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CONFIRMATION BIAS AND DEPARTMENTAL ENQUIRIES: AN IDEATIONAL PERSPECTIVE

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Abstract:

Principles of natural justice demand that there be no bias of either kind—positive or negative—while ascertaining or assessing allegations against anyone. However, psychologists theorise that humans have a tendency to form opinions regarding many issues and persons depending on multiple psycho-social factors and thereafter, intuitively seek inputs to validate their pre-formed hypotheses. This is how confirmatory reasoning works in the human mind partly unconsciously and partly consciously, which psychologists have sought to establish down the ages. However, this militates against the concept of neutrality and objectivity that are supposed to form the bedrock of justice delivery mechanism in a democratic set-up. The problem assumes critical proportions when it comes to the complex jurisprudence of departmental enquiries where stakeholders like disciplinary authority, inquiry authority, presenting officer and the charged official are all part of the same organisation and thus, run the risk of being subject to some bias or other because of their shared work-environment. Towards the end, the essay also attempts to proffer a tentative solution as to how to get departmental enquiries in government organisations conducted in a relatively un-biased manner.

Key words: Confirmation, Bias, Departmental, Enquiries.

Part-1

1.1 Introduction: Rules and regulations and laws and bye-laws backed by constitutional mandate in India are put in place to ensure neutrality and objectivity in public administration

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that is expected to be free from personal biases and prejudices. Bureaucracy is expected to pay allegiance to the rules—and *not to the makers thereof at a personal level*—which are there essentially to uphold the lofty ideals of our Constitution where the last word is said by what has been captured, nay enshrined in its opening words: “*We the people...*” This quintessential power of “*we, the people*” is recognised by the Chapter XIV of the Constitution, among others, which effectively seeks to protect the government employees from any potential arbitrariness of their supervisors. The power of a State as an employer is more circumscribed than that of a private employer in as much as it is subject to constitutional limitations and thus, cannot be exercised arbitrarily. Ideally, there shouldn’t be any scope for *bias* or *prejudice* and thus, someone appointed in connection with the affairs of the Union or of a State may not be in a position to explicitly reveal his bias or prejudice in an official matter without jeopardising his own position in the organisation.

1.2. Organisations and Scope for Bias: But then does it mean that government administration is entirely free from bias or for that matter, individual fixations have no role in the way a public mechanism runs? None can deny that life itself cannot be free from biases. Behind the grand body of rules and regulations to ensure a super structure of objectivity, behind the great architecture of transparency and neutrality, behind an apparently enduring façade of constitutionality, lurks often the critical element of bias and subjectivity. And once bias has its way, it ends up feeding itself, resulting in what psychologists all over love to describe as “*confirmation bias*”.

Confirmation bias remains palpable in all critical areas of governance. However, let me in this paper restrict myself only to one single area—departmental enquiries against government employees—where *confirmation bias* can have a significant presence.

Part-2

2.1. What is Confirmation Bias? Before we proceed any further, let us first try to appreciate what *confirmation bias* is. The term as such may have had a relatively recent origin and begun to gain acceptance in the 1960’s but the underlying concept was propounded as early as in the 17th century when Francis Bacon wrote: “*The human understanding when it has once adopted an opinion (...) draws all things else to support and agree with it. And though there be a greater number and weight of instances to be found on the other side, yet these it either neglects and despises, or else by some distinction sets aside and rejects; in order that*

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by this great and pernicious predetermination the authority of its former conclusions may remain inviolate (...)"(Bacon, 1878)

Thus, man's inclination to form opinionated hypotheses and orient himself towards holding fast on to them, even in the face of conflicting findings, has been a psychological reality over time immemorial. It was the British psychologist **Peter Wason** who coined the term **confirmation bias** in 1960 to describe *the tendency of people to favour information that confirms or strengthens their beliefs or values*. The research area expanded rather rapidly between 1968 and 1980, primarily as a result of **Herbert Simon's** research on so-called *bounded rationality*, which **Simon** had initiated already in the 1950's and for which he was awarded the Nobel Prize in 1978. **Tversky** and **Daniel Kahneman** in the 1970s based their research on the findings of **Herbert Simon** and broke a new ground in their path-breaking research on heuristics and biases that eventually won them the Nobel in Economic science in 2003. Their research claimed that *people are often cognitively deficient or disinclined to engage in the often complex information processes that are implied by normative models of decision making and that because of constraints of time, knowledge and computational resources, people instead have to rely on simpler judgmental or decisional heuristics*. (**Amos Tversky, 1973**) It's rather easy to apply these heuristics and they facilitate and cause to happen significantly unfailing results; but **Kahneman** and **Tversky** also claimed that these heuristics-driven decisions come at a price, which can be evident in some cases through certain systematic and serious judgment fallacies or biases one of which was proposed to be the *confirmation bias*. Thus, research done by **Tversky** and **Kahneman** as well as **Simon's** research garnered a wide attention from the academia to the more general subject of bias in decision making though it did not exactly address *confirmation bias* in any great detail.

