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MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.G.O. No. 186Press
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(xxvi)

CHIEF OFFICE OF THE INSPECTOR GENERAL OF POLICE,

Mudras, 27 August 1885

OFFICIAL MEMORANDUM

Has the honor to forward herewith as requested a printed copy of Rules for minor punishments in the Police referred to in Inspector General's letter No. 112 dated 11th January 1884.

M. Vignysam
Manager.

The Head Clerk

Chief Secretariat

with reference to his memorandum dated 25 August 1884

20.11.265 Home
28.1.11
3.0.28 Home
4-1-46

DISCIPLINE.

No. 1.—Dismissal and Reduction of Inspectors.

When Superintendents recommend that an Inspector should be dismissed, reduced or reprimanded, they will forward a full report on the case, with the documents bearing upon it and the Inspector's explanation to the Inspector-General through the Deputy Inspector-General. The Class and length of service of the Inspector, and whether his appointment is confirmed or probationary must be mentioned. If he rose from the grade of Head Constable, the fact should be stated.

The decision of the Inspector-General will be communicated and the Superintendent's report retained for record. Copies of the Inspector-General's orders regarding dismissal, reduction or other punishment, must invariably be furnished to the Police Officers thereby affected.

No. 2.—Suspension of Inspectors.

1. Superintendents may suspend an Inspector for a grave fault, with the concurrence of the Deputy Inspector-General, sending immediate notice, with a short statement of the reasons, to the Inspector-General.

2. When prompt measures are called for, the suspension will take effect from the date of the Superintendent's order.

3. Deputy Inspectors-General may, without further sanction of the Inspector-General, punish Inspectors on the report, &c., of District Officers, by suspension not exceeding one month.

No. 3.—Dismissal and Reduction.

1. In the case of Police Officers below the rank of Inspector or Sub-Inspector, a short minute will be recorded, giving a concise statement of the reasons for dismissal or reduction and dealing with any explanation which may be offered in defence. The number and nature of the entries in the Defaulter's Book will invariably be shown. The minute will be entered in a separate book kept for the purpose. A concise entry will be made in the District Order Book and General Register, with a reference to the page of the Minute book.

2. When an Assistant Superintendent considers that there are grounds for recommending the dismissal or reduction of one of his men, he will record a minute as above and forward it to the Superintendent for orders. Should the Superintendent pass an order of dismissal or reduction, he will cause the minute to be copied into the Minute Book in the District Office, and will return the original to the Assistant to be filed in his office.

3. A form of certificate, providing for what is wanted, is supplied to Districts (Form No. 13) and this certificate duly filled in, will be given to every Police Officer "on discharge," and to a Police Officer "on Reduction" when demanded. The "character" entered in the certificate should be that which the Police Officer bore previous to the offence for which he is under punishment. The entry in the certificate will therefore be "Previous Character."

DISCIPLINE.

4. No man should be dismissed without a personal hearing. There is no objection to suspension prior to dismissal to admit of a man appearing to make his defence in person. If after 21 days suspension he does not appear, his name may be finally removed. Every minute of dismissal should show distinctly that the man dismissed had a personal hearing or that he absconded and did not avail himself of the privilege.

No. 4.—Suspension.

Superintendents and Assistant Superintendents may suspend Head Constables and Constables pending enquiry into charges against them; and may punish them by suspension not exceeding one month.

No. 5.—Suspension, Re-instatement from.

The Re-instatement from suspension of Inspectors must be sanctioned by the Inspector-General; of Head Constables by the Deputy Inspector-General; and of Constables by the Superintendent.

No. 6.—Fines.

Superintendents and Assistant Superintendents may fine Police Officers serving under them to any amount not exceeding one month's pay; but the practice of inflicting heavy fines should not be resorted to, except when no other adequate punishment can be inflicted. A very small deduction from pay suffices to mark the fault committed in the man's memory, and a careful record of all offences carrying with it the punishment of reduction or dismissal after a certain number of entries, is a far more potent engine of discipline than the infliction of a heavy fine upon scanty means, which necessarily drives the men to debt or dishonesty.

No. 7.—Absence without Leave.

Absence without leave up to 20 days may be disposed of as a Departmental offence, and be punished by forfeiture of pay for the number of days so absent, or otherwise.

No. 8.—Desertion.

1. Absence without leave for 21 days completes the crime of desertion; when the individual's name should invariably be struck off from the day he was first missed.

2. If on his return the Superintendent considers him deserving of the indulgence, application may be made to the Inspector-General to cancel the dismissal.

No. 9.—Black-marks.

The following system of Black-marks will be used, as far as possible, instead of the objectionable punishment of fining.

1. One Black-mark may be given at a time as a punishment for minor offences.

DISCIPLINE.

2. Three Black-marks entail reduction.

3. Six Black-marks entail discharge.

4. A period of six months uninterrupted good conduct wipes off three Black-marks, if no more are outstanding.

5. One year's uninterrupted good conduct wipes off all Black-marks.

6. The existence of a Black-mark bars promotion, leave and other indulgences until wiped off by the requisite period of good conduct.

Note.—If leave is absolutely necessary to a man against whom there is a Black-mark, it may be given without pay.

7. When two or five Black-marks have been recorded against a man, he should be carefully warned that the next will entail reduction or discharge, as the case may be.

8. When dismissal or reduction is the consequence of the award of a Black-mark, a short minute must be recorded on the facts of the case in which the Black-mark is awarded.

9. Black-marks are registered in the usual way in the Defaulter's Book as "Punishments awarded." Reference to Defaulter's Book and Index at once shows the number and dates of Black-marks.

