



HOME DEPARTMENT
GOVERNMENT OF MAHARASHTRA

Instructions regarding the holding of
Departmental Enquiries against
Police Officers of and below the rank
of Inspectors in the Police Force in
the State of Maharashtra



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**INSTRUCTIONS REGARDING THE HOLDING OF DEPARTMENTAL
ENQUIRIES AGAINST POLICE OFFICERS OF AND BELOW
THE RANK OF INSPECTORS**

1. *Departmental Enquiries.*—While no hard and fast rules can be laid down to cover all cases likely to require the holding of departmental enquiries into the misconduct of Police Officers of and below the rank of Inspectors, and the drawing up of proceedings under section 25 of the Bombay Police Act, 1951, the following general principles are enunciated for the guidance of Officers, who must use their discretion in applying them to individual cases :—

(a) Default proceedings may be divided into two classes on the analogy of the system provided for in criminal law i.e. those which are to be tried summarily and those which are to be tried in a regular manner. The more petty defaults likely to be visited with minor punishments may be disposed of summarily in orderly room while all others shall be dealt with by holding regular proceedings.

(b) If in the course of the proceedings in orderly room, the evidence discloses a default which merits a major punishment, the proceedings shall be closed and regular proceedings held or ordered to be held by a competent officer. On the other hand, even when a regular proceeding is held in respect of a default, the punishment awarded should be such as is appropriate to the default established by the evidence, no matter whether it is major or minor.

(c) Ordinarily, Deputy Commissioner of Police or an Assistant Commissioner of Police in Greater Bombay or any other area for which a Commissioner of Police is appointed or a Superintendent of Police, an Assistant Superintendent of Police or a Deputy Superintendent of Police elsewhere should preside at the orderly room in Headquarter. An Assistant Superintendent of Police/Deputy Superintendent of Police in the districts may preside at the orderly room when the Superintendent of Police is not at Headquarter for the purpose of dealing with such defaults as he is empowered to punish under the Bombay Police (Punishments and Appeals) Rules, 1956. As regards Sub-Division, Sub-Divisional Police Officers should hold orderly rooms in their charges.

(d) The officer holding the orderly room should make brief notes of evidence heard in support of the charge and also the statement of the defaulter and of any evidence tendered for his defence and record his order in the appropriate column of the Orderly Room Register.

2. *Preliminary Enquiries in defaults.*—(a) Whenever a default is reported and a preliminary inquiry is necessary before a definite charge (G.C., H.D., No. PDE. 6661/78921-IX, dated 12th March 1963).

