

PART D—REPORTS ON THE WORK OF JUDICIAL OFFICERS.

<sup>[1]</sup>[-]

1. The orders regarding the maintenance of character rolls do not apply to judicial officers, on whose work and character a report is submitted with the annual reports on “Civil and Criminal Justice”.

Reports on the work of judicial officers.

<sup>[2]</sup>2. (1) The personal files of all Subordinate Judges/Judicial Magistrates in the District shall be written by the District and Sessions Judge.

Personal files of judicial Magistrates etc., to be written by District and Session Judge.

<sup>[3]</sup>(2) District and Sessions Judges are required to forward to the High Court a report on the services and character of the work performed by every Judicial Officer working under them during the twelve months ending 31<sup>st</sup> of March.

Reporting authorities and period covered by the report.

District Magistrates are required to forward a report on the services and character of such I.A.S. and P.C.S./H.C.S (Executive Branch) Officers working under them as have been exercising magisterial powers during the 12 months ending 31<sup>st</sup> of March.

(3) It should be noted that reports are now required for the financial and not for the calendar year.

<sup>[4]</sup>3. “Reports on the Magisterial work of the officers of the Indian Administrative Service and Punjab and Haryana Civil Services (Executive Branch) must be submitted by the District Magistrate in duplicate through the District and Sessions Judge to the Registrar of the High Court. Before forwarding the reports of the District Magistrate, the

List of Officers about whom and the authority to whom reports are to be submitted.

[1] The words “The instructions contained in this Chapter do not apply to the Union Territory of Delhi” deleted vide Correction Slip No. 30 Rules/II.D.4 dated 05.06.1969.

[2] Substituted vide Correction Slip No. 30 Rules/II.D.4 dated 05.06.1969.

[3] Substituted vide Correction Slip No. 30 Rules/II.D.4 dated 05.06.1969.

[4] Substituted vide Correction Slip No. 30 Rules/II.D.4 dated 05.06.1969.

District and Sessions Judge shall record his comments or remarks, if any, in respect of each officer. The Registrar will then with the approval of the Chief Justice, forward one copy of such report to the Government concerned and retain the other copy in the High Court Record.

<sup>[1]</sup>The District and Sessions Judge shall record a report about the magisterial work of the District Magistrate/District Magistrates working in his Sessions Divisions and submit the same in duplicate to the High Court where they will be dealt with in the same manner as the reports concerning the magisterial work of the Officers of the Indian Administrative Service and Punjab and Haryana Civil Services (Executive Branch) as indicated above.

Recommendations for the grant of commendatory letters to those Judicial Officers who have done exceptionally good work should be sent to the Registrar, High Court with the annual reports on the work of the officers of the Punjab/Haryana Civil Service (Judicial Branch). Such recommendations should be made sparingly as only a limited number of letters are issued for the whole State and should be contained in separate letters and not in the body of the annual reports.

Reports on the working of all Judicial Officers originate with the District and Sessions Judge, these remarks and reports must be submitted regularly and punctually and with due attention to the instructions printed on the prescribed form. In the case of probationers, the District and Sessions Judge shall forward his comments on their working, character and conduct every six months to the High Court. Before forwarding the said reports, he must inspect their Courts and gather all possible information to Judge their suitability for confirmation.

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[1] Inserted vide Correction Slip No. 37/Rules/II.D.4 dated 28.08.1971.

4. Reports on the magisterial work of Tahsildars and Naib-Tahsildars shall be submitted by the District Magistrate to the Sessions Judges who shall forward the same with their own remarks to the Commissioners of Division. They should not be forwarded to the Registrar of the High Court.

Reports about  
Tahsildars and  
Naib-Tahsildars.

Reports on the Civil judicial work of Tahsildars and Naib-Tahsildars, who have been invested with civil powers shall be made by the District Judge in the form of a letter addressed to the Commissioner of the Division concerned enclosing therewith the opinion of the Senior Subordinate Judge or other Subordinate Judge who has had occasion to judge the work of and express opinion on the office concerned. These reports also need not be forwarded to the Registrar of the High Court.

<sup>[1]</sup>Provided that in case there is any adverse report against the Tehsildar or the Naib Tehsildar by the District Magistrate or the District and Sessions Judge with regard to his magisterial work a copy of the same should be forwarded to the High Court.

5. Whenever a District and Sessions Judge <sup>[2]</sup>[-] is transferred after spending not less than six months in a district he should invariably leave on record his opinion of the judicial work of all officers who have worked under his control for not less than six months in the year and these opinions should be used by his successor in compiling the final report.

Reporting authority to record his opinion on transfer. Report about officers who have served for less than 3 months in the districts.

If an officer has served under the reporting authority for less than three months in the case of a report on criminal work and six months in the case of a report on civil work the officer under whom he has previously served should be consulted and his opinion incorporated in the report, care being taken to indicate how far the replies to the questions

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[1] Added vide Correction Slip No. 30 Rules/II.D.4 dated 05.06.1969.

