a new Jail Manual, 2025 has come into force and Rule 11 of Chapter 4, speaks about the pay and allowance of the prison's officers, which includes the petitioners; however, the same has not been implemented, due to which the petitioners are not getting food allowance, uniform allowance and equal pay scale to the State Police Department; accordingly, he submits that the instant writ application may be disposed of by directing the respondent no. 3 to do the needful.

3. Learned counsel for the respondents could not dispute the fact that under new Jail Manual, 2025, the prison's officers are also entitled for the same pay scale and other benefits like State Police Department; accordingly necessary order be passed.

4. Having heard learned counsel for the parties and after going through the supplementary affidavit it appears that the new Jail Manual, 2025 has come into force. For brevity, paras-5, 6 & 7 of the supplementary affidavit are extracted hereinbelow:

> *"**5.** That in the said Jail Manual, 2025 as per Chapter-4, Rule - 8(5) all the Ministerial Officers employed in the jail in the State of Jharkhand are declared to be officers of the prison within the meaning of section-8 of Jharkhand Prisons and Correctional Services Act, 2025.*

> ***6.*** *That as per the aforesaid provisions, the petitioners, who are presently working on the post of Wardens, are termed as Officers of the prisoners.*
>
> *That as per the Rule-11 of the Chapter- 4 of Jail Manual, 2025 the pay and allowance of the Prisoner Officers shall be at par with the corresponding equivalent hierarchical rank in the State Police Department, but the said provisions have not been implemented by the State Government till date and the petitioners are not getting the fruits of the same inspite of the fact that after the long struggle and demand by the petitioners and their association, the said provisions were incorporated in the new Jail Manual, 2025.*
>
> ***7.*** *That it is submitted that till date, Rule - 11 of Chapter - 4, which speaks about the pay and allowance of the prisoner officers, which include the petitioners, has not been implemented due to which the petitioners are not getting the food allowances, uniform allowances and pay scale equivalent to the State Police Department inspite of the fact that the same has been incorporated in the New Jail Manual, 2025."*

5. Having regard to the aforesaid fact, the instant writ application stands disposed of by giving direction to the respondent no. 3, to implement the rules and regulations of the new Jail Manual'2025 and pay the petitioners the food allowance, uniform allowance and the same pay scale which are equivalent to the State Police Department. The formal order of implementation be issued within a period of 8 weeks from the date of receipt/production of a copy of this order and consequential monetary benefits be also extended to the petitioners within a further period of 4 weeks.

6. Accordingly, the instant writ application stands allowed. Pending I.A(s), if any, stands closed.

(Deepak Roshan, J.)

2nd July, 2026
Jk
Uploaded on
07/ 07/2026