

No.21011/10/2016-Estt.(A-II)  
Government of India  
Ministry of Personnel, P. G. and Pensions  
Department of Personnel & Training

North Block, New Delhi-110001

Dated: 20<sup>th</sup> June, 2016

Office Memorandum

**Subject: Information/data indicating administrative implications involved in giving retrospective effect of the OM dated 13.04.2010 of DoP&T on disclosure of reckonable below benchmark ACRs prior to 2008-09-regarding.**

The undersigned is directed to say that while giving his opinion dated 04.04.2016 in case of Shri V. K. Vashisth of Cabinet Secretariat, the Ld. SG Shri Ranjit Kumar has advised to file an application for clarification in Sukhdev Singh's judgment dated 23.04.2013 (Civil Appeal No. 5892/2006, Supreme Court of India) before the Hon'ble Supreme Court of India on whether the circular [OM No. 21011/1/2010-Estt. (A) dated 13.04.2010 of DoP&T] and the judgment would be treated as prospective and not retrospective qua communication of the Annual Confidential Report of every kind. In this regard, the Cabinet Secretariat has sought information with all facts and figures in numbers including the likely chaos in the number of cases due to retrospective effect of the above said OM and judgment.

2. In view of above all administrative authorities are requested to give details of cases, if any arose or likely to be arisen in their Ministry/Department/Office and their consequent implications like requirement of conducting Review DPCs, revisiting of seniorities, re-fixation of pay, revisions of pension etc. In this regard, number of representations and CATs/Courts cases, if any filed by the officials/officers (including retired officials/officers) may also be intimated to this Department.

3. This may be treated as "URGENT".

  
(Mukesh Kumar)

Under Secretary to the Govt. of India  
Ph. 23092112

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