

Confidential.

MEMO. NO. W/C1-1021/58—13424-A

GOVERNMENT OF BIHAR APPOINTMENT DEPARTMENT

To

All Departments of Government.
All Heads of Departments.
All Divisional Commissioners.
All District Officers.

Dated the 11th November, 1958/20th Kartika 1880.

SUBJECT.—Annual Confidential Reports on Gazetted Officers.

Government have observed that although instructions were issued from time to time there is much confusion over preparation and maintenance of annual confidential reports and communication of adverse remarks. A large percentage of these reports are recorded indifferently and prove to be useless for all practical purposes. The undersigned is, therefore, directed to emphasise some of the important aspects of the existing instructions and to convey certain additional instructions as below :—

(I) RECORDING OF ANNUAL REPORTS.

2. Annual confidential reports are recorded for the period 1st April to the 31st March. Ordinarily, no report is required on a Government servant who has served under the reporting officer for less than four months. Certain special reports for short periods, as for instance, training in A. T. S. or in Secretariat, have to be entered in Character Rolls. A reporting officer, who goes on long leave or transfer, after holding charge of a post for more than six months in the course of a reporting year, should record remarks, which will be incorporated in the annual confidential reports on the subordinate officers; if the period is shorter than six months, notes on individual officers should be left for the successor.

3. Reports should be recorded on the prescribed forms. The gradation number of the officer given in the latest edition of the Civil List, the post held by him, and in case he held more than one post during the reporting year, the exact period (with dates) during which he held particular posts must be mentioned clearly and accurately. The report should invariably give the name and designation of the reporting officer also. A specimen of the form used for officers of the I. C. S., the I. A. S., the Bihar Civil Service (Executive Branch) and the Junior Civil Service is attached—Appendix A. Different departments may prescribe forms suited to their requirements. These forms, like the specimens, should indicate generally the points to be covered by the report. For technical services the administrative department should devise special columns, covering professional and technical qualifications; but every report should include a general assessment of the officer reported upon.

4. Appendix B and Appendix C set forth separately for the officers working in the Secretariat and outside, details of the reporting officers at different levels and the officers reported on. The principle underlying this hierarchical system is that annual confidential remarks are recorded only by those who come in direct and intimate contact with the officers reported on. Ministers record annual confidential remarks only on officers working in the Secretariat, Heads of Departments and Divisional Commissioners. The annual confidential remarks on the work of officers of the All-India Services, the Bihar Civil Service (Executive Branch) and the Bihar Junior Civil Service, whose services are placed at the disposal of different Departments of Government and who are employed in the districts under such Departments, should be recorded only by the District Officers and the Divisional Commissioners whenever they see the work of such officers. The Departments of Government and Heads of Departments under whom such officers are on deputation should not record annual confidential remarks on the work of such officers. The Departments of Government will however, continue as hitherto to record annual confidential remarks on the work of officers of the above services who are employed under those departments in the Secretariat and attached offices.

5. If any Department of Government come to know of any instance of any particularly good or particularly bad work on the part of an officer of the above Services employed under such departments, they may, as in the past send a special report to the Appointment Department for incorporating it in the officer's Character Roll.

6. In accordance with Rule 28 (a) (xiii) of the Rules of Executive Business, annual confidential reports on officers appointed by the Secretary of State or of the All-India Services, all Secretaries and Additional Secretaries to Government and the principal Heads of Departments, namely, Commissioner of Commercial Taxes, Commissioner of Excise, Commissioner of Labour, Chief Conservator of Forest, Chief Engineers, Director of Public Instruction, Director of Agriculture, Director of Industries, Director of Health Services, Inspector-General of Police, Inspector-General of Prisons, Inspector-General of Registration, Registrar, Co-operative Societies, Director of Animal Husbandry, State Transport Commissioner and Director of Gram-Panchayats must be submitted to the Chief Minister through the Chief Secretary before they are placed on the Character Rolls.

7. Reports should be based on personal knowledge. The report for a particular year should not take into account the work and conduct of the officer reported on in a previous year or at a different station. Where a report is not based on direct personal knowledge, but on some other officers estimate, such as a note left by the predecessor, or on matters which come to light during inspection of an officer's work after his transfer, the fact should be mentioned.

8. The essential point to be kept in view in reporting on an officer is that reports should be so full as to bring-out clearly his qualities, merits as well as defects and provide adequate material for forming a correct and definite judgment as to how the services of the officer may best be utilised. As an officer's record is built up over the years, it should be possible to assess from the Character Report his personality, character and integrity, his abilities as well as shortcomings. The record should faithfully mirror him as a public servant. Vague remarks like "promising", "satisfactory" or "not up to the mark" are not useful. Points requiring special notice are industry, intelligence, soundness of judgment, integrity, physical health, power of control and supervision, tact, manners, relations with fellow officers and the public. To avoid overloading of the report, particular instances of good or bad work need not ordinarily be given.