The more specific and the most commonly accepted definition of confirmation bias was provided by **Raymond Nickerson** in 1998: *"the seeking or interpreting of evidence in ways that are partial to existing beliefs, expectations, or a hypothesis in hand."* (**Nickerson, 1998**). At the same time, contrary information is either discounted if not outright ignored or interpreted in ways that do not challenge the predetermination.

The notion that people are given to dealing with evidence in terms of their own biases if they are in a position to take a personal interest in the issues under consideration has been an old

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favourite with psychologists also: *“If we have nothing personally at stake in a dispute between people who are strangers to us, we are remarkably intelligent about weighing the evidence and in reaching a rational conclusion. We can be convinced in favour of either of the fighting parties on the basis of good evidence. But let the fight be our own, or let our own friends, relatives, fraternity brothers, be parties to the fight, and we lose our ability to see any other side of the issue than our own. . . . The more urgent the impulse, or the closer it comes to the maintenance of our own selves, the more difficult it becomes to be rational and intelligent.”*(Thurstone, 1924)

People in general are desirous of obtaining information, which they expect to put to good use for their own favoured hypotheses or their pet beliefs. They are also eager to interpret their own findings in such a way so that the exercise eventually goes to uphold their hypotheses or beliefs. And more importantly, they tend not to seek—if not to completely avoid—information that would carry the potential of running counter to those predetermined hypotheses or beliefs and siding with alternative possibilities (Koriat A, 1980).

2.2. Conscious--Subconscious Divide: Nickerson while elaborating his thesis on confirmation bias referred to the distinction between conscious (deliberate) case building and subconscious (spontaneous) case building and chose to present a court-room analogy with reference to the roles of different legal actors. (Nickerson, 1998) Nickerson says, what a defence lawyer does in front of a judge as he becomes deliberately involved to project his client as an innocent person can be regarded as an example of conscious and deliberate case building. He protects his client's interests and presents only those bits of evidence and rises to discount or downplay whatever conflicting is presented by his adversary. This lopsided presentation of a perspective is most certainly a conscious endeavour for the defence lawyer since he is expected to reason subjectively in order to do justice to his objective, i.e. to give relief to his client regardless of the actual amount of the latter's complicity. The same case building process however can also happen subconsciously. Thus, *confirmation bias* connotes a rather implicit one-sided process, a kind of compulsive, natural selectivity in the acquisition and use of information in order to adjust these so that they conform to a preferred hypothesis (Nickerson, 1998). The subconscious nature of *confirmation bias* implies that decision makers like police officers, prosecutors and judges for example, who are expected to be objective and who might even perceive of themselves as objective, may in fact have a

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confirmation bias and as a consequence, they become compulsive upholders of certain hypotheses like that the *suspect is guilty or s/he is not*. This renders the process of investigation rather problematic.(Liden, 2018)ⁱ

However, as **Nickerson** points out, the line between conscious and subconscious case building processes is difficult to draw in practice(Nickerson, 1998) This view is complemented with research relating to the question of whether it is possible to distinguish between conscious and subconscious decision processes, on more than a conceptual level.

2.3. Conscious and Subconscious Decision Making Processes: Psychologists majorly agree that human brain is capable of distinguishing between conscious cognition and subconscious cognitionⁱⁱ.(Kalat, 2017). Whether one can however distinguish conscious and subconscious *decision processes* from one another is not that well researched; nonetheless it does have some relevant theoretical as well as empirical basis for assessment.

