

**ASSISTANCE TO CENTRAL GOVERNMENT  
SERVANTS TO PROTECT THEIR PROPERTIES  
AT NATIVE PLACES**

\*561. SHRI D. A. MIRZA: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government servants are given any assistance by Government when their properties at their native places are forcibly occupied by others;

(b) whether any steps in the nature of legal advice, police intervention and special leave are provided to such Government servants; and

(c) if the answers to parts (a) and (b) above be in the negative, whether there are any proposals under Government's consideration for affording such help to the Government servants?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI B. N. DATAR): (a) and (b). No.

(c) No. It is not considered necessary to provide any special facilities to Government servants in this matter.

**SUB-COMMITTEE ON LAW AND ORDER  
SITUATION IN DELHI**

\*566. MOULANA M. FARUQI: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether a five man Sub-Committee has been set up to assess the law and order situation in Delhi; and

(b) if the answer to part (a) above be in the affirmative, whether the Committee has submitted any report, if so, what are its assessments and recommendation?

THE MINISTER OF HOME AFFAIRS (SHRI GOVIND BALLABH PANT): (a) and (b). No such Sub-Committee has been set up. I understand that the Public Relations Committee of Delhi has set up a five-man committee to study the laws in force in Delhi and to find out the lacunae, if any, in them and to suggest amendments and

other measures. This committee has met only once and has submitted no report to the Public Relations Committee.

**GOVERNMENT'S INSTRUCTIONS TO HEADS OF  
DEPARTMENTS REGARDING RECORDING OF  
REMARKS IN CONFIDENTIAL FILES OF  
GOVERNMENT SERVANTS**

\*569. SHRI J. N. KAUSHAL: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government have issued any instructions for the guidance of heads of departments, etc., with regard to the recording of remarks in the confidential files of Government servants and the communication of adverse remarks to the persons concerned;

(b) if the answer to part (a) above be in the affirmative, what remedy has been provided to safeguard the interests of Government servants who may be victimized maliciously by recording adverse remarks in their confidential files;

(c) whether Government's instructions *inter alia* provide that adverse remarks should always be communicated to the persons concerned in order to enable him to exercise his right of representation; and

(d) what is the effect of adverse remarks which are not communicated to the persons concerned on the promotion or pension of a Government servant?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI B. N. DATAR): (a) Yes. A copy of the instructions is laid on the Table of the House.

(b) Since the confidential reports written by the reporting officers are invariably seen by two other officers *viz.* the reviewing and countersigning officers, there is hardly any possibility of malicious victimisation of any Government servant.

(c) Yes.

(d) Does not arise.

## STATEMENT

*Confidential reports—Preparation and maintenance of*

It has been observed that adequate attention is not being paid in the matter of writing, maintenance etc., of annual confidential reports on Government servants. The existing orders on the subject were issued as far back as 1940—*vide* late Home Department letter No. 141/38-Ests., dated the 5th December 1940. The question has been reviewed in the light of the experience gained and the doubts and difficulties expressed by the various authorities and as a result the following general principles laid down for the guidance of all concerned.

2. *Importance of annual confidential Reports.*—Government have accepted the principle that promotion should be based primarily on merit and the assessment of relative merit turns to a great extent upon a comparison of confidential reports. To safeguard the interests of the State no less than of the individuals concerned, it is necessary to ensure that a confidential record of every employee is regularly and conscientiously maintained.

3. *Responsibility for the maintenance of confidential reports.*—The Head of every department/office should regard it as a personal and special responsibility to ensure that annual confidential reports are properly maintained in respect of the persons working under his direct or ultimate control. It is the duty of officers at each level to keep a proper watch over the work and conduct of these below and to provide training and guidance wherever necessary. The annual confidential reports should be based upon the recorded results of such watchfulness and periodical inspections.

4. *Form and content of confidential Reports.*—The forms in which the confidential reports are recorded might well vary from Department to Department and at different levels. At the same time certain general quali-

ties such as integrity, intelligence, keenness, industry, tact, attitude to superiors and subordinates, relations with fellow-employees, work-attitudes, etc., are required in every job and should find place in every form. Besides the detailed assessment in the prescribed form, every confidential report should contain a summing-up in general terms of the employee's good and bad qualities and a definite categorisation or rating, as "outstanding", "very good", "good", "average", "poor", etc.