9. Reporting officers should try to know personally the work of those officers on whom they have to write reports. The reporting officer's lack of knowledge about his subordinate's work, which is a sign of inadequate supervision, is the biggest single factor responsible for such a large percentage of annual confidential reports being of so little use. Before writing a report, say on an administrative officer, the Reporting Officer should consult the returns which show whether he has carried out the prescribed inspection of his office and subordinate offices, whether his touring has been adequate, whether the collection of rents etc., has been up to the mark, whether the progress of his block has been satisfactory. Government would appreciate a clear picture, rather than too vague and generally an impression which these reports tend to convey. He should also keep a note-book in which during his tours he should make brief notes on the individual officers whose work he sees; they will be of help at the time of the writing of character-rolls in recording a just and comprehensive report based on personal knowledge.

10. The annual confidential report must be fair and objective. It must be a properly balanced report. The reporting officer must exercise deliberate care in writing the remarks. Personal prejudices for or against a subordinate officer should be scrupulously kept out. Adulation or praise in superlative terms where it is not due, as also derogatory abusive terms giving vent to one officer's dislike of another, should find no place in these reports. Impartiality and candour are expected of a reporting officer; but restraint and caution are also necessary, particularly in writing about officers of the 'district' rank or above, or if an officer's integrity and good reputation are to be called in question.

11. While mentioning an officer's defects in the annual report, the reporting officer should state explicitly whether during the year, the attention of the subordinate officer was drawn to the defects,

Superior officers are expected to supervise the work of their subordinates, and correct them when they go wrong. This is as much their personal responsibility as any other duties. Minor failings corrected at the time should not encumber these reports. If the subordinate officer has made genuine attempts to remedy the defects, that should also be noted. Government would then have an up-to-date appreciation of officer's work and the officer would know that his efforts to improve had not passed unnoticed. If pending enquiries are mentioned in the annual report, the final result of the enquiries should be intimated to Government in due course for appropriate entry in the Character Roll.

12. If an annual report is incomplete or obscure, it will be returned by the officer to whom the report is submitted to the reporting officer for completion or clarification as the case may be.

(II) COMMUNICATION OF ADVERSE REMARKS.

13. Adverse remarks recorded in the annual report on an officer should be communicated to him so that he may know his defects and try to cure them. But the name or designation of the reporting officers must never be communicated. The communication should be made promptly within three months of receipt of the report by the authority who orders communication. All adverse remarks whether about remediable or about irremediable defects, should be communicated because it is difficult in practice to differentiate between the two. Remarks which have no finality but in which judgement is suspended, should not be communicated. Remarks which indicate that the officer has tried to remedy defects which were pointed out to him in a previous year should also be communicated.

14. The form of a communication should be suited to the temperament of the officer reported against, the idea being not to hurt him but to help him. When an adverse remark has to be communicated, the substance of the whole report, including favourable and unfavourable remarks, should be communicated. For this purpose, it is sometimes necessary to edit the remarks before communication. Minor faults which find mention in the reports may be pointed out orally by the superior officer. But grave defects should be brought to the officer's notice in writing by the Head of the Department personally.

Proposals to communicate adverse remarks to officers of the Secretary of State or the All India Services or of the State Services must be submitted to the Chief Minister, through the Chief Secretary; a reference is invited to Rule 28 (a) (viii) of the Rules of Executive Business.

An exception has been made in case of officers of the Bihar Junior Civil Service. The Divisional Commissioner will communicate adverse remarks in the form determined by him to Sub-Deputy Collectors working under him. In the case of Sub-Deputy Collectors, who are on deputation to other Departments and whose work is not seen by a Divisional Commissioner the Head of the Department will communicate adverse remarks in a form determined by him to the Sub-Deputy Collector concerned.

In case of officers of the State Services on deputation to a Department, the adverse remarks is to be communicated through the parent Department.

The Commissioners and Heads of Departments, as the case may be, entrusted with the communication of adverse remarks to Sub-Deputy Collectors, should forward to the Appointment Department by the 15th September every year, a statement, in duplicate, of the names of Sub-Deputy Collectors to whom adverse remarks have been communicated and the form in which these communications have been made.

15. An officer may make a representation against an adverse remark. Where an adverse remark is found to be really unjustified it may be suitably modified, or expunged. Proposals to modify or expunge adverse remarks on officers of the State Services must be submitted to the Chief Minister under Rule 28 (a) (viii) of the Rules of Executive Business. Unless there are exceptional reasons for doing so, Government do not generally expunge or modify adverse remarks. A confidential report is not a charge-sheet which the reporting officer must substantiate with facts and figures. If, after examination of a representation against adverse remarks, it is found that the remarks were justified and representation was frivolous, a note will be made in the Character Roll of the representationist that he did not take correction in good spirit.