[2] The words "or a District Magistrate" are deleted vide Correction Slip No. 30 Rules/II.D.4 dated 05.06.1969.

are based on personal knowledge and how far on reports of other officers.

An officer may, if he has not done so previously, record remarks on the confidential files of officers subordinate to him within six months of his relinquishing charge of his post.

<sup>[1]</sup>A District and Sessions Judge after his retirement from service shall not be competent to record confidential remarks on the work and conduct of Judicial Officers, who worked under him. However, a District and Sessions Judge, before relinquishing the charge of his post on retirement, shall record his remarks on the work and conduct of the officers who worked under him for a period of not less than 3 months, if he has not already recorded such remarks for the reporting year in which he retires.

<sup>[2]</sup>6. Office copies of annual confidential reports on the work of Judicial Officers need not be kept by the District and Sessions Judges for more than five years. After this period the office copies should be destroyed. Great care should be taken to keep these office copies strictly confidential until the time comes to destroy them; they must be kept in the personal custody of the District and Sessions Judge and should on no account be sent at any stage to the office.

7. When the reporting authority is related to the officer to be reported on, the following instructions should be followed:-

- (a) When the reporting officer is the first reporting authority he should be competent to record his remarks, but while doing so he should clearly mention that he is related to the officer reported on and bring out the exact nature of relationship.

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[1] Added vide Correction Slip No. 71 Rules/II.D.4 dated 03.05.1983

[2]Substituted vide Correction Slip No. 30 Rules/II.D.4 dated 05.06.1969

Reports to be kept confidential and office copies destroyed after 5 years.

Procedure when reporting authority is related to the officer to be reported on.

- (b) When the reporting officer is not the original reporting authority he need not normally write any remarks. If, however, he feels that for some reasons he must enter remarks he should while doing so, act as under (a) above.

*(Punjab Government letter No. 6895-G-55/35774, dated the 16<sup>th</sup> June, 1955)*

8. The revised forms prescribed for the annual confidential reports on the magisterial and civil judicial work of officers are reproduced in the annexure to this Part.

Forms prescribed to be used.

<sup>[1]</sup>9. The column relating to integrity in these forms should be filed in with great care. Entries like 'no complaints' are not helpful in forming a true estimate of the officer reported on. The Hon'ble Judges view with disfavour the practice of making such non-committal remarks and desire that in future reporting officers should give a definite opinion on the integrity of their subordinate staff while writing their confidential reports.

Care to be exercised in recording remarks relating to integrity.

Instances have come to the notice of the Hon'ble Judges in which officers are being proceeded against for serious forms of corruption on the one hand, and, on the other hand, their confidential reports for the same period certify their integrity to be good. It is felt that contradictions of this type arise only because reporting officers are failing in their duty to make entries in the column relating to 'integrity' forthrightly and without hesitation. In case an officer has been given a good report for integrity, which is later proved to be wrong, the reporting officer will run the risk of earning Hon'ble Judges' displeasure. Ordinarily the interference would be that either he did not exercise proper supervision or he was in dishonest collusion with his subordinate. The intention of Hon'ble Judges is that the truth about subordinates should be known to reporting officers and brought to the notice of higher authorities. This would not justify the entering of ill-considered remarks based on inadequate observations.

*(Punjab Government letter No. 8588-G(C)-56/73580, 11533-GI(S)-56, dated the 4<sup>th</sup> October, 1956)*

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[1] Words "The Government" are substituted by the words "The Hon'ble Judges" vide Correction Slip No. 30 Rules/II.D.4 dated 05.06.1969.

**ANNEXURE**

Stereo F.C. No. 381-H.C.

Confidential report on the magisterial work of officers of the Indian Administrative Service, i.e., Assistant Commissioners and Deputy Commissioners, Punjab Civil Service (Executive Branch) for the year ending 31<sup>st</sup> March, 19\_\_\_\_\_.

Name of officers reported on \_\_\_\_\_

Appointment held \_\_\_\_\_

Total length of service in the I.A.S./P.C.S. \_\_\_\_\_

Name of reporting officers (1) \_\_\_\_\_  
District Magistrate.

(2) \_\_\_\_\_  
Sessions Judge.

(3) \_\_\_\_\_  
High Court.

Period spent in the \_\_\_\_\_ District/Sub-Division \_\_\_\_\_

Powers exercised {

*Instructions :-*

(1) This report is (1) Sessions Judge on April 2<sup>nd</sup> due with the \_\_\_\_\_

(2) Registrar, High Court, on April 21<sup>st</sup> \_\_\_\_\_

(3) Government, on June 1<sup>st</sup> each year.

(2) If the work on which the officer is employed is specially important or arduous, the fact should be stated.

(3) No reporting officer should record his remarks in the confidential report of an officer under him unless he has seen his work and conduct for at least three months. If the officer has served under the reporting authority for less than 3 months, the opinion of the officer under whom he has previously served should be incorporated in the report care being taken to indicate how far the opinions expressed are based on personal knowledge and how far on reports of other officers.