5. *Objectivity in confidential reports.*—In order to minimise the operation of the subjective human element and of conscious or unconscious bias, the confidential report on every employee recorded by his immediate superior should be submitted by the reporting officer to his own immediate superior. The latter should as a rule have sufficient knowledge of the work and qualities of the employee reported on, to be able to judge whether the reporting officers report is a fair and correct assessment. If he accepts it as such its objectivity is less open to doubt. If the superior officer does not fully agree with the reporting officer, he should indicate the nature and extent of such difference.

6. *Communication of adverse remarks.*—On the question whether adverse entries in confidential reports should be communicated to the employee, one view is that the "unpleasantness" likely to be caused by the communication of adverse entries would tend to discourage the reporting officers from expressing their opinion freely and frankly; the opposite view is that failure to communicate adverse entries may enable unscrupulous reporting officers seriously to injure the prospects of an employee whom they dislike and that it is unfair to the employee to deny him promotion on account of defects of which he may well be unaware, and which he could have removed had he been informed of them.

Quite apart from point of view of the employee himself, it is evidently in the interest of the State that every employee should know what his defects are and how he can remove them. Different solutions have been tried at different times to resolve this conflict. As a result of experience it is considered that the best results will only be achieved if every reporting officer is made conscious of the fact that it is his duty not only to make an objective assessment of his subordinates' work and qualities, but also to see that he gives to his subordinates at all times the necessary advice, guidance and assistance to correct their faults and deficiencies. If this part of the reporting officer's duty has been properly performed, there should be no difficulty about recording adverse entries, because they would only refer to defects which have persisted despite the reporting officer's efforts to have them corrected. Accordingly in mentioning any faults or defects in the report the reporting officer should also give an indication of what efforts he has made by way of guidance, admonition, etc., to get the defects removed and with what results. Every such entry, after it is confirmed by the superior officers should normally be communicated to the officer concerned either verbally or in writing considering the nature of the remarks and the personality and the record of the officer and the fact of such communication recorded in the report itself. It should, however, be open to the superior officer to *whom* the remarks of the reporting officer are put up for acceptance to decide that the report need not be so communicated. Where the superior officer so decides, a specific order to this effect should be recorded by him.

7. It is requested that these instructions may be brought to the notice of all concerned for strict compliance. So far as the reports on officers of the Central Secretariat Service and Central Secretariat Stenographers' Service which are maintained in the Establishment Officer's Office are con-

cerned, that office will scrutinise the annual reports to see whether they have been written in accordance with these instructions and whether adverse remarks, if any, have been communicated to the officer concerned. If there is any procedural defect in the report it will be returned to the Ministry concerned for rectifying the defect, etc. Similar action should be taken by the Establishment or Personnel Branches of the Ministries/Departments concerned in regard to the Services and Staff under their control.

#### **REORGANISATION OF THE STATE OF BOMBAY**

♦572. SHRI B. D. KHOBARAGADE: Will the Minister of HOME AFFAIRS be pleased to state

(a) whether Government have arrived at any decisions to re-organise the State of Bombay; and

(b) if so, when the decision is to be implemented?

THE MINISTER OF HOME AFFAIRS (SHRI GOVIND BALLABH PANT): (a) and (b). Government have recently received a copy of the resolution adopted by the Congress Working Committee on the subject. The matter *is* under consideration.

#### **STAFF OF THE COMMISSIONER FOR LINGUISTIC MINORITIES**

\*577. DR. R. B. GOUR: Will the Minister of HOME AFFAIRS be pleased to state:

(a) the total staff that is provided to the Commissioner for Linguistic Minorities at present;

(b) whether Government have under consideration any proposals for increasing the staff; if so, what are those proposals; and

(c) the emoluments which are paid and the amenities that are provided to them?

THE MINISTER OF HOME AFFAIRS (SHRI GOVIND BALLABH PANT): (a) and (c). A statement is laid on the Table of the House.