

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

North Block, New Delhi, 14th May, 2009

OFFICE MEMORANDUM

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

The undersigned is directed to invite the attention of the Ministries/Departments to the existing provisions in regard to preparation and maintenance of Annual Confidential Reports which inter-alia provide that only adverse remarks should be communicated to the officer reported upon for representation, if any. The Supreme Court has held in their judgement dated 12.5.2008 in the case of Dev Dutt vs Union of India (Civil Appeal No.7631 of 2002) that the object of writing the confidential report and making entries is to give an opportunity to the public servant to improve the performance. The 2nd Administrative Reforms Commission in their 10th Report has also recommended that the performance appraisal system for all services be made more consultative and transparent on the lines of the PAR of the All India Services.

2. Keeping in view the above position, the matter regarding communication of entries in the ACRs in the case of civil services under the Government of India has been further reviewed and the undersigned is directed to convey the following decisions of the Government:-

- (i) The existing nomenclature of the Annual Confidential Report will be modified as Annual Performance Assessment Report (APAR).
- (ii) The full APAR including the overall grade and assessment of integrity shall be communicated to the concerned officer after the Report is complete with the remarks of the Reviewing Officer and the Accepting Authority wherever such system is in vogue. Where Government servant has only one supervisory level above him as in the case of personal staff attached to officers, such communication shall be made after the reporting officer has completed the performance assessment.
- (iii) The Section entrusted with the maintenance of APARs after its receipt shall disclose the same to the officer reported upon.
- (iv) The concerned officer shall be given the opportunity to make any representation against the entries and the final grading given in the Report within a period of fifteen days from the date of receipt of the entries in the APAR. The representation shall be restricted to the specific factual observations contained in the report leading to assessment of the officer in terms of attributes, work output etc. While communicating the entries, it shall be made clear that in case no representation is received within the fifteen days, it shall be deemed that he/she has no representation to make. If the concerned APAR Section does not receive any information from the concerned officer on or before fifteen days from the date of disclosure, the APAR will be treated as final.

- (v) The new system of communicating the entries in the APAR shall be made applicable prospectively only with effect from the reporting period 2008-09 which is to be initiated after 1st April 2009.
- (vi) The competent authority for considering adverse remarks under the existing instructions may consider the representation, if necessary, in consultation with the reporting and/or reviewing officer and shall decide the matter objectively based on the material placed before him within a period of thirty days from the date of receipt of the representation.
- (vii) The competent authority after due consideration may reject the representation or may accept and modify the APAR accordingly. The decision of the competent authority and the final grading shall be communicated to the officer reported upon within fifteen days of receipt of the decision of the competent authority by the concerned APAR Section.
3. All Ministries/Departments are requested to bring to the notice of all the offices under them for strict implementation of the above instructions.


(C.A. Subramanian)
Director

To

All Ministries/Departments of Government of India

Copy to:-

1. Chief Secretaries of All State Governments/U.T.s
2. The President's Secretariat, New Delhi.
3. The Prime Minister's Office, New Delhi.
4. The Cabinet Secretariat, New Delhi.
5. The Rajya Sabha Secretariat.
6. The Lok Sabha Secretariat.
7. The Comptroller and Auditor General of India, New Delhi.
8. The Union Public Service Commission, New Delhi.

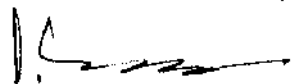
Copy also to:-

- (a) All Attached offices under the Ministry of Personnel, Public Grievances and Pensions.
- (b) Establishment Officer and Secretary, ACC (10 copies).
- (c) All officers and Sections in the Department of Personnel and Training.
- (d) Secretary, Staff Side, National Council (JCM), 13-C, Ferozeshah Road, New Delhi.
- (e) All Staff Members of Departmental Council (JCM).
- (f) All Staff members of the Departmental Council (JCM), Ministry of Personnel, Public Grievances and Pensions.
- (g) NIC (DoP&T) for placing the Office Memorandum on the web-site of DoP&T.
- (h) Hindi Section for Hindi version of the O.M.

