



SUPPLEMENT  
TO  
GENERAL ORDERS



SEPARATE No. 15 of 1842.



BY THE HON'BLE THE GOVERNOR IN COUNCIL,

BOMBAY CASTLE, 20th APRIL 1842.

The Hon'ble the Governor in Council is pleased to publish the following Compilation of all existing orders under the head "Applications and Appeals."

*By order of the Hon'ble the Governor in Council,*

P. M. MELVILL, Lieut. Colonel,

*Secy. to Govt*

## APPLICATIONS AND APPEALS.

I. The Hon'ble the Governor in Council is pleased to re-publish for general information the subjoined Extracts of letters from the Hon'ble the Court of Directors, regarding the transmission of Memorials.

G. G. O. 24th  
Feb. 1840.

II. We hereby order and direct, that whenever any of your Servants, Civil or Military, shall see occasion to address the Court of Directors, the same be done through the regular channel of the Governor in Council and not otherwise, and this you will consider as a standing order which we have been induced to make in consequence of our having lately received a letter from a person in an important office, thro' private hands.

Extract Para. 67  
Hon'ble Courts  
letter dated 23rd  
March 1787.

III. In our despatch dated the 23rd March 1837, we directed that whenever any of our Servants, Civil or Military, shall see occasion to address the Court of Directors, the same be done through the regular channel of the Governor in Council and not otherwise. This order however has not been invariably observed, but as in the instances in which it has been departed from, the parties may not have been aware of its existence, we direct that you take the most effectual means of making our directions upon this subject, known to all our Servants under your Government, at the same time, giving them to understand, that we consider this a standing order, and that we shall continue to discourage a deviation therefrom by declining to attend to any representation that may be forwarded to us contrary to the mode above prescribed. This order is to be considered as applying to all persons residing under your Government. We also desire that you keep any Address or Memorial to the Court twenty days before you transmit it to us, for the purpose of your having time to furnish us, with any remarks or observations you may have to make upon it; after the expiration of these twenty days, you must forward the Address or Memorial, with your remarks, by the earliest proper opportunity.

Extract Paras.  
5 and 6 Hon'ble  
Court's letter da-  
ted 28th March  
1814.

IV. As much inconvenience has been experienced, owing to parties not attending to the foregoing instructions, the Governor in Council finds it necessary to declare, that Memorialists must not expect that their Memorials will be forwarded to the home Authorities until they have been twenty days in the possession of Government, and that all Memorials addressed to the Hon'ble the Court of Directors, must, with their accompaniments, be sent to Government in Triplicate, otherwise they will be liable to be returned to the parties concerned.

V. With reference to the G. G. O. of the 24th ultimo, (No. 116 of 1840), the Commander in Chief directs, that all Memorials, with their accompaniments, intended for transmission to the Hon'ble the Court of Directors, be forwarded to the Adjutant General's Office in quadruplicate.

G. G. O. 18th  
March 1840.

VI. (*H. C. L. 6th June 1821, Para. XXII.*) "We are desirous that it may be made known to our Servants, that the practice to which, in several instances, individuals have resorted, of coming to England to appeal to us from the decisions of our local Governments, is highly disapproved of by us, and will by no means tend to advance the objects of those who may in future adopt so irregular a course."

G. G. O. 28th  
Feb. 1822.

VII. (*H. C. L. 1st April 1772, Para. LVIII.*) "If any Commissioned Officer in the Company's Service in the East Indies, shall repair to England under pretence of obtaining relief for any injury he is apprehensive of labouring under, without having first applied through the Governor and Council of the Presidency under which he acts, to the Court of Directors for redress: or who having made such application, does not continue in his employ and wait the determination of the Court of Directors, but shall return to Europe before an answer is given from them on the subject of his complaint, he shall absolutely and entirely to all intents and purposes, stand, and be held to be dismissed from the Company's Service.

G. O. 4th Aug.  
1787.

VIII. (*H. C. L. 30th Jan. 1778, Para. XXII.*) "Nor shall such Officer be restored except by order of the Court of Directors, and according to the terms prescribed by Act of Parliament."

IX. All Applications or Memorials, from Officers in the Army, to the Honorable the Governor in Council, or Commander in Chief, shall be made through their respective Commanding Officers to the Commander in Chief,

G. G. O. 28th  
June 1793.

X. Applications or Memorials to Government, from Officers in the Army received through the regular channel, will be laid before the Board by the Commander in Chief.

XI. As considerable inconvenience has been experienced by the Government and by individuals, from a protracted delay in bringing forward complaints of alleged supercession, or loss of Rank, and as every Officer must be supposed, in the course of one year, to have attained a thorough knowledge of his proper situation in the Company's Service, and been able both to make known his claims and to procure every testimony necessary in support of them, the Honorable the Governor in Council has resolved that applications for redress of any supposed grievance be preferred within that period, in failure of which no retrospect on the subject of Rank will be allowed.

