**Punishment of officers, junior commissioned officers and warrant officers by brigade commanders and others**.—An officer having power not less than a Brigade, or an equivalent commander or such other officer as is, with the consent of the Central Government, specified by the Chief of Army Staff1 may, in the prescribed manner, proceed against an officer below the rank of a field officer, a junior commissioned officer or a warrant officer, who is charged with an offence under this Act, and award one or more of the following punishments, that is to say, —

(a) severe reprimand or reprimand;

(b) stoppage of pay and allowances until any proved loss or damage occasioned by the offence of which he is convicted is made good.

## *NOTES*

*1. See generally* [*notes to AR 26*](file:///F:\THE_ARMY_RULES,1954_WITH_APPENDICES_AND_NOTE\CHAPTER~5\276.htm#AR26)*.*

*2. This section and* [*AA.s.84*](#AA84) *obviate the necessity for trying by court-martial certain officers. JCOs or WOs who commit some offence which is not of a serious nature but which cannot at the same time be overlooked.*

*3. An officiating brigade, sub area or equivalent commander, irrespective of his rank, can exercise the powers under this section.*

*4. As to the 'prescribed manner' see* [*AR 26*](file:///F:\THE_ARMY_RULES,1954_WITH_APPENDICES_AND_NOTE\CHAPTER~5\276.htm#AR26)*, Forms 1 and 2 in Part I of Appendix IV to AR and* [*Regs Army para 444*](file:///F:\DSR_VOLUME_1\CHAPTER_09\1581.htm#444)*.*

*5. An abstract of evidence, referred to in* [*AR 26*](file:///F:\THE_ARMY_RULES,1954_WITH_APPENDICES_AND_NOTE\CHAPTER~5\276.htm#AR26)*, if adduced must not consist of statements made at an earlier court of inquiry.*

*6. (a) An officer of the rank of Major or above cannot be dealt with under this section.*

*(b) For definition of 'field officer' see* [*AR 2(c)*](file:///F:\THE_ARMY_RULES,1954_WITH_APPENDICES_AND_NOTE\CHAPTER~1\252.htm#AR2)*.*

*7. The sentence of forfeiture of seniority or of service for the purpose of promotion cannot be awarded under this section.*

*8. Stoppages: see* [*AA.ss.90(e)*](file:///F:\work_on_nlp\CHAPTER-08\189.htm#AA90_e) *and* [*91(e)*](file:///F:\work_on_nlp\CHAPTER-08\192.htm#AA91) *and note 16 to* [*AA.s.71*](file:///F:\work_on_nlp\Downloads_nlp\175.htm#AA71)*.*

*9. Awards under this section,* [*AA.ss.84*](#AA84) *and* [*85*](file:///F:\work_on_nlp\Downloads_nlp\186.htm#AA85)*, which appear to be illegal, unjust or excessive can be reviewed by the authorities specified in* [*AA.s.88(b)*](file:///F:\work_on_nlp\Downloads_nlp\187.htm#AA88)*: see* [*AA.s.87*](file:///F:\work_on_nlp\Downloads_nlp\186.htm#AA87) *and* [*Regs Army para 442*](file:///F:\DSR_VOLUME_1\CHAPTER_09\156.htm#ARP442)*.*

*10. For transmission of proceedings, see* [*AA.s.86*](file:///F:\work_on_nlp\Downloads_nlp\186.htm#AA86)*.*

*11. For period of limitation for trial see* [*AA.s.122*](file:///F:\work_on_nlp\CHAPTER-10\211.htm#AA122) *and notes thereto.*