5. In case no representation is received within 15 days of communication of APAR to the officer reported upon, the APAR with the certificate as per Appendix 'A' will be forwarded to custodian of APAR.

6. Responsibility for communication of Reports for the year 2008-09, which have already been received by custodian of ACR shall rest with such custodian. Such reports shall be communicated before 31.12.2009 by the custodian of such ACRs.

7. Separate instructions have been issued in respect of Gp 'A' Officers vide DGQA/Adm-6(B) note No. 97118/ACR/Policy/DGQA(Adm-6B) dated 10 Sep 09.


(Susheel Kumar)
Maj Gen
ADG(Adm)
for DGQA

Copy to :

ADGQA(A)
ADGQA(L)
ADGQA(S)
ADGQA(V)
ADGQA(R&S)
ADGQA(M&E)
ADGQA(CV)
DDG(Adm)
DDG(O)
TS to DGQA
PPS to Spl DGQA

ADGQA(EE)

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Tele : 23017243

Government of India
Ministry of Defence
Deptt of Def Production
Dte Gen of Quality Assurance
DHQ PO New Delhi – 110011

A/99320/APAR/DGQA/Adm-10

26 Oct 2009

All DGQA Establishments
(Except Gp E&F)

**MAINTENANCE AND PREPARATION OF ANNUAL PERFORMANCE
APPRAISAL REPORT (APAR) FOR GP 'B' & 'C' CATEGORIES**

1. To make the Annual Confidential Reports more consultative and transparent, new guidelines have been laid down by the Deptt of Personnel and Training vide OM No. 21011/1/2005-Estt(A)(Pt-II) dated 14 May 2009. The same is enclosed for ready reference.
2. As per new guidelines issued by the DOP&T, the existing nomenclature of the Annual Confidential Report will be modified as Annual Performance Assessment Report (APAR). The full APAR, inclusive of overall grading and assessment of integrity shall be communicated to the concerned officer after the report is complete with the remarks of the Reviewing Officer and Accepting Officer as per the system in vogue. Where the Govt servant has only one supervisory level, such communication shall be made after the Reporting Officer has completed the Report. The new system of communicating the entries in the APAR shall be made applicable prospectively only with effect from the Reporting Period 2008-09, which is to be initiated after 01 Apr 09.
3. After proper deliberation of the case at DGQA HQ, it has been decided that the responsibility of communicating the full APARs to the concerned officials after reports are complete in all respects in respect of Gp 'B' & 'C' shall rest with the last officer endorsing the APAR. Where there is only one supervisory level, the same shall be done by the Reporting Officer. A photocopy of the completed APAR will be forwarded to the individual reported upon under a covering letter by the officer last endorsing the APAR. It will be specified in the covering letter that the concerned individual can make a representation against the entries in the APAR within a period of 15 days from the date of receipt of APAR and forward it to the Authority who has communicated the APAR. It will also be made clear that if no representation is received within 15 days it shall be deemed that he has no representation to make.
4. If a representation is received, the APAR along with representation and comments of IO/RO/Accepting Authority as applicable has to be submitted to the next higher authority for decision by the officer who last endorsed the APAR. The next higher authority shall consider the representation and shall decide the matter within a period of 30 days and shall communicate the same to the officer reported upon. Thereafter the APAR as modified, if any, alongwith a copy of the decision of the competent authority shall be forwarded to the custodian of APAR.

Appendix to letter No.
A/99320/APAR/DGOA/Adm-10
Dated 26 Oct 2009

CERTIFICATE

The full Annual Performance Assessment Report (APAR) including the overall grading and assessment of integrity for the period from -----to ----- has been communicated to ----- **(Name & Designation of the official)** vide letter No.----- dated-----.

Signature of the officer who has communicated the APAR

Name:
Designation:
Office/Estt: