

No. 21011/1/2005-Estt.A(Pt.II)
Government of India
Ministry of Personnel, Public Grievances & Pensions
(Department of Personnel & Training)

North Block, New Delhi
Dated the 19th May, 2011

OFFICE MEMORANDUM


Subject: Maintenance and preparation of Annual Performance Appraisal Reports-communication of all entries for fairness and transparency in public administration.

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The undersigned is directed to draw attention of the Ministries/Departments to this Department's OM No.21011/1/2005-Estt.(A)(Pt.II) dated 14.5.2009 by which the system of communicating the entries in the APAR from the reporting period 2008-09 onwards for representation if any was introduced. The Competent Authority to consider the representation shall decide the matter objectively based on the material placed before him within a period of 30 days from the date of the receipt of the representation. The Competent Authority after due consideration may reject the representation or may accept or modify the APAR accordingly. In this Department's OM of even number dated 13.4.2010, it was further decided that if an employee is to be considered for promotion in a future DPC and his ACRs prior to the period 2008-09 which would be reckonable for assessment of his fitness in such future DPCs contain final grading which are below the benchmark for his next promotion, before such ACRs are placed before the DPC, the concerned employee will be given a copy of the relevant ACR for his representation, if any, within 15 days of such communication. It may be noted that only below benchmark ACR for the period relevant to promotion need be sent. This OM dated 13.4.2010 specifically provided that in case of upgradation of the final grading given in the APAR, specific reasons therefor may also be given in the order of the Competent Authority. Since the provisions of the above OM dated 13.4.2010 are applicable only for future DPCs where the recommendations will be implemented prospectively from the date of assuming charge of the higher appointment, the provisions will not be applicable to retired officers.

2. The UPSC has brought to the notice of this Department that in the DPCs being held under the aegis of the Commission, orders of the Competent Authority do not contain specific reasons for such upgradation in a number of cases. Such orders cannot be termed as disposed off in a quasi-judicial manner as laid down in the aforesaid OM dated 13.4.2010. Grading an officer below the bench mark by the DPC in such cases on the ground of upgradation being without giving sufficient reasons is prone to avoidable representations.

3. In order that the DPC proceedings are held on schedule and without any necessity to over look the decisions given by the Competent Authority while upgrading the grading in the APAR without specific reasons and justifications, all Ministries/Departments are requested to kindly bring to the notice of the Competent Authority while forwarding the representation against remarks in the APAR that the authority may decide on the representation in an objective manner within 30 days of receipt of the representation and give specific reasons in case of upgradation of the final grading given in the APAR as per provisions contained in this Department's aforesaid OM dated 13.4.2010.


(C.A. Subramanian)
Director

To

All Ministries/Departments of Government of India.