

DoP/PT/MS

GOVERNMENT OF INDIA/ BHARAT SARKAR
MINISTRY OF RAILWAYS/ RAIL MANTRALAYA
(RAILWAY BOARD)

No. 2009/SCC/3/6

10th August, 2009

The General Managers & equivalent,
All Zonal Railways, PUs, PSUs, etc.

Sub: Revised instructions regarding maintenance and preparation of Annual Performance Appraisal Report (APAR) (hitherto known as ACR) - Communication of entries recorded in the APAR to the officer reported upon - reg.

The matter regarding communication of entries in the Annual Confidential Reports (hereinafter called Annual Performance Appraisal Report (APAR)) of the Government employees has been reviewed by Department of Personnel & Training, Government of India. As per the revised guidelines circulated vide DoP&T's O.M.No. 21011/1/2005-Estt.(A)(P-II) dated 14.05.2009, all entries in the APAR for the year 2008-09 onwards should be communicated to the employees concerned. A copy of the O.M. is enclosed herewith.

- It has been decided that above guidelines issued by Department of Personnel & Training should be implemented on Indian Railways and Public Sector Undertakings under the Ministry of Railways.
- It is requested that the revised guidelines regarding communication of all entries in the APARs and the procedure to deal with and decide upon the representations received from the employees against entries in their APARs, may be followed scrupulously with effect from the reporting year 2008-09 onwards.
- It may be mentioned that all entries in the APAR shall be communicated to the officer reported upon by providing him scanned/Photostat copy of his APAR by the Railway or its Unit, where the APAR has been accepted.
- It may also be mentioned that a number of APARs for the year 2008-09 in respect of Selection Grade and Senior Administrative Grade officers (with less than 23 years of service in Group 'A') finalized at Railway's level have already been received in Board's office. Therefore, wherever a representation by such an officer against entries in his APAR is received, the same may be considered and decided upon by the Accepting Authority (i.e., GM). Board may invariably be apprised of this at the earliest so that the relevant APAR is updated in Board's office.

Please acknowledge receipt.

M.S. Mehra

(M.S. Mehra)
Joint Secretary (Confid.)
Railway Board
Ph. -23383498

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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.