

No. **21011/1/2010-Estt.A**
 Government of India
 Ministry of Personnel, Public Grievances & Pensions
 Department of Personnel & Training

North Block, New Delhi
 Dated the 13th April, 2010

OFFICE MEMORANDUM

Subject: Below Benchmark gradings in ACRs prior to the reporting period 200809 and objective consideration of representation by the competent authority against remarks in the APAR or for upgradation of the final grading.

The undersigned is directed to say that prior to the reporting period 200809, only the adverse remarks in the ACRs had to be communicated to the concerned officer for **representation**, if any to be considered by the competent authority. The question of treating the grading in the ACR which is below the benchmark for **next** promotion has been **considered** in this **Department** and it has been 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. There is no need to send below benchmark ACRs of other years.

2. As per existing instructions, representations against the remarks or for upgradation of the final grading given in the APAR (previously known as ACR) should be examined by the competent **authority** in consultation, if necessary, with the Reporting and the Reviewing Officer, if any. While considering the representation, the competent authority decides the matter objectively in a quasi-judicial manner on the basis of **material placed before it**. This would imply that the competent authority should take into account the views of the officer who has represented against the particular **remarks/grading** in the APAR and the views of the Reporting and Reviewing officer if they are still in service on the date of the **representation vis-a-vis the remarks/gradings** given in the APAR. The UPSC has informed this **Department** that the Commission has **observed** that while deciding such representations, the competent authorities sometimes do not take into account the views of **Reporting/Reviewing Officers** if they are still in service. The Commission has further observed that in a **majority** of such cases, the competent authority does not give specific reasons for upgrading the below benchmark **ACR/APAR** gradings at par with the benchmark for next promotion.

3. All **Ministries/Departments** are therefore requested to inform the competent authorities while forwarding such cases to them to decide on the representations against the remarks or for **upgradation** of the grading in the APAR that the decision on the **representation** may be taken objectively after **taking into account** the views of the concerned **Reporting/Reviewing Officers** if they are still in service and 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.


 (C.A. Subramanian)
 Director

To

All **Ministries/Departments** of Government of India

Copy to:-

1. The President's Secretariat, New Delhi.
2. The Prime Minister's Office, New Delhi.
3. The Cabinet Secretariat, New Delhi.
4. The Rajya Sabha Secretariat.
5. The Lok Sabha Secretariat.
6. The Comptroller and Auditor General of India, New Delhi.
7. The Union Public Service Commission, New Delhi.

Copy also to:-

- (i) All Attached offices under the Ministry of Personnel, Public Grievances and Pensions.
- (ii) Establishment Officer and Secretary, ACC (10 copies).
- (iii) All officers and Sections in the Department of Personnel and Training.
- (iv) NIC (DoP&T) for placing the Office Memorandum on the web-site of DoP&T.
- (v) Hindi Section for Hindi version of the O.M.