10. If it is found absolutely necessary to inflict fine or other punishment, a Black-mark should also be added if it is intended that the punishment shall count towards reduction or dismissal.

The above are general rules. There may be exceptions in special cases: Ex.: Gr., a man has three Black-marks at intervals of five months each. He would probably not be considered to deserve reduction, though no Black-mark would have been actually wiped off. Again, there may be special cases of promotion in spite of a Black-mark. Something must of course depend on the nature of the offence for which the Black-mark is given. At the same time it should be borne in mind that a Black-mark is of itself no punishment at all, and therefore, that if the system is not, as a rule, strictly carried out, it will become useless as a means of discipline.

In order that the system may work effectively, the men must be made to understand that the existence of a Black-mark is really a bar to promotion, etc., and that an accumulation of them will assuredly render them liable to the more serious punishments of reduction or dismissal.

No. 10.—Dismissal after conviction.

1. No Police officer convicted of an offence and sentenced to imprisonment will be retained in the service without the special order of the Inspector-General.

2. A Police officer sentenced to pay a fine without other punishment, need not be dismissed unless the circumstances of the case are such as to render it necessary.

3. Dismissal under this order shall not take effect until the time of final appeal has expired, or the sentence of the Lower Court has been definitively affirmed. During the interval the Police officers affected will remain under suspension, acting appointments being made in their stead if necessary.

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DISCIPLINE.

No. 11.—Dismissal after acquittal.

1. When a Police officer has been tried and acquitted by a Criminal Court, he must, as a rule, be re-instated from suspension, with the sanction required by No. 5.
2. In special cases where there is moral evidence of his guilt, a Police officer may be kept under suspension and the circumstances fully reported for the orders of the Inspector-General.
3. The foregoing rules apply also to cases where a conviction by a Lower Court has been quashed by a higher Court.

No. 12.—Appeals.

1. Appeals from the decisions of Superintendents will lie to, and be disposed of by, Deputy Inspectors-General in the first instance.
2. Appeals must be accompanied by the discharge or reduction certificate, the copy of the District officer's minute and the extract from Defaulter's Book.
3. Petitions of appeal will not be attended to by the Inspector-General, unless accompanied by a copy of the Deputy Inspector-General's order.
4. Appeals from Police officers still in the Force must be forwarded through the District officer and the Deputy Inspector-General.
5. Appeals must be forwarded within two months of the date of the order appealed against.
6. Police officers are warned that unnecessary appealing against the decision of a superior officer will be considered a mark of insubordination.
7. The above procedure in the matter of appeals will form a point of instruction in the District School.

No. 13.—Appeals on Orders.

1. All parties affected by an order, are entitled to have, on application duly stamped, a copy of the order, which should contain full details of the grounds of the decision. It is not sufficient, therefore, to record sentence of dismissal or reduction without stating the grounds on which the order is based, or in disposing of an appeal to record merely that there are no grounds for interfering with the order appealed against, unless in the latter case the original order appealed against contains a full explanation itself.
2. If an order dismissing an officer is reversed on revision or appeal, the authority who is competent to reverse the order of dismissal may declare that, as regards service qualifying for leave, such dismissal is, in effect, suspension followed by re-instatement.

25/
Judicial (1884) DEPARTMENT.

ENCLOSURE, one

Is a letter from the Inspector
General of Police, dated Madras
11 January 1884. No 112.

In No. 107 of 1884

No. 112.

Chief Office of the Inspector General of Police,

Madras, 11th January 1884.

From

Lieut. Col. J. H. Guthrie
Ag. Inspector General of Police,

To

The Chief Secretary
to Government
Fort St. George.

SIR,

Enclosures, 3
JHES

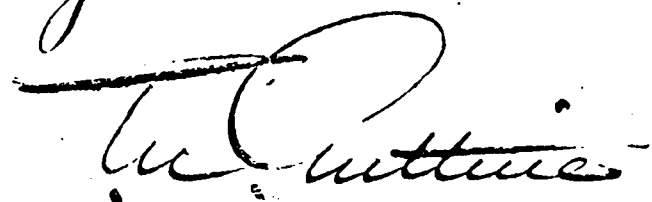
I have the honor to submit a copy
of Rules for minor punishments in the
Police, framed under Section 10 of Act XXIV
of 1859. These rules are the same, with
very slight variation, which have regu-
lated Police procedure up to the present
time, but they have never received the for-
mal sanction of Government which the
above mentioned section would seem
to require. A new Police Order Book is
about to be issued, and I therefore re-
quest that, if Government approve
of the rules now submitted, they will be
good

good enough to sanction them, in order
that they may appear in it

The rules have been numbered con-
secutively from 1 to 13 for convenience
of reference, but these are probably not
the numbers which will be given to
them when published in the order book.

I have the honor to be
Sir

Your most Obedt Servt:

W. C. Cutler

Ag. Inspr. Genl. of Police

Exdly 

cc. H. L. S. M. D.

24-1-27
16.5.40
18.9.42
1-4370

Order 21/184 No 186 (Chis)
16/11

Approved. This
presumed that rules 122
refer to Sub Inspectors as well as
Inspectors.

Despatched
21 JAN 84
IN H.S.
14-1

Judicial (1884) DEPARTMENT.

CURRENT No. 187

From
Lieut. Col. J. K. Guthrie

Ag. Inspector General
of Police,
21 JAN 84

TY G O. No 186 (Chis)

No. 112.

Dated 11 January 1884.
Received

No. 1

SUBJECT.

Submits copy of Rules
for minor punishments
the Police for approval
of Govt.