*(Punjab Government letter No. 9468-G-56/16804, dated the 21<sup>st</sup> April, 1956, to all District Magistrates and District and Sessions Judges, etc.)*

- (4) In writing up this report the instructions regarding communication of adverse remarks and issue of letters of appreciation contained in paragraph (D) of Punjab Government confidential letter No. 9026-G-51/1-6544, dated 4<sup>th</sup> December, 1951, to all Deputy Commissioners and District and Sessions Judges in Punjab should not be overlooked.
- (5) In order to make this report more informative instructions contained in paragraph (C) of the Punjab Government confidential letter mentioned at (4) above should be carefully observed.
- (6) The reporting officer should state the period for which the officer reported on has served under him. *(Punjab Government unofficial reference No. 4519-G-41, dated the 29<sup>th</sup> April, 1942).*
- (7) When the reporting authority is related to the officer reported on, the instructions contained in Punjab Government letter No. 6895-G-55/35774, dated the 16<sup>th</sup> June, 1955, to all Sessions Judges and District Magistrates in Punjab should be followed.

(The reports should first comment generally on the way in which the officer has carried out his various duties during the year and should give an estimate of his personality, character and abilities, making particular mention of his integrity and freedom from communal bias and his relations with his fellow officers and the general public. It should contain an opinion on any point specially required at any particular time, e.g. fitness to pass an efficiency bar).

General remarks by \_\_\_\_\_

District Magistrate \_\_\_\_\_

Sessions Judge \_\_\_\_\_

High Court \_\_\_\_\_

Reports on the following specific points should be added.	Remarks by District Magistrate	Remarks by Sessions Judge	Remarks by High Court
1. Knowledge of law and procedure.			
2. Is he methodical and prompt in disposal of cases ?			
3. Are his judgments and orders well written and clearly expressed ?			
<sup>[1]</sup> 4. (In the case of an Ilaqa/Executive Magistrate) Does he make proper use of the preventive sections of the Criminal Procedure Code ?			
5. (For District Magistrates and Sub-Divisional Officers only).  Is his supervision of the work of and control over the subordinate magistrates good ?			
6. Defects, if any.			

<sup>[2]</sup> [-]

Confidential report on the Civil judicial work of officers of the Punjab Civil Service (Judicial Branch) for the year ending 31<sup>st</sup> March, 19\_\_\_\_\_.

Name of officer reported on \_\_\_\_\_

Appointment held \_\_\_\_\_

Total length of service in the P.C.S. \_\_\_\_\_

Name of reporting officer \_\_\_\_\_

District and Sessions Judge.

Period spent in the \_\_\_\_\_ District.

Powers exercised {

<sup>[3]</sup> Previous posting if any and its period in the District

*Instructions :-*

[1] Amended vide Correction Slip No. 30 Rules/II.D.4 dated 05.06.1969

[2] Deleted vide Correction Slip No. 30 Rules/II.D.4 dated 05.06.1969

[3] Added vide Correction Slip No. 30 Rules/II.D.4 dated 05.06.1969



- (1) This report is due with the Registrar, High Court, on April 2<sup>nd</sup> each year.
- (2) If the work on which the officer is employed is specially important or arduous, the fact should be stated.
- (3) If the officer has served under the reporting authority less than six months, the officer under whom he has previously served should be consulted and his opinions incorporated in the report; care should be taken to indicate how far the replies to the questions are based on personal knowledge and how far on reports of other officers.
- (4) In writing up this report the instructions regarding communication of adverse remarks and issue of letters of appreciation contained in paragraph (D) of Punjab Government Confidential letter No. 9026-G-51/1/6544, dated 4<sup>th</sup> December 1951, to all Deputy Commissioners and District and Sessions Judges in Punjab should not be overlooked.
- (5) In order to make this report more informative instructions contained in paragraph (C) of the Punjab Government Confidential letter mentioned at (4) above may be carefully observed.
- (6) When the reporting authority is related to the officer reported on, the instructions contained in Punjab Government letter No. 6895-G-55/35774, dated the 16<sup>th</sup> June, 1955, to all Sessions Judges and District Magistrates in Punjab should be followed.

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Heads under which information is required.	Remarks by the District and Sessions Judge.	Remarks by High Court.
1. Knowledge of law and procedure.		
2. Is he industrious and prompt in the disposal of cases?		
3. Is his supervision of the distribution of business among and his control over, the Subordinate Courts good ? (For Senior Sub-Judges only)		
4. Is he an efficient Subordinate Judge?		
5. Has he maintained a reputation for honesty and impartiality during the period under report ? (Give reasons for your answer, if it is negative or doubtful)		
6. Is he fit for the exercise of any enhanced power ? If so, which ?		
7. Is he fit to cross the Efficiency Bar ? (This question need only be answered when it is expected to arise during the year following the report).		
8. Whether the officer remains present at the Head-quarter after closing hours of the office and during the vacations or not?		
9. Defects, if any.		
10. Final assessment.		

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[1] Substituted vide Correction Slip No. 83 Rules.II.D.4 dated 03.01.1989