The empirical foundation for the explanation proffered about *confirmation bias* incidentally is not that sufficient for drawing safe conclusions. A partial support flows from some neuroscientific studies according to which there are two neurologically distinct systems for conscious and subconscious processes(Liberman, 2003). The theory talks about two so-called cognitive processes, namely System 1 and System 2. These System 1 and System 2 processes provide a framework in cognitive and social psychological research which propounds the idea that conscious and subconscious decision processes can be distinguished, although not completely separated (Evans, 2008). System 1 refers to fast, implicit, automatic and subconscious cognitive processes that are independent of an individual's working memory and intelligence and, according to some researchers, a system that humans have in common with other primates (Evans, 2008). This is different from System 2 which involves slow, explicit and conscious cognitive processes which are restricted by the individual's working memory capacity and intelligence (Evans, 2008). System 2 is also associated with intellectual thinking about the future or alternative explanations, for example (Evans, 2008) Thus, while System 1 generates an intuitive partial judgment, that judgment gains support from the analytical System 2 which generates arguments for the judgment. However, the individual is not necessarily aware that the arguments have this purpose but instead experiences that he is reasoning back and forth on an issue and then ultimately ends up with a conclusion which, in fact, he had already reached. This suggests that both subconscious and

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conscious processes mutually support confirmatory reasoning, although most of the processing is subconscious.

Yet, dual process theories also suggest that it can work the other way round, since it is believed that partial System 1 judgments can be thwarted and replaced by a deliberative reflective assessment, if the individual consciously makes an effort to produce counterarguments. Thus whether and to what extent a decision maker finally displays a *confirmation bias* seems to be dependent on the closer interaction between subconscious (intuitive judgments) and conscious decision making processes (explicit reasoning supporting or disconfirming the intuitive judgment).

So far, the distinction between Systems 1 and 2, as well as the related dual process theories and neuro-scientific studies may seem to indicate that the respective roles of conscious and subconscious reasoning processes in confirmation bias are relatively easy to separate, at least on an ideational plane. However, some would argue that Systems 1 and 2 should be read far beyond in terms of subconscious and conscious processes and actually better conceptualized as systems that capture different ways of thinking which may be an amalgamation of both conscious and subconscious.

When applying this perspective on confirmation bias, it implies that even if both conscious and subconscious elements can be at play in the reasoning patterns referred to as *confirmation bias*, humans are ordinarily far from aware that their search for, evaluation, interpretation etc. of information takes on a confirmatory pattern(Fiedler Klaus, 2010). In other words, the consequences of reasoning in certain ways are not necessarily clear to decision makers.

2.4. The Subconscious vis-à-vis the Conscious: The common denominator that seemingly binds these nuggets of research is that decision makers are not necessarily aware of why they reason in certain ways or what the consequences of their reasoning are, even if the reasoning process in itself is conscious. In essence, this would imply that intuitive judgments can hijack the analytical deliberative reasoning process, without the decision maker being even aware of it. According to Evans, this points to an illusion in humans that they have much more control over their own behaviour than what they actually do.(Evans, 2008) As such, decision makers with argumentative skills, like many legal actors, will often be able to provide proper and acceptable reasons for their conclusions and at the same time be unaware of why the reasoning took on a certain direction and/or what the consequences of the reasoning are. Yet,

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according to **Kahneman and Frederick**, a quick intuitive judgment that is biased may be corrected through the slower deliberated assessment that follows, if the individual's working memory capacity allows it (**Kahneman, 2005**). Although individual differences in susceptibility to confirmation bias have been observed, the more specific reasons for the differences are still unclear. (**Rassin, 2008**). In fact, it seems that individuals in general are poor in detecting confirmation bias in themselves, whereas their ability to detect it in others is better (**Pronin, 2004**). Thus, the existing research does not contradict **Nickerson's** idea that *confirmation bias* is a largely subconscious process but neither is there a sufficient empirical basis for explaining exactly how subconscious and conscious processes interact to form a confirmation bias.