G. G. O. 22d  
Jan. 1822.

XII. The Commander in Chief deems it necessary to apprise the Army, that there are very few cases, and those only of a most urgent nature, in which His Excellency can feel himself justified in dispensing with that most salutary Rule of discipline and good order, which prescribes the forms and channel in and through which applications are to be made to Head Quarters.

G. O. C. 24th  
March 1832,

XIII. It is quite impossible to hold Commanding Officers and Heads of Departments responsible for the important charge with which they are entrusted, if their legitimate authority and controul is not duly maintained and upheld.

XIV. They alone are the fit judges, in the first instance, of the merits and claims which entitle the Officers and Soldiers serving under their Orders, to indulgence and consideration, and it is consequently to their judgment and recommendation the Commander in Chief mainly looks for that information which may enable him justly to determine, upon the representations which are submitted for his decision; personal solicitations are therefore, not to be made to the Commander in Chief upon any subject, that can, for the above very obvious reasons, with greater propriety, be brought under His Excellency's consideration through the regular and ordinary mode of conducting Official Correspondence.

XV. All applications involving the patronage of the Commander in Chief are to be addressed to His Excellency's Military Secretary, and are to set forth in the fullest manner every information that may be required to arrive at a just and impartial appreciation of the merits and services which establish for the individual a fair and admissible pretension to be distinguished.

XVI. Any deviation from the Rule here laid down, without a sufficient cause being assigned for it, will in itself constitute an offence, and be considered sufficient to insure the rejection of the application, whatever reasons may exist under other circumstances to induce its being more favorably received.

G. O. C. 27th  
June 1811.

XVII. All Appeals against the orders and authority of Commanding Officers, but particularly in cases where there can be no room for doubt or uncertainty, the Commander in Chief must ever consider as the most serious and dangerous breach of Military Discipline of which an Officer can be guilty.

G. O. C. 25th  
Sept. 1797.

XVIII. Officers through whom Applications or Claims may be forwarded will discourage, as much as possible, such as are not founded in equity, or those that appear frivolous and contrary to the Regulations of the Service. In case the Commanding Officer should think himself under the necessity of forwarding any claim, of which he disapproves, but which, contrary to his opinion, an Officer or any other person belonging to the Army, shall persist in bringing before Government, on such circumstance occurring, the Commanding Officer will state it in conveying the Address to the Commander in Chief, who is determined to notice the troublesome obstinacy with severity.

A. G. L. 14th  
Feb. 1827.

XIX. The usage of the Service does not authorize any subordinate Officer, to address the higher authority direct, as seems to have been erroneously supposed;—It is true that this measure occasionally is permitted, in extreme cases if the intermediate channel should be closed or denied; but when any Individual so situated has recourse to this highly objectionable mode, he does so under serious responsibility, and in failure of shewing his justification, he is guilty of the most flagrant breach of discipline; on the other hand if he prove the necessity of a direct appeal, which is only open for "Redress of wrongs," it naturally implies that his immediate superior must have treated his case with inattention, or undue severity. In order therefore to prevent any Officer or Soldier from being driven to such extremity, as well as from a feeling of respect for the Heads of Departments, it is the wish of the Commander in Chief that every person may have the legitimate channel of communication at all times accessible to him; and that all representations, or appeals may only reach Head Quarters through the prescribed channel.

G. O. C. 5th  
Oct. 1833.

XX. Several instances having recently occurred where Complaints which might have been settled by Commanding Officers of Divisions, have been referred to Head Quarters, because the Complainants had forwarded them for submission to the Commander in Chief, His Excellency is pleased to prohibit such anticipation of the course to be pursued, as it must rest, in the first instance, with Divisional Authority to decide upon the necessity of further reference.

G. O. C. 26th  
Oct. 1825.

XXI. The Commander in Chief directs the republication of the General Order of the 8th of June 1822, of the Most Noble the late Commander in Chief in India, and submits to the good sense of the Army, whether it be possible for the Supreme Authorities, Civil or Military, of this or other Presidency, to allow the subterfuge of the distinction between a Newspaper published in India, and a monthly work in England to influence them in their serious consideration of the evils enumerated, and the proposed punishment, pointed out in the General Order referred to.

XXII. (*G. O. C. I. 8th June, 1822.*) The Commander in Chief has observed with great dissatisfaction a practice indulged by Officers, or by persons assuming that character, of addressing anonymous complaints to the public thro' the Newspapers respecting imagined professional grievances. It is visible the reader cannot assure himself, that any particular case so stated is not fallaciously represented through the inexperience, the misconception, or the perverse views, of the writer, consequently the appeal is essentially devoid of any possible utility.

