

Jaipur, 14th December, 1955.

Standing Order No. 63

74

Subject:- Departmental Enquiries.

It is noticed that Departmental Enquiries are not <sup>being</sup> disposed of promptly in several <sup>to larger offices.</sup> Districts. It is therefore hereby ordered that every such Enquiry must be completed and final orders passed within three months of the date of the default or the date of information to the superior Police officer concerned. This period is sufficiently long and if all officers work with zeal and speed, there should be no difficulty in keeping to the above time limit except in very exceptional cases. For this purpose, it is <sup>inter alia</sup> essential that if the defaulter is transferred from one district to another, <sup>during or just before the D.E.,</sup> the S.P. of the District where he is <sup>posted</sup> serving must <sup>release him</sup> permit the defaulter to proceed to the place of the D.E. wherever it may be without any delay whatsoever. The tendency <sup>that</sup> /at present <sup>exists</sup> seems amongst certain Ss.P. not to allow the defaulter to proceed to the place of the D.E. under one pretext or another must be stopped immediately. The I.G. will take a severe view if any such instance of obstruction <sup>comes</sup> to his notice. Every S.P. must take a broad view of such things and not try to save his subordinates in the above fashion.

2. Detailed orders have already been issued about the way a D.E. is to be conducted. They should be carefully followed. It should be particularly noted that full opportunity must be given to the defaulter to cross-examine all the <sup>prosecution</sup> witnesses & produce his own defence witnesses, etc. If he asks for copies of statements or other relevant documents, they must be supplied to him. Similarly a "Show Cause" <sup>in</sup> Notice specifying the exact punishment to be awarded must be issued to him if the punishment is going to be <sup>dismissal,</sup> removal or reduction. <sup>Personal</sup> ~~having~~ is necessary according to Rule 89(e) of the R.P. Re.

3. A form is <sup>attached</sup> enclosed which should hereafter be filled personally by the officer holding the Enquiry and attached to the Enquiry papers right on the top. All the headings are underlined and the other material <sup>in brackets</sup> in the attached form is shown merely <sup>for</sup> as guidance. This form must accompany every D.E.

AIG(F)

Any remarks?

15/12

It is exhaustive in all respects. No comments to offer.   
 M. S.   
 14/12

Please issue

16/12

Please copy very early   
 17/12/55

Recd at

1-26-55   
 17/12

hereafter. Every Prosecution Statement, document etc. should be marked P<sub>1</sub>, P<sub>2</sub>, P<sub>3</sub> etc. boldly in the margin to defence document as D<sub>1</sub>, D<sub>2</sub> etc. The space between all headings after no. 6 should be marked as required.

(V.G. Kanetkar) 16/12  
 Inspector-General of Police,  
 Rajasthan, Jaipur.

4 other charge/s to be framed against the defaulter should be to the point & must mention the as far as possible the exact time, date & place of the default.

To

- All D. Is. G. P.
- All Ss. P. (including AIG Railways, SP ACB, Police Zone Officer Principal PTS, etc.)
- All RAC Commandants.

Department  
 Circle  
 at (Naga)

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Charge/s

Index of page

- P1: - State
- . . . . . Presc
- P2: - State
- P3: - True
- Roll
- P4: - State
- Nikka
- P5: - State
- C.O.B

Index of page

- D1: - St
- D2: -
- D3: -
- D4: -

Brief fact

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 7.11.

Departmental Enquiry held by (Sri Duley Singh, I.P.S.)  
Circle (officer), (Wimka-Thana, District Nagaur)  
at (Nagore) from (1.12.55) to (5.12.55)

275

Name and rank of defaulter. - (S.I. Ram Manohar)

Pay of defaulter. - (Rs.100/- p.m.)

Date of starting service. - (10.9.1945)

No. of rewards & commendatory notes earned by the defaulter. - (5)

No. of punishments received by defaulter. - ~~a~~ Major (2)  
~~b~~ Minor (4)

Charges

(1) He was absent from his P.S. Amer without permission from 1.11.55 A.N. to 4.11.55 B.N.

(2) ~~When~~ <sup>absent</sup> asked by the C.O. Ninkathana to explain the above at about 11 A.M. on 7.11.55, he not only refused to submit his explanation but was insubordinate to him (C.O.) in the latter's office.

Index of papers in support of the prosecution.

