

4<sup>th</sup> July 2022

**From:**  
**Indira Singh**  
**Additional District Judge**  
**Court no. 3**  
**Deoria**

**To**  
**The Administrative Judge- Deoria (2021-22)**  
**Hon'ble High Court of Judicature at Allahabad**  
**Allahabad**

Through- District Judge, Deoria

**Sub: Prayer for upgrading of ACR entry.**

Hon'ble Lordship

It is very distressing that I am caught in a predicament where a subordinate has to comment and challenge the remarks of a superior, but it is vital and a demand of necessity for future career prospects.

While going through the remarks I discovered that in point 01(e)(iii) Disposal of **Old Cases** (Give number and year of old cases decided) he has made the remark as mere "01 CASES", whereas I have decided 16 of "More than 5 year old cases" and 6 of "More than 10 year old cases". The details of these criminal and civil cases were annexed in proforma 7-8A.

Similarly in point 01(e)(iv) regarding progress and disposal of **Execution Cases**. It is mentioned NIL DECIDED, whereas I have decided 5 executions in full satisfaction and have furnished the details.

It seems that by oversight he has presumed that I have not given adequate attention to these Aspects and has formed an opinion influencing his decision to Grade me as mere GOOD.

The undersigned most humbly wishes to bring to you kind notice that in the year 2021-22 the work done by the undersigned was 1943.25, which is substantially more than the prescribed quota in spite of the *court not being fully functional due to COVID19 pandemic and only urgent matters such as bail/ remand were taken up and since I was not holding the parent court/Spl Court there were no disposal on account of miscellaneous or Bail and later on as per the guidelines of Hon'ble High Court cases could not get matured due to non recording of evidences and hearing of cases were selective.*

The above facts were known to everyone including the then District Judge sir. Despite the extraordinary situation arisen due to pandemic, I still managed to achieve more than the prescribed quota, but the then District Judge Sri Ravi Nath while assessing my work has not taken into considerations all these facts, and given me a mere "Good".

In **Sukhdev Singh Vs Union of India and Others Civil appeal no 5892/06** the Hon'ble Supreme Court has opined " *In our opinion, the view taken in Dev Dutt that every entry in ACR of a public servant 'must be communicated to him/her within a reasonable period is legally sound and helps in achieving threefold objectives. First, the communication of every entry in the ACR to a public servant helps him/her to work harder and achieve more that helps him in improving his work and give better results. Second and equally important, on being made aware of the entry in the ACR, the public servant may feel dissatisfied with the same. Communication of the entry enables him/her to make representation for upgradation of the remarks entered in the ACR. Third, communication of every entry in the ACR brings transparency in recording the remarks relating to a public servant and the system becomes more conforming to the principles of natural justice.*"

In *Sukhdev Singh Vs Union of India and Others* Civil appeal no 5892/06 the Hon'ble Supreme Court has opined " In our opinion, the view taken in *Dev Dutt* that every entry in ACR of a public servant 'must be communicated to him/her within a reasonable period is legally sound and helps in achieving threefold objectives. First, the communication of every entry in the ACR to a public servant helps him/her to work harder and achieve more that helps him in improving his work and give better results. Second and equally important, on being made aware of the entry in the ACR, the public servant may feel dissatisfied with the same. Communication of the entry enables him/her to make representation for upgradation of the remarks entered in the ACR. Third, communication of every entry in the ACR brings transparency in recording the remarks relating to a public servant and the system becomes more conforming to the principles of natural justice."

As per the above citation, regarding communication of the entry, the ACR was visible to me on the e services portal but regarding transparency, It is pertinent to mention that I was never issued any D.O. by the then District Judge , for my behavior, conduct or Judicial work. Neither did he indicate otherwise also, as to where and on what criteria outside the prescribed parameters set in the format, I was falling short.

Even when there is no bench mark the entry of being good may adversely affect the chances of promotion or getting some other benefit, because when comparative merit is being considered for promotion or some other benefit a person having a GOOD or average or fair entry certainly has less chances of being selected than a person having a VERY GOOD or OUTSTANDING entry when the adverse remark or less than best appreciation will affect the career of the employee, the natural justice demands the discloser and review mechanism.

After viewing the ACR and comparing it with other officer's Grades, I fail to understand as to how few of the judges got better Entry than me. No justification, reason/remark for **this** discrimination was mentioned in the ACR. This kind of discrimination brings down the moral of the officers and creates a unhealthy and unproductive environment.

It is also significantly detrimental to my future career prospects.

I most humbly pray that considering the above grounds and keeping in view my future career prospects, my ACR may please be upgraded.

The undersigned once again humbly prays that the grounds and circumstances enumerated above for upgrading the entry may please be considered sympathetically and objectively.

The undersigned would be highly obliged.

With Regards, Thanking You

Yours Sincerely

(Indira Singh)  
Additional District Judge  
Court no 3  
Deoria