XXIII. But it is obvious that in this procedure the legitimate sources of redress are neglected: so that the purpose must be to give a general impression of inattention, oppressiveness, or injustice, in those with whom the superintendance of such concerns is lodged.

XXIV. The extreme mischief, and improbity of these endeavours have probably not been perceived by the writers; whom the Commander in Chief is willing to regard as having yielded only to a momentary inconsiderateness. The habit, however, of an Officer's thus casting off his just and requisite dependence on his Military Superiors must not be permitted.

XXV. The Commander in Chief, therefore, in the strictest manner prohibits Officers from sending to the Newspapers any such anonymous representations as are above described: should a letter of that nature henceforth be traced to any Officer (and means will be

taken to make the discovery inevitable,) the Commander in Chief will immediately submit to the Governor General in Council the necessity of suspending the individual from duty and Pay, while a solicitation is made to the Honorable Court for his entire removal from the service.

XXVI. (H. C. L. 20th April 1803, Para. IV.) "We cannot omit taking this opportunity to express in the most pointed terms, the disapprobation with which we have seen the general associations of Officers of different ranks;—associations completely subversive of that system of Military correctness and subordination, which it must be your and our duty in future more strictly to enforce; since any relaxation in a point of such essential consequence, would infallibly be attended with the most fatal disorders, as repeated experience has too often proved, when such practices have been permitted to prevail."

G. G. O. 17th  
May 1804.

XXVII. (Para. V.) "It will at all times be our inclination to attend to the comforts and to the interests of every part of our Army, when made known to us through the proper channel of communication; but we at the same time must transmit to you our most positive injunctions, to adopt the strongest measures which circumstances may require, to discountenance associations of the description to which we have referred, if a sense of propriety should not render such interference unnecessary."

XXVIII. (Para. VI.) "We cannot, however but entertain sanguine hope, that the Officers of our Army, of all ranks, will be impressed with a just sense of the liberal emolument which they respectively enjoy, and desist hereafter from discussions which are only calculated to sow division among the several ranks of the Service, to breed a discontented Spirit in the Army at large, and to exhibit a course of proceeding which never can exist, but to the destruction of discipline and subordination and consequently to the degradation of the character of the Army itself."

XXIX. Deliberations, or discussions, among any class of Military men, having the object of conveying praise, censure, or any mark of approbation, towards their Superiors, or others, are strictly prohibited, as being subversive of discipline, and an assumption of power which belongs to the Government alone, or to those Officers to whom may be intrusted the command and discipline of the Troops.

G. G. O. 7th  
June 1823.

XXX. When any number of Officers belonging to different Corps or Brigades, are desirous to state a real or supposed grievance to Government, or the Commander in Chief, the Senior Officer of that number will first make application to the Commander in Chief, through the Adjutant General, for permission to hold a Meeting for that purpose; and his Excellency's sanction to the Meeting being obtained, the Representation or Memorial agreed upon, shall be signed by the Senior Officer *only* of those who may think themselves aggrieved; and such Officer is to transmit to the Commander in Chief, (through the Adjutant General, in a separate paper, inclosed in the Memorial) a list of the Names of all those who may have given sanction to his signature. But the Senior Officer, in all such cases, will be held particularly responsible, both for the matter itself, and for the manner in which complaints may be stated in those Remonstrances and Representations.

G. G. O. 28th  
June 1793.

XXXI. In Detachments, or at Stations, where the Commander in Chief is not present, applications for the Meeting, as above mentioned, must be made in a similar manner, to the Commanding Officer of the Detachment or Station who will forward the Representation, &c. to the Adjutant General, to be laid before the Commander in Chief.

XXXII. No Application of any description will be received, except through the channel of the Honorable the President in Council at Fort St. George, from any Officer of the Bombay Establishment, acting under the authority of that Government.

G. G. O. 19th  
April 1801.

XXXIII. In consequence of the many unnecessary applications, which are occasionally made to the Government, on points already clearly provided for in the existing Regulations, the Honorable the Governor in Council is pleased to require all Officers whom it may concern, to abstain from preferring applications to Government for Pay, Allowances, and Remuneration, until they shall have clearly informed themselves, that existing Regulations do not authorize the same being discharged, by direct application to the Pay and Audit Departments.

G. G. O. 25th  
Oct. 1824.

XXXVI. No Petition to the Governor in Council, from Non-commissioned Officer or Privates, either European or Native, will be received, that is not signed by the Senior Officer of the Corps to which the Petitioner belongs, or by the Town Major, in cases where the Petitioner is not on the strength of any Corps.

G. G. O. 27th  
Jan. 1791.

*Note.—Application for leave of absence will be found under the Head "Furlough."*