- P1:- Statement dated 15.11.55 containing charges & summary of prosecution evidence served on the defaulter (pages 1 to 2).  
P2:- Statement dated 1.12.55 of B/J Rupsunder before C.O. Ninkathana (pages 3 & 4)  
P3:- True copy of Extract dated 1.11.55 & 4.11.55 from the Muster Roll of Amer P.S. (Page 5).  
P4:- Statement dated 2.12.55 of Reader S.I. Gopal Sharma of C.O. Ninkathana before C.O. Ninkathana (pages 6 to 8).  
P5:- Statement dated 3.12.55 of orderly Const. Kishensingh before C.O. Ninkathana (pages 9 & 10). }

Index of papers in support of the defence.

- D1 :- Statement dated 4.12.55 of Defaulter before C.O. Ninkathana (page 11).  
D2 :- " " 4.12.55 of Dr. S.P. Sahai before C.O. Ninkathana (Pages 12 to 14)  
D3 :- " " 4.12.55 of Con. Anandwarup " " " (pages 15 to 17)  
D4 :- " " 5.12.55 of Defaulter " " " (pages 18 to 22)

Brief facts of the case.

( The defaulter remained absent from his P.S. Amer from 1.11.55 A.N. to 4.11.55 B.N. Inquiries were made by B/J Rupsunder of Amer P.S. about his whereabouts but to no effect. He therefore verbally reported the matter to the C.O. Ninkathana. The defaulter returned to duty on 4.11.55 B.N. & was called on 7.11.55 by the C.O. to his office. When asked to explain his

absence, the defaulter refused to say anything. When pressed to do so, he said that the C.O. could do what he liked & walked out of the room without even saluting the C.O. The latter reported this conduct to the S.P. Nagore who ordered this D.E. }

10. Summing up and recommendation of the Enquiry officer.

( From the providence the evidence that has come on record, it is clear that the two charges are properly proved. The defaulter too has not denied his absence & document P3 proves it conclusively. The statements of witnesses P4 & P5 show how the defaulter refused to answer the C.O.'s questions and walked out of the room without even saluting the C.O. The defaulter denied this conduct but the testimony of the above witnesses is fully convincing & what is more, the defaulter has refused to cross examine them. )

On his side, the defaulter has produced Dr. Sahai (P2) statement does not help him at all. He (defaulter) might have been a little ill but that does not excuse him from taking superior's permission to remain away from duty etc. etc.)

Signature with designation  
Of the enquiry officer

11. Summing up & final order by S.P. or D.I.C.P.

Signature with designation  
of the S.P. or D.I.C.

TLJ/15.12.55.

Index of F

Def facts

275 A

Departmental Enquiry held by ( Shri Duley Singh I.P.S.)  
District/Circle (Officer), (Nimkathana, District Nagaur)  
at (Nagaur) from ( 1-12-55 ) to ( 5-12-55 ).

Name and rank of defaulter. - (S.I. Ram Manohar)

Pay of defaulter. - ( Rs 100/- p.m. )

Date of starting service. - ( 10-9-1945 )

No. of rewards & commendatory notes earned by the defaulter. - ( 5 )

No. of punishments received by defaulter. - ~~Major~~ (2)  
~~Minor~~ (4)

Charge/s

- ∟ (1) He was absent from his P.S. Amber without permission from 1-11-55 A.N. to 4-11-55 B.N.
- (2) When asked by the C.O. Nimka Thana to explain the above absence at about 11 A.M. on 7-11-55, he not only refused to submit his explanation but was insubordinate to him (C.O.) in the latter's office. ∟

Index of papers in support of the prosecution.

- ∟ P1 :- Statement dated 15-11-55 containing charges and summary of prosecution evidence served on the defaulter (pages 1 & 2).
- P2 :- Statement dated 1-12-55 of B/J Rupsunder before C.O. Nimkathana (pages 3 & 4).
- P3 :- True copy of Extract dated 1-11-55 & 4-11-55 from the Muster Roll of Amber P.S. ( page 5).
- P4 :- Statement dated 2-12-55 of Reader SI Gopal Sharma of C.O. Nimkathana before C.O. Nimkathana (pages 6 to 8)
- P5 :- Statement dated 3-12-55 of orderly Constable Kishensing before C.O. Nimkathana (pages 9 & 10). ∟

Index of Papers in support of the defence.

- ∟ D1 :- Statement dated 4-12-55 of Defaulter before C.O. Nimkathana (page 11.)
- D2 :- Statement dated 4-12-55 of Dr. S.P.Sahai before C.O. Nimkathana (pages 12 to 14).
- D3 :- Statement dated 4-12-55 of Constable Anand Swarup before C.O. Nimkathana ( pages 15 to 17).
- D4 :- Statement dated 5-12-55 of Defaulter before C.O. Nimkathana (pages 18 to 22). ∟

Brief facts of the case.

