

Ref: This office Circular No.DGP/15/68/Circular/417/2008  
dt.5.7.2008

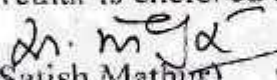
Sub: **REDRESSAL OF COMPLAINTS.**

**CIRCULAR**

Refer this office circular issued on the above subject.

- A. It has been brought to the notice of this office that inspite of issuance of instructions regarding REDRESSAL OF COMPLAINTS; still the concerned authorities are not looking into the grievances of the citizens. Consequently, applicants have to approach judicial forums for redressal of their grievances.
- B. Recently, number of W Ps have been filed by petitioners, for redressal of their grievances, before the Hon'ble High Court.
- C. Instructions issued vide Circular dt.5.7.2008 are reiterated.
- D. All Unit Commanders are directed to follow these instructions scrupulously and apprise the said instructions to their subordinates.
- E. Periodical checking of register maintained for this purpose, be checked by the Unit Commanders and appropriate instructions issued wherever required.
- F. It should be noted and brought to the notice of all concerned that failure to follow these instructions would be viewed seriously and may invite departmental action.
- G. Copy of the said circular is being immediately put up on the website of the Maharashtra Police so that it gets wide spread publicity.

For ready reference, copy of the said Circular is enclosed herewith.

  
(Satish Mathur) 11/07/13

Addl. Director General of Police (Estt),  
for Director General of Police, M.S., Mumbai

To,  
All Unit Commanders.

Copy to:

All Range I.Gs.P., All Commandants. SRPF, All Principals PTS.

## CIRCULAR



No. DGP/15/68/सि.पु.क.स/417/2008

महाराष्ट्र राज्य पोलीस मुख्यालय

Maharashtra Rajya Police Mukhyalaya

सर्दीद मंत्रालय मार्ग, जल नं. - ४६, ४-४०-१

Shanti-Bhawan, Marg, Ma. g. Colaba

Mumbai 400 001

Dated: 05.07.2008

### REDRESSAL OF COMPLAINTS

Receipt of information about corruption, malpractice or misconduct on the part of public servants, from whatever source, would be termed as a complaint. Information about corruption, malpractice or misconduct on the part of public servants may flow to the administrative authority from many sources including complaints received from the public and from employees of the organization.

While normally a public servant is called upon to take cognizance when approached through proper official channel, there is no objection in entertaining a direct complaint, giving information about corruption or other kinds of malpractice. While genuine complainants should be afforded protection against harassment or victimization, serious notice should be taken if a complaint, after verification, is found to be false and malicious. There should be no hesitation in taking severe departmental action or launching criminal prosecution against such complainants. To attend complainants/application "**Grievance Redressal Cells**": will be established at all levels.

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- At the State Police Headquarters: under the direct supervision of the DIGP (Admin);
  - Unit Headquarters: under the direct supervision of Addl.CP(Admin)/DCP Hqrs. for the Commissionerate SP/Addl.SP for the Districts.
  - Other supervisory levels: on "need-basis"

PI/API will be In - charge of the Cell and assisted by a few supporting staff from the Constabulary, as per need. The present "Applications Branch" will be part of the set-up.

#### Functions of the Grievance Redressal Cell will be :

- To receive and register the applications/complaints
- To scrutinise and categorise the complaints

- To obtain the directives of competent authority for further action on the complaint.
- To follow up.
- Scrutiny of the 'Action Taken Report' and submission before the competent authority for appropriate disposal.
- Feed-back to the Complainant on the basis of the ATR/ or the initiated action.

1. **Receipt of the complaint:** On receipt the complaint / application will be given a Unique ID and entered into the system (Electronic/Manual Register). As far as feasible the complaint should be acknowledged by the cell.
  - a. Preliminary scrutiny of complaint personally, by the PI/API of the Cell.
  - b. No delegation of this authority to the "Applications" Clerk
  - c. Directives from the competent authority for follow-up on the complaint.
  - d. Regular follow-up.

2. **Confidentiality**

- a. Marking a. complaint or part thereof or the Enquiry Report in whole or part of it "Secret/Confidential" as per the information contained in such document.
- b. Such "Marking" may be displayed prominently, at a prescribed location.
- c. Enquiries into the sensitive matters or matters of confidential nature may be made through the Special Branch

3. **Categorisation of Complaints:** On receipt the complaints will be categorised.

A. **Based on nature of content:**

- I. Prima facie a clear cognizable offence is made out;
- II. Frivolous/ superfluous or non-specific allegations.
- III. Allegationn of Civil Nature;
- IV. Nature of offence committed is not clear or there are doubts about the veracity of the allegations;
- V. Mal-practice/Misconduct/ Corruption by Police Officers;
- VI. Complainants against Public Servants other than Police officer;

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VII. Complaints regarding Police family/Domestic disputes;

**B .Based on details of complainant:**

- I. Anonymous;
- II. Pseudonymous or with wrong or non-verifiable address;
- III. Complaint containing proper details of the complainant.

**C .Based on source of the receipt of Complaint:**

- I. The Govt. (Central/State);
- II. Ministers / MPs / MLCs / MLAs; Head Office / Higher Authorities ( to Specify );
- III. Local;

Based on categorization and the content of the complaint the In-charge of the Cell, shall obtain the orders of the Competent Authority on further action required to be taken on the received complaint.