Even if subconscious and conscious decision making processes could be distinguished with perfect accuracy in empirical studies, deciding when legal actors' confirmatory reasoning is subconscious or conscious (or somewhere in between) would still be very difficult. It could be argued that legal actors who are expected to reason objectively do not consciously deviate from those standards. Although such deliberate one-sidedness probably occurs, it seems reasonable to assume that most legal actors want to live up to professional standards. Thus, if they realized that their reasoning was biased, they would act differently. Such an assumption clearly gives legal actors the benefit of doubt but is not necessarily correct. Since what falls within or outside of legal actors' consciousness, or to what degree, is rarely conveyed to an outside observer, it is only possible to speculate the circumstances in the case, which is usually quite problematic.ⁱⁱⁱ

For example, in case a preliminary enquiry officer while doing an enquiry in regard to a corruption-related complaint against someone working in a regulatory organisation under Finance department, interrogates ten odd tax payers on their interaction vis-à-vis the official complained against and three out of ten say that they had never been affected by nothing like the act complained of, it would be interesting to see how the officer prepares his preliminary enquiry report. Would he choose to omit any reference to his interactions with these 03 tax payers and justify such omission with the stated reason that he omitted because those interactions did not lead to any guilt-consistent information? That way, his confirmatory reasoning may be seen as a subconscious process. But he could also choose to omit it since he would not seek to undermine the hypothesis that the *complainee* was guilty.

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There is thus no sound methodology that allows safe conclusions regarding this question, when the behaviour is studied in retrospect. Thus, observations of police enquires or departmental enquiries or legal case analysis, although relevant for exemplifying possible real life manifestations of confirmation bias, have definitive methodological limitations^{iv}

Part-3

3.1. Departmental enquiries in government organizations: Rules and practices

Human resource remains the most valuable resource for any organization and it remains an earnest objective of the employer to obtain the very best out of an employee. Similarly, an organization does also bother about the potential harm that an ill-meaning employee can inflict on it and thus, ensures that a proper corrective mechanism is in place to deal with any such disruption. It is essential that every organisation, whether government or semi-government or private, should have a well-established reward and punishment system to boot in order to ensure that the people are made to work towards the fulfilment of the organisational goals. While the reward system is expected to encourage the employees to work better towards the achievement of organisational goals, the penal system is used to prevent people from working against the organisational goals.

All government organizations thus have a very specific corps of rules as to how to control the behaviour of employees^v. And State being the ideal employer does also ensure that there be a palpable element of natural justice in such an exercise of governmental power. The *Handbook for Inquiry Officers and Disciplinary Authorities* brought out by the Department of Personnel & Training under Government of India in 2013 elaborates the two fundamental principles of natural justice with the one being ***Nemo debet esse iudex in propria causa*** meaning *no man should be a judge in his own case* while the other one remains ***Audi alteram partem*** meaning *none can go punished without being heard*. And subsequently the DOPT handbook elaborates the first principle of natural justice as *Rule of Bias* and lists out three kinds of bias, namely personal bias, pecuniary bias and bias of subject matter^{vi}.

The procedure adopted for such inquiries remains more or less the same across government organizations. To be very brief, some serious irregularity on the part of someone is somehow detected or someone complains against someone for something that goes against the *don'ts* of the organization; a preliminary inquiry gets to be conducted; subject to a prima-facie case

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being made out, a formal inquiry is launched and carried out in accordance with explicit provisions of rules in this regard. Following the completion of formal inquiry, findings are shared with the disciplinary authority who finally decides in accordance with the nature of findings, whether to just drop the case or to exonerate the charged employee or to impose any penalty and if to be imposed, to what extent. Everything is required to be spelt out in a *speaking order*. Incidentally, this requirement of a speaking order too is a necessary ingredient of *natural justice*.^{vii}

3.2.Can there be any confirmation bias?

But the critical conundrum remains as to whether all this cardinal compliance of natural justice principles can still do away with the scope for *confirmation bias* in departmental proceedings.

It is the disciplinary authority who formally decides as to who may be the inquiring authority and who the presenting officer in a departmental enquiry. The disciplinary authority is of course aided by other officials below him who initiate the action of suggesting the names of inquiry authority and presenting officer. The disciplinary authority is often actively guided by other officials in the organization as to who may be appointed as inquiry authority or presenting officer. A presenting officer is supposed to play the role analogous to that of a prosecutor in a criminal proceeding and required to present the case before the inquiry authority with a view to substantiating the articles of charge (DoPT, 2013). The inquiry authority too is supposed to play the role analogous to that of a Judge without the latter's power of awarding penalty. The inquiry authority is, as the nomenclature suggests, essentially required to dig deep into the charges and weigh the evidences and counter-evidences presented during the proceedings. A random non-judicial person not specially trained in or exposed to this domain is highly unlikely to do justice to the inquiry process. Empirical evidence suggests that an extremely small number of people within an organization are usually found OK to do justice to these roles. Thus, an organizational decision as to who would present the case and who would be the IA can be knowingly or unknowingly charged with bias *ab initio*.

