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No. III/AB-44-54/A/10876
Dated Jaipur the October 28, 1955.

CIRCULAR ORDER No-50

It has been noticed that Officers while awarding major punishments on the rank and file, do not observe the formalities laid down in Article 311(2) of the Constitution of India and Rule 89(b) of the R.P.Rs., and when the appellant approaches this office in appeal, the order passed on such irregularly drawn-up D.Es. are set aside and papers remanded back to remove the lacunae. The following instructions are therefore issued for strict compliance in future:-

1) For punishments i.e. dismissal, discharge and reduction in rank a show cause notice should invariably be served on the defaulter under Article 311 (2) of the Constitution of India giving reasonable opportunity of showing cause against the action proposed to be taken.

2) While awarding punishments other than those mentioned above, a personal hearing should be granted to the defaulter as required under Rule 89(e) of the R.P. Regulations and this fact should be clearly mentioned in the body of the findings .

3) The statement of allegations should always be supplied to the defaulter as required under Article 16 of R.S. (C.C.&A) Rules, 1950.

4) No punishment should be awarded for defaults which are not included in the charge sheet. In case the enquiring officer comes across any other irregularity committed by the defaulter which is not mentioned in the charge-sheet, previously served on him and if it warrants a suitable departmental action; the correct procedure is that an additional charge should be framed against him and full opportunity given to him to produce his defence against the charge so framed. The Inquiring Officer should record all evidence for and against the accused and give his findings discussing each charge in detail.

W.G. KANETKAR
Inspector General of Police,
Rajasthan, JAIPUR.
Dated 28-10-55

No. III/AB-44-54/A/10876
Copy forwarded to the :-

1. All Deputy Inspectors General of Police including C.I.D.
2. All Superintendents of Police including ACE/CID/IB/PRO.
3. All Commandants, R.A.C. & M.B.C. Battalions.
4. Principal, Police Training School, Kisanganj.
5. Assistant Inspector General of Govt. Railway Police, Rajasthan.
6. P.A. to the Inspector General of Police, Rajasthan, Jaipur.
- 7.

for information and favour of necessary action.

Bsc/
21/10.

M. K. Kanetkar
Asstt. Inspr. Genl. of Police (Force)
Rajasthan, JAIPUR.