**4. Broad Guidelines on further action to be taken on the Complaint received:**

- I. If anonymous/pseudonymous complaints
  - may not be entertained unless contain serious and verifiable allegations.
- Or**
- specific information about illicit activities.
- II. Frivolous/Superfluous Allegations may not be entertained.
- III. If pertaining to purely civil nature.
  - may not be entertained ,
  - except ,if the situation warrants preventive action .
  - or should be referred to the proper authorities, and the complainant be informed .
- IV. If a cognizable offence is made out,
  - The Unit/Police Station may directed to proceed u/s 154 CrPC immediately
  - The concerned unit /police station, may be permitted to conduct the preliminary verification within 24 hours, if required before registration an FIR.
- V. In other cases the concerned unit /police station may be asked to conduct Application Enquiry and submit Action Taken Report or Enquiry Report within the stipulated time-frame.

- ✓ I. In urgent cases, however the copy of the application may be marked directly to the concerned police station though the Enquiry Report may be called through proper channels.
- VII. In few cases which are either of urgent or serious in nature or of great importance, the inquiry could be conducted by the Cell itself, at the Unit.
- VIII. If the complaint is against Police Officers
  - If "prima facie" allegation is made out, to be dealt through departmental proceedings.
  - if need arises as in allegations of corruption, may be referred to the Anti-Corruption Bureau.
- IX. In cases of allegations against other public servants,
  - may be referred to the concerned departments, if the allegations need to be dealt with through departmental action by the concerned department
  - Reference to be communicated to the complainant also for future reference.
  - If however the allegations call for police action or pertain to corruption, action as enumerated earlier should be adhered to.
- X. If the matter pertains to family dispute of police officers/personnel,
  - it may be referred to the Social Service Branch
  - Legal or Departmental action may be initiated against the erring police officers without fail, if the allegations prima facie point in such direction.

**5. Procedure for submitting Enquiry Report/Action Taken Report:**

- A. **If the allegations in an application are obvious,**
  - Requiring immediate action to be taken on the part of police station (whether registration of an offence, or preventive action), then the Enquiry Report/ATR should contain only the gist of point-wise the allegations made, and the action taken thereof
- B. **If the allegations require detailed enquiry then the report should contain**
  - if action desired by the complainant has been taken, then the ATR only; but it should contain the point-wise allegations and action taken thereof.
- C. **If action as desired by the complainant has not been taken on, all or any, but the complainant is now satisfied with the action initiated by the police**
  - Action Taken Report along with the statement of complainant and the reason for not initiating action on all or remaining of the allegations point-wise

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D. If no action has been initiated, as desired by the complainant, then the Enquiry Report, on all allegations point-wise, and the reasons thereof for not initiating action on the same along with relevant statements of the concerned ( from both the sides if necessary but including that of the complainant )

While submitting an Enquiry Report based on the aforesaid guidelines recording of unnecessary statements , enclosing copies of unnecessary documents and carrying out panchanamas should be totally avoided.

**The Enquiry Report** submitted to the Cell should be brief concise, and completed in shortest possible time. It must be governed by a Time-frame depending on the categorization/contents of the application/complaint. However, the action should be initiated within 24 hours of receiving the complaint.

**6. Action to be taken by the Cell on receiving the ATR/Enquiry Report :**

On receiving an Enquiry Report the In-charge of the Cell will scrutinize the report, and then put it up with his brief remarks before the competent authority for perusal and necessary orders which could be :

- a. Disposal, if the competent authority is satisfied with the Action initiated/taken is appropriate.
- b. Direct the subordinate authority to initiate specific action on the basis of the report.
- c. Further Enquiry on specific points, if competent authority over the is not satisfied over the enquiry report or part thereof
- d. To initiate requisite action, if it lies within the powers of competent authority.
- e. Submit the report to superior Authority, if required to do so, depending on the case.
- f. After completing the Enquiry Report/ATR, the Cell-In-charge will send a brief reply to the applicant/complainant, on the action initiated/taken.
- g. Record should be built up to identify and segregate repeated complainants lodger
- h. Such names should be kept secret and should not be used in any reference made.
- i. While forwarding application /complaint names of "whistle-blowers", should not be disclosed by the Cell especially so when the complainant has specifically requested anonymity.

## 7. Supervision of the Cell and record keeping

1. Standard Proforma Statements and Returns to be sent/kept.
2. Regular inspection by Supervisory Officers.
3. Application software for supervision and monitoring of functioning of the Cell.

Unit commanders shall personally monitor the progress of each and every complaint inquired into by the Cell and strict adherence to the aforesaid guidelines.



(A. N. ROY)

DIRECTOR GENERAL OF POLICE  
Maharashtra State, Mumbai.

To,

All Polcoms,  
All Disps,  
All Commandants SRPF,  
All Pricipal PTS,  
All Range IGPs,

Copy for Information to,

COI / ADG ANO / CID, CRIME / DIR. MPA  
ADG SRPF / TRG / PCR / ADMN / P & C / TRAFFIC / ESTT / RLYS  
SPL IGP PAW / ESTT.  
DIGP L & O / SRPF / TRG / ADMN  
AIGP P & C / PROVISION.