And in the event of there being such *bias* right from the beginning against a charged official, it may be palpable in the way proceedings are undertaken. It may be evident in multiple ways.

For example, the communications made to the charged officials may contain words

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conveying emotion. In certain cases, the inquiry authority apparently exhibits a tearing hurry in asking for an explanation and under certain circumstances, refuses to allow any reasonable extension of time limit. This may result in denial of adequate opportunity of being heard. IAs in many cases are seen to have not taken any steps for apprising the charged official about the adversarial depositions recorded against him, resulting once again in non-compliance of *audialterampartem*. In many cases, the disciplinary authorities are seen to have awarded penalty without letting the charged official know that the former intends to award penalty of a certain category and seeks to know from the latter as to what he thinks about it and why. Any of these steps being taken constitutes a clear deviation from procedural and substantive safeguards vis-à-vis compliance of principles of natural justice and renders the process liable for a charge of adverse bias being shown against the charged official (**Vadackumchery, 1997**).

But then the moot question arises as to why the inquiry authority or the disciplinary authority may ordinarily do any of such things as might expose them to the allegation of bias *against* the charged official. If one chooses to rely on **Nickerson**, the authorities in all such cases are driven by a *confirmation bias* in their minds as they relentlessly seek to confirm what may be already there in their minds.

Confirmation bias may also work in favour of the charged officials. It may very well happen that the authority believes certain acts are not exactly acts of *misconduct* and thus, he may not spare much attention for complaints that may occur in regard to any such reported acts. A strategic authority may however in such cases create an appearance that he is a stickler for propriety in organizational matters and thus not against initiation of action in regard to such complaints whereas in reality take steps so that the proceedings eventually turn out to be a damp squib. It may so happen that IAs and presenting officers may be appointed from amongst persons who may not be active enough to garner relevant evidence in an adequate measure on both sides before coming to a well-rounded conclusion.

Inquiry authorities and presenting officers are ordinarily appointed from amongst the people in the same organization where the charged official belongs and academic research bears out that all people may not be that eager to see the substantiation of the articles of charge against some of their own colleagues and there may be umpteen reasons why the employees may think likewise (**Michael Knoll, 2013**). Thus, it may very well be the case at times that the

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disciplinary authority is serious about the issues alleged while the inquiry authority may not be that committed to fix anyone. And this element of being non-committal on the part of the Inquiry Authority can be evident in the way he looks for evidence and in the way he assesses the available evidence^{viii}. Scholarly literature suggests that even in the domain of hard-core judicial pronouncements, judges are not always free from their own ideological or sociological biases that often lurk deep in their mind and there is a rich body of research literature on this (Gregory Sisk, 1998)(Lee Epstein, 2012)(Posner, 2008). When career judges cannot unflinchingly rise above their own personal biases despite the amount of professional training and orientation they go through compulsorily and routinely, it may be really a tall claim to expect that executive officers discharging quasi-judicial functions shall be completely otherwise.

3.3.Can there be any way out?

- (i) Vigilance Commissions may be better equipped with more and more competent people being there on deputation and such Commissions may be exclusively entrusted with such departmental enquiries. Inquiry authorities and Presenting Officers may be appointed from amongst those people without any shared past with the organization where the charged employees may belong. Ideally, both IAs and POs may be completely delinked from the organization in question. In case it be difficult, at least the IA may be from outside of the organization. A professional protocol may also be encouraged so that a Vigilance Commission official recuses himself from an assignment in case he can reasonably justify such recusal citing potential conflict of interest on account of personal connections, etc.

A well-rounded inquiry report based on evidences and supported by written note of argument presented by the PO makes the job fairly easy for a DA who has the final authority to agree or disagree to the findings of the IA. However, it's not all too easy even for a DA to completely ignore or treat extremely lightly the well-documented findings by an IA without rendering himself assailable for conduct unbecoming of a public servant^{ix}.

- (ii) Government officials across the spectrum are ordinarily not oriented towards observing in their work life what are typically regarded as judicial norms and

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principles. This is more so when it comes to discharging the role of quasi-judicial authorities by executive functionaries. The traditional top-down command structure that sustains the hierarchical chain in bureaucracy steeped in colonial ethos does not, by default, go too well with the conceptual realm of *principles of natural justice*. In his extensive work on departmental enquiries, James shows painstakingly the extent of mindlessness or arbitrariness exhibited by government officials carrying out the role of disciplinary authorities or inquiry authorities (Vadackumchery, 1997).