∟ The defaulter remained absent from his P.S. Amber from 1-11-55 A.N. to 4-11-55 B.N. Inquiries were made by B/J Rupsunder of Amber P.S. about his whereabouts but to no effect. He therefore verbally reported the matter to the C.O. Nimkathana. The defaulter returned to duty on 4-11-55 B.N. and was called on 7-11-55 by the C.O. to his office. When asked to explain his absence, the defaulter refused to

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Departmental Enquiry held by (Shri D. S. Singh, I.P.S.)  
District/Circle (Officer) ~~(Nagpur, District Nagpur)~~

(Nagpur) from (1-12-55) to (5-12-55)

1. Name and rank of defaulter. - (S.I. Ram Manohar)
2. Pay of defaulter. - (Rs. 100/- p.m.)
3. Date of starting service. - (10-9-1945)
4. No. of rewards & commendatory notes ~~also~~ earned by the defaulter. - (5)
5. No. of punishments received by defaulter. - (a) Major (2) ~~(b) Minor~~  
(b) Minor (4)
6. Charge/s

- (1) He was absent from his P.S. Amur without permission from 1-11-55 A.M. to 4-11-55 B.M.
- about (2) When asked by the C.O. Nimbalkhara to explain the above at 11 A.M. on 7-11-55, he not only refused to submit his explanation but was insolent to him (C.O.) in the latter's office.

Index of papers

7. Evidence in support of of the prosecution.

- P1:- Statement dated 15-11-55 containing charges & summary of proceedings on the defaulter (pages 1 & 2)
- P2:- Statement dated 1-12-55 of B/S R. S. Sahani before C.O. Nimbalkhara
- P3:- Extract dated 1-11-55 & 4-11-55 from the Muster Roll of Amur P.S. (P)
- P4:- Statement dated 2-12-55 of head S.I. Gopal Sharma of C.O. of C.O. Nimbalkhara before C.O. Nimbalkhara (pages 6 to 8)
- P5:- Statement dated 3-12-55 of the orderly sent to Amur before C.O. Nimbalkhara (pages 9 & 10)
- P6:- "The case" dated 20-12-55 issued by D.I.G. Nagpur (pages 11 & 12)

Index of

8. Papers in support of the defence.

- D1:- Statement dated 4-12-55 of defaulter before C.O. Nimbalkhara (pages 11)
- D2:- " " " 4-12-55 of S.P. Sahani before C.O. Nimbalkhara
- D3:- " " " 4-12-55 of Com. Amundswami " "
- D4:- " " " 5-12-55 of Defaulter " "

9. Brief facts of the case.

[The defaulter remained absent from his P.S. Amur from 1-11-55 B.M. to 4-11-55 B.M. Inquiries were made by B/S R. S. Sahani of Amur P.S. who was unable to locate him. He therefore reported the matter to C.O. Nimbalkhara. The defaulter returned to duty on 4-11-55 B.M. He was called on 7-11-55 by the C.O. to his office. When asked to explain his absence, the defaulter refused to say anything. When pressed, he said that the C.O. could do what he liked & walked away from the office without even submitting the C.O. The latter reported the matter to the S.P. Nagpur who ordered this D.E.]

SUB:- DE

I promptly informed the defaulter and ordered that he should be kept under surveillance within the limits of the P.S. Amur if all officers are not kept in touch for the purpose, in one district wherever the defaulter exists and place of his I.G. his notice save his

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3. officer All the attached D.E. has P1, P2, P3 space be

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Summing up and recommendation of the Enquiry Officer.

(In view of the provisions of the Code of Civil Procedure, it is clear that the charges are properly framed. The Defaulter has not denied his guilt. Document P3 shows presence at commission. STG statements of witnesses P1 & P2 show the defaulter refused to answer the C.O.'s questions & walked out of the room without obeying the C.O. The defaulter denies the conduct but the testimony of the above witnesses is convincing & what is more, the defaulter has refused to cross-examine them. On his side, the defaulter has produced <sup>only</sup> De Sahar (D2) but his statement does not help him at all. He (defaulter) <sup>is</sup> not here <sup>to</sup> but it does not seem him from his previous fear to remain away from duty etc. etc.)

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D.I.G.P.

Final Orders by S.P. or Range D.I.G.P.

Summing up & final order by S.P. or D.I.G.P.

Signature with designation  
& date

Signature with designation  
& date