

From

No. 10250-ASI-65/40176

Sirdar Gyan Singh Kahlon, I.C.S.
Chief Secretary to Government, Punjab.

To

All Heads of Departments, Commissioners of Divisions, Deputy Commissioners, District and Sessions Judges, Sub-Divisional Officers (Civil) in the Punjab and the Registrar, High Court, Punjab.

Dated Chandigarh, the 15th December, 1965.

Subject :—Confidential reports time-limit for making representations against adverse remarks.

Sir,

I am directed to invite a reference to paragraph 12 of the Punjab Government Instructions contained in circular letter No. 2334-ASI-60/15708, dated the 3rd May, 1960 as amended,—*vide* Punjab Govt. letter No. 5515-ASI-61/25297, dated the 11th July, 1961 which reads as follows :—

“Time limit for filing representation against the adverse remarks and the authorities to whom the representations are to be addressed.

(I) As stated above, Government do not encourage representations against adverse remarks. But if a representation is made, it should not be entertained unless it is received within three months from the date of the letter communicating adverse remarks to the officer/official concerned. Government wish to make it clear that this time-limit should be followed rigidly and that time-barred representations should be rejected. It is dangerous to allow officers to go on putting up representations whenever they think the situation is favourable to them and *post facto* attempts to clean up personal files must be resisted.

(II) The representation against adverse remarks may be addressed direct to the authority conveying the adverse remarks.”

As is clear from the above-mentioned instructions, this time-limit of three months for making representations against adverse remarks is required to be followed strictly. Accordingly, if an officer wants to represent against adverse remarks, he must do so within this prescribed time-limit and time-barred representations should be rejected straightaway.

2. Instances have, however, come to the notice of Government where certain officers, who wanted to represent against adverse remarks, could not do so because they were unable to lay hands on the relevant record in order to prepare their representations. The matter had been considered by Government and it has been felt that in such cases the officer/official concerned should promptly intimate to the authority conveying the adverse remarks that he would be making a detailed representation after examining the relevant record. As far as possible, the detailed representation should also be sent within the prescribed time-limit of three months; but where this is not practicable owing to the circumstances beyond an officer's control and the authority dealing with the representation is satisfied about it, the representation may be entertained and dealt with as if it had been received within the prescribed time limit of three months.

3. I am to request that these instructions may be brought to the notice of all concerned for information and compliance.

Yours faithfully,
P.H. VAISHNAV

Deputy Secretary, Administration and Political
for Chief Secretary to Government, Punjab