Government organisations should raise a dedicated team of officials duly trained in the art of carrying out quasi-judicial functions.

4. Conclusion: That confirmatory reasoning stems from some kind of a bias—subconscious or conscious—has been sought to be presented on a theoretical plane in this paper with a special reference to the way departmental enquiries are conducted in government organisations in India. The theoretical perspective has been sought to be even further bolstered by the research literature on the role of biases in judicial decision making. However, the scope for in-depth research on the role of such confirmation bias has not been exhausted yet with reference to empirical studies because of paucity of time and thus, one has a good scope to re-test this theoretical framework by way of a limited empirical study.

ⁱ**Moa Liden** in his exhaustive doctoral thesis on *Confirmation Bias in Criminal Cases* in the context of Sweden extensively deals with these issues.

ⁱⁱ**Kalat** proposes that consciousness depends on the amount of brain activity and becoming conscious of something means that its information has “taken over brain activity”.

ⁱⁱⁱ**Moa** explains in his doctoral thesis on confirmation bias how it is a conundrum to hold that confirmatory reasoning in a human actor is largely subconscious that actually shapes his conscious deliberative reasoning and at the same time claim that a legal actor has not abdicated his professional responsibility to remain objective. (Liden, 2018)

^{iv} However, often from a legal point of view, an analysis of whether a behaviour is conscious or subconscious is not relevant at all, since the question is not necessarily what an individual thinks or does not think, but rather what the individual is supposed to do in terms of law.

^vAll government organizations have more or less the same set of rules and procedure in regard to the employees’ service conditions, their duties, rights and obligations. However, it is the Government of India that has the biggest volume of office memorandums and references to relevant case laws. In absence of anything specific to the contrary, these Govt. of India documents can be applied in principle even in regard to State Govt. employees.

^{vi}**Personal bias** may occur when one may be personally interested in the outcome of the case. If one is required to act as the complainant as well as the decision making authority, the outcome is likely to be biased **Pecuniary bias** may occur when a person with a monetary interest in an issue deals with the case. If one is a share-holder in a company, it would be improper for him/her to decide whether a contract should be given to that company or some other company. Thirdly, **bias of subject matter** may arise when one with certain strong notions/ views about certain subjects might not be suitable for deciding issues relating to that subject. For example, one having

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strong male chauvinistic views, may not be suitable for dealing with issues relating to harassment of women employees.

^{vii} In the case of *Woolcombers of India Ltd. v. Woolcombers Workers' Union* AIR 1973 SC 2758, the Supreme Court held as under: "...The giving of reasons in support of their conclusions by the judicial and quasi-judicial authorities when exercising initial jurisdiction is essential for various reasons. First, it is calculated to prevent unconscious unfairness or arbitrariness in reaching the conclusions. The very search for reasons will put the authority on the alert and minimise the chances of unconscious infiltration of personal bias or unfairness in the conclusion. The authority will adduce reasons which will be regarded as fair and legitimate by a reasonable man and will discard irrelevant or extraneous considerations. Second, it is a well-known principle that justice should not only be done but should also appear to be done. Unreasoned conclusions may be just but may not appear to be just to those who read them. Reasoned conclusions, on the other hand, will also have the appearance of justice..."

^{viii} This becomes all the more evident when the disciplinary authority in a Govt. organisation is originally from outside the organisation, i.e. a member of an All-India Service or a Central Service while the inquiry authority is from within the organisation. The latter is often seen to be relatively saddled with his *associational* bias in favour of the charged official while the former is not that impacted.

^{ix} *The Central Administrative Tribunal, Madras* held that a Disciplinary Authority can be even proceeded against for an act of misconduct constituted in the awarding of a very lenient penalty following substantiation of a serious charge. (*Ref. S. Venkatesan vs. Union of India. 1999 (2) SLJ CAT MAD 492*). In *Dwarakachand vs. State of Rajasthan. AIR 1958 RAJ 38*, it was held that the DA could be proceeded against for an inquiry being conducted in a slipshod or dishonest manner and in an extreme case, could be even dismissed.

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