

... Dated Shimla-2, 7th March, 2011.

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 to the existing provisions in regard to preparation and maintenance of Annual Confidential Reports which inter-alia provide that only an adverse remark should be communicated to the concerned officer/official reported upon for representation, if any, within a specified period.

2. The 2nd Administrative Reforms Commission in its 10th Report has 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. Keeping in view the above position and the Judgment of Hon'ble Supreme Court dated 12th May, 2008 in the case of Dev Dutt Vs UOI (Civil Appeal No. 7631 of 2002), the matter regarding communication of entries in the ACRs to the State Government employees has been under consideration of the Govt. and it has been decided that :-

- (i) The existing nomenclature of the Annual Confidential Reports will be modified as Annual Performance Assessment Report (APAR).
- (ii) Henceforth full APAR shall be communicated to the officers holding selection posts or who are in the feeder category for further promotion to selection posts after the report is complete with the remarks of the Reviewing Officer and the Accepting Authority.

- (iii) The authority entrusted with the maintenance of APARs after its receipt shall disclose the same to such officer reported upon.
- (iv) The concerned officer shall have the opportunity to make any representation against the entries 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. In case no representation is received 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 2010-2011 which is to be initiated after 1st April, 2011.
- (vi) The competent authority for considering representations against 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/her within a period of thirty days from the date of receipt of the representation.

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(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 shall be communicated to the officer reported upon within fifteen days by the concerned APAR maintenance authority.

3. These instructions may please brought to the notice of all concerned for strict compliance and the existing instructions on the subject may be deemed to have been modified to this extent.



(M.L. Sharma)

Deputy Secretary (Personnel) to the
Government of Himachal Pradesh

No.Per (AP-II) B (15)-1/2002-III, Dated Shimla-2,
Copy for information and necessary action to:-

7th March, 2011.

1. All the Administrative Secretaries to the Govt. of H.P.
2. All Heads of Departments in Himachal Pradesh.
3. All Deputy Commissioners in Himachal Pradesh.
4. The Secretary, Vidhan Sabha, H.P. Shimla-171004.
5. The Secretary, H.P. Public Service Commission Shimla-2.
6. The Secretary, H.P.S.S.S. Board, Hamirpur.
7. The Secretary to the Governor, H.P. Shimla-171002.
8. The Registrar General, H.P. High Court, Shimla-171001.
9. 100 spare copies.


(M.L. Sharma)

Deputy Secretary (Personnel) to the
Government of Himachal Pradesh.
