

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

North Block, New Delhi, 31st January, 2014

OFFICE MEMORANDUM


Subject: Entries in ACRs/APARs and proper disposal of representation in a quasi-judicial Manner by the competent authority against remarks in ACRs/ APARs or for upgradation/downgradation of the final grading.

This Department has issued OM dated 14th May, 2009 wherein the new system of communicating the entries in APAR is made applicable with effect from the reporting period 2008-09. This Department's OM dated 13th April, 2010 Ministries and Departments have been further asked to provide a copy of the reckonable below bench mark ACRs for the period prior to the reporting period 2008-09 to the concerned employee for his representation, before such ACRs are placed before future DPCs. This OM also lays down that the representations against the remarks or for up gradation of final grading in the APAR be considered by the competent authority objectively in a quasi-judicial manner on the basis of material placed before it. It provides that the competent authority shall take into account the contentions of the officer who has represented against the particular remarks/ grading in the APAR and also take the views from the reporting and reviewing officer and in case of up gradation of the final grading given in the APAR, gives specific reasons in the order.

2. The UPSC has brought to the notice of this Department that in the DPCs being held in the aegis of the Commission, orders of the competent authority do not contain specific reasons for such up gradation in a number of cases. In this regard this Department has already issued OM No. 2011/1/2005-Estt. A(Pt. II) dated 19th May, 2011 which, inter alia, states that such orders cannot be termed as disposed off in a quasi-judicial manner as laid down in the aforesaid OM dated 13.04.2010. Grading an officer below the bench mark by the DPC in such cases on the ground of up gradation being without giving sufficient reasons is prone to avoidable representations.

3. It is reiterated that proper disposal of representation in a quasi-judicial manner as outlined in this Department's OM dated 13.04.2010 is mandatory before the under consideration ACR/APAR may be placed/considered before/by the DPC.

4. All the Cadre Controlling Authorities, Ministries/Departments are advised to ensure compliance of this before sending proposals for consideration of DPCs.


(Sanjiv Shankar)

Director

Tel. No. 23093180

To,

All Ministries/Departments, Government of India (As per Standard List).

✓ NIC, DOP & T for placing the circular on Departmental website under "What's New?"