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Air Headquarters
Vayu Bhawan
New Delhi - 110011

Air HQ/C 23401/111/PS

07 Dec 2001

HQ WAC, IAF }
HQ EAC, IAF }
HQ CAC, IAF }
HQ SWAC, IAF } For SOA/ SAASO
HQ SAC, IAF }
HQ TC, IAF }
HQ MC, IAF }

DISCIPLINE : AIR FORCE PERSONNEL
PROCESSING OF STATUTORY COMPLAINTS
U/S 26, 27 AND 161 OF AIR FORCE ACT 1950

References:-

- (a) AF Act 1950
- (b) AF Rules 1969
- (c) Regs for AF 1964 (Revised Edition)
- (d) Govt of India MOD DO No.2570/JS(A)/80 dt. 28 Apr 80

Introduction

1. Redressal of Genuine Grievances of the Personnel subject to AF Act is an important function of Personnel Management. This helps in bringing the personnel who feel aggrieved for one reason or the other back into main stream and motivate them to be the useful members of the service. Sections 26, 27 and 161 of AF Act 1950 provide a statutory right to all personnel subject to AF Act when aggrieved; to project their grievances against the service if any; to the concerned authority for redressal. The procedure for preferring Statutory Complaints by the personnel and its processing by various Units/formations is prescribed in para 621 and 622 of Regs for AF 1964(RE).

2. Para 621(o) and 622(n) of Regs for AF 1964(RE) require that all Statutory Complaints should reach the Competent Authority to dispose them within 45 days from the date of its submission. No intermediate authority will hold up the application for more than 10 days. In the event of any longer delay a report indicating the reasons will be made to the next higher authority. Therefore, it is essential that Command HQ and Units under Air HQ forward these representations to Air HQ within 30 days of its submission with comprehensive parawise

Comments and Recommendations of CO and Command HQs concerned to enable this HQ to implement the provisions of Regulations.

3. All formations and units should take the following actions in order to facilitate that all Statutory Complaints where no redressal could be given at the Unit/formation level or the redressal given does not satisfy the applicant, are disposed of timely by Air HQ :-

(a) Ensure that the Statutory Complaints addressed and submitted to the Section Commander/ OC Unit are processed strictly in accordance with the provisions of Sub Para 621(c)/ 622(e) of Regs for AF 1964 (RE) respectively.

(b) If the Section Commander/OC Unit is unable to redress the grievances at his level, the application is forwarded to next superior authority in the Chain of Command alongwith comprehensive remarks and the parawise comments alongwith a report of action taken at each level. The applicant is informed accordingly stating that he will not be required to submit another application for the case to be forwarded to the next higher authority.

(c) At all levels, it should be borne in mind that justice should not only be done but also appear to have been done. For this purpose, the Statutory Complaints should be processed dispassionately as per the procedure without any fear or favour to elicit truth and redress the grievances as far as possible at the earliest.

(d) As far as possible the issues raised in Statutory Complaints should be resolved amicably by granting Interview, deliberating in Welfare Meetings, Mess meetings, Quartering Committee Meetings etc as the existence of an aggrieved party is not conducive to the smooth functioning of the Organisation.

(e) Whenever a mention of punishment entries or an adverse comment on the conduct of the individual is made in parawise Comments a true copy of the Conduct Sheet should invariably be attached for consideration of the higher formation.

(f) Whenever there is a mention of Charge trial in the parawise comments or where the main issue of the ROG is Review of minor punishments imposed on the applicant, it is essential that a copy of Chargesheet and a Certificate to the effect, that Rule 24 of AF Rules 1969 has been properly complied with, is forwarded.

(g) The proforma as per Appendix 'A' to this letter should be completed in all respects and forwarded alongwith ROG.

4. While forwarding the ROG application to higher formation it is necessary that it is correctly addressed and forwarded to the concerned Section/Dte at Command HQ/Air HQ which deals with the subject. A few examples of the subjects of ROG and the Dtes dealing with them are given below. The list is illustrative and not exhaustive :-

<u>Subject matter</u>	<u>Dealing Section at Command HQ</u>	<u>Dealing Dte at Air HQ</u>
(a) Grant of Actg/Subs promotions	SPSO	ACAS(PO) for officers
(b) Adverse entries in Annual Confidential reports		&

(c) Postings (d) Courses (e) Change of Date of Birth (f) Change of permanent Home address etc.		ACAS(PA&C) for airmen
(g) Deductions/recoveries from pay & allowances (h) Non payment of pay and allowances (j) Qualification pay (k) Non admission of claims	Command Accts Officer	ACAS(Accts) for officers as well as airmen
(l) Allotment of married accommodation (m) Excess charges of water and electricity charges (n) Barrack damages (o) Rents etc	Command Works Officer	ACAS(Wks)
(p) Categorisation of Aircrew/ Controllers	Air Staff	DASI
(q) Medical category (r) Medical treatment	PMO	DGMS(Air)
(s) Review of Censure (t) Representations against Punishment Awarded (u) Ill-treatment of subordinates (v) Other miscellaneous matters pertaining to marital Discord, Financial Embarrassment etc	SPSO	DPS

5. It is requested that suitable instructions on the subject may be issued to Stns and Units under your Command for implementation. A copy of such instructions should be filed in the handing/taking over file of CO and Adj for easy reference.

6. This letter supersedes Air HQ Policy letter Nos. Air HQ/C 23408/PS dated 03 Aug 78, 13 May 80 and 29 Oct 91.

(RN Mehra)
Gp Capt
DPS
For AOA

Copy to:

All Units under Air HQ

NDC
CAW
NDA
DSSC
DGRCPD

Internal Copy to:-

AA to CAS
SO to VCAS
SO to DCAS
SO to AOP
SO to AOA
SO to AOM
SO to IG

All BCOs

Appendix `A`
to Air HQ/C
23408/PS dated 07
Dec 2001(Para 4(g)
refers)

REDRESSAL OF GRIEVANCES : OFFICER/AIRMAN

PART -I

(To be completed by Unit/Station)

1. Particulars of petitioner :

- (a) Number, Rank, Name & Trade/Branch -
- (b) Present Unit -
- (c) Unit/ Station/ Wing & Command HQ
pertaining to the cause of complaint -
- (d) Total length of service (i) In the Unit -
(ii) In the IAF -
- (e) Number of Red/Black Ink entries in the
conduct sheet (For Airmen & NCsE only) -
- (f) Details of previous complaint(s), if any
made by the petitioner (add separate sheet,
if necessary) -

2. Particulars of the authority/individual complained/aggrieved against :

- (a) If the complaint is against any Orders/Policy Instruction causing service wrong/denial
of rights, details thereof -
- (b) If the complaint is against any particular individual :-
 - (i) Rank, Name, Number and Trade/Branch -
 - (ii) Unit/Station and Command HQ -
 - (iii) Total length of service -
 - (aa) In the Unit -
 - (ab) In the IAF -
 - (iv) Details of previous/other complaint(s)
against the officer/airman -

3. Details of enclosed ROG application -

- (a) Points of ROG/Statutory complaint -
- (b) Whether the channel of correspondence
is followed or not -
- (c) Date of Receipt of the ROG application -
- (d) Date of submission of ROG to next higher
authorities in channel/ Command HQ -

(e) Reference and Date of communication to the aggrieved party regarding forwarding of ROG to next higher authority -

(f) In case of delay, justification thereof -

(g) Explanation/comments of the party against whom the ROG pertains (enclose separate sheet) -

(h) Remarks of the OC Unit/Station Commander with details of action taken to redress the grievance at his level -

(j) Parawise comments (to be enclosed) -

PART - II

(To be completed at Command HQ level)

4. (a) Date of receipt of the ROG application -

(b) Date of communication of the decision of the AOC-in-C, HQ concerned regarding onward submission of the ROG application to Air HQs -

(c) Remarks/recommendation of the Command HQ -

PART - III

(To be completed at Air HQ)

5. (a) Date of receipt of the ROG application -

(b) Details of previous complaint(s) made by/ made against the parties -

(c) Date of disposal